



PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

Thursday, July 13, 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

REPORTS

2. General Manager, Planning and Community Development – Planning and Community Development Department Q2 Report
(Planning & Community Development Services) (Voting – All) Annex A
pp. 1 - 20
3. Senior Planner – Roberts Creek Official Community Plan Amendment Bylaw 641.6 and Zoning Amendment Bylaw 310.167 for a Camping and Temporary Accommodation Establishment – Consideration for Second Reading and Public Hearing
Electoral Area D (Rural Planning Services) (Voting – A, B, D, E, F) Annex B
pp. 21 - 30
4. Senior Planner – Roberts Creek Official Community Plan Amendment Bylaw 641.7 and Zoning Amendment Bylaw 310.172 for an Artisan Craft Distillery – Consideration for Second Reading and Public Hearing
Electoral Area D (Rural Planning Services) (Voting – A, B, D, E, F) Annex C
pp. 31 - 49
5. Planning Technician - Development Variance Permit DVP00014 (Graham) – Electoral Area E
Electoral Area E (Rural Planning Service) (Voting – A, B, D, E, F) Annex D
pp. 50 - 56
6. Planning Technician - Development Variance Permit DVP00017 (Nichol) – Electoral Area A
Electoral Area A (Rural Planning Service) (Voting – A, B, D, E, F) Annex E
pp. 57 - 62
7. Senior Planner – Referral from Town of Gibsons – Gospel Rock Village – Electoral Area E
Electoral Area E (Rural Planning Service) (Voting – A, B, D, E, F) Annex F
pp. 63 - 70
8. Manager, Planning and Development – Amendment of Boundaries of Notation of Interest Crown File 2404546
(Regional Planning Services) (Voting – All) Annex G
pp. 71 - 75
9. Senior Planner – Crown Referrals regarding Howe Sound Pulp and Paper Mill applications for removal and deposition of gravel from Rainy River – Electoral Area F
Electoral Area F (Rural Planning Service) (Voting – A, B, D, E, F) Annex H
pp. 76 - 84

- | | |
|--|--------------------------|
| 10. Planner – Private Moorage Referrals in Secret Cove (Pope for Brynolson) – Electoral Area B
Electoral Area B (Rural Planning Service) (Voting – A, B, D, E, F) | Annex I
pp. 85 - 110 |
| 11. Planner – Referral for Exclusion from the Agricultural Land Reserve – Electoral Area E
Electoral Area E (Rural Planning Service) (Voting – A, B, D, E, F) | Annex J
pp. 111 - 133 |
| 12. Senior Planner - Pender Harbour Music Society Lease Agreement Renewal
Electoral Area A (Rural Planning Service) (Voting – A, B, D, E, F) | Annex K
pp. 134 - 144 |
| 13. Manager, Pender Harbour Aquatic and Fitness Centre - Pender Harbour Aquatic & Fitness Centre Acoustic Remediation Project
(Pender Harbour Aquatic & Fitness Centre) (Voting – A, B, D, E, F) | Annex L
pp. 145 - 147 |
| 14. Electoral Area A (Egmont/Pender Harbour) APC Minutes of June 20, 2017
Electoral Area A (Rural Planning Services) (Voting – A, B, D, E, F) | Annex M
pp. 148 - 149 |
| 15. Electoral Area D (Roberts Creek) APC Minutes of June 19, 2017
Electoral Area D (Rural Planning Services) (Voting – A, B, D, E, F) | Annex N
pp. 150 - 151 |
| 16. Electoral Area E (Elphinstone) APC Minutes of June 28, 2017
Electoral Area E (Rural Planning Services) (Voting – A, B, D, E, F) | Annex O
pp. 152 - 154 |
| 17. Electoral Area F (West Howe Sound) APC Minutes of June 27, 2017
Electoral Area F (Rural Planning Services) (Voting – A, B, D, E, F) | Annex P
pp. 155 - 158 |

COMMUNICATIONS

- | | |
|---|--------------------|
| 18. <u>Chief Bill Williams, Intergovernmental Relations, Natural Resources and Revenue, Skwxwú7mesh Nation, dated June 9, 2017.</u>
Regarding new national park within Skwxwú7mesh Nation territory. | Annex Q
pp. 159 |
|---|--------------------|

NEW BUSINESS

IN CAMERA

That the public be excluded from attendance at the meeting in accordance with Section 90 (1) (a) of the Community Charter – “personal information about an identifiable individual”.

ADJOURNMENT

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

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

SUBJECT: PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT - 2017 Q2 REPORT

RECOMMENDATION

THAT the report titled Planning and Community Development Department - 2017 Q2 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 Second Quarter (Q2) of 2017: April 1 to June 30, 2017.

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

PLANNING AND DEVELOPMENT DIVISION [FUNCTIONS 500, 504, 540]

Regional Planning [500]

PROJECTS

BURNCO Environmental Assessment (EA)

The BURNCO EA was suspended for a period of time and is now under way again. The EAO plans to have a draft set of conditions available for review by the Working Group members in the coming weeks.

Narrows Inlet Hydro Project

The environmental assessment certificate amendments were issued on April 26, 2017. Construction has started. The company has also been working with SCRD staff to ensure that works to connect the transmission lines to BC Hydro line near Ruby Lake, south of Klein Lake, do not disrupt use of the Suncoaster Trail.

Invasive Plant Management

Staff received an extension for the use of the grant funds from the Ministry of Forests, Lands and Natural Resource Operations for the purpose of developing a regional invasive plant strategy. Work has commenced in preparing project plans for both the community and corporate invasive plant management strategies.

Sea to Sky Invasive Species Council (Sea to Sky ISC) has received the SCRD's letter requesting to join its partnership. The Sea to Sky ISC is considering the partnership and is currently obtaining information on what this means for them in terms of funding and capacity.

An Invasive Species Technical Working Group (ISTWG) meeting was held on June 29, 2017. The Sea to Sky ISC attended the ISTWG meeting as a delegation to share its mandate and gauge interest from municipalities and *shíshálh* Nation on joining its partnership as well. The

Sea to Sky ISC made it clear that it would prefer to take a regional approach to invasive plant management to ensure all land managers are on the same page.

At the meeting, the Coastal Invasive Species Committee advised those in attendance that the decision to reduce its geographical boundary has been withdrawn, which could enable the Sunshine Coast to continue as a member. Treatment summary (mostly knotweed species):

- MOTI treated sites (knotweeds and giant hogweed) along its rights-of-way in June. A second pass treatment will occur in July or September.
- The District of Sechelt has a new staff member to support managing invasive plants in their park system. There are 9 new knotweed sites this year, and they are trying to manage gorse at Snickett Park.
- The Town of Gibsons is focusing treatment on private properties and along creek corridors.

Local government (SCRD and municipalities) and First Nation staff will discuss these opportunities further.

Provincial staff attended the meeting as a delegation to share information on available provincial resources, including the BC Inter-Ministry Invasive Species Working Group and the [Early Detection, Rapid Response](#) program.

Rural Planning [504]

PROJECTS

Egmont/Pender Harbour Official Community Plan Review

The OCP received first reading in Q2 and is now Bylaw 708. Referrals were sent to government agencies and advisory groups and several responses have been received. Staff are reviewing improvement opportunities and will report to a future PCDC with recommendations.

Twin Creeks Official Community Plan Review

Staff presented a first draft of the Twin Creeks OCP to the Twin Creeks OCP Review Committee on June 30th. Comments received from the review committee will be incorporated. A draft is will be forthcoming to a future Planning and Community Development Committee.

Residential Intensification Strategies for Affordable Housing

A report was considered at February 16 PCDC. The Board approved the recommendation of a comprehensive review of all OCPs and zoning bylaws to create consistent policies and standards for affordable housing and infill development. The report is currently being referred to agencies and First Nations. A report on the finding of a comprehensive review of OCP policies and referral feedback was presented to the PCDC in June. OCP amendments for affordable housing policies will be going to the Board in Q3.

Short Term Rentals

Strategies for communication and engagement were developed in Q2. The workbook was published in June. A strong response was received from the initial promotion on social media. Radio and print media will also be used to promote the engagement initiative.

Vaucroft Park Management Strategies

A management strategy for Vaucroft Park on North Thormanby Island was considered at the March 9 PCDC. The report is currently in the referral process. Staff began work with Vaucroft Improvement District in April and met with major stakeholders and visited the park in May. Staff plan to connect with the Vaucroft Improvement District (VID) in August with respect to the issue of ownership of Lots 46/47 to VID.

Other

Planning staff conducted a review of local government approaches to managing marihuana odors. Opportunities to apply zoning tools to this issue will be explored as part of the planned review of Zoning Bylaw 310.

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

Bylaw 337.87 and OCP 432.25 (Ruby Lake Resort)

A report was considered at April 13 PCDC regarding the public hearing, consideration of Third Reading and conditions to be met prior to consideration for adoption. Third reading took place on May 25. The applicant is working to complete the conditions required before the Board may consider adoption.

Bylaw 310.170 and OCP 600.7 (Shazach Holdings Inc.)

A report was consider at the May 11 PCDC and the bylaws received Second Reading on May 25. A public hearing was held on June 27.

Bylaw 310.168 (Penonzek)

Application to separate one parcel of land from a future bare land strata subdivision and mobile home park at 1327 Fitchett Road and to donate one piece of land on the west side of the ravine as part of a larger park dedication. A report was provided to the December 8 PCDC. Staff are working with the applicant to address sewage treatment requirements, park development considerations and covenant amendments. A report recommending Second Reading and public hearing is scheduled to be considered at the July 13 PCDC.

Bylaw 337.114 and OCP 432.33 (West Coast Wilderness Lodge)

West Coast Wilderness Lodge applied to convert the grounds and building of a vacant fish processing plant into a health and wellness spa with accommodations. A Public Information Meeting was held on March 8. The Bylaw received First Reading on March 23. Referral comments have been received and the bylaws were read a second time on June 22. A public hearing is scheduled on July 24 at 5:00 pm. Staff will report back to the Committee with feedback from the public hearing.

Bylaw 310.171 (Green for DL 1312)

Bylaw 310.171 was adopted on June 22 and the properties to be subdivided are now within the AG zone.

Bylaw 310.167 and OCP 641.6 (Camping Accommodation)

Application is to establish a camping and temporary accommodation facility at 2089 Lockyer Road in Roberts Creek. The application was considered by the Roberts Creek OCP Committee and the Area D Advisory Planning Commission, and was generally supported. A report for consideration of First Reading of the bylaw was considered at the April 13 PCDC. A public information meeting was held on May 30. A report will be presented at the July 13 PCDC.

Bylaw 310.172 and OCP 641.7 (Artisan Craft Distillery, 2042 Porter Road)

An OCP and zoning bylaw amendment application was received for establishing a craft distillery at 2042 Porter Road in Roberts Creek, located outside of the ALR. The bylaw received First Reading in May. A public information meeting was held on June 8. A report will be presented at the July 13 PCDC.

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

This OCP amendment proposes new policies to guide road closure and redevelopment proposals on Ocean Beach Esplanade in Electoral Area E. A report was presented to the April 13 PCDC for consideration of First Reading of the bylaw. The report was referred to government agencies and advisory groups for comments. A public information meeting was held on June 29.

Bylaw 310.173 (BC Ferries)

A report was considered at the June 8 PCDC and the bylaw received First Reading on June 22. Referrals were sent and the applicant is working with staff to arrange a public information meeting.

AGRICULTURAL LAND COMMISSION REFERRALS AND DECISIONS

ALR00003 Non-Farm Use for a Distillery (Bottieri)

A referral was received to permit a craft distillery that produces less than 50% of its grain used for the distilled spirits on site. The SCRD Board did not support the application. Staff forwarded the application to the ALC and the ALC decision was to not grant the non-farm use.

ALR00005 Exclusion (Gurney)

A referral was received to exclude 6 hectares from the ALR in Electoral Area E. A report on the referral will be presented at the July 13 PCDC for consideration.

OPERATIONS

Development Applications Statistics

Applications Received	A	B	D	E	F	2017 Q2 Total	2017 Q1 Total	YTD Total
Development Permit		1	4			5	6	11
Development Variance Permit	2			1		3	4	7
Subdivision	2		3			5	2	7
Rezoning/OCP	1	2			1	4	3	7
Board of Variance						0	2	2
Agricultural Land Reserve				1		1	0	1
Total	5	3	7	2	1	18	17	35

There were 18 Development Applications received in Q2 2017 compared to 9 in Q2 2016.

The year to date total for Development Applications received in 2017 is 35.

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

Crown and Local Government Referrals

Referrals	DoS	ToG	SIGD	Isld Trst	SqN	Crown	2017 Q2 Total	2017 Q1 Total	YTD Total
Referrals		1				12	13	10	23

There were 13 Crown and Local Government Referrals received in Q2 2017 compared to 8 in Q2 2016.

The year to date total for Crown and Local Government Referrals received in 2017 is 23.

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

Building Permit Reviews Completed by Planning Staff

BP Review	A	B	D	E	F	2017 Q2 Total	2017 Q1 Total	YTD Total
Building Permit Reviews by Planning	16	13	17	14	4	64	55	119

There were 64 Building Permit Reviews completed by Planning staff in Q2 2017 compared to 102 in Q2 2016.

The year to date total for Building Permit Reviews completed by Planning staff in 2017 is 119.

The 2016 total for Building Permit Reviews completed was 293. The 2015 total for Building Permit Reviews completed was 215.

Development Applications Revenue

Revenue Stats	A	B	D	E	F	2017 Q2 Total	2017 Q1 Total	YTD Total
DP		\$150	\$1,500			\$1,650	\$2,900	\$4,550
DVP	\$1,000			\$520		\$1,520	\$3,000	\$4,520
Subdivision	\$1,730		\$2,760			\$4,490	\$1,565	\$6,055
Rezoning/ OCP		\$2,900			\$2,400	\$5,300	\$5,300	\$10,600
BoV						\$0	\$1,000	\$1,000
ALR				\$1,200		\$1,200	\$0	\$1,200
Total	\$2,730	\$3,050	\$4,260	\$1,720	\$2,400	\$14,160	\$13,765	\$27,925

The Development Applications revenue was \$14,160 in Q2 2017 compared to \$10,045 in Q2 2016.

The year to date total for Development Applications revenue in 2017 is \$27,925.

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

BUILDING DIVISION [FUNCTION 520]

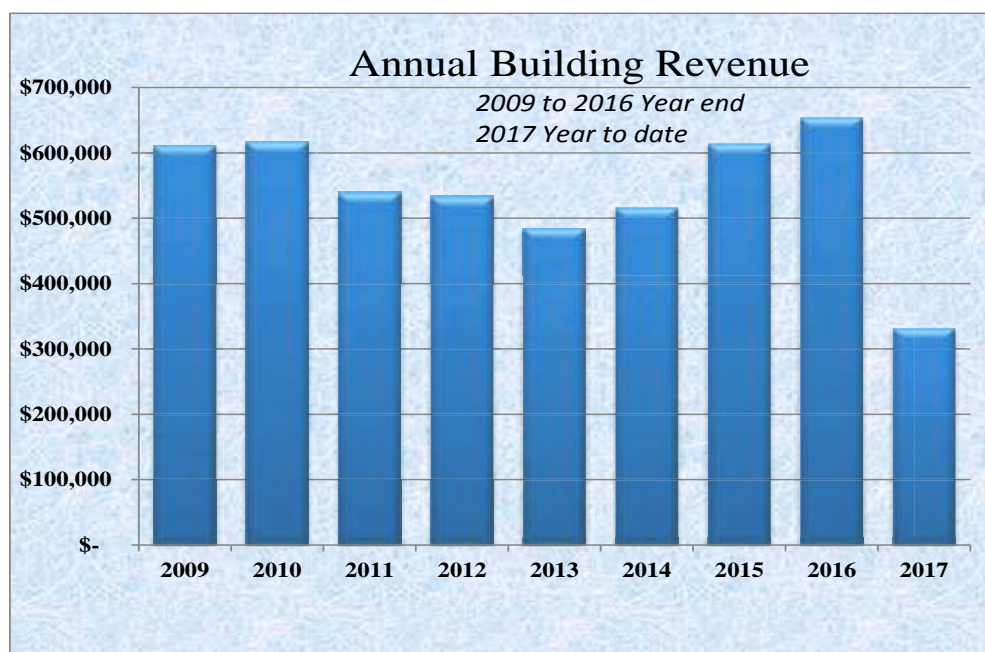
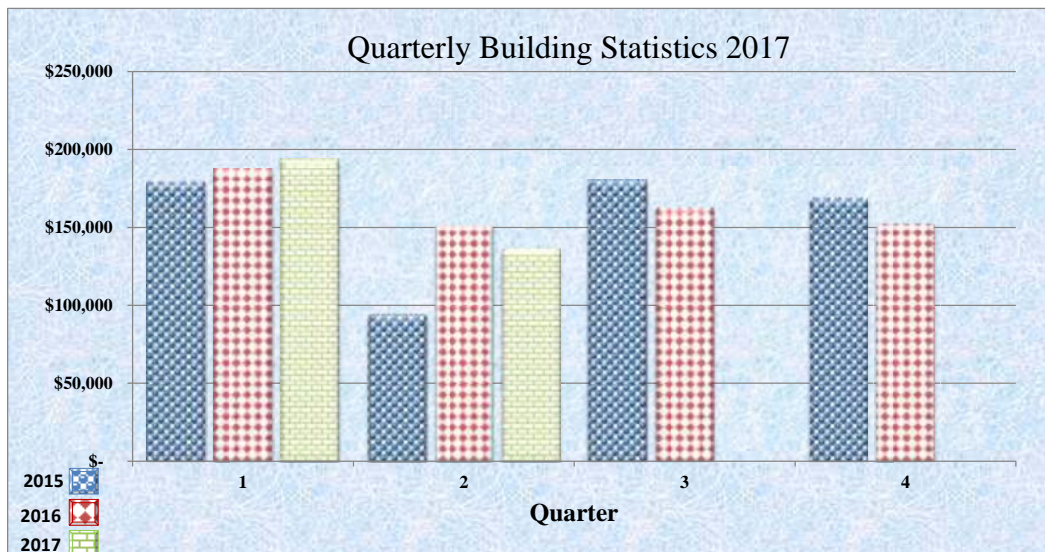
Building [520]

The SCRD Chief Building Official, Mr. Paul Preston, tendered his resignation for an opportunity closer to his family on Vancouver Island.

Recruitment for the Chief Building Official position, as well as Building Official 1 and Building Official 1 (trainee) positions, was initiated.

OPERATIONS

Building permit revenue for the Second Quarter of 2017 has shown a slight drop compared to the previous year with Electoral Area E generating the largest amount of revenue. The drop in revenue is partly due to the BC Housing requirements for home owners to write and pass the home owner exemption exam. Proof of compliance is required prior to permit issue.



BUILDING DIVISION [FUNCTION 520]

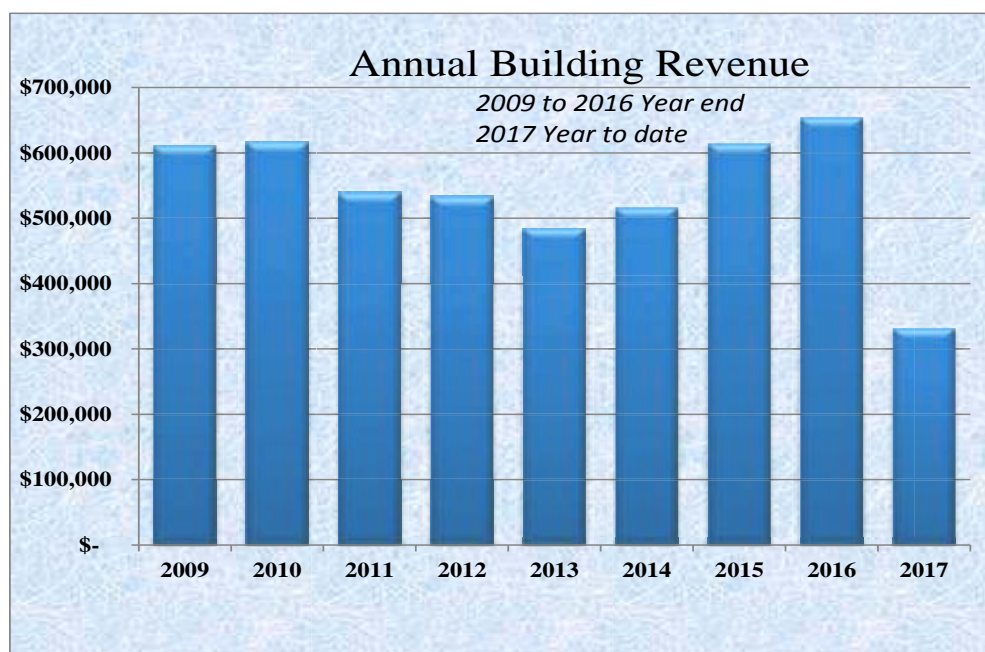
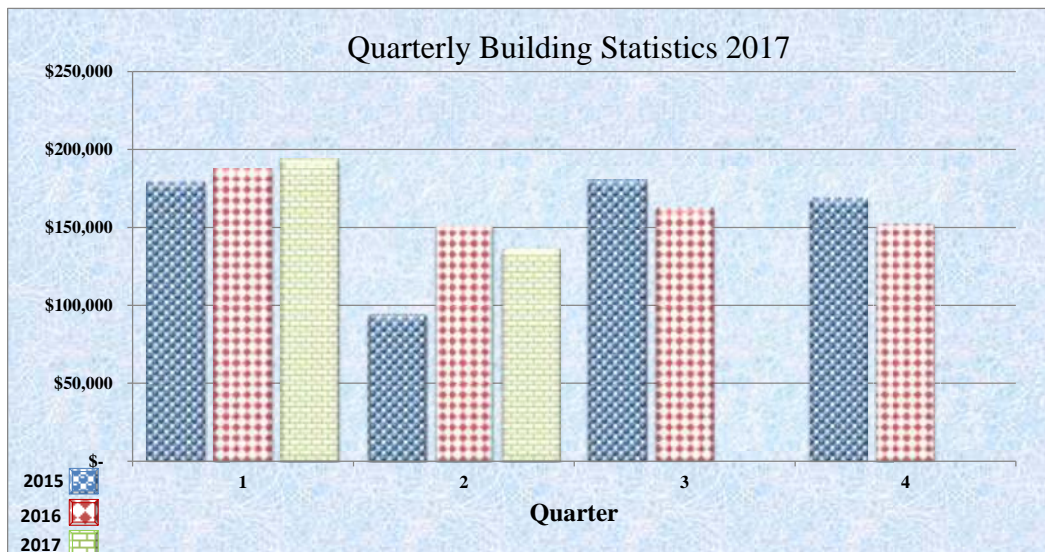
Building [520]

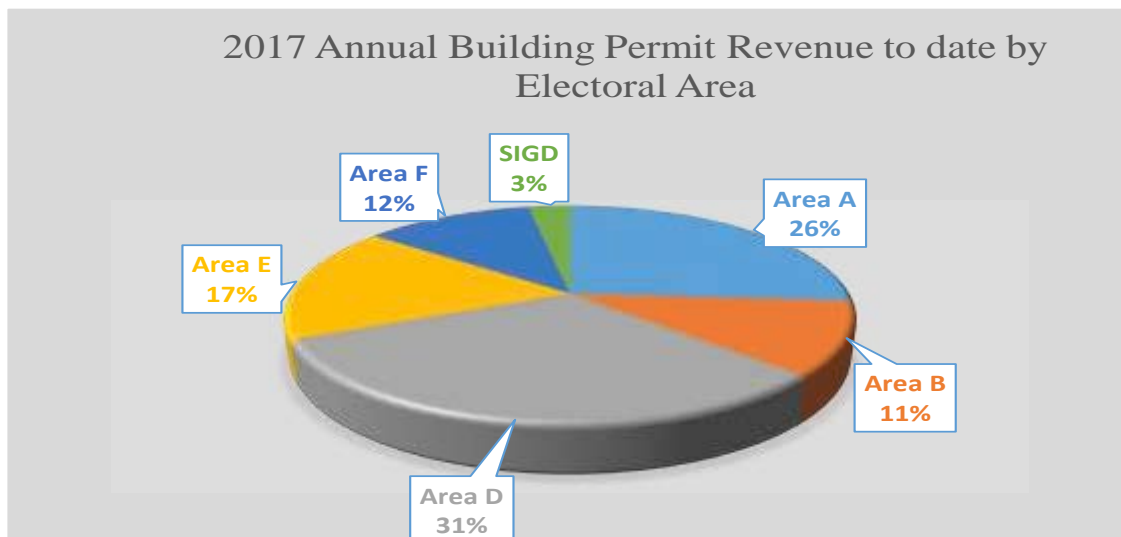
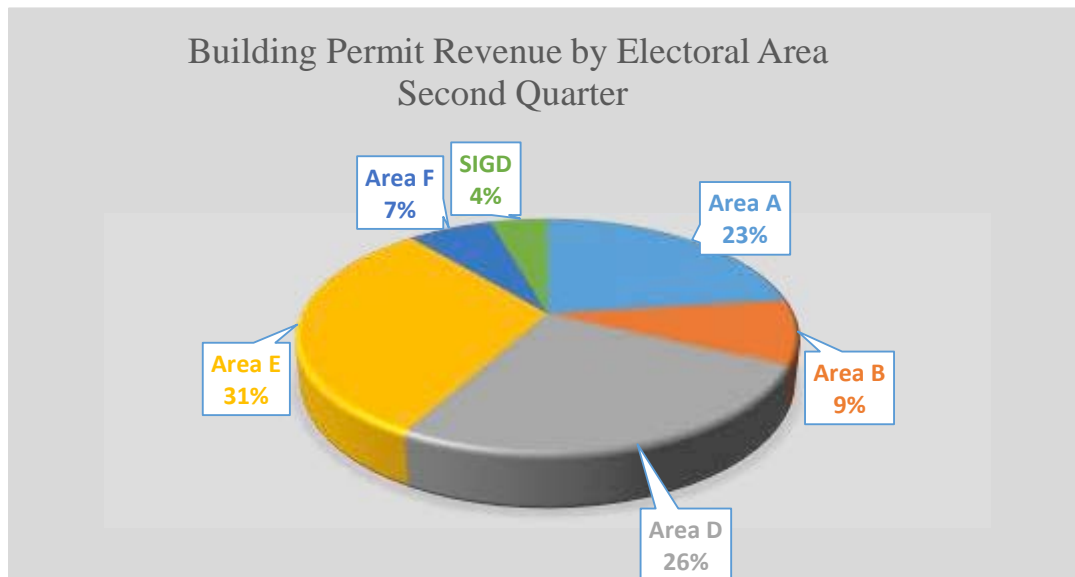
The SCRD Chief Building Official, Mr. Paul Preston, tendered his resignation for an opportunity closer to his family on Vancouver Island.

Recruitment for the Chief Building Official position, as well as Building Official 1 and Building Official 1 (trainee) positions, was initiated.

OPERATIONS

Building permit revenue for the Second Quarter of 2017 has shown a slight drop compared to the previous year with Electoral Area E generating the largest amount of revenue. The drop in revenue is partly due to the BC Housing requirements for home owners to write and pass the home owner exemption exam. Proof of compliance is required prior to permit issue.





PORTS AND DOCKS DIVISION [FUNCTION 345]

OPERATIONS

In Q2, staff corresponded with members of the public regarding calls for service for minor repairs or calls for service at the follow SCRD ports and docks:

Hopkins Landing – minor maintenance (internal)

West Bay - minor maintenance (internal)

Halkett Bay – inspection required for repair to float and minor maintenance items (contractor)

Gambier Harbour – repair to ramp required, some minor maintenance performed (contractor)

Various locations - overtime moorage

Additional maintenance work is in the planning stage for Gambier Harbour (light and ramp hinge) and Vaucroft (sand accumulation).

A film location enquiry related to Ports was received and a generally positive response requesting further information about community impacts was returned.

PORTS MONITORS (POMO) COMMITTEE

On June 22, 2017, the SCRD Board appointed three community members to the Ports Monitors Committee. Staff are coordinating a time for an introductory meeting.

Recruitment continues. Additional applications for the Ports Monitors Committee will be considered by the PCDC in late Q3/early Q4.

MAJOR PROJECTS

Gambier Float Replacement project is on track; design is being engineered. Materials for planned ports capital repairs (Eastbourne, Port Graves, Halfmoon Bay and Hopkins) are being assembled. Communications to the community will precede work being initiated.

Project planning for the rollout of Canada 150 grant-supported works (2017/2018) is underway. POMO input will be considered as this project advances.

FACILITY SERVICES DIVISION [FUNCTION 313]

Building Maintenance [313]

PROJECTS

Major Projects:

Building Condition Audits were conducted April 1 through June 30, 2017. Audits were completed by a specialized contractor (FCAPX) on the following buildings:

- Eric Cardinall Hall
- Frank West Hall
- Chaster House
- Cooper's Green Hall
- Mason Rd Utilities Building
- Mason Rd Transit and Shop Building
- Gibsons and District Aquatic Facility
- Sunshine Coast Arena

Gibson's Library parking area anti-slip treatment project was completed.

Building Maintenance provided support to the refurbishment of the totem pole at Field Road. Working directly with Master Carver Tony Paul, the team provided scaffolding and technical support to meet the artist's needs.

Statistics

Building Maintenance Tickets	April - June
Tickets received April 1 st – June 30 th	104
Tickets resolved April 1 st – June 30 th	116
Open (unresolved) tickets as of June 30, 2017*	73

**Includes tickets from previous years (2015-2016) as well as Q2 2017.*

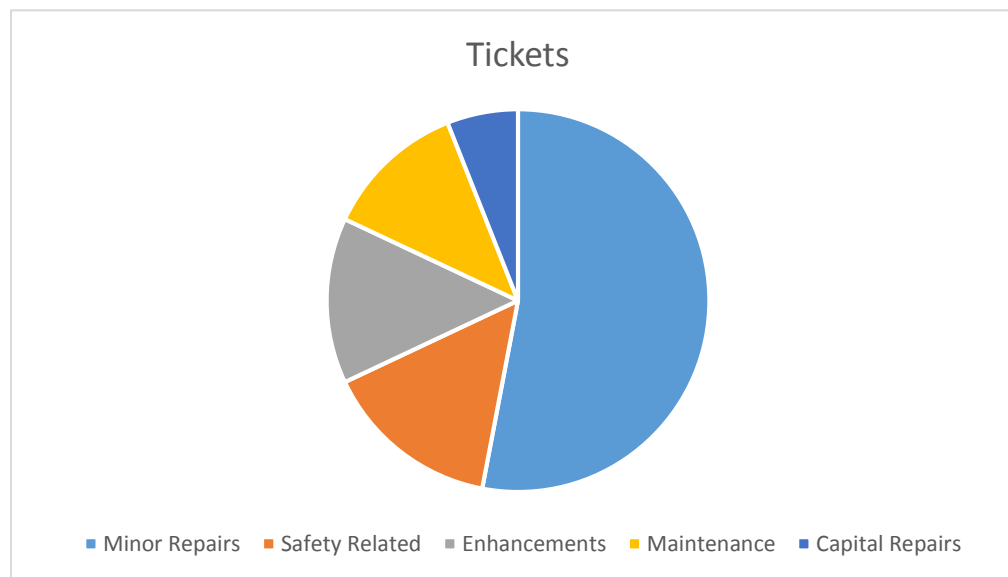
Tickets received and resolved are a slightly higher than they should be due to some tickets being added by multiple people for the same jobs. Staff are working on a solution for this.

In addition to these tickets staff are also doing on going monthly Preventative Maintenance work which is treated separately. This work is occurring in buildings where budget managers have budgeted and approved for this work to be done.

Building Maintenance Tickets can be grouped into the following categories:

Safety Related	15 %
Maintenance	12 %
Minor Repairs	53 %
Capital Repairs	6 %
Enhancements	14 %

The following graph shows this break down:



In general scope of work for tickets ranges from moving office equipment and major supply orders to pouring concrete pads and building benches, doing door repairs, roof repairs, coordination of obtaining fire plans and procedures, fencing repairs, minor dock repairs and condition assessments.

PREVENTATIVE MAINTENANCE PROGRAM

Preventative maintenance plans have been implemented at the following places:

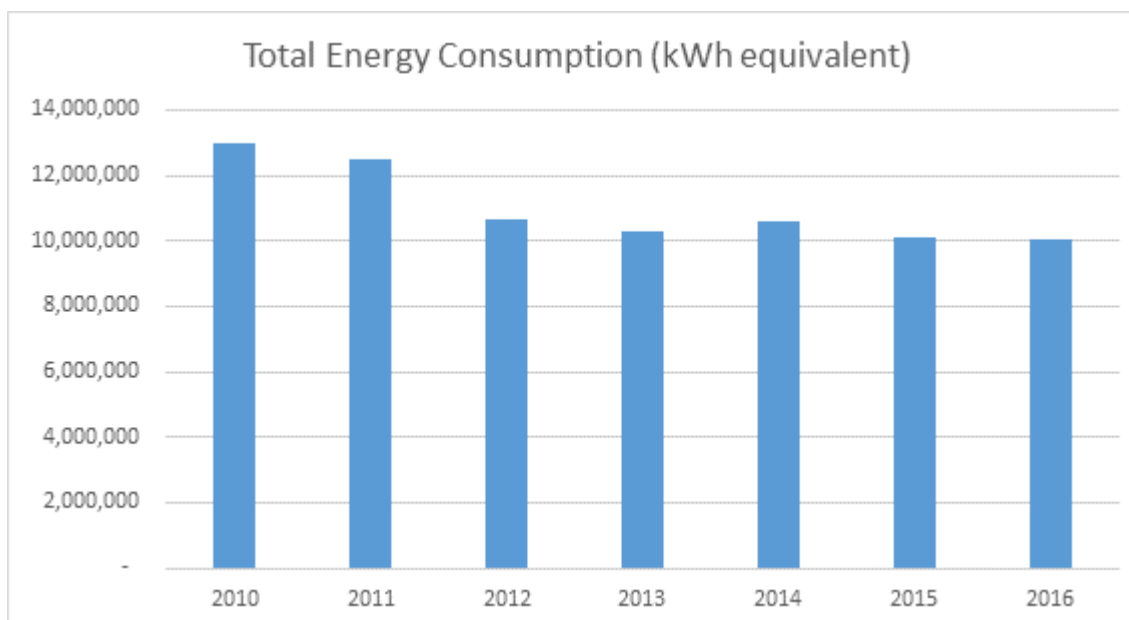
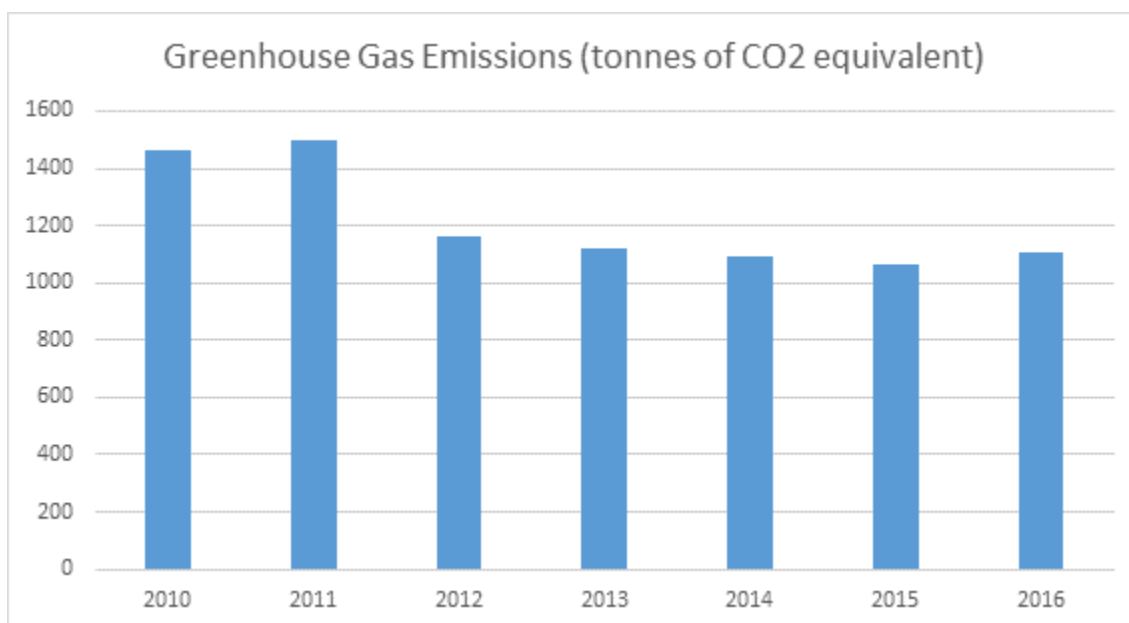
- Field Road administration buildings
- Gibsons Library
- Gibsons Fire Hall #1
- Roberts Creek Fire Hall
- Halfmoon Bay Fire Hall #1

Corporate Sustainability [135]

OPERATIONS

Statistics

As a signatory to the Climate Action Charter and commitment to carbon neutrality, the SCRD completes an annual Climate Action / Carbon Neutral Progress Report and commits to measuring its greenhouse gas emissions. In 2016, the SCRD was responsible for 959 tonnes of carbon dioxide equivalent (tCO₂e). This does not include public transit. An additional 142 to 155 tCO₂e per year for solid waste generated by the Regional District facilities is included in the graph below. The increase from 2015 is attributed to increase natural gas use during a colder winter as well as a slight increase in vehicle fuel use and water infrastructure operations. Efficiency upgrades to buildings and water pumps are expected to yield savings this year.



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

Cemeteries [400]

Statistics

	2017 Q2	2016 Q2	2017 Q2	2016 Q2
Service	Burials	Burials	Cremations	Cremations
Plots Sold	3	7	3	4
Niches Sold	N/A	N/A	1	2
Interments	2	5	4	10
Inurnments (Niche)	N/A	N/A	1	2

OPERATIONS

A 3-year cemetery landscape maintenance contract was awarded. Staff have received positive community response regarding the aesthetics of Seaview Cemetery, which have been relayed to the contractor.

Parks [650]

PROJECTS

Parks, Trails and Beach Access

Lily Lake Trail

Final landscaping including grass seeding and planting rose bushes was completed in June. This project is now complete.

Phase 2 Suncoaster Trail

Community input from two open houses has been used to refine the proposed alignment of Phase 2 of the Suncoaster Trail. Referrals with land managers are required as part of the process of evolving the trail plan for sharing back with the community.

As well, a letter of interest for a Vancouver Coastal Health Active Communities Grant to support planning and design of the Suncoaster Trail Phase 2 was submitted and has received preliminary approval for up to \$57,500. The letter of interest was submitted jointly with the District of Sechelt and Town of Gibsons as a regional active transportation opportunity that will benefit all ages and families that aligned with the program. Staff are preparing a detailed application that aligns with Board direction on this project for VCH's consideration.

Katherine Lake

The SCRDP has received a private donation towards the construction of accessible trails and picnic tables in the Katherine Lake campground. Construction of the trails will be completed in July. Furniture will be ordered with a late summer delivery expected. Donor acknowledgement signage will be completed as part of the project.

Gambier Island

Staff are currently meeting with the Trails Network Task Force for the South West Peninsula of Gambier Island.

OPERATIONS

Key Q2 activities included:

- Boardwalk and bridge decking repairs at Cliff Gilker Park
- John Daley Park was closed March 16 – April 3 due to hazard trees. The trees that had previously been identified were taken down by Fleming Tree Experts. A member of the parks crew went to the site after the work was complete and inspected the grounds and tree work and confirmed all mitigation work was completed and the park is in safe condition to re-open. All closure signage and barricades on site had then been removed.
- Prepared for the May long weekend opening of Katherine Lake Campgrounds
- Tree assessment complete at Whispering Firs Parks and Katherine Lake. Hazard trees that were identified at Katherine Lake were removed prior to startup of the camping season.
- Ongoing trail inspections and maintenance, including Suncoaster Trail
- Inspection of Vine bridge located on the Suncoaster Trail
- Prepared for the startup of Shirley Macey Waterpark
- A number of outside staff participated in the Danger Tree Assessment course and Basic Chainsaw Training course. This training is in support of improved tree assessment, management and safety.
- Boardwalk and bridge repairs on Gambier Island.

Community Halls

OPERATIONS

Statistics

Number of bookings in Community Halls in 2017 Q2 compared to 2016 Q2 bookings:

Community Hall	2017 Q2 Bookings	2016 Q2 Bookings
Eric Cardinall	78	72
Frank West Hall	49	50
Coopers Green	34	23
Chaster House	86	80

The Coopers Green Hall Replacement Design Task Force was appointed by the Board in Q2, with coincident selection of a design partner through an RFP process. The design phase of this project will begin in Q3.

A roofing consultant and project manager has been contracted for the roof replacement at Frank West Hall/Cliff Mahlman Fire Hall. The project will advance in Q3.

A Grantham's Landing Community Hall Steering Committee meeting was held on June 29th, 2017. A project update, including input received from the Steering Committee, will be provided to an SCRD Committee in Q3.

Sports Fields

OPERATIONS

All sports fields were fertilized and seeded in Q2.

Statistics

Number of bookings per sports field in 2017 Q2 compared to 2016 Q2 bookings:

Sports Field	2017 Q2 Bookings	2016 Q2 Bookings
Lions Field	3	24
Cliff Gilker	126	202
Connor Park	234	230
Maryanne West	1	0
Shirley Macey Park	61	46

Dakota Ridge [680]

OPERATIONS

- Staff have closed up the facility and will be conducting regular summer maintenance on the trails and road.

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

Gibsons and District Aquatic Centre [616]

PROJECTS

OPERATIONS

- Planning and procurement for annual shut down maintenance.
- Completed project brief and scope of work for exit door replacement - capital project
- Adjustments to boiler system and facility heating set points for summer weather.
- Calculated cost for sidewalk extension to storage container.
- Performed ongoing preventative maintenance.

Admissions and Program Registrations

GDAF	Q2 2017	Q2 2016
Admission Visits	4931	5479
Program Registrations	1,289	1,629

This represents a decrease of 548 admission visits for the April-June, 2017 period.
 These numbers include 445 L.I.F.E Admissions for those on low income for 2017.
 This represents a decrease of 340 program registrations for this period.

PROGRAM HIGHLIGHTS

- **National PFD Day, May 18:** Staff wore PFD's while working to promote water safety and the use of PFD's.
- **Water Safety Week:** June 4-10. Patrons had the opportunity to learn about safety.
- **Increased Hours of Operation:** GDAF saw increased hours of operation during the annual maintenance shutdown at SAC. Members of the community organized a group shuttle in order to attend the Aquafit Classes programmed at GDAF during the 4 week closure.

Gibsons and Area Community Centre [617]

PROJECTS

OPERATIONS

- Procurement for annual refrigeration plant maintenance; early July commencement.
- Annual preventative maintenance – painting etc.
- Roof top unit(s) repaired, including sensors, bearings and capacitors
- Modern System controls upgrade; capital project – ongoing occupancy sensor upgrades.
- Youth center garden project moving forward in partnership with YMCA.
- Lighting fixture and bulb replacements for reception area– better illumination.
- Annual fire & sprinkler inspection June 22nd
- Contractor annual maintenance planned or in progress.
- Gym handicap door opener replacement.
- Performed ongoing preventative maintenance.

Admissions and Program Registrations

GACC	Q2 2017	Q2 2016
Admission Visits	16,697	24,704
Program Registrations	1,063	1,379

This represents a decrease of 8,007 admission visits in the April - June period. Upon further investigation the stats from April –June 2016 were correct as there was a large tournament that took place in 2016 which significantly increased visits.

Numbers have increased for this same time period in comparison to 2015 and 2014 an average of 6,084 visits.

Included in this admission total are 516 L.I.F.E admissions for those on low income for 2017 and arena facility rental attendance.

This represents a decrease of 316 program registration.

PROGRAM HIGHLIGHTS

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

Boxing Event	April 1 st 2017	300 spectators
Gibsons Garden Club Event	April 29 th 2017	150 guests 50 volunteers
Space Cup Ball Hockey Tournament	May 13 th & 14 th	
Pickeball Tournament	June 3 rd & 4 th 2017	130 participants
Home Show	June 10 th 2017	1,500 guests -100 exhibitors
Elphinstone Dry Grad	June 27 th 2017	90 grads 30 volunteers

Dry floor

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

Staff added an additional pickleball drop-in program on Fridays and added drop-in inline hockey on Mondays.

Staff have recorded a huge increase in participation for drop-in programs specifically Stay & Play and Roller Skating.

The Dry floor is scheduled to run until July 25th 2017. On July 26th ice installation will begin for the early ice season scheduled to begin on August 5th 2017.

Registered Programs

Staff introduced registered pickleball lessons this spring with two sessions held at GACC. The two sessions combined hosted a total of 13 registered participants. Staff also set up pickleball lessons for a grade nine class from Elphinstone Secondary School and 29 youth participated.

Sunshine Coast Arena [620]

PROJECTS

OPERATIONS

- The community room AHU fan motor arrived, was installed and the unit is operational again.
- New rubber matting installed for player benches.
- Exterior walls of Rotary and McDonald's change rooms repainted.
- Painted the interior Rotary room walls and the first section of bleachers.
- Continued with the preventative maintenance including annual maintenance.
- Performed ongoing preventative maintenance.
- Scheduled annual Zamboni maintenance by contractor.
- Started painting exterior fire exit stairs.

Upcoming projects:

- Roof sealant application.
- Painting of inside wall in hallway to Rotary and McDonald's change rooms
- Machinery room annual maintenance.

Admissions and Program Registrations

SCA	Q2 2017	Q3 2016
Admissions	2162	1843
Program Registrations	0	164*

This represents an increase of 319 for the April -June period.
Included in this total are 6 L.I.F.E admissions for those on low income for 2017.

*This represents a decrease of 164 program registrations. The difference results from 2016 stats including an event that happened during the winter session this year (reflected in the Q1 report). Also, this year there were no Day Camps as there were in 2016. The Learn to Play Pickleball programs at SCA were cancelled in 2017 for lack of registration. These programs were centralized and went ahead at GACC.

PROGRAM HIGHLIGHTS

The Sunshine Coast Arena co-hosted two roller derby events in the Second Quarter. Both events were very successful and the next bout is scheduled for July 15th 2017.

Roller Derby Bout	May 12 th 2017	250 spectators
Roller Derby Bout	June 3 rd 2017	148 spectators

Dry floor

The dry floor programs continue at the Sunshine Coast Arena with a steady consistent interest in pickleball. Pickleball drop-in is held four days per week at SCA. (Mondays, Wednesdays, Fridays & Saturdays). Dry floor is scheduled to run until September 10th, 2017.

Sechelt Aquatic Centre [621]

PROJECTS

OPERATIONS

- In discussion with District of Sechelt to add an additional handicap parking spot.
- Performed ongoing preventative maintenance.
- Annual fire safety device inspection by contractor.
- Annual shut down work:
 - Annual pump maintenance, cleaning, impellers, seals, anodes etc.
 - Annual UV light maintenance, cleaning, seal kits, wiper assemblies etc.
 - Replacement of benches in men's change room to a more durable non portable bench.
 - Pool tile repairs and grout repairs.
 - Pool caulking repairs.
 - Painting in various locations of building.
 - Replacement of chemical feed lines to all pools.
 - Rust remediation work on water slide tower area and pool natatorium exit doors.
 - Corrosion removal and repainting of dive board and stand.
 - Annual water slide maintenance completed including the 5 year required maintenance and inspection.

Admissions and Program Registrations

SAC	Q2 2017	Q2 2016
Admission Visits	29,802	25,156
Program Registrations	3,398	3,796

Included in this total are 2060 L.I.F.E admissions for those on low income for 2017.

This represents an increase of 4646 admission visits.

This represents a decrease of 398 Program Registrations for the Spring Session.

PROGRAM HIGHLIGHTS

- **National PFD Day, May 18:** Staff wore PFD's while working to promote water safety and the use of PFD's.

Pender Harbor Aquatic and Fitness Centre [625]

Operations

Planning and procurement for annual shut down maintenance.

PROJECTS

- The Pender Harbour Aquatic Society donated \$4,100 to the PH Aquatic and Fitness Centre from a grant they received from the Sunshine Coast Credit Union. This money is being used specifically to purchase a new SINA shower trolley for the accessible family change room space. The current table (installed with the Enabling Accessibility grant funds) was proving not appropriate for all sizes and ages. Angel Accessibility is the company who has provided all the equipment and they will fully refund the cost of the current table towards this new purchase. Installation planned for Q3.
- The PHAFC Acoustic remediation project is discussed in a separate report to the Planning and Community Development Committee.
- A customer donated funds towards the purchase of fitness equipment which will enable the facility to purchase 2 pieces instead of one for the 2017 year.

PROGRAM HIGHLIGHTS

SPECIAL EVENTS

- **Move for Health Day May 10:** A partnership event with the PH Secondary School and PH Community School. All students participated in an afternoon of physical activities including Aquafit, Outdoor Fitness Circuit, California Kickball, Bocce Ball, Ladder Ball Toss, Croquet, Pickleball and Badminton. SCRD Staff applied for and received a \$300 grant for the event as well as the PH Aquatic Society donated \$50. The Parent Advisory Council offered a free bar b que lunch to all students. The PHAFC used this opportunity to conduct a Youth Survey to learn what the students would like to have for programs. In total there were approximately 60 participants and the event was a great success. 60 youth surveys were received.
- **Water Safety Week:** June 4-10. Madeira Park Elementary Students attended water safety week programs on June 5 and 9. In total 76 students participated.
- **Cycle Across Canada Challenge Completed:** January 3 – June 13. Approximately 50 people participated in the event to cycle (on stationary bikes) from Pender Harbour to Cape Spear Newfoundland, 6,126 km. This event was very well received by patrons and they are looking forward to the next challenge.
- **2nd Annual Swim Grad and BBQ May 31:** The PH Aquatic Society hosted a special family barbecue for all participants of the Wet Set Swim lesson program. Kids participated in a variety of 'games with aims' as well as receiving their progress cards with family joining in for the free barbecue. Staff created a 'water park' theme for the event. There were 61 participants.

- **National PFD Day, May 18:** Staff wore PFDs while working to promote water safety and the use of PFD's.
- **May Day:** PHAFC staff participated in the Pender Harbour annual May Day parade. The theme this year was Canada's 150th and all staff dressed as beavers wearing Canadian flag head bands carrying a banner 'Busy Building a Strong Community'. 14 staff and family members participated.

Admissions and Program Registrations

PHAFC	Q2 2017	Q2 2016
Admission Visits	3,125	3,119
Program Registrations	1,005	1,083

This represents an increase of 6 visits for the April – June period.
 Included in this total are 113 L.I.F.E admissions for those on low income for 2017.

This represents a decrease of 78 Program Registrations for the period.

Summary

SCRD Recreation Services saw a total of 67,610 visits to Recreation Facilities from April- June 2017 as detailed below:

2017 SCRD Recreation Facility	Front Desk Admissions <i>Includes Rentals</i>	Program Attendance	Spectators	Q2 Attendance
Gibsons & District Aquatic Facility	4,931	1,289	n/a	6,220
Gibsons & Area Community Centre	16,697	1,063	2,791	20,551
Sunshine Coast Arena	2,162	0	1,347	3,509
Sechelt Aquatic Centre	29,802	3,398	n/a	33,200
Pender Harbour Aquatic & Fitness Centre	3,125	1,005	na/	4,130

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

April – June	SAC	GDAF	GACC	SA	PHAFC
Q2 2016	28,952	7,108	26,083*	2,007	4,202
Q2 2017	33,200	6,220	17,760	2,162	4,130

*Error in stats for April 2016

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

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: Yuli Siao, Senior Planner

SUBJECT: Roberts Creek Official Community Plan Amendment Bylaw 641.6 and Zoning Amendment Bylaw 310.167 for a Camping and Temporary Accommodation Establishment – Consideration for Second Reading and Public Hearing

RECOMMENDATIONS

1. THAT the report titled Roberts Creek Official Community Plan Amendment Bylaw 641.6 and Zoning Amendment Bylaw 310.167 for a Camping and Temporary Accommodation Establishment – Consideration for Second Reading and Public Hearing be received;
 2. AND THAT the Roberts Creek Official Community Plan Amendment Bylaw 641.6, 2017 be forwarded to the Board for Second Reading;
 3. AND THAT Bylaw 641.6, 2017 is consistent with the SCRD's 2017-2021 Financial Plan and 2011 Solid Waste Management Plan;
 4. AND THAT the Sunshine Coast Regional District Zoning Amendment Bylaw 310.167, 2017 be forwarded to the Board for Second Reading;
 5. AND THAT a public hearing to consider Bylaws 641.6, 2017 and 310.167, 2017 be scheduled for 7:00 pm, Tuesday, September 12, 2017, at Roberts Creek Community Hall, located at 1309 Roberts Creek Road, Roberts Creek;
 6. AND FURTHER THAT Director _____ be delegated as the Chair and Director _____ be delegated as the Alternate Chair for the public hearing.
-

BACKGROUND

On April 27, 2017 the Board adopted the following resolution:

151/17 **Recommendation No. 6** *Roberts Creek OCP Amendment Bylaw 641.6, 2017 and SCRD Zoning Amendment Bylaw 310.167, 2017*

THAT the report titled Roberts Creek Official Community Plan Amendment Bylaw 641.6 and SCRD Zoning Amendment Bylaw 310.167 for a Camping and Temporary Accommodation Establishment be received;

AND THAT *Roberts Creek Official Community Plan Amendment Bylaw No. 641.6, 2017 and Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.167, 2017* be forwarded to the Board for First Reading;

AND THAT *Roberts Creek Official Community Plan Amendment Bylaw No. 641.6, 2017* and *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.167, 2017* be referred to *shíshálh* Nation, the Ministry of Transportation and Infrastructure, the Vancouver Coastal Health Authority, and the Ministry of Forests, Lands and Natural Resource Operations for comment;

AND THAT a public information meeting be held with respect to *Roberts Creek Official Community Plan Amendment Bylaw No. 641.6, 2017* and *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.167, 2017*;

AND FURTHER THAT once comments from referrals and the public information meeting have been received, *Roberts Creek Official Community Plan Amendment Bylaw No. 641.6, 2017* and *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.167, 2017* be referred back to the Planning and Community Development Committee for consideration of Second Reading.

Pursuant to the Board's resolution, the bylaws were referred to agencies for comments, and a public information meeting was held. This report summarizes comments received from the referrals and the public information meeting, and recommends second reading of the bylaws and the holding of a public hearing.

DISCUSSION

Referral Comments

The previous report and bylaws were referred to *shíshálh* Nation, the Ministry of Transportation and Infrastructure, the Vancouver Coastal Health Authority, and the Ministry of Forests, Lands and Natural Resource Operations. The following are summaries of comments received from the referrals.

shíshálh Nation

The referral is being reviewed. No comments have been received to date.

Ministry of Transportation and Infrastructure

No comments have been received.

Vancouver Coastal Health Authority

Drinking Water Supply:

Any domestic water system serving more than a single family residence qualifies as a water supply system under the Drinking Water Protection Act (DWPA). The applicant will therefore need to submit a Construction Permit Application as per Section 7 of the DWPA or, at a minimum, sufficient information for the Public Health Engineer to consider waiving the Construction Permit based on the size of the system.

Once constructed and approved, the system will receive an operating permit which subjects the system to oversight and regulation by VCH. A variety of operating criteria will be required, which

may include regular bacteriological testing, annual inspection from VCH, and creation of Emergency Response and Contingency Plans.

The applicant must contact VCH to discuss the Construction Permit Application process and proposed operational details of the water supply system.

Sewerage System:

Any sewerage system with a combined design daily domestic sewage flow of less than 22,700 liters is subject to regulation by the Sewerage System Regulation under the Public Health Act. Any upgrades or new systems must be installed by an Authorized Person as described in Section 7 of the Sewerage System Regulation. The Authorized Person must submit a Filing as per Section 8 prior to construction and a Letter of Certification as per Section 9 after construction. Composting toilets fall under the jurisdiction of the Sewerage System Regulation and must adhere to this process.

Ministry of Forests, Lands and Natural Resource Operations

The property is accessed via the East Wilson Forest Service Road. This road is maintained to industrial traffic status. Typically it is graded and brushed once per year. The bridge approaches are repaired as needed.

Public Information Meeting

A public information meeting was held on May 30, 2017. The applicants, SCRD staff, the Area Director and two area residents attended the meeting. Questions were asked regarding road maintenance, septic field, outdoor kitchen, fire protection and the operation of the camping retreat. No concerns were expressed, except one as previously expressed by the Roberts Creek Advisory Planning Commission, regarding the possibility of the camping facilities becoming permanent dwellings in the future and the need to place a covenant on the property to prevent this from happening.

This concern can be addressed by the zoning bylaw. The property is over 4 hectares in size, and is permitted to have up to four dwellings in accordance with the zoning bylaw. There is one existing dwelling on the property. No more than three additional dwellings will be permitted, whether or not by conversion of the sleeping cabins or other structures through a Building Permit process. Therefore, Staff's opinion is that it is unnecessary to require a restrictive covenant on the property.

Organization 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 Roberts Creek Official Community Plan has no negative impact on the plan. It is therefore recommended that OCP Amendment Bylaw 641.6 be considered consistent with the 2017-2021 Financial Plan and 2011 Solid Waste Management Plan of the Sunshine Coast Regional District.

Timeline for next steps

If the Board gives the bylaws the second reading, a public hearing will be organized. Comments received from the public hearing as well as recommendations for any conditions will be incorporated into a staff report to the Planning and Community Development Committee for consideration of the third reading of the bylaws. At that time the Board can made a decision on the final approval of the amendments.

Communication Strategy

Information on this application will be posted on the SCRD website. Any public meetings will be advertised in the local newspaper and notices will be sent to property owners within 100 m of the site.

STRATEGIC PLAN AND RELATED POLICIES

The following SCRD Strategic Plan objectives and success indicators relate to the subject of this report:

- Incorporate land use planning and policies to support local economic development.
- Collaborate with community groups and organizations to support their objectives and capacity.
- Create and use an “environmental lens” for planning, policy development, service delivery and monitoring.

The subject of this report is also aligned with the following land use principles of the Regional Sustainability Plan: ‘We Envision’ for the Sunshine Coast:

- We envision a continued vitality in the urban-wild dynamic, unique to our region, through the conservation and enhancement of biodiversity, natural spaces, parks and recreation opportunities for all residents.

CONCLUSION

The agency feedback and the public information meeting concerning this application were both informative, with no objection to the application expressed. Staff recommend that the bylaws be presented to the Board for second reading and a public hearing be held. Staff support this application, subject to reviewing comments received after the public hearing.

Attachments

Attachment A – OCP amendment bylaw

Attachment B – Zoning amendment bylaw

Reviewed by:			
Manager	X – A. Allen	Finance	X-T.Perreault
GM	X – I. Hall	Legislative	
CAO	X - Loveys	Solid Waste	X-R.Cooper

Attachment A

SUNSHINE COAST REGIONAL DISTRICT

BYLAW No. 641.6, 2017

A bylaw to amend the *Roberts Creek Official Community Plan Bylaw No. 641, 2012*

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

PART A – CITATION

1. This bylaw may be cited as the *Roberts Creek Official Community Plan Amendment Bylaw No. 641.6, 2017*.

PART B – AMENDMENT

2. *Roberts Creek Official Community Plan Bylaw No. 641, 2012* is hereby amended as follows:

Insert the following sub-section immediately following Section 18h:

“18h.1 Notwithstanding Section 18h, temporary accommodation in the form of sleeping cabins is permitted on Block 2 District Lot 3380 Plan 4341.”

PART C – ADOPTION

READ A FIRST TIME this 27TH DAY OF APRIL 2017

PURSUANT TO SECTION 475 OF THE LOCAL
GOVERNMENT ACT CONSULTATION
REQUIREMENTS CONSIDERED this 27TH DAY OF APRIL 2017

READ A SECOND TIME this DAY OF MONTH YEAR

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

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

DAY OF MONTH YEAR

READ A THIRD TIME this

DAY OF MONTH YEAR

ADOPTED this

DAY OF MONTH YEAR

Corporate Officer

Chair

Attachment B

SUNSHINE COAST REGIONAL DISTRICT

BYLAW No. 310.167

A bylaw to amend *Sunshine Coast Regional District Zoning Bylaw No. 310, 1987*

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

PART A – CITATION

1. This bylaw may be cited as the *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.167, 2017*.

PART B – AMENDMENT

2. *Sunshine Coast Regional District Zoning Bylaw No. 310, 1987* is hereby amended as follows:

Insert the following section immediately following Section 1011.9:

“Site Specific Uses

1011.10 A maximum of ten sleeping cabins are permitted on Block 2 District Lot 3380 Plan 4341.”

3. Schedule A of Zoning Bylaw No. 310, 1987 is hereby amended by rezoning Block 2 District Lot 3380 Plan 4341 from “RU1 Zone (Rural One)” and “RU2 Zone (Rural Two)” to “RU2 Zone (Rural Two)”, as depicted on Appendix ‘A’ to this bylaw.

PART C – ADOPTION

READ A FIRST TIME this 27TH DAY OF APRIL 2017

READ A SECOND TIME this 27TH DAY OF APRIL 2017

PUBLIC HEARING HELD PURSUANT TO
THE *LOCAL GOVERNMENT ACT* this DAY OF MONTH YEAR

READ A THIRD TIME this

DAY OF

MONTH

YEAR

ADOPTED this

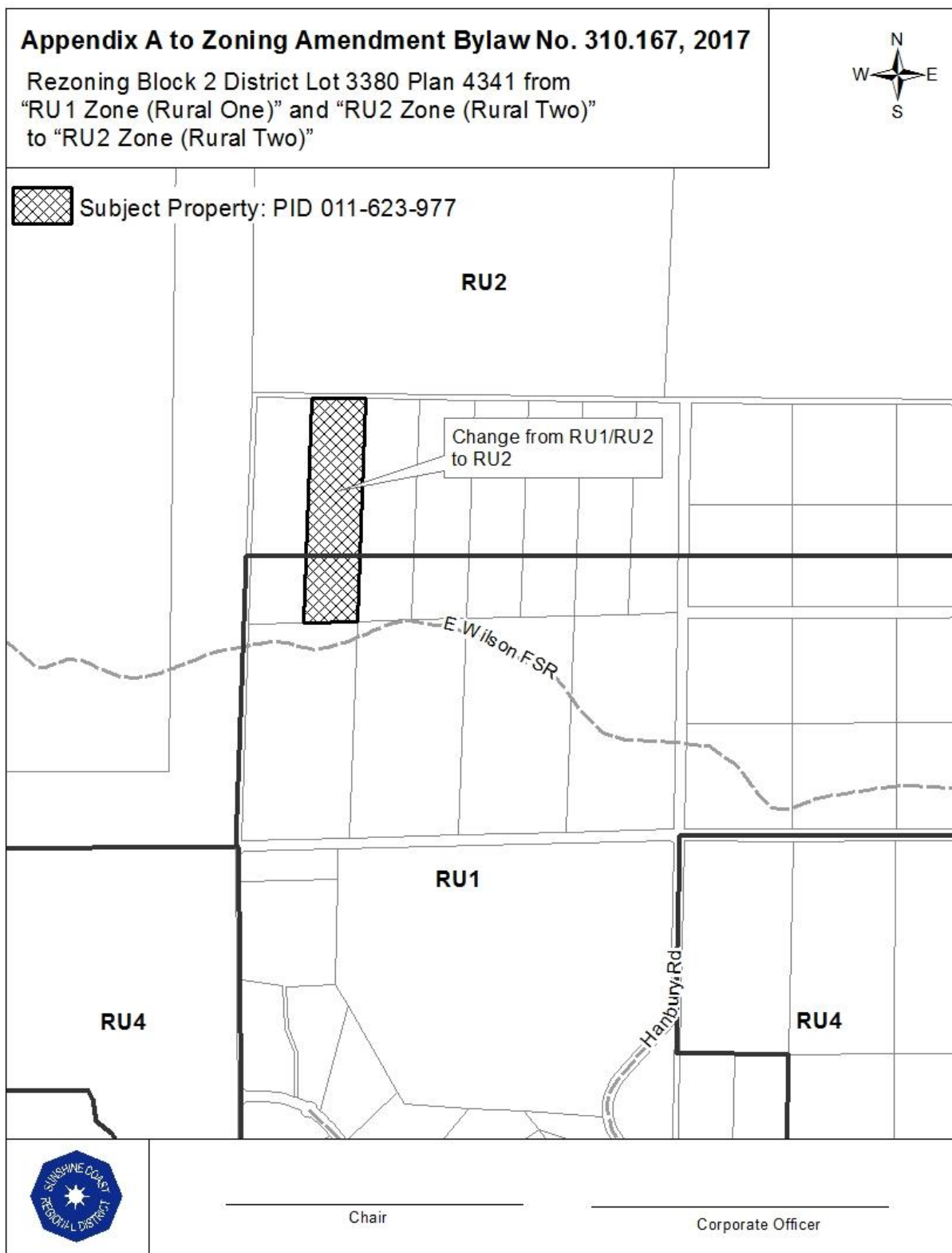
DAY OF

MONTH

YEAR

Corporate Officer

Chair



SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: Yuli Siao, Senior Planner

SUBJECT: Roberts Creek Official Community Plan Amendment Bylaw 641.7 and Zoning Amendment Bylaw 310.172 for an Artisan Craft Distillery – Consideration for Second Reading and Public Hearing

RECOMMENDATIONS

1. **THAT** the report titled Roberts Creek Official Community Plan Amendment Bylaw 641.7 and Zoning Amendment Bylaw 310.172 for an Artisan Craft Distillery – Consideration for Second Reading and Public Hearing be received;
 2. **AND THAT** the Roberts Creek Official Community Plan Amendment Bylaw No. 641.7, 2017 be forwarded to the Board for second reading;
 3. **AND THAT** Bylaw No. 641.7, 2017 is consistent with the SCRD's 2017-2021 Financial Plan and 2011 Solid Waste Management Plan;
 4. **AND THAT** the Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.172, 2017 be forwarded to the Board for Second Reading;
 5. **AND THAT** a public hearing to consider Bylaws 641.7 and 310.172 be scheduled for 7:00 pm, Tuesday, September 12, 2017, at the Roberts Creek Community Hall, located at 1309 Roberts Creek Road, Roberts Creek;
 6. **AND FURTHER THAT** Director _____ be delegated as the Chair and Director _____ be delegated as the Alternate Chair for the public hearing.
-

BACKGROUND

On May 25, 2017, the Board adopted the following resolution:

174/17 **Recommendation No. 8** *Roberts Creek Official Community Plan Amendment Bylaw No. 641.7, 2017 and SCRD Zoning Amendment Bylaw No. 310.172, 2017*

THAT the report titled Roberts Creek Official Community Plan Amendment Bylaw 641.7 and SCRD Zoning Amendment Bylaw 310.172 for an Artisan Craft Distillery be received;

AND THAT the *Roberts Creek Official Community Plan Amendment Bylaw No. 641.7, 2017* and *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.172, 2017* be forwarded to the Board for First Reading;

AND THAT the *Roberts Creek Official Community Plan Amendment Bylaw No. 641.7, 2017* and *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.172, 2017* be referred to the Roberts Creek Advisory Planning Commission,

Skwxwú7mesh Nation, the Ministry of Transportation and Infrastructure and the Vancouver Coastal Health Authority for comment;

AND THAT a public information meeting be scheduled with respect to the *Roberts Creek Official Community Plan Amendment Bylaw No. 641.7, 2017* and *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.172, 2017*;

AND FURTHER THAT once comments from referrals and the public information meeting have been received, the *Roberts Creek Official Community Plan Amendment Bylaw No. 641.7, 2017* and *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.172, 2017* be brought to a future Planning and Community Development Committee meeting for consideration of Second Reading.

Pursuant to the Board's resolution, the bylaws were referred to agencies for comments, and a public information meeting was held. This report summarizes comments received from the referrals and public consultation, and recommends second reading of the bylaws and the holding of a public hearing.

DISCUSSION

Referral Comments

The previous report and bylaws were referred to the Roberts Creek Advisory Planning Commission, Roberts Creek OCP Committee, Skwxwú7mesh Nation, the Ministry of Transportation and Infrastructure and the Vancouver Coastal Health Authority. The following are summaries of comments received from these agencies.

Skwxwú7mesh Nation

No concerns.

Ministry of Transportation and Infrastructure

Porter Road is what the Ministry calls 8F or user maintained. The road was never constructed to Ministry standards so the Ministry does not perform maintenance on these roads. As for the proposed pullout the applicant must apply for a permit to make changes on Ministry right of way. The Ministry is not opposed to the idea but there is a very large stump in that area that might prove more cost prohibitive to the applicant being able to actually construct the pull out in that area. The applicant would also have to be aware that the residence on that road have proposed to upgrade it to Ministry standards at which point we would take over the maintenance. If the upgrades were to proceed it would remove the constructed pull out area.

Vancouver Coastal Health Authority

Drinking Water Supply:

Any domestic water system serving more than a single family residence qualifies as a water supply system under the Drinking Water Protection Act (DWPA). As described, this water source will also be providing potable water that will be consumed by the public. The applicant will therefore need to submit a Construction Permit Application as per Section 7 of the DWPA. Additional treatment systems may be required.

Once constructed and approved, the system will receive an operating permit which subjects the system to oversight and regulation by VCH. A variety of operating criteria will be required, which may include regular bacteriological testing, annual inspection, and creation of Emergency Response and Contingency Plans.

The applicant must contact VCH to discuss the Construction Permit Application process and proposed operational details of the water supply system.

Sewerage System:

Any sewerage system with a combined design daily domestic sewage flow of less than 22,700 liters is subject to regulation by the Sewerage System Regulation under the Public Health Act.

In order to verify that this system is capable of supporting the additional proposed commercial uses, a signed and sealed letter from an Authorized Person as described in Section 7 of the Sewerage System Regulation must be submitted attesting to the system's capability to handle wastewater from this facility.

If upgrades or modifications are required, the Authorized Person must submit a Filing as per Section 8 prior to construction and a Letter of Certification as per Section 9 after construction.

Roberts Creek Advisory Planning Commission

Recommendation No. 1 – APC recommends that the minimal number of on-site parking spaces required to accommodate customers should be added to the text of bylaw amendment.

Recommendation No. 2 – APC questions whether the existing septic system on the property is suitable for combined domestic and distillery use. APC recommends that the requirements for waste disposal from the distillery be examined by an engineer and by Coastal Health.

Recommendation No. 3 – APC gives unanimous support for this proposal.

Roberts Creek OCP Committee

Committee members were impressed with the well thought out plan, and extensive work between the proponent and the neighbours, and the local focus. Committee members all support the proposal, and the zoning and OCP amendments as described by the SCRDP staff report.

Public Information Meeting

A public information meeting was held on June 8, 2017. The applicants, SCRDP staff, the Area Director and ten area residents attended the meeting. A wide range of topics were discussed regarding road maintenance, traffic, parking, noise, smell, tasting, fire protection, distillation process, etc. The meeting notes can be found in Attachment A.

Public Feedback

The SCRDP received 25 written submissions from area residents including 3 filled questionnaires distributed at the public information meeting. Among these submissions, 18 support the proposal, and 7 oppose it or express concerns.

Response to Public Input

A number of common points (including both supportive comments and concerns) emerged from the public information meeting and public feedback. The applicant provided a summary of response (Attachment B) to the common concerns from the property owner and business operator's perspective. The following is an analysis of these common points and how concerns can be addressed.

Fit and Character

While some residents question the fit of the distillery with the rural lifestyle of the area, many others support the project because they believe that it will generate economic opportunities, promote tourism and add to the business diversity of the Sunshine Coast. It is also recognized by many that this small-scale and low-impact operation is the right fit for the neighbourhood and the character of the community.

Road and Traffic

The condition of Porter Road is a major concern of adjacent residents. This road is a public road dedicated to the Ministry of Transportation and Infrastructure, however the Ministry does not maintain it because it is classified as a user-maintained road. The road is in poor condition and is maintained by residents of surrounding properties. The concern is that the distillery may bring more traffic onto this road, worsen its condition and increase maintenance cost. Another concern is that this single-lane road may not be able to handle increased traffic.

In response to these concerns, the applicants state that the small nature of the distillery will draw little traffic to the area. They anticipate that the small tasting room will account for about 15% of the sales, with the remaining stock being sold at farmers markets, restaurants, local establishments, liquor stores and online. They also plan to limit the opening hours to Saturdays all year round, with Fridays and Sundays for the summer season. Therefore, it is not expected that traffic bound for the distillery, Porter Road and adjacent area will increase significantly. Furthermore, to ease the passing difficulty on Porter Road, the applicants also propose to define a pull-out area on the south side of the road near the driveway entrance, subject to the approval of the Ministry of Transportation and Infrastructure.

Parking

There are some concerns about whether the property can accommodate parking for all visitors to the distillery. According to the Zoning Bylaw 310, the distillery with an auxiliary tasting room requires 2 off-street parking spaces. The applicants propose 3 parking spaces next to the distillery building, and 8 existing parking spaces along the driveway on the property can also be used to meet additional demand (Attachment C – Parking Plan). With the small scale of the distillery and limited opening hours, it is not likely that the demand for parking would exceed the supplied capacity and result in on-street parking on Porter Road. To secure this parking supply, a site specific parking requirement for 11 parking spaces is added to the revised zoning amendment bylaw (Attachment E).

Tasting Area

Concerns were raised regarding whether the distillery would become a drinking establishment. What is proposed in the amendment bylaw is a beverage manufacturing facility with a tasting room as an auxiliary retail component. A tasting room is not a drinking establishment.

According to current provincial liquor licensing regulation, the amount of alcoholic beverage to be served in the tasting area of a distillery is restricted. A provision for tasting is added to the proposed bylaw to stipulate how tasting shall be conducted. Furthermore, the provision for an outdoor tasting area is removed from the zoning amendment bylaw, limiting tasting to the indoor tasting room only. However, the outdoor patio will remain as part of the landscape feature of the project. The applicants indicate that they have no intention to host food trucks, live bands or events associated with the distillery.

Smell and Noise

With respect to concerns about smell and noise, the applicants indicate that unlike a brewery, a distillery does not cook its ingredients, and the entire fermentation and distilling process is confined within the building, and thus very little gas is sent off into the air. Water is used for cooling and the perishable ingredients are frozen, so that there is no need to run ventilation fans which generate noise.

Fire Protection

Concerning fire protection for the stored liquor in the distillery, the Fire Department states that a sprinkler system is not required when the storage is less than 25,000 litres. The applicants indicated that there would be no more than 5,000 litres of product stored on site, and they would comply with all fire protection requirements through the building permit process.

Water and Sewage

According to the applicants, the heaviest water usage in distilling is cooling the condenser. The water for this purpose will come from an existing pond and will be recirculated back into it with no cumulative water loss. Water for making the spirits is only used in the production of grain / corn based alcohol, ranging from 30 to 100 gallons per batch. It will come from an established deep well on the property. No water is used for fruit based distillates.

The small scale of the project will not require change to the existing septic system. Residential sewage on the property will remain unchanged. The de-alcoholized liquid from distilling will be integrated into compost and used for watering the gardens and orchards. Both water and sewage systems will require approval from the Vancouver Coastal Health Authority.

Organization 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 Roberts Creek Official Community Plan has no negative impact on the plan. It is therefore recommended that OCP Amendment Bylaw 641.7 be considered consistent with the 2017-2021 Financial Plan and 2011 Solid Waste Management Plan of the Sunshine Coast Regional District.

Timeline for next steps

If the Board gives the bylaws the second reading, a public hearing will be organized. Comments received from the public hearing as well as recommendations for any conditions will be incorporated into a staff report to the Planning and Community Development Committee for

consideration of the third reading of the bylaws. At that time the Board can make a decision on the final approval of the amendments.

Communication Strategy

Information on this application will be posted on the SCRD website. Any public meetings will be advertised in the local newspaper and notices will be sent to property owners within 100 m of the site.

STRATEGIC PLAN AND RELATED POLICIES

The following SCRD Strategic Plan objectives and success indicators relate to the subject of this report:

- Incorporate land use planning and policies to support local economic development.
- Collaborate with community groups and organizations to support their objectives and capacity.
- Create and use an “environmental lens” for planning, policy development, service delivery and monitoring.

CONCLUSION

Through the agency referral and public consultation process, local residents actively responded to the proposal and expressed both support and concerns for the project. Overall, there is strong support for this type of small-scale business that can integrate well into the rural landscape, and help to strengthen the local economy and sustain a unique lifestyle on the Sunshine Coast. A number of issues were discussed and clarified through the public consultation process. The zoning amendment bylaw is therefore revised to address some of these issues.

Staff recommend that the revised bylaws be presented to the Board for second reading and a public hearing be arranged. Staff support this application, subject to reviewing comments received after the public hearing.

Attachments

Attachment A – Public Information Meeting Notes
Attachment B – Applicant’s Response to Common Topics
Attachment C – Parking Plan
Attachment D – OCP Amendment Bylaw
Attachment E – Zoning Amendment Bylaw (revised)

Reviewed by:			
Manager	X – A. Allen	Finance	X-T.Perreault
GM	X – I. Hall	Legislative	X-A. Legault
CAO	X – J. Loveys	Solid Waste	X-R.Cooper
		Emergency	X-B. Searle

Attachment A Public Information Meeting Notes

**OCP and Zoning Amendment Public Information Meeting
Roberts Creek Elementary School Library
June 8, 2017**

19:00

Danise Lofstrom:

Opening introduction and welcome

19:03

Yuli Siao:

- Introduction to planning regarding zoning application, planning processes and process for amendments. "Not here to make a decision. Still in early stages and only a public information meeting. Application is also referred to other agencies and planning committees. First Reading was a couple of weeks ago, second reading upcoming and any changes can be incorporated. This is an informal meeting, the public meeting is a formal meeting.
- OCP map was presented
- Rural land use description
- Explanation on Craft Distillery not a permitted use BUT has characteristics.
- Characteristics defined
- Craft distillery is compatible and follows general characteristics
- OCP promotes small scale business development
- RU1 zoning definition
- Proposed zoning requirements will be site specific, including limits to capacity and scale of distillery

19:10

Question: Who will fix the road?

Yuli: It is a public road, classification is M.O.T. but maintained by neighbours, but road IS M.O.T.

19:12

Jeff Barringer begins power point presentation.

- Introduction on land ownership since 1998
- Demonstration of growth and development, including gardens, apiary, aesthetics of rural/country lifestyle.
- Addition of livestock, (heritage chickens and Berkshire pigs)
- Additional gardens
- Vineyard.
- Personal background of TV productions with Knowledge Network, food and beverage programming.
- Honey sales
- Working artist/Art Crawl participant
- The difference between a commercial distillery and craft distillery, craft brewers and distilleries are new industries.
- Limitations of bottles produced
- Proposed operation would be producing a fraction of what is allowed
- All ingredients must be from BC
- Coast fruits would be acquired
- Craft distillery must be done on site and from "scratch"
- BC Craft distillers can sell directly to the public, ie; farmer's markets, Canada Post etc.
- Craft distillery is subject to and required to have provincial and federal licensing
- There is strong support on the coast for craft distilleries (86%)

- Products made would be: whisky, gin and liqueurs, brandy from fruits
- Facility is tiny - 787 sq ft.
- Floor plan described
- proposed site plans 15m from lot line, views from all cardinal points
- Local craftsmen will design and build (Roberts Creek based)
- Will meet all licence requirements
- Limited storage
- Described fermentation process for grain, fruits and honey
- Smell; breweries smell but wineries, distilleries and meaderies do not - they don't boil their product
- Water use is our own deep well
- No water is used for fruit musts
- Water will be recycled to and from the pond on the property
- Mash solids will go back into the grounds as compost or livestock feed
- Finished product will be bottled and sold
- Money will go back into the community
- Agro sustainable
- Labour sourced from the coast
- History of years of employing people
- Acquisition of local fruits
- Full adherence to all laws, fines are substantial, no deviating
- Legal responsibilities for alcohol producers and consumers
- Will be a beverage manufacturer with a tasting facility
- Tasters are no more than 5ml and with a maximum of 3 tasters
- Some alcohols will be 40% some as low as 26%
- Opening hours Saturday 10-5; maybe Friday and Sunday (hours provided in screen shots)
- There will be NO food truck, no live or recorded music, no intentions of hosting weddings, or commercial gatherings or events.
- Parking; SCRd requires 2 spots, currently have 8 but will have more
- Traffic: Conrad Road currently has 80 users, new property development on Pixton
- Porter Rd. is rough
- Complaints are ongoing
- Dump trucks all the time on Porter
- Group has committed \$5,000.00 to road maintenance
- Porter Rd impact by distillery is first 500' as first driveway on the (left) is the distillery
- Shrinkage of road occurs well past the destination address

Presentation ends: 19:35

Question: Just Tasting?

Jeff: Yes just tasting, We could apply to serve drinks but we don't want to.

Question: If you want to serve drinks would you have to re-apply to rezone?

Jeff: Yes, tasting is the only thing we want, we don't want to encourage or have people sit and stay.

Question: Things change in the future. This could change with a new owner?

Jeff: Yes, true, but if want to serve we'd be more likely to open a place in Gibsons. Mixed drinks is not the focus. The intent is to sell the \$60 bottle. There is no comparison to Persephone.

Yuli: Once written into the zoning it can't change, it's site specific.

Question: Smell?

Jeff: No brewery smell, wineries and meaderies and cideries have no off gassing. Smell won't be an issue, and any micro amounts are removed by wind direction.

Question: Ventilation fans? Like Sharkey's

Jeff: Because they are freezing perishable products. We don't run ventilation fans.

Question: How are you heating your water?

Jeff: Propane heating and with a pre-heater, Hot water is heated with propane boiler, water treatment and new technology has made mechanics of this small.

Question: Parking on road, Art Crawl caused congestion?

Jeff: Very rarely did we have overflow parking, People park at the bottom of the driveway, If there was a problem we'd address it.

Question: Yes, there have been big trucks, but the road and traffic on the road is my big concern.

Jeff: We could expand or define the natural pull out at the base of the driveway. We have 11 spots, the intent is to have people who come and then they go. No lingering.

Question: Do neighbours get free tasting? I was in the hospitality business and I am all in favour of this.

Question: How many litres per year?

Jeff: If we broke 1200-1500 litres per year we'd be lucky. Takes a while.

Question: Bear control?

We already have extensive bear control, including electric fence and bear bangers.

Question: SCRD said two parking spots, is that a requirement?

Yuli: That is based on the square footage of the building.

Question: And, you don't have sprinklers in your building?

Jeff: No, we don't plan to store finished products. Fire marshal submitted his formal report with the right to change, which we will abide by.

Question: So, you could have 7,000 litres?

Jeff: No, we can't store that.

Question: Security concerns?

Jeff: Because we have federal licence, the RCMP are required to respond as a priority. Security is paramount and we are addressing that.

Question: Do you have experience?

Jeff: Yes.

Question: You don't wash the fruit?

Jeff: No, because of the natural yeast and tannins - you want all this in your product.

Question: How do you ensure you are distilling out the methanol?

Jeff: Provided a detailed response in the safety aspects of distilling out methanol and the ability of modern computer driven distillers that identify methanol molecules

Danise: (referring to question of parking on Porter Road) If we worked on the pull out would that help with congestion concerns?

John Sadler roughly answered yes.

Regarding any questions from Mark Labelle

Mark: Mostly the road, that's all I care about.

Meeting concluded: 20:00

Attachment B Applicant's Response to Common Topics

Road Use

Comment:

"Conrad Road is among the poorest maintained roads in Roberts Creek. There is already more traffic utilizing the road than it can handle. Dust, washboard and increased traffic will impact the quality of life for my tenants and myself. Porter Road itself is not maintained by highways and as a result is in very bad repair."

Related Comment:

"With additional traffic - Conrad will also need more maintenance - or paved - part way up Conrad is only one lane now just before Porter."

Related Comment:

"As the road is not maintained by the SCRD and is in fact maintained by the residents of Porter Road and is not wide enough for a lot of traffic - who is going to pay for the road maintenance when we have more wear and tear to the road with a commercial enterprise."

Related Comment:

"Our main concern regarding a distillery open to the public on Porter Rd. in Roberts Creek is our single lane, privately managed road. As it stands now, the road is in disrepair and there is no consensus on regular maintenance of the road. It is single lane and passing is difficult as there is no real shoulder on the roadway. There has been increasing amounts of traffic on the road as new construction is occurring and already the road cannot handle this increase in traffic, so any further increase in traffic would cause more erosion on the road."

Response:

Regarding Conrad Road, complaints about it now clearly illustrate that the 'problems' are pre-existing. We have lived in this neighborhood for a long time and Conrad Road has always ebbed and flowed with surface quality. As properties continue to be sold on Pixton Road, where many newly released properties are now actively being developed, the traffic issues are beyond what measured traffic our project may or may not contribute.

If this project is successful, we will happily work with the neighbors and the SCRD/MOTI to see if anything can be done to help Conrad Road and to champion the push for the continued development of better overall road conditions in this burgeoning area.

Porter Road is indeed a privately maintained road. Recently, the residents of upper Porter have reached consensus on how we will make and fund improvements.

The complaints about the poor road surface have rumbled for years. With or without our proposed venture, I'm certain they will continue as it will always be a dirt road. In the meantime, the parade of heavy dump and equipment trucks used for on-going residential construction continue. Up until the residents got together recently, we've seen only half-hearted efforts to mitigate the effects of this kind of traffic by their associated users.

There are many single lane dirt roads in Roberts Creek. The section of Porter to our driveway has a clear line of sight and does indeed have points long it to 'pull over and yield'. Sensible driving has worked for years without any vehicle or animal accidents. We imagine any additional drivers would have the same skills and courtesies.

All that being said however, having lived here for many years, Porter Road, while not in great shape, isn't that bad in comparison to the past years.

One of the problems with better road conditions is that we also already have a problem with speeders coming to and fro along Porter as people race for work, ferries, or whatever - some of the speeds people travel is, frankly, ridiculous. If horses and children are indeed a concern, as it should be, perhaps the speed people choose while travelling on the road should be reduced dramatically. It would solve a lot of problems, including road wear and dust issues. Personal driving choices such as speeding on a sub par road is 100% the responsibility of the individual drivers no matter who they are.

We anticipate that the tasting room will account for about 15% of our sales with the remaining stock being sold at farmers markets, restaurants, local drinking establishments, government and private liquor stores and online. Based on our research, we also expect that the much of the tasting room visitors will be in cars with more than one person, further reducing the collective traffic. This, combined with the very small nature of our distillery - it's expected the percentage of increased traffic affecting either Conrad or Porter will be not be particularly significant.

In fact, only the first 500 feet of Porter will actually see any traffic bound for the distillery, passing only one driveway. The vast majority of Porter Road, its property frontages and its aforementioned problems, will be generally unaffected by traffic generated by our proposal.

Parking

Comment:

"Where are the visitors to this business going to be parking - not on the road I hope as it is not wide enough for this. Whenever the owners of this property have a lot of visitors - they park on the road and it is unsafe to drive past them - the road is not wide enough as it is to be designated and maintained by the SCRD."

Response:

We have lived on this property for many years and over those years we have hosted many private family events, Christmas parties etc. Periodically, some of our guests might choose to park on the road. There is enough shoulder space at the bottom of our driveway for a couple of cars. We've never, knowingly, had a situation where the parked cars have blocked the road or caused safety problems.

We have ample existing and proposed space on the property to handle the expected parking requirements.

Water Use

Comment:

"Our neighborhood is reliant on deep wells and surface water for domestic use. As upland development has taken place over the years I have had to retire two surface wells due to a lack of water and interruption of the natural flow of groundwater. I assume that a distillery will utilize this limited resource in greater quantities than residential use. I fear water shortages in the future."

Related Comment:

"Water supply - how is this going to be handled? are they proposing to have a deep well? is this going to impact the water aquifer?"

Response:

We can not comment on geographical water issues pertaining to groundwater or wells as they may have been affected in the past, considering no development, visa vie the proposed distillery, has yet taken place. Both of these issues are complex and go beyond our proposal and reasonable expectation of responsibility.

The heaviest water use in distilling is for cooling the still's condenser. In this specific case, the water for this purpose will come from a pre-existing and well-established pond and will be recirculated right back into it with no cumulative water loss.

Water for creating the actual spirits is only used in the production of grain/corn based alcohol. Even so, the water usage per batch is very small, ranging from 30-100 gallons. That water will come from our excellent quality, long established and very reliable deep water well (240 feet).

No water is used for fruit based distillates. By comparison, brewing beer requires a lot of water.

Sewage

Comment:

"How is the disposal of sewage going to be handled? Are they planning on enlarging their septic tank and field? how is this going to impact the neighbors."

Response:

No further septic work is deemed to be required at this point. Currently the small scale of the project does not warrant any change to the existing system. Personal sewage on the property will remain unchanged, just using a different toilet. The de-alcoholized liquid from distilling will be integrated into compost and used for watering the gardens and orchard.

The Rural Lifestyle

Comment:

"I do not believe a drinking establishment has any place in a residential community. Having seen the misery inflicted upon the neighborhood by Persephone Brewing I do not wish to see the same results in my neighborhood. Live music, food trucks and the attendant behavior associated with drinking alcohol do not belong in a residential setting. I envision increased noise and the potential for obnoxious behavior in our peaceful rural setting."

Related Comment:

"With a proposed patio and the music and noise that goes with it - this is going to affect the quality of life of the residents of Porter Road."

Response:

We are proposing to use our already allowable auxiliary building as a beverage manufacturing facility with a tasting room, NOT as a drinking establishment. We have NEVER proposed a patio with music as a feature or aspect of the venture.

We have no intentions to host food trucks. We are not hosting outdoor recorded music, live bands or DJs. We are not opening our business/patio to weddings, dances and/or other commercialized social events or galas.

Our tasting and alcohol policies will be in strict accordance with the provincial laws governing such matters which are fundamental in preventing 'obnoxious behavior'.

We are committed to celebrating the rural lifestyle and to further enhance it as it's a integral part of our venture's brand image and experience.

We love and value the rural life here, that being said, we all live in a modern, growing society. We were part of the first wave of people living on Porter Road and have had to adjust to neighbors cutting down trees for views and being patient with the continual rumble of construction trucks, especially over the last two years. We accept that neighborhoods evolve.

We do richly embody and enjoy the rural character as do many others in our neighborhood. And, like others, we have heritage chickens, fruit trees, heritage pigs (some have horses) and our honey bees pollinate our gardens and the neighborhood's vegetables, trees and flowers with enthusiasm.

We have no interest in altering the wonderful rural nature of our hard won and hard worked for

environment. We also have no intention of selling our property. We are long term residents and intend to die on the land that we have worked so hard to acquire and beautify. Eventually, our daughter will come home to raise her own family and she is already envisioning an equally wonderful existence. The local community can rest assured we are the very citizens they want in their neighborhood.

Property Value

Comment:

"I feel that the value of my property will be affected negatively for all of the above reasons. I should not have to consider falling property values in order to facilitate another person's development."

Response:

(Referring to their concerns) If the 'above reasons' of Persephone-like problems, (bad smells, loud noise, loud partying) fail to materialize, then there will be no depreciation of surrounding properties as a result of our venture.

Drinking & Driving

Comment:

"With visitors to the site sampling the products of the distillery - is it going to be safe for the children - the horses and other livestock - when people are going to be driving after drinking - and they will be drinking and driving make no mistake about it."

Related Comment:

"In addition, there is no public transit and drinking alcohol on a small rural access road could become problematic."

Response:

Our tasting policies will be in strict accordance with the Provincial laws governing such matters. If we identify someone who arrives at our establishment and is intoxicated and we see that they have been driving - we would be obligated to deal with the situation. We would not be allowed to serve them and would be expected to report them to the RCMP. We have the right and provincially expected obligation to report ANY problems we may have with customers for any reason, including but not limited to: intoxication and any kind of threatening or abusive behavior. We have a lot of respect for the laws regarding alcohol. Any breach on our part would result in substantial fines or possibly criminal charges. We have no interest in losing this project due to our own negligence.

Commercial Enterprise

Comment:

"The existing residence of Porter Road moved into this area because it is rural - peaceful - a safe neighborhood to raise their families - now someone wants to change this into a commercial enterprise - and believe me it will be commercial no matter what you want to call it."

Additional Comment:

"This is not an Artisan project - this is a commercial Project - A distillery with an outdoor patio - and there will be an indoor space - if not now -then in the future - is just a pub by any other name. A rural family oriented neighborhood is not a place for a pub."

Response:

Our proposed craft distillery is just that, a traditionally-run, small batch manufacturing facility. We are not a mega corp. We never intend to be. Our requested amendment contains items that will limit expansion and activities on the property. For example, the limit of 8 people inside the tasting room and the building's total allowable square footage.

Precedence

Comment:

“Once a precedence is set - if this enterprise is allowed - it will open the doors to other commercial enterprises in rural areas - is this what we want in Roberts Creek. I don't think so.”

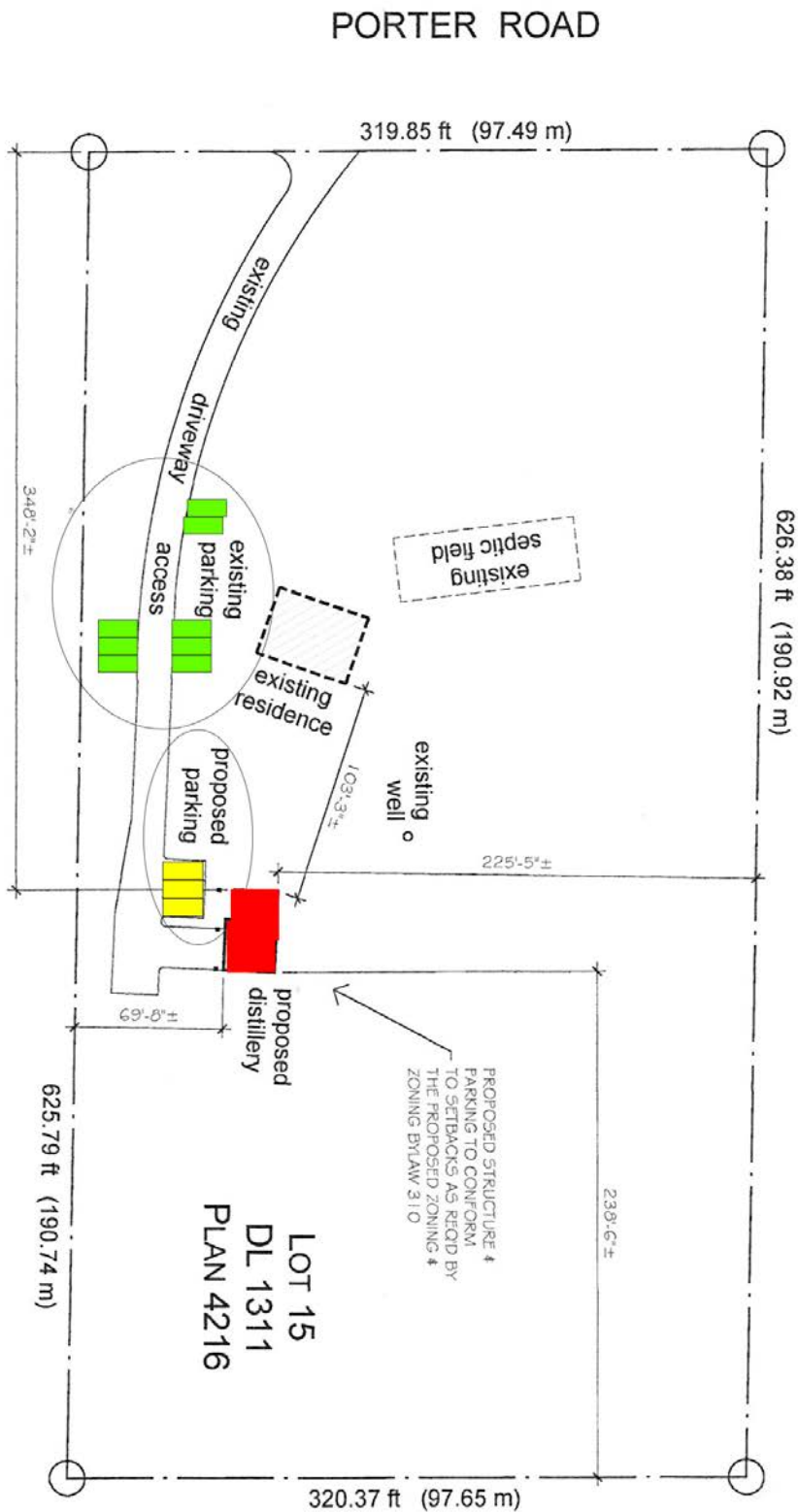
Additional Comment:

“If this proposal goes ahead then it will set a precedence for other commercial projects in rural areas”

Response:

There will always be people who will want to work from their properties. In some cases it's possible and in some cases it's not. We are simply following the established right to request an amendment. There are already many businesses dabbled throughout backyards in Roberts Creek. In our area alone we already have a cabinet maker, guitar maker, blacksmith, gas fitter, sawmill, a tree service and there are certainly others that we don't even realize exist. Collectively they all contribute to the wonderful cultural tapestry we enjoy today.

Attachment C Parking Plan



Attachment D

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 641.7

A bylaw to amend the *Roberts Creek Official Community Plan Bylaw No. 641, 2012*

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. 641.7, 2017*.

PART B – AMENDMENT

2. *Roberts Creek Official Community Plan Bylaw No. 641, 2012* is hereby amended as follows:

Inserting the following sub-section immediately following Section 17.15:

“17.16 Notwithstanding Section 17.12, a small-scale distillery, meadery or cidery with a gross floor area of not more than 100 m² is permitted on Lot 15 District Lot 1311 Plan VAP4216.”

PART C – ADOPTION

READ A FIRST TIME this 25TH DAY OF MAY, 2017

PURSUANT TO SECTION 475 OF THE LOCAL
GOVERNMENT ACT CONSULTATION
REQUIREMENTS CONSIDERED this 25TH DAY OF MAY, 2017

READ A SECOND TIME this DAY OF MONTH YEAR

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

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

DAY OF MONTH YEAR

READ A THIRD TIME this

DAY OF MONTH YEAR

ADOPTED this

DAY OF MONTH YEAR

Corporate Officer

Chair

Attachment E

SUNSHINE COAST REGIONAL DISTRICT

BYLAW No. 310.172

A bylaw to amend the *Sunshine Coast Regional District Zoning Bylaw No. 310, 1987*

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

PART A – CITATION

1. This bylaw may be cited as the *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.172, 2017*.

PART B – AMENDMENT

2. *Sunshine Coast Regional District Zoning Bylaw No. 310, 1987* is hereby amended as follows:

Inserting the following section immediately following Section 1001.8:

“ Site Specific Uses

1001.9 A distillery, meadery or cidery licensed under the BC Liquor Control and Licensing Act and associated retail sale, tasting and on-site tour are permitted on Lot 15 District Lot 1311 Plan VAP4216, subject to the following provisions:

1. Tasting and on-site tours shall be conducted in accordance with BC Liquor Licensing: Brewer, Distiller and Agents License Terms and Conditions.
2. Maximum building height: 4.5 m
3. Maximum building gross floor area: 100 m²
4. Minimum setback from any lot line: 7.5 m
5. Minimum number of parking spaces for distillery and associated uses: 11
6. Outdoor storage: not permitted
7. Tasting and retail room:
 - a. Maximum floor area: 18 m²
 - b. Maximum seating capacity: 8 persons”

PART C – ADOPTION

READ A FIRST TIME this 25TH DAY OF MAY 2017

READ A SECOND TIME this 25TH DAY OF MAY 2017

PUBLIC HEARING HELD PURSUANT TO
THE *LOCAL GOVERNMENT ACT* this DAY OF MONTH YEAR

READ A THIRD TIME this DAY OF MONTH YEAR

ADOPTED this DAY OF MONTH YEAR

Corporate Officer

Chair

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: Sven Koberwitz, Planning Technician

SUBJECT: DEVELOPMENT VARIANCE PERMIT DVP00014 (GRAHAM) - ELECTORAL AREA E

RECOMMENDATIONS

THAT the report titled Development Variance Permit DVP00014 (Graham) - Electoral Area E be received;

AND THAT Development Variance Permit DVP00014 to vary Section 502.8 (a) and (b) of Zoning Bylaw No. 310, 1987, from 55 square metres to 91 square metres, be issued, as it provides benefit to affordable housing in the area;

BACKGROUND

The SCRd received an application for a development variance permit to vary the maximum auxiliary dwelling floor area regulation in Zoning Bylaw No. 310 from 55 sq. m to 91 sq. m. The intent of this application is to enable the replacement of a mobile home that had been on the property since at least 1979. The mobile home was recently removed as it was no longer habitable and in very poor condition.



Figure 1 - Location Map

Owner / Applicant:	Rob and Charlene Graham
Civic Address:	282 Ryan Drive
Legal Description:	Lot 29 Block 14 District Lot 683 Plan VAP23046
Electoral Area:	E - Elphinstone
Parcel Area:	5,463 sq. m
OCP Land Use:	Rural Residential
Land Use Zone:	RU1 - Rural 1
Application Intent:	To vary the maximum allowable floor area, as per Section 502.8(a) and (b) of Zoning Bylaw 310, from 55 sq. m to 91 sq. m.

Table 1 - Application Summary

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

DISCUSSION

Analysis

The subject property is approximately 5,463 sq. m (1.38 acres) and located within the RU1 land use zone, therefore one single family dwelling and one auxiliary dwelling are permitted uses. The property is accessed via Ryan Drive, a cul-de-sac road characterized by small 10,802 sq. m (0.25 acres) lots created in 1982. However, the subject property was created in 1990 at which time larger minimum parcel sizes were required by Zoning Bylaw 310 and it is therefore much larger than many of the surrounding properties.

A single family dwelling constructed in 1997 is currently located on the property and until recently a mobile home had been located on the subject property since at least 1979. With the intent of being replaced the mobile home was removed from the property in April due to its age and deteriorating condition.

The maximum allowable floor area for an auxiliary dwelling is 55 sq. m (592 sq. ft.) which would preclude replacement with a similar size mobile home. Generally single wide mobile homes are only available in standard sizes which exceed the 55 sq. m limit. Therefore, the applicant is seeking a variance to increase the maximum allowable floor area to 91 sq. m (980 sq. ft.), an increase of 36 sq. m (388 sq. ft.).

The applicant is exploring several options for replacement including a new mobile home or moving an existing dwelling from the Lower Mainland onto the property. If the variance is approved either option will require conformance with the proposed floor area of 91 sq. m and applicable BC Building Code regulations. To ensure existing sewage disposal fields are adequate for the proposed use, certification as per the *Sewerage System Regulations* must be provided by a registered on-site wastewater professional and filed with Vancouver Coastal Health.

Auxiliary dwellings are further regulated by a height limit of 4.5 m (14.8 ft.) in contrast to single family homes which are permitted the full height of 11 m (36 ft.). A variance to the height limit is not has not been requested and therefore any new auxiliary dwellings will be limited to 4.5 m in height.

The overall density of the neighbourhood along Ryan Drive and the size of the subject property create a situation where planning staff do not believe an increase in auxiliary dwelling floor area to adversely affect the neighbourhood character. Additionally, this application presents an opportunity to provide affordable housing within an established residential neighbourhood.

Elphinstone Official Community Plan

This application is supported by the following goal in the Elphinstone OCP:

5. *To accommodate a range of housing forms, including affordable housing consistent with the existing residential character of the overall community.*

Planning staff consider this proposal to meet the goal of providing affordable housing options as it keeps with the existing residential character of the Ryan Drive neighbourhood.

Options

Possible options to consider:

Option 1: Issue the permit.

This option would permit the replacement of the existing mobile home. The maximum floor area for auxiliary dwellings would be increased from 55 sq. m (592 sq. ft.) to 91 sq. m (980 sq. ft.). This is staffs recommended option.

Option 3: Deny the permit.

This option would maintain the current floor area limit for auxiliary dwelling of 55 sq. m (592 sq. ft.). Any proposed auxiliary dwellings must comply with this requirements.

Organization and Intergovernmental Implications

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

Referral	Comments
SCRD Building Department	No concerns with application.
Skwxwú7mesh Nation (Squamish)	Referred on June 15, 2017 - Awaiting comments.
Advisory Planning Commission	Referred to June 28, 2017 meeting where a motion supporting the application was passed.
Neighbouring Property Owners/Occupiers	Notifications were distributed to owners and occupiers of properties within a 100 metre radius of the subject property. No comments have been received to date.

Timeline for next steps or estimated completion date

If the Planning and Community Development Committee recommends approval of the application it will be considered for adoptions at the July 27, 2017 Board meeting. The applicants will then be eligible to apply for a building permit for an auxiliary dwelling of up to 91 sq. m in floor area.

STRATEGIC PLAN AND RELATED POLICIES

N/A

CONCLUSION

The SCRD has received a development variance permit to vary Section 502.8(a) and (b) of Zoning Bylaw 310, from 55 sq. m to 91 sq. m.

Staff consider this application to be reasonable considering the existing density in the neighbourhood. Planning staff support this application due to the combined historical presence of a mobile home on the subject property, the size of the parcel and the current need for affordable housing.

Attachments

Attachment A - Letter from Applicant
 Attachment B - Variance Criteria
 Attachment C - Site Plan
 Attachment D - site Photos

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

Attachment A

June 21:
apc
area E
July 13.

May 23/2017

material in by

ROB & CHARLENE GRAHAM
282 Ryan Rd.
GIBSONS VOW 1V4

Variance Permit App:

We've owned 282 Ryan Rd since 1997 & there was a 980sq mobile home on the 1.5 acre property. We live in a house we built, pay water, garbage, taxes on both dwellings. The mobile has been gone due to mold, unsafe conditions since Aug 17. We are still paying full utilities.

This application is our plea for a variance of 390sq towards a single wide mobile home. We are hoping ^{for} this permission to purchase a brand new mobile home from Pender Harbour - Local dealer, set up & deliver to our prepared landscaped pad. This will not affect our neighbourhood, in fact it will improve

We feel this is an item which should be headed "grandfathered". We estimate the former mobile was on the property 31 years. Grandfathered in sounds appropriate. The rental crisis has very much affected our son & he's struggling in the rental market with his pets, he's been approved some funds to go towards helping to purchase part of the mobile. He will never own here, his home town. Our son will move in to the mobile, be our caretaker - pet sitter. LORNE LEWIS has verbally approved. Sincerely Rob & Charlene Graham.

Attachment B

Variance Criteria:

All new development should meet the Regional District's applicable bylaw standards. A variance is considered only as a last resort. An application for a development variance permit should meet most, if not all, of the following criteria, in order to be considered for approval:

- ① The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw. Please elaborate how the requested variance meets this criteria:

It is a variance of only 390^{sq} ft & will provide TAX INCOME & HOUSING without impacting the present neighbourhood.

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

There was an mobile home on pad for 35 years so we will be replacing with a 2016 New Model Fully set up Home. Present Location has its own Services completely separate From the main House.

- 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:

We have almost two acres (1 1/2), & there has been a rental Crisis for more than 2 years. Almost no Affordable housing for young families. Our son cannot purchase a home or rent anything with pets. With mobile he can have a start.

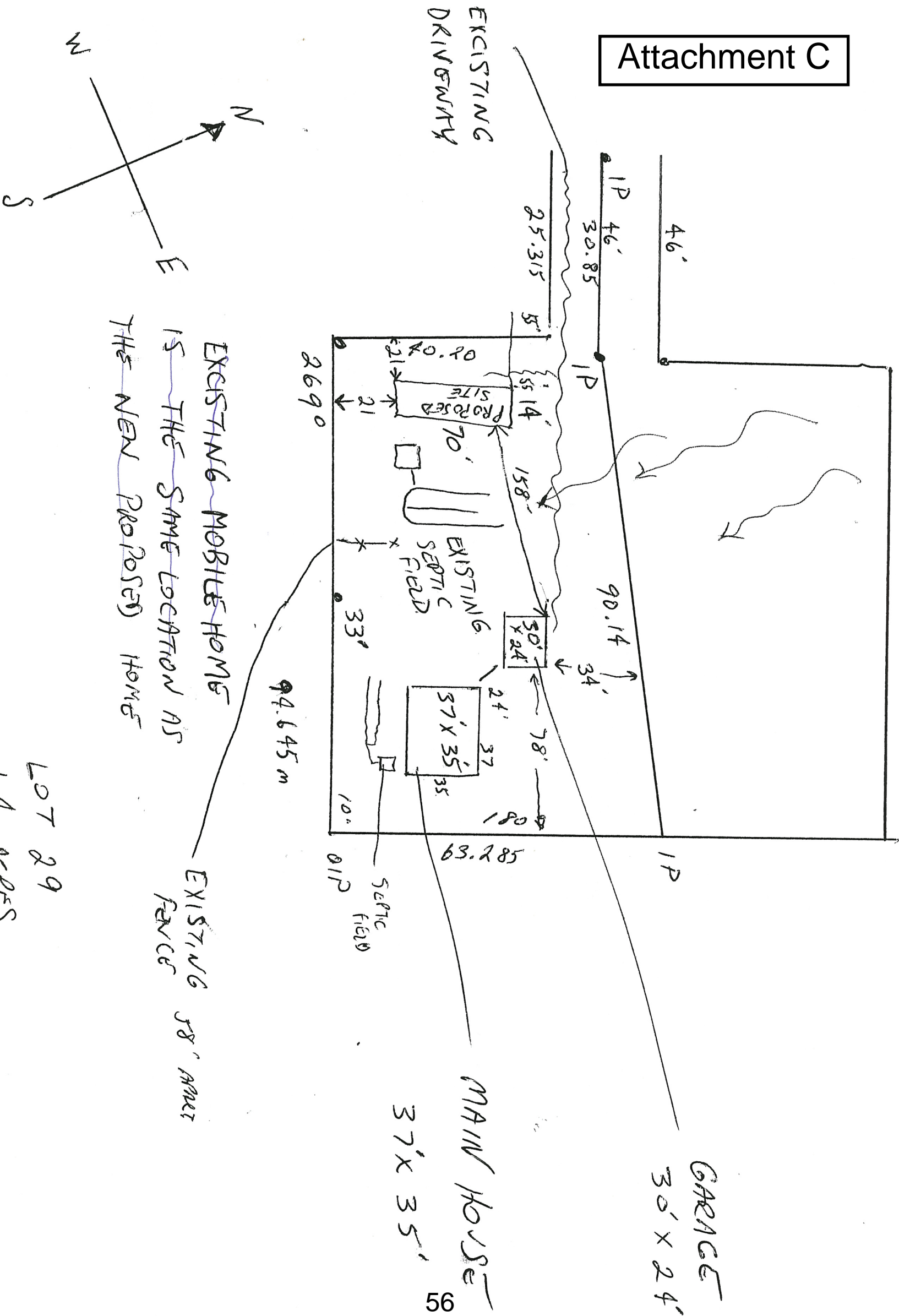
- ④ The variance represents the best solution for the proposed development after all other options have been considered. Please elaborate how the requested variance meets this criteria:

We believe IT IS A GOOD WAY TO PROVIDE SOME AFFORDABLE HOUSING WITHOUT IMPACTING MY NEIGHBOURS.

- 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:

NONE at all. THE area is all Landscaped with grass, trees & plants. It would be an improvement for the neighbourhood.

Attachment C



SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: Sven Koberwitz, Planning Technician

SUBJECT: DEVELOPMENT VARIANCE PERMIT DVP000017 (NICHOL) - ELECTORAL AREA A

RECOMMENDATIONS

THAT the report titled Development Variance Permit DVP000017 (Nichol) - Electoral Area A be received;

AND THAT Development Variance Permit DVP000017 to vary Section 601.4 of Zoning Bylaw No. 337, 1990, from 6.0 metres to 4.5 metres, be issued, as it provides benefit to affordable housing in the area, subject to:

1. Support from the Egmont/Pender Harbour Advisory Planning Commission.
 2. No objections from nearby residents within the notification period.
 3. Addressing any comments from the shíshálh Nation received within the 60 day referral period.
-

BACKGROUND

The SCRd received an application for a development variance permit to vary the minimum width of a dwelling in the R1 zone of Zoning Bylaw No. 337. The intent of this application to enable the property owners to locate a manufactured home on the property. The subject property is located in close proximity to the Earls Cove Ferry Terminal on Timberline Road. The subject property is currently undeveloped.

Owner / Applicant:	Amanda Nichol
Civic Address:	16634 Timberline Road
Legal Description:	Lot 61 District Lot 5387 Plan 16493 PID: 007-495-293
Electoral Area:	A - Egmont/Pender Harbour
Parcel Area:	1,740 sq. m
OCP Land Use:	Residential A
Land Use Zone:	R1 - Residential 1
Application Intent:	To vary the minimum width of a building containing a dwelling, as per Section 601.4 of Zoning Bylaw No. 337, from 6.0 m to 4.5 m.

Table 1 - Application Summary



Figure 1 - Location Map

The manufactured home dimensions are approximately 4.3 m by 20 m (14 ft. by 65.5 ft.), therefore a variance is required to relax the minimum required width of 6.0 m for dwelling.

The applicants have already purchased the manufactured home and applied for a building permit for the required foundation. A planning review of the building permit identified the 6 m width requirement and therefore the building permit is being held pending the outcome of the development variance permit application.

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

DISCUSSION

Analysis

The 6 m width requirement for buildings containing a dwelling is a remnant from original SCRD zoning bylaws which prohibited mobile homes. Regulations prohibiting mobile homes faced legal challenges in other jurisdictions and in response the 6 m minimum width requirements was introduced. In effect this continued the restriction on mobile homes within R1 zones under Zoning Bylaws 337 and 310.

The Timberline Road area was originally subdivided in 1976 although many of the lots have remained undeveloped since then. Relatively affordable land prices in the area compared to other parts of the Sunshine Coast have increased the pace of development recently.

Manufactured homes are constructed to modern national building code standards and present a viable choice for residents looking for affordable housing. Housing options should not always be restricted based on the historical stigma associated with mobile homes. This regulation is under review by Planning Staff as part of the Zoning Bylaw 310 renewal.

The applicant has indicated that other options were considered including moving an existing home onto the property. However, purchasing a new manufactured home was decided to be the most affordable, practical and suitable option. The property owners have already purchased the proposed mobile home in anticipation of moving it onto the property as soon as building permits for the foundation were issued. However, due to the 6 m minimum width regulation the building permit issuance has been withheld pending the outcome of the development variance permit application.

Official Community Plan

The Egmont/Pender Harbour OCP contains several policies supporting affordable housing options including specifically objective 7.8 related to residential land uses:

- 7.8 To provide a range of housing types and opportunities to address affordable, rental and special needs housing.*

The Draft 2017 Egmont/Pender Harbour OCP also contains policies supporting the provision of affordable housing including residential land use objective:

- 2.1.1(h) To encourage the building of a range of housing types and opportunities to address affordable, rental, seniors and special needs housing.*

And residential land use policy;

- 2.1.2(a) Opportunities for affordable rental, seniors and special needs housing shall be made available through zoning providing for auxiliary dwellings, duplexes, suites within houses, **mobile homes**, special rental housing, transition homes, and full size second dwellings in most parts of the Plan area subject to parcel size and other requirements.*

Options

Possible options to consider:

Option 1: Issue the permit.

This would authorize the applicant to proceed with locating the proposed manufactured home on the property. Planning staff consider this application to directly support the provision of affordable housing options on the Sunshine Coast.

Planning Staff recommended this option.

Option 2: Deny the permit.

The related building permit application currently under review would be rejected based on the non-conforming size of the proposed manufactured home.

Organization and Intergovernmental Implications

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

Referral	Comments
SCRD Building Department	No concerns with application.
shíshálh Nation	Referred on July 6, 2017. Awaiting comments.
Advisory Planning Commission	Referred to July 25, 2017. Awaiting comments.
Neighbouring Property Owners/Occupiers	Notifications were distributed on July 6, 2017 to owners and occupiers of properties within a 50 metre radius of the subject property. No comments have been received to date.

Timeline for next steps or estimated completion date

If the Planning and Community Development Committee recommends approval of the application it will be considered for adoptions at the July 27, 2017 Board meeting, pending receipt of a motion of support from the Egmont/Pender Harbour Advisory Planning Commission.

STRATEGIC PLAN AND RELATED POLICIES

N/A

CONCLUSION

The SCRD has received a development variance permit to vary the minimum width requirement for a dwelling, as per Section 601.4 of Zoning Bylaw 337, from 6 m to 4.5 m.

The 6 m width requirement is a remnant of discriminatory zoning practices and is under review in light of contemporary affordable housing challenges. Staff consider this application to be reasonable considering the affordable housing challenges currently facing the Sunshine Coast and the minimal impact it will have on the existing neighbourhood.

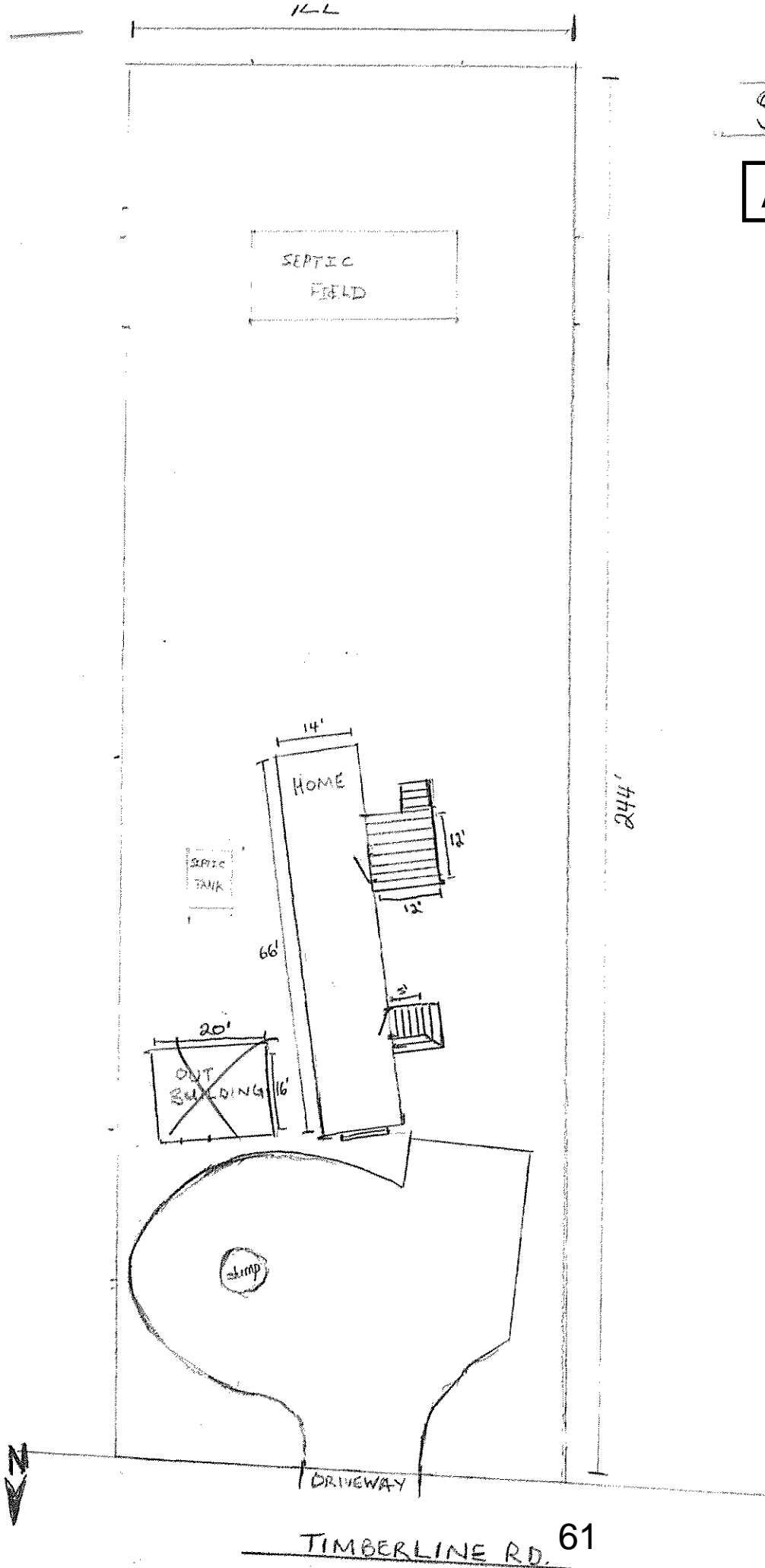
Attachments

Attachment A - Site Plan
Attachment B - Variance Criteria

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

SITE PLAN

Attachment A



Attachment B

DVP00017 - SITE PHOTOGRAPHS



Figure 1 - View from property to Timberline Road. Site of mobile home prepared.



Figure 2 - View from Timberline Road.

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: David Rafael, Senior Planner

SUBJECT: REFERRAL FROM TOWN OF GIBSONS, GOSPEL ROCK VILLAGE

RECOMMENDATIONS

THAT the report titled Referral from Town of Gibsons, Gospel Rock Village be received;

AND THAT the following comments be forwarded to the Town of Gibsons:

1. Steps be taken to plan and develop the Shaw/Inglis Road route from the outset prior the development reaching the 250 dwelling trigger;
2. The draft traffic impact study needs to consider the requirement for developing the Shaw/Inglis access and additional traffic counts should be taken during the summer period to gather data that better reflects the peak traffic periods on the Coast;
3. The applicant and Town of Gibsons staff discuss future public transit service needs prior to completing the road network design to allow for facilities such as bus stops to be incorporated at a later date and to allow bus access into and through the site.

AND THAT the Gibsons and District Fire Department report back on service delivery and financial implications by the end of Q4;

AND THAT the report be forwarded to the Elphinstone Advisory Planning Commission for consideration with the minutes to be forwarded to the Town of Gibsons;

AND FURTHER THAT this recommendation be forwarded to the Board meeting of July 13, 2017 for adoption.

BACKGROUND

The SCRD received a referral from the Town of Gibsons regarding a rezoning application to develop 360 homes in four phases of 110, 100, 100 and 50 units. There would be a mix of types (60 single family, 150 townhouses, 150 apartments of which 30 would be market rental). The site is within the Gospel Rock Neighbourhood Plan (GRNP) area (Attachment A). The application included a draft traffic impact study.

The GRNP was adopted by the Town in 2011 and amended in 2012. The SCRD Board reviewed and provided input on the GRNP and amendment. Both versions included that Chaster Road would be the access route into the area. The 2012 amendments reduced the trigger for constructing the Shaw Road extension to provide a second access route from 300

dwellings to 250 dwellings. The GRNP also includes a policies regarding requirements for traffic studies and alternative modes of transport (Attachment B). The initial phases include access points through Elphinstone with eventual expansion and development of roads within the Town of Gibsons.

The Town of Gibsons have requested a response from the SCRD by July 21, 2017.

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

DISCUSSION

Analysis

The main issue associated with this development by staff is road access and resulting traffic impacts in Elphinstone. The first two phases of the project will not trigger the need for the Shaw/Ingles Roads extension. However the 250 dwelling count will be reached during the third phase.

The draft traffic impact study used traffic counts in February 2017 at five locations: Gibsons Way; Pratt Road south of Gibsons Way; Shaw Road; Chester Road; and Rosamund Road. This should be supplemented by additional counts during summer peak periods.

The study recommends an intersection improvement at Gibsons/Pratt to provide a dedicated right turn lane for westbound movement and optimizing traffic signal timings.

Another study recommendation is to upgrade Chaster Road or Rosamund Road to Pratt Road to collector standard to provide one lane in each direction and a sidewalk on one side. Rosamund Rd would need to be extended to the site through a parcel within the Town of Gibsons. It is not clear if this parcel is owned by the applicant. The upgrade to Chaster Road likely relates to that section to the east of Mahan Road and into the Town as the rest of Chaster Road (within Elphinstone) has a lane in each direction. While developing Rosamund as a second access road in addition to Chaster will slightly spread traffic movements, all traffic will use Pratt Road to access the Gibsons either via Gibsons Way to the north or Gower Point Road to the south. Also it will not address the lack of a direct road connection to the Town and continue to funnel traffic through Elphinstone.

The draft study does not refer to the need for Shaw Road or an alternative route to be developed to link the site to the Town of Gibsons by road. This should be addressed in the final version.

The proposal includes a conceptual map of the road connections (Attachment A) which includes trails and paths to connect the site within the Town boundaries to the north, south and east. The supporting information provided by the applicant does not refer to the need to develop the Shaw/Ingles route once the 250 dwelling count is reached.

While the site is not currently served by transit, the 25 year Transit Future Plan lists hourly two-way service on Gower Point Road in Lower Gibsons and Elphinstone as a long-term implementation priority (7 years or more). When the Transit Future Plan is updated, the

development would likely impact the original priority and timeline for such service. The applicant and the Town of Gibsons should discuss transit service options with the SCRD Transit Division to ensure that facilities such as bus stops can be incorporated at a later date and that the road design does not prevent bus access into and around the site.

Recommended Referral Response

The draft traffic impact study needs to consider the requirement for developing the Shaw/Inglis access and additional traffic counts should be taken during the summer period to gather data that better reflects the peak traffic periods on the Coast.

The applicant and Town of Gibsons should discuss future public transit service needs with the SCRD prior to completing the road network design to allow for facilities such as bus stops to be incorporated at a later date and to allow bus access into and through the site.

The report should be referred to the Elphinstone Advisory Planning Commission for consideration and APC comments be forwarded to the Town of Gibsons when available.

The Gibsons and District Fire Department will provide a further report on service delivery and financial implications to the Board and forwarded on to the Town of Gibsons by the end of Q4.

The Solid Waste Division will also evaluate service delivery options at an appropriate time.

Organization and Intergovernmental Implications

The referral and SCRD response is a good example of intergovernmental cooperation and continues the dialogue that took place while the Gospel Rock Neighbourhood plan was being developed.

Financial Implications

There are no financial obligations created by the proposal as the main impact within the SCRD will be traffic through Elphinstone and the road network is maintained by the Ministry of Transportation and Infrastructure.

Water and sewage services will be a service provision and requirement for the Town of Gibsons not the SCRD.

Communications Strategy

It is recommended that a copy of this report will be forwarded to the Elphinstone Advisory Planning Commission in July. Feedback from the APC will be forwarded to Gibsons, however this will be after the July 21st deadline. Planning staff at the Town of Gibsons will be informed that additional comments from the APC will be forthcoming after the July 21st deadline.

STRATEGIC PLAN AND RELATED POLICIES

This report reflects the Strategic Plan values of Collaboration and Transparency.

CONCLUSION

The SCRD received a referral from the Town of Gibsons regarding a proposal to develop 360 dwellings within the Gospel Rock Neighbourhood Plan (GRNP) area. The Gospel Rock Village will be accessed from Chaster Road and traffic will move through Elphinstone as set out in the GRNP. The proposal and draft traffic study do not refer to the GRNP requirement that an alternative road connection (Shaw/Inglis) be developed once 250 dwellings are developed.

The report will be forwarded to the Elphinstone APC and comments will be forwarded to the Town of Gibsons when available.

In order to meet the referral response deadline of July 21 the recommendations should be forwarded to the regular Board meeting on July 13 for consideration and adoption.

Attachments

Attachment A - Site Location and Application Supporting Information

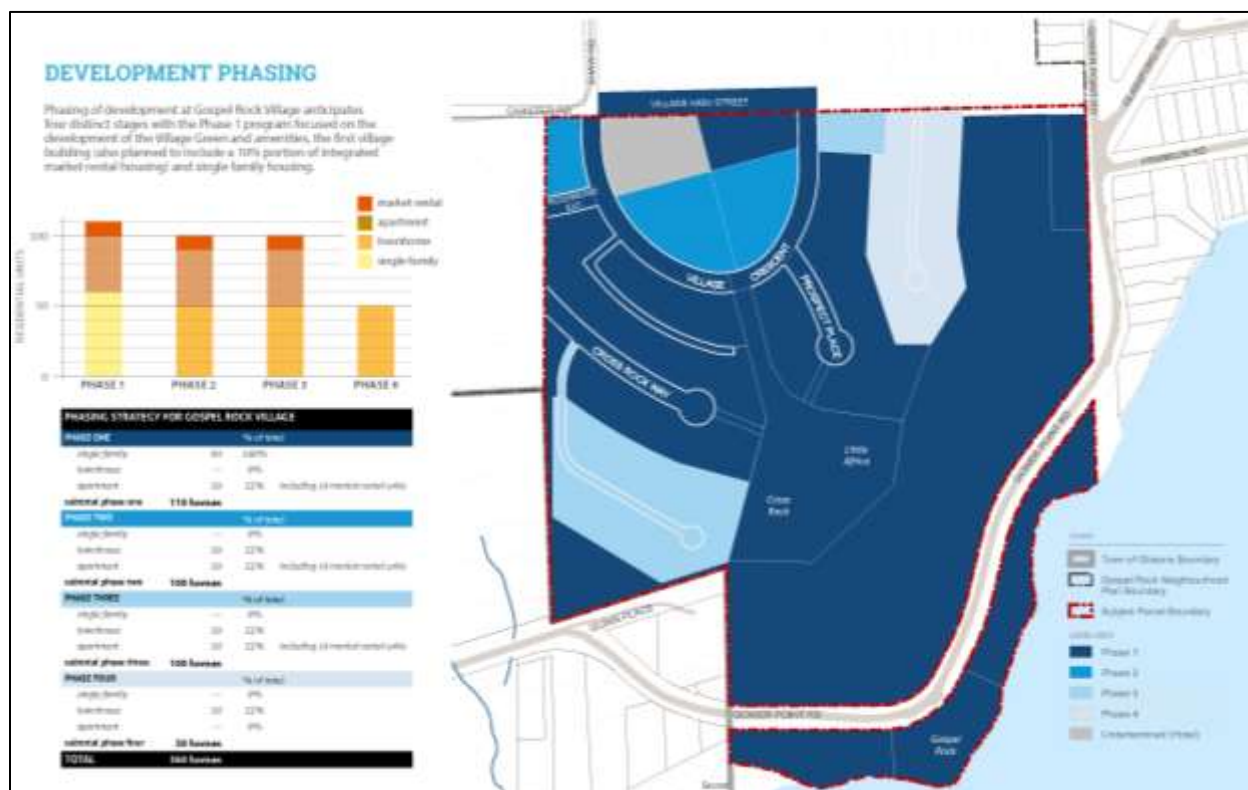
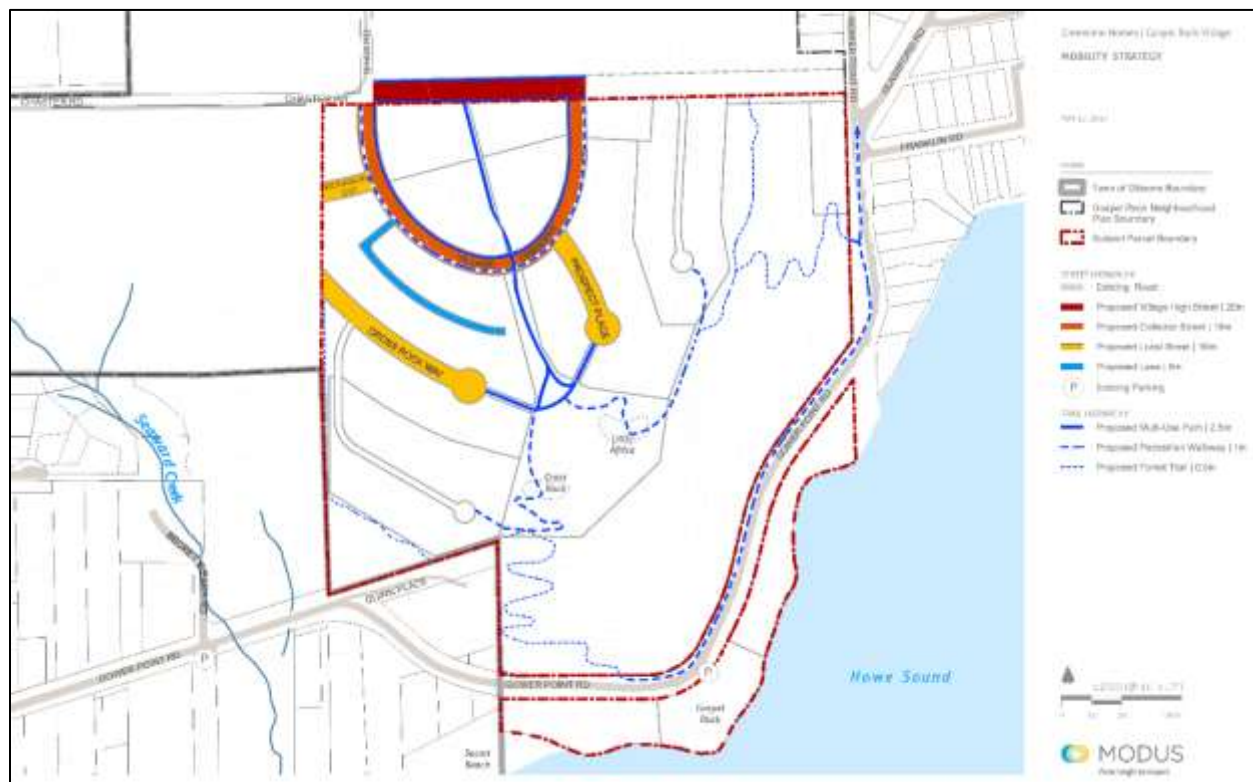
Attachment B - Extracts from Gospel Rock Neighbourhood Plan

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

ATTACHMENT A

Site Location and Application Supporting Information





ATTACHMENT B

Extracts from Gospel Rock Neighbourhood Plan

3 NEIGHBOURHOOD LAND USE PLAN & POLICY FRAMEWORK

3.1 Major Land Use Issues

Traffic Flow and Access

Due to its location within the Town on a rock promontory, the Gospel Rock area is currently not serviced with a well developed road system. The only current access to the area is off of Chaster Road that lies outside of the Town's jurisdiction within the adjacent Elphinstone rural area. Should the Gospel Rock area be developed at the densities anticipated within the Town's Official Community Plan, improved road access will be required.

A variety of road options to accommodate improved road access were examined. The options were considered within the context of a number of factors including impacts upon existing neighbourhoods, topographic and environmental constraints, and development phasing and sequencing. Providing a major access by extending Shaw Road southward would require a major crossing of the Charman Creek Ravine. Extending Bayview Heights Road as a major access road westward and up the hill would impose upon the existing neighbourhood and would be extremely intrusive both visually and environmentally.

It became clear that there was no one option that would meet all the interests from all the various stakeholders and therefore the Neighbourhood Plan would need to provide for a balanced solution incorporating both a short term and long term approach for managing traffic flow generated by the Gospel Rock neighbourhood.

3.5 Infrastructure Policies

The following policies will be utilized by Council in making decisions regarding infrastructure matters.

Transportation Use Policies

3.5.1. The southern extension of Shaw Road via Inglis Road shall function as the primary access for the Gospel Rock neighbourhood.

3.5.2. Given that the Shaw Road extension requires the cooperation of a number of property owners for both the dedication of land to accommodate the road and its construction, as an interim measure Chaster Road will function as the primary access into the neighbourhood until the Shaw / Inglis Road extension is achieved. A cap of 250 units has been established as the maximum amount of development that can take place within the neighbourhood that would utilize the Chaster Road access without the Shaw / Inglis Road extension being in place.

3.5.3. Bayview Heights Road is not a preferred access option for upland development.

3.5.4. All roads shall be designed and constructed in a manner that encompasses sustainability principles as reflected in the Town's road standards.

3.5.5. Development specific traffic impact studies may be required as the neighbourhood builds out and to track traffic patterns relative to the primary access routes.

3.5.6. The Gospel Rock neighbourhood shall be designed to accommodate alternative modes of transportation including transit buses, bicycles, scooters and walking by creating a compact neighbourhood that contains a mix of uses and housing densities, and provides different choices for people to move around their neighbourhood. As well, consideration shall be given to accommodating multi-purpose use of off-road trails where conditions are appropriate.

Figure 3-3: Circulation



Future circulation is conceptual; the exact locations of roadways and trails, are subject to further detailed study and negotiation at the appropriate juncture. See relevant Policies in Section 3.5.1 and 3.4.4.

GRNP – Page 11

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: Andrew Allen, Manager, Planning and Development

SUBJECT: AMENDMENT OF BOUNDARIES OF NOTATION OF INTEREST CROWN FILE 2404546

RECOMMENDATIONS

THAT the report titled Amendment of Boundaries of Notation of Interest Crown File 2404546 be received;

AND THAT subject to maintaining the remainder of the Notation of Interest the SCRD respond, with support, to the Ministry of Forests, Lands and Natural Resource Operations for the proposed boundary amendments of the Notation of Interest over Sechelt, Salmon and Narrows Inlets to exclude the three identified parcels subject to the reconciliation agreement with the *shíshálh* Nation.

BACKGROUND

In 2016 the Province of BC and the *shíshálh* Nation signed a reconciliation agreement. As part of this agreement the Province has agreed to transfer three parcels of land in fee simple to the *shíshálh* Nation. The parcels are located in Sechelt, Salmon and Narrows Inlets and are shown on the map attached to the letter from the Ministry of Aboriginal Relations and Reconciliation, which is included as Attachment A to this report.

The Ministry of Aboriginal Relations and Reconciliation has recently sent a letter to the SCRD to formally request a letter be sent to the Ministry of Forests Lands and Natural Resource Operations agreeing to amend the boundaries of the Notation of Interest (NOI) associated with Crown Lands File # 2404546 (Attachment A).

Crown Lands File # 2404546 pertains to an NOI that the SCRD has on Sechelt, Salmon and Narrows Inlet as a result of the outcome of the Sechelt Inlets Coastal Strategy which was completed in 1989. The NOI ensures that the SCRD receives notifications and/or referrals for any overlapping Crown land tenure applications. This NOI will not be necessary on the land to be transferred to the *shíshálh* Nation as private land and therefore the Province has requested a removal of the NOI from the select parcels. The NOI can remain over the remainder of Crown/un-ceded lands within the three inlets.

DISCUSSION

Options and Analysis

The properties are designated as 'Resource' within the Halfmoon Bay Official Community Plan (OCP) which supports forest management and outdoor recreation uses. There was no public knowledge of the reconciliation agreement and related land transfer at the time of development of the OCP and therefore no specific policies pertain to these lands.

The Halfmoon Bay OCP contains objectives and policies respecting compatibility with the *shíshálh* Nation Strategic Land Use Plan. The land use designations for the Sechelt and Narrows Inlets properties are within the 'Cultural Emphasis Area' of the *shíshálh* Nation Strategic Land Use Plan and the Salmon Inlet property is located within the 'Stewardship Area'.

Future use of the land is not within scope of this request. This request is to identify the lands which should remain within the NOI area and to exclude the three selected parcels.

STRATEGIC PLAN AND RELATED POLICIES

Enhance Collaboration with the *shíshálh* and Skwxwú7mesh Nations: Supporting the *shíshálh* Nation in receiving land transfer from the Provincial Government can be considered consistent with the strategic plan priority.

CONCLUSION

The SCR D has received a referral from the Ministry of Aboriginal Relations and Reconciliation requesting an amendment to the boundary of Notation of Interest for Crown File # 2404546 as a part of implementing land transfers as part of the reconciliation agreement. It is recommended that the Board support this request, subject to requesting that the NOI be retained over the remaining Crown/un-ceded lands within the three inlets.

Attachment A: Ministry of Aboriginal Relations and Reconciliations letter, dated June 9, 2017

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



June 9, 2017

Ref. 41697

Andrew Allen
Manager, Planning and Development
Sunshine Coast Regional District
1975 Field Road, Sechelt, BC V0N 3A1

Dear: Mr. Allen,

The purpose of this letter is to formally request that the Sunshine Coast Regional District (SCRD) submit a request to the Province of British Columbia (BC) to amend the boundaries of the Notation of Interest (NOI) associated with Crown Lands File # 2404546.

In June 2016, BC and Sechelt (shíshálh) Nation signed the shíshálh Reconciliation Agreement (RA). The RA committed BC to transfer three parcels of Provincial Crown land in fee simple to the shíshálh Nation, specifically referenced as the Egmont, Narrows Inlet and Salmon Inlet parcels.

Currently, BC and the shíshálh Nation are working with interest holders to identify and finalize any permitted encumbrances on the parcels. The SCRД holds a NOI that overlaps with the Narrows Inlet and Salmon Inlet parcels (see attached map). The NOI was originally established in 1989, and renewed in 2015 until 2024. The NOI ensures that the SCRД receives notifications and/or referrals for any overlapping Crown land tenure applications. The NOI was established for the purposes of the Sechelt Inlets Coastal Strategy. If the NOI boundaries are amended to exclude the Narrows Inlet and Salmon Inlet parcels, SCRД will continue to receive notification of any overlapping Crown land tenures on the remaining Provincial Crown land portions of the NOI.

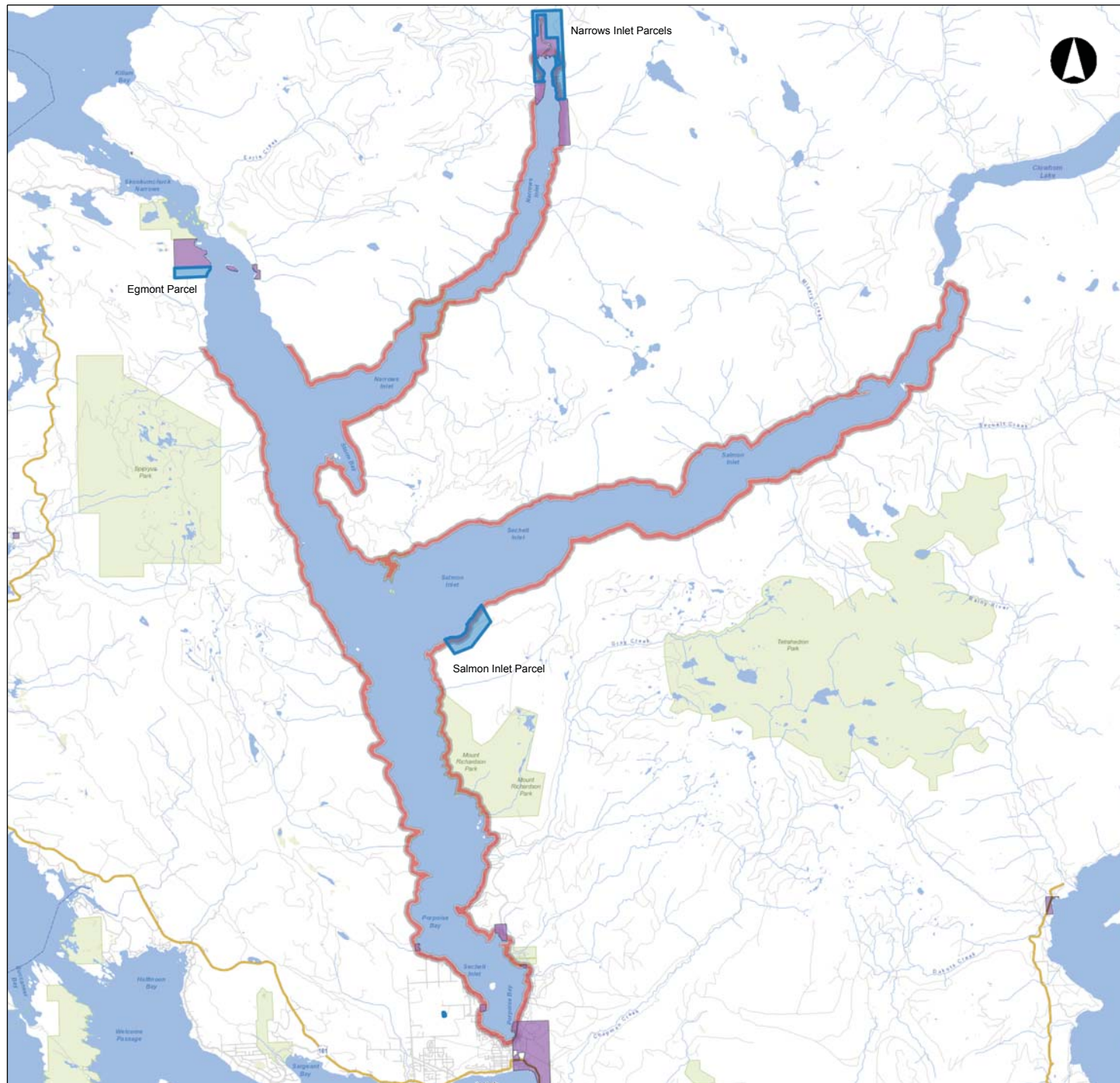
The Ministry of Aboriginal Relations and Reconciliation asks that the SCRД email the Ministry of Forests, Lands, and Natural Resource Operations South Coast Office Section Head, Jacqueline French, requesting an amendment to Crown Lands File #2404546 removing the overlap with the Narrows Inlet and Salmon Inlet parcels.

Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Carey', with a long, sweeping horizontal line extending to the right.

Paul Carey
Regional Negotiator

Attachments: Map of SCR D NOI and RA Parcels



SCRD Notation of Interest & SRA Parcels **Legend**

- Indian Reserves - Colour Fill
- Tenures - Tantalus - Colour f
- TileCache
- SRA Parcels

0 4.06 8.13 km

1: 199,930

Copyright/Disclaimer

The material contained in this web site is owned by the Government of British Columbia and protected by copyright law. It may not be reproduced or redistributed without the prior written permission of the Province of British Columbia. To request permission to reproduce all or part of the material on this web site please complete the Copyright Permission Request Form which can be accessed through the Copyright Information Page.

CAUTION: Maps obtained using this site are not designed to assist in navigation. These maps may be generalized and may not reflect current conditions. Uncharted hazards may exist. DO NOT USE THESE MAPS FOR NAVIGATIONAL PURPOSES.

Datum: NAD83
Projection: NAD_1983_BC_Environment_Albers

Key Map of British Columbia



SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017
AUTHOR: Yuli Siao, Senior Planner
SUBJECT: Crown Referrals regarding Howe Sound Pulp and Paper applications for removal and deposition of gravel from Rainy River (Area F)

RECOMMENDATIONS

THAT the report titled Crown Referrals regarding Howe Sound Pulp and Paper applications for removal and deposition of gravel from Rainy River (Area F) be received;

AND THAT the Board supports the applications (Referrals 94110350-001 & 94208211-001) and requests the following be conditions of approval:

- a) a Qualified Environmental Professional (QEP) be present on site during the works to ensure impact is minimized and that a report be provided to the Province and the SCRD by the QEP to confirm this;
- b) a remediation plan be developed and implemented with the provincial Ministry of Environment and the Department of Fisheries and Oceans (DFO) to compensate for any lost or damaged fish habitat;
- c) Howe Sound Pulp and Paper Corp. contacts the SCRD in addition to the Province, Skwxwú7mesh Nation and DFO if it becomes apparent that additional works are required to address water needs.

AND FURTHER THAT this recommendation be forwarded to the July 13, 2017 Regular Board for adoption.

BACKGROUND

The SCRD received referrals from the Province regarding two applications for works in and around Rainy River. The applicant is the Howe Sound Pulp and Paper Corporation (HSPP). One application (Referral Number: 94110350 - 001) is to remove gravel within the water extraction sump on the west bank of the river to enable utilization of the sump in the summer months, and the other (Referral Number: 94208211 - 001) is an annual gravel removal from the river to ensure water flow to pulp mill operations. Excerpts from the applications that describe the works and maps and site photos are included in Attachments A and B.

DISCUSSION

The applications are in response to gravel deposits in the Rainy River at two locations near the Howe Sound Pulp and Paper mill. The gravel deposits are causing low water levels that are unlikely to increase in the summer months. The low water level is impacting HSPP's ability to extract water that is needed to operate the mill. If this is not addressed the mill is likely to close until water level increases. Removing the gravel deposits in the river will allow the intake to function. Similar conditions occurred at the same locations in previous years and HSPP obtained provincial approval for similar works. The gravel will be deposited on a nearby

laydown area. According to air photos, the deposit area appears to have been disturbed and used for works in previous applications.

The Official Community Plan for Hillside-Port Mellon Industrial Area identifies the areas along the Rainy River as environmentally sensitive and potentially hazardous lands. The riparian corridor along the river is a valuable fish habitat that supports pink, coho, chinook and chum salmon, steelhead trout, cutthroat trout and Dolly Varden. These areas must be protected and carefully managed.

SCRD staff understand that HSPP has been in contact with the Province and the Department of Fisheries and Oceans to ensure that the works will have minimal impact on fish and fish habitat. For example, the machinery used in the works will be cleaned and serviced with bio-degradable hydraulic oils, the works will take place within a reduced risk instream work window between July 31 and August 15, and a spill kit will be available in case there is a leak/spill from machinery used for the removal/deposition operations. To compensate for any lost or damaged fish habitat after the work is completed, staff recommend that a remediation plan be developed and implemented as soon as possible with the provincial Ministry of Environment and the Department of Fisheries and Oceans (DFO). However, the development of the remediation plan should not delay any proposed work.

The Area F APC recommended support for these application and the conditions for approval as stated in this report, and advised that the applicant look for a long-term permanent solution to the problem.

HSPP should consider how it would respond if water level in Rainy River continues to drop such that the proposed works are not sufficient to address water needs over the summer. It would be helpful if the SCRD could be contacted as soon as possible if this is the case.

The Sk̓wx̓wú7mesh Nation was also sent the referrals by the Province and HSPP is in contact with the Sk̓wx̓wú7mesh Nation.

Because of the tight timeline of the work window which is due to begin on July 31, 2017, Staff recommend that the recommendations of this report be forwarded to the July 13, 2017 regular Board for adoption.

SCRD staff support the applications and requests the following be conditions of approval:

- a) a Qualified Environmental Professional (QEP) be present on site during the works to ensure impact is minimized and that a report be provided to the Province and the SCRD by the QEP to confirm this;
- b) a remediation plan be developed and implemented as soon as possible with the provincial Ministry of Environment and the Department of Fisheries and Oceans (DFO) to compensate for any lost or damaged fish habitat;
- c) Howe Sound Pulp and Paper Corp. contacts the SCRD in addition to the Province, Sk̓wx̓wú7mesh Nation and DFO as soon as possible if it becomes apparent that additional works are required to address water needs.

Attachments

Attachment A – Application 1 (Referral Number: 94110350 - 001)

Attachment B – Application 2 (Referral Number: 94208211 - 001)

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

Attachment A Application 1 (Referral Number: 94110350 - 001)

PROPOSED WORKS

Detailed Description of Works:

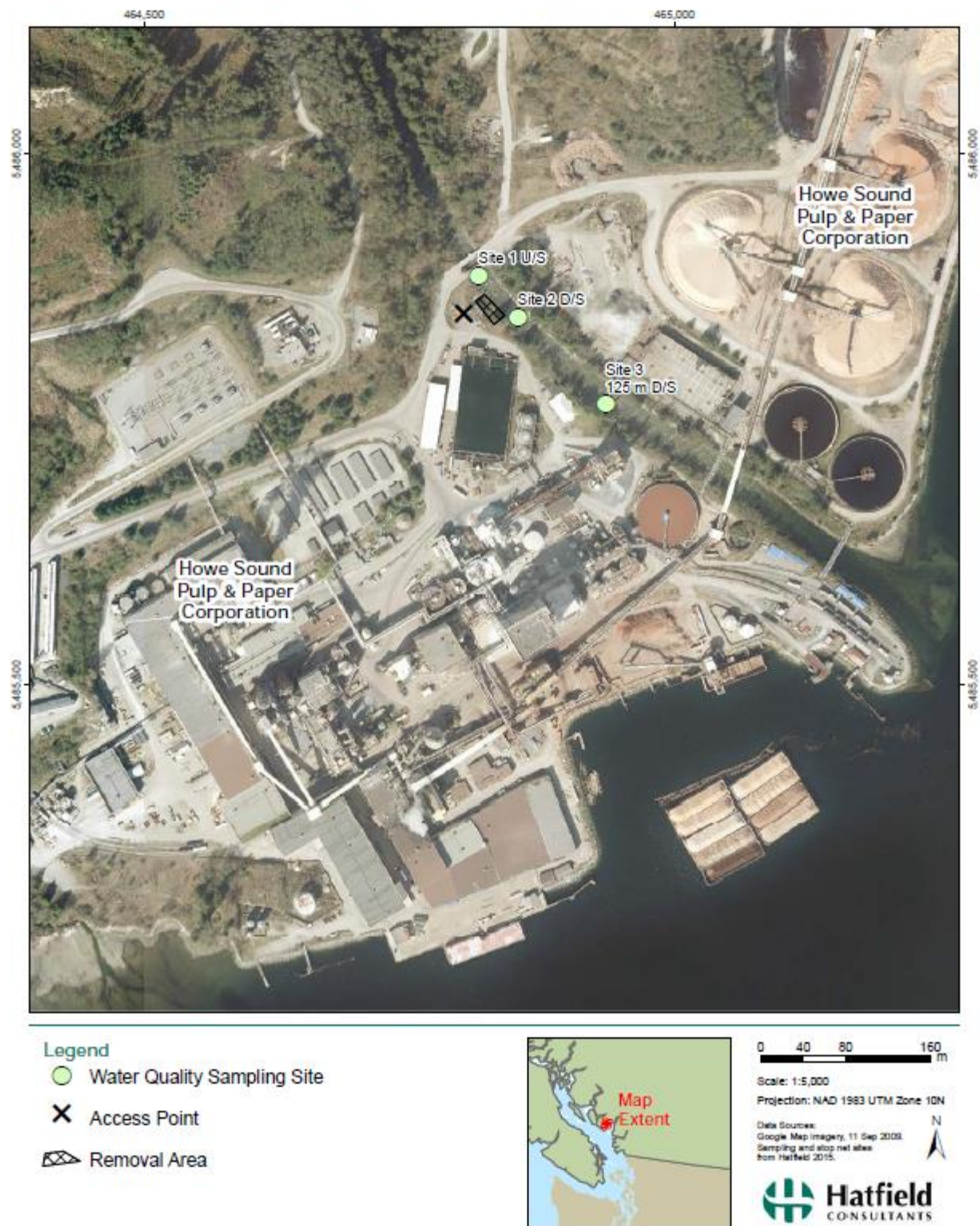
Work start date is dependent on weather conditions and river levels, within the pink salmon and other species work window of Aug 1- 15. Onshore works to remove gravel buildup within water extraction sump, approximately 6 x 12 m, on the west bank of Rainy River, south of the vehicle bridge. Due to weather events in winter 2016 -early 2017, gravel removal is required to utilize this sump in the summer months. Gravel material will be removed utilizing a long arm excavator from the shore with no entry to the river. Terex trucks will be loaded and remove the material to a nearby laydown, minimizing the work time with the short trucking turn around. It is estimated that the work would be completed in 4-6 hours. Contractor work will be done by Fiedler Brothers, our general contractor, who has for the past 20 years conducted all instream work on the Rainy River without incident. All machinery used in these works will be cleaned and using petroleum mineral oil based hydraulic. A spill kit will be located on site and all fuelling will be done at an offsite location.

Footprint of Project:

72 m2



Figure 2 Water quality sampling locations on Rainy River, BC.





Gravel formation near crest of dam

Attachment B Application 2 (Referral Number: 94208211 - 001)

PROPOSED WORKS

Detailed Description of Works:

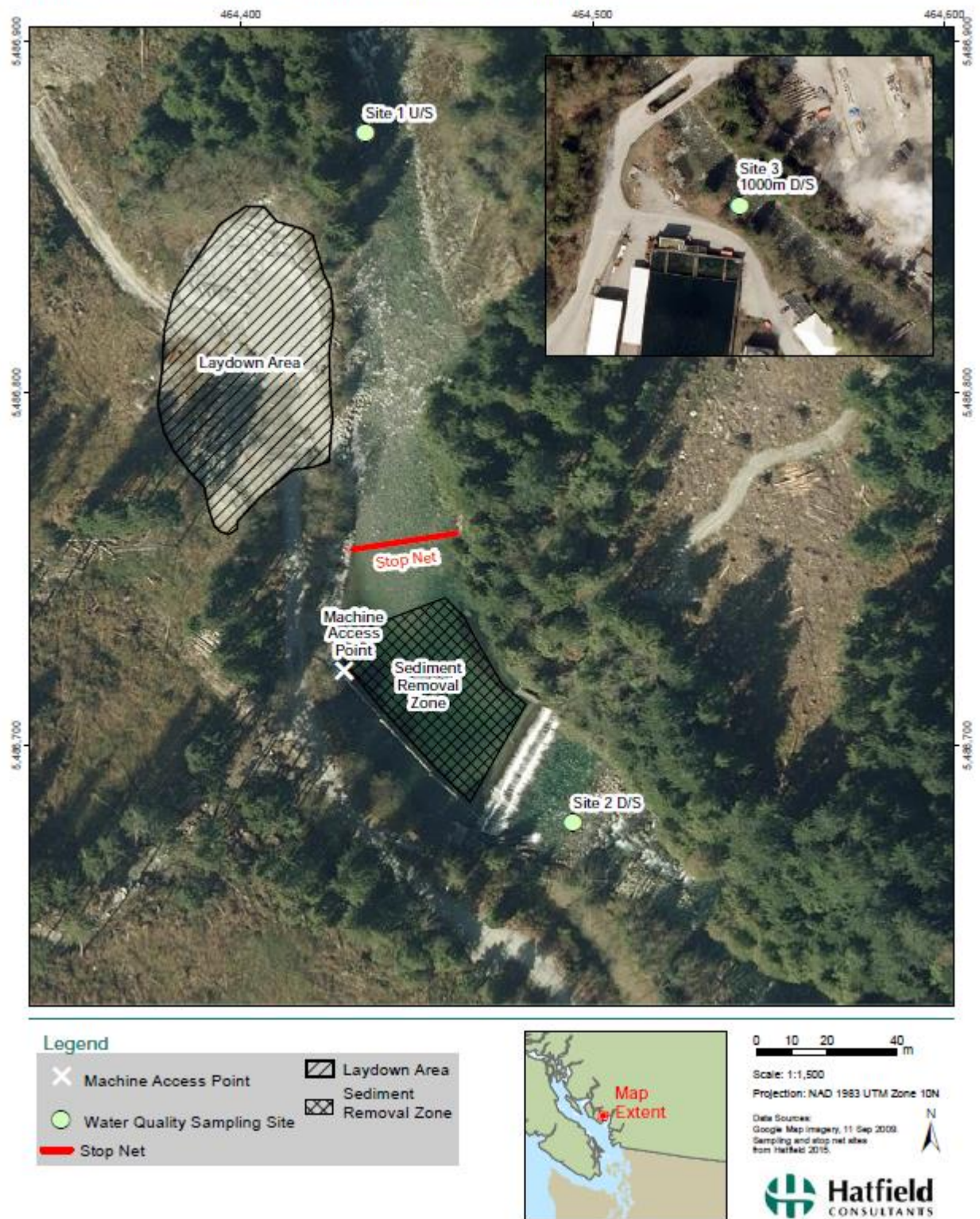
Annual gravel removal of to ensure water flow to pulp mill operations. Heavy rainstorms have accumulated significant gravel deposits through the winter season of 2016-2017, to the point where the mill is at risk of shutting down for lack of water. We propose to utilize an excavator entering from the western bank of the river to remove gravel/cobble buildup while minimizing impact to the Rainy River by leaving a bar of gravel/cobble separating the dig area from the river. Terex trucks will be loaded from the excavator and will deposit the material in a nearby laydown area, minimizing the work time with the short trucking turn around. The area of digging would be limited to an area approximately 40 by 60 meters, or 2400 m². Contractor work will be done by Fiedler Brothers, a general contractor, who has for the past 20 years conducted all instream work on the Rainy River without incident. All machinery used in these works will be cleaned and using petroleum mineral oil based hydraulic. A spill kit will be located on site and all fuelling will be done at an offsite location.

Footprint of Project:

2,400 m²



Figure 2 Water quality sampling locations on Rainy River, BC.





Fiedler Cove looking downstream from bridge crossing

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: Lesley-Ann Staats, Planner

SUBJECT: PRIVATE MOORAGE REFERRALS IN SECRET COVE (POPE FOR BRYNELSEN) –
ELECTORAL AREA B

RECOMMENDATIONS

1. **THAT the report titled Private Moorage Referrals in Secret Cove (Pope for Brynelsen) – Electoral Area B be received;**
2. **AND THAT the following comments be forwarded to the Ministry of Forests, Lands and Natural Resources Operations by July 18, 2017:**
 - a. **It is the SCRD's preference that tenure be issued for a shared dock, as per OCP Policy 19.8, to reduce the cumulative impacts of foreshore private moorage developments in Secret Cove;**
 - b. **The SCRD has no objection to approval of the existing residential private moorage fronting Strata Lot 1, Crown File 2411830, as the SCRD understands that the moorage facility has been in place since 1985 and its size is non-conforming to Zoning Bylaw No. 310;**
 - c. **The SCRD may support the proposed residential private moorage fronting Strata Lot 2, Crown File 2411831, subject to the applicant successfully amending the W1 zone, within Zoning Bylaw No. 310, to allow more than one residential mooring facility for the parcel / strata development prior to permission issuance;**
 - d. **The SCRD may support the existing residential private moorage fronting Common Property, Crown File 2411832, subject to the applicant successfully amending the W1 zone, within Zoning Bylaw No. 310, to allow more than one residential mooring facility for the parcel / strata development prior to permission issuance;**
 - e. **The following additional conditions apply to permissions for Crown Files 2411830, 2411831 and 2411832:**
 - i. **SCRD will require a building permit and/or a development variance permit if any structures are constructed to access the moorage facility;**
 - ii. **SCRD mapping does not indicate any eelgrass beds in the vicinity. Eelgrass beds in or near the tenure areas should be identified and protected;**
 - iii. **Water quality should not be impacted by maintenance or construction activities, materials, or fuel storage;**

- iv. There is a history of strong community interest in maintaining public access for shellfish harvesting in this area, as well as for recreational boating and emergency refuge. Docks and associated tenure areas should be designed to ensure public access along the foreshore and adequate open water for navigation is maintained;
 - v. The proponent should implement both the Province's and the *shíshálh* Nation's Best Management Practices for building moorage facilities and in particular the most stringent of any overlapping policy to protect the foreshore ecosystems;
3. AND FURTHER THAT this recommendation be forwarded to the regular Board meeting of July 13, 2017 for adoption.
-

PURPOSE

The purpose of this report is to provide information on three residential private moorage referrals from the Ministry of Forests, Lands, and Natural Resource Operations (FLNRO) and to provide a response to FLNRO.



Figure 1: subject parcel showing approximate areas for tenure areas

BACKGROUND

The SCRD received three referrals from FLNRO for specific permission for two existing residential private moorages and one proposed residential private moorage fronting 5383 Sans Souci Road, Halfmoon Bay. The referrals are enclosed for reference as Attachments A, B and C. An application summary is provided below.

- iv. There is a history of strong community interest in maintaining public access for shellfish harvesting in this area, as well as for recreational boating and emergency refuge. Docks and associated tenure areas should be designed to ensure public access along the foreshore and adequate open water for navigation is maintained;
 - v. The proponent should implement both the Province's and the *shíshálh* Nation's Best Management Practices for building moorage facilities and in particular the most stringent of any overlapping policy to protect the foreshore ecosystems;
3. AND FURTHER THAT this recommendation be forwarded to the regular Board meeting of July 13, 2017 for adoption.
-

PURPOSE

The purpose of this report is to provide information on three residential private moorage referrals from the Ministry of Forests, Lands, and Natural Resource Operations (FLNRO) and to provide a response to FLNRO.



Figure 1: subject parcel showing approximate areas for tenure areas

BACKGROUND

The SCRD received three referrals from FLNRO for specific permission for two existing residential private moorages and one proposed residential private moorage fronting 5383 Sans Souci Road, Halfmoon Bay. The referrals are enclosed for reference as Attachments A, B and C. An application summary is provided below.

- iv. There is a history of strong community interest in maintaining public access for shellfish harvesting in this area, as well as for recreational boating and emergency refuge. Docks and associated tenure areas should be designed to ensure public access along the foreshore and adequate open water for navigation is maintained;
 - v. The proponent should implement both the Province's and the *shíshálh* Nation's Best Management Practices for building moorage facilities and in particular the most stringent of any overlapping policy to protect the foreshore ecosystems;
3. AND FURTHER THAT this recommendation be forwarded to the regular Board meeting of July 13, 2017 for adoption.
-

PURPOSE

The purpose of this report is to provide information on three residential private moorage referrals from the Ministry of Forests, Lands, and Natural Resource Operations (FLNRO) and to provide a response to FLNRO.



Figure 1: subject parcel showing approximate areas for tenure areas

BACKGROUND

The SCRD received three referrals from FLNRO for specific permission for two existing residential private moorages and one proposed residential private moorage fronting 5383 Sans Souci Road, Halfmoon Bay. The referrals are enclosed for reference as Attachments A, B and C. An application summary is provided below.

Applicant:	Straight Land Surveying
Purpose:	Private Moorage (three)
Tenure Type:	Specific Permission
Period:	No fixed term
Legal Description:	UNSURVEYED FORESHORE OR LAND COVERED BY WATER BEING PART OF THE BED OF SECRET COVE, GROUP 1, NEW WESTMINSTER DISTRICT
Electoral Area:	B – Halfmoon Bay
Size (Area):	0.065 - 0.10 ha +/-
OCP Land Use:	Future Public Recreation Use
Land Use Zone:	W1 (Water One)
Response Due:	July 18, 2017 (Extended)

In 2010, the property completed a building strata to form Strata Lot 1, Strata Lot 2, and Common Property.

The proponent is requesting permission for each Strata Lot (which are dwellings) and the Common Property to have its own private moorage.

This matter was previously considered by the Committee (May 11, 2017) and, following the Board's directive, (174/17, Recommendation No. 2) a site visit was conducted and further information gathered.



Figure 2: Building Strata Plan

Staff researched the history of the docks, obtained from aerial photographs, summarized in Table 1 below:

	Strata Lot 1	Strata Lot 2	Common Property
Year	Did docks exist?		
1964	No	No	Yes
1976	No	No	Yes
1985	Yes	No	No
1989	June 8, 1989 – Zoning Bylaw 310 adopted		

	W1 Zone in place, permitted one moorage facility per parcel, included 4.5 m height restriction for boathouse		
1999	Yes	No	No
2003	July 10, 2003 – Zoning Bylaw 310 amended to include expanded conditions to W1 zone (siting, 65 m ² size limits, boathouse perimeter 35 m, etc.)		
2006	Yes	No	Yes
2014	Yes	No	Yes
2017	Application for permission for <i>existing</i> boathouse and dock 162 m ²	Application for permission for 65 m ² <i>proposed</i> dock	Application for permission for 123 m ² <i>existing</i> dock

Thus, the aerial images have provided the following information:

- The dock fronting Strata Lot 1 has been in place since 1985
- There has never been a dock fronting Strata Lot 2
- The dock fronting Common Property was in place in 1964, then removed after 1976, and put back in place in or before 2006.

Options

The SCRD is requested to choose one of the following options in response to each referral:

1. Interests unaffected
2. No objection to approval of project.
3. No objection to approval of project subject to the conditions outlined below.
4. Recommend refusal of project due to reasons outlined below.
5. N/A

DISCUSSION

This section includes a staff analysis on the referral with respect to zoning, Official Community Plan policies, site visit considerations, additional considerations, and recommendations.

Zoning

The foreshore in Secret Cove is zoned Water One (W1), which permits one mooring facility for pleasure craft, auxiliary to a residential use located on the adjacent upland parcel. The W1 zone outlines conditions as follows:

- a) the height of a building or structure shall not exceed 4.5 metres.
- b) a boathouse shall have an exterior perimeter not exceeding 35.0 metres.
- c) a mooring facility shall have a combined area, independent of any pedestrian access, not exceeding 65.0 square metres. In cases where differences result in applying subsections (b) and (c), the more restrictive provision shall prevail.
- d) a boathouse shall be located on the surface of water only if it has a structural connection to the adjacent upland.

Halfmoon Bay Official Community Plan

The subject area is designated as 'Future Public Recreation Use' under the Halfmoon Bay Official Community Plan. The following objectives are identified in the OCP:

18.1 To reserve land and water areas with high scenic value and recreational potential for future public use and conservation.

18.2 To Reserve the foreshore area designated as Future Public Recreation and Conservation Use for public recreation and preservation of the natural environment without alienation by private use or resource extraction.

18.3 To inform property owners of the *shíshálh* Nation's best management practices for moorage, which are attached to the OCP as Appendix A.

OCP policy 19.8 states the following:

19.8 Support community docks in other parts of the Plan area subject to adequate parking and access provisions to minimize the impact of excessive private moorage facilities on habitats and on marine traffic.

Staff recommend advising FLNRO that it is the SCRD's preference that tenure be issued for a shared dock, as per OCP Policy 19.8, to reduce the cumulative impacts of foreshore private moorage developments in Secret Cove.

Site Visit Considerations

Notwithstanding that OCP Policy 19.8 supports a shared dock to reduce the cumulative impacts of foreshore private moorage developments in Secret Cove, it was observed during the site visit that:

- The two docks are existing and appear to have been there for some time; and
- The existing docks are within the character of the area.

Further information gathered from the applicant with regards to the third dock (fronting Strata Lot 2) is that it is intended to serve as a kayak launch, as the existing docks are not accessible or appropriate for this purpose given their size, height and narrow stair access, all of which are reflective of and limited by the site topography. Staff consider that a small, kayak launch would not have a detrimental impact on area character.

Additional Analysis

For the purpose of Zoning Bylaw interpretation, Strata Lots 1 and 2 and the Common Property are a building strata and not a subdivision. Each building (strata lot) exists on its own legal title, however, the strata lots are on one shared parcel. Therefore, the strata is considered one parcel and zoning permits only one moorage facility for the parcel.

The two existing private moorages (fronting Strata Lot 1 and Common Property) exceed the maximum 65 m² size under Zoning Bylaw No. 310.

Strata Lot 1 – Crown Referral 2411830

- The existing 162 m² private moorage and boat house fronting Strata Lot 1 appears to have been in place since 1985 according aerial imagery.
- Staff determined that the dock and boat house was established prior to water zoning (1987).
- The size limitations were introduced in 2003; therefore the large dock and boat house size is lawfully non-conforming to Zoning Bylaw No. 310.

Staff recommend responding with no objection to approval of the existing residential private moorage fronting Strata Lot 1, Crown File 2411830, as the SCRD understands that the moorage facility has been in place since 1985 and its size is non-conforming to Zoning Bylaw No. 310.

Strata Lot 2 – Crown Referral 2411831

- There is no dock fronting Strata Lot 2; however, two docks fronting the parcel already exist which are non-conforming to Bylaw 310.
- The owners indicated the need for a kayak launch. Staff suggest the applicant apply for a Development Variance Permit to build a kayak launch off an existing dock.

Staff recommend responding recommending refusal of the proposed residential private moorage fronting Strata Lot 2, Crown File 2411831, due to the reasons outlined below:

- The Water One (W1) zone permits one mooring facility for the upland parcel, which fronts Strata Lot 1.
- The applicant must apply to amend the W1 zone, under Zoning Bylaw No. 310, to allow more than one residential mooring facility for the parcel / strata development prior to permission issuance.

Common Property – Crown Referral 2411832

- The existing 123 m² private moorage fronting Common Property appeared to be in place from 1964 to 1976, according to aerial photographs, which was prior to the W1 zoning.
- In the 1985 and 1999 aerial photographs, however, the dock is no longer in place.
- In 2006, the dock appears again, and is still in place.
- Because the new dock was installed after the W1 zone was implemented, staff consider it non-conforming and unlaful.

Staff recommend responding recommending refusal of the proposed residential private moorage fronting Common Property, Crown File 2411832, due to the reasons outlined below:

- The Water One (W1) zone permits one mooring facility for the upland parcel, which fronts Strata Lot 1.
- The applicant must apply to amend the W1 zone, under Zoning Bylaw No. 310, to allow more than one residential mooring facility for the parcel / strata development prior to permission issuance.

In addition to the comments above, staff recommend forwarding the following comments to the Crown:

- SCRD will require a building permit and/or a development variance permit if any structures are constructed to access the moorage facility.
- SCRD mapping does not indicate any eelgrass beds in the vicinity. Eelgrass beds in or near the tenure areas should be identified and protected.
- Water quality should not be impacted by maintenance or construction activities, materials, or fuel storage.
- There is a history of strong community interest in maintaining public access for shellfish harvesting in this area, as well as for recreational boating and emergency refuge. Docks and associated tenure areas should be designed to ensure public access along the foreshore and adequate open water for navigation is maintained.
- The proponent should implement both the Province's and the *shíshálh* Nation's Best Management Practices for building moorage facilities and in particular the most stringent of any overlapping policy to protect the foreshore ecosystems.

Consultation

The Crown refers this application to the *shíshálh* Nation, SCRD and other agencies it identifies as appropriate (such as Fisheries and Oceans Canada, Navigable Waters, etc.) and posts an advertisement in the Coast Reporter to enable comments from the public.

The Halfmoon Bay Advisory Planning Commission reviewed this application at its meeting on April 25, 2017. The following three recommendations were made:

1. Crown File 2411830 (Strata Lot 1)

Recommendation No.1 *Crown Referrals 2411830, 2411831 and 2411832 (Pope for Brynelsen) for Private Moorages in Secret Cove*

Regarding Crown Referrals 2411830, 2411831 and 2411832 (Pope for Brynelsen) for Private Moorages in Secret Cove, the APC recommends that the SCRD support the application for specific permission for private moorage fronting Strata Lot 1 (Attachment A).

2. Crown File 2411832 (Common Property)

Recommendation No.2 *Crown Referrals 2411830, 2411831 and 2411832 (Pope for Brynelsen) for Private Moorages in Secret Cove*

Regarding Crown Referrals 2411830, 2411831 and 2411832 (Pope for Brynelsen) for Private Moorages in Secret Cove, the APC recommends that the SCRD support the application for specific permission for private moorage fronting Common Strata Property (attachment C) if findings prove it to be legally non-conforming.

3. Crown File 2411831 (Strata Lot 2)

Recommendation No.3 *Crown Referrals 2411830, 2411831 and 2411832 (Pope for Brynelsen) for Private Moorages in Secret Cove*

Regarding Crown Referrals 2411830, 2411831 and 2411832 (Pope for Brynelsen) for Private Moorages in Secret Cove, the APC recommends that the SCRD deny the application for specific permission for private moorage fronting Strata Lot 2 (attachment B) .

Timeline for next steps or estimated completion date

The Crown extended the deadline to comment on this application to July 18, 2017 in order to obtain a Board resolution. The resolution will be forwarded to FLNRO and final permission will be made by the Province.

In order to meet the extended deadline to comment, staff recommend that recommendations from this report be forwarded to the regular Board meeting of July 13, 2017 for consideration of adoption.

STRATEGIC PLAN AND RELATED POLICIES

Strategic Plan Values: Embed Environmental Leadership

CONCLUSION

The SCRD has been provided an opportunity to comment on three referrals for three private moorages in Secret Cove fronting a parcel that has a building strata with two strata lots and one common property. The proponent's request is to obtain permission for three residential moorage facilities: two that have been in place for at least 10 years and one proposed one.

Staff interpret that a building strata conversion – which results in Strata Lots – does not equate to a bare land subdivision – which results in parcels; therefore, the parcel is considered a single entity with two dwellings on it and is comparable to other single title parcels, where only one moorage facility is permitted.

Consideration to maintaining two facilities may be given if the applicant can prove that the two facilities are lawfully non-conforming.

This request is to obtain tenure and add a third facility for launching kayaks. The OCP supports shared moorage facilities to reduce the cumulative impacts of moorage facilities within Secret Cove. Staff consider this a priority when providing comments on moorage referrals.

Staff support FLNRO granting permission for a shared facility or a seasonal, non-permanent structure for launching kayaks. If three permanent structures are to be approved, the W1 zone must be amended to permit the density.

Attachments

- Attachment A - Crown File #2411830 Referral Package (SL 1)
- Attachment B - Crown File #2411831 Referral Package (SL 2)
- Attachment C - Crown File #2411832 Referral Package (Common Property)

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



STRAIT LAND SURVEYING INC.

Box 61 Sechelt, BC
V0N-3A0 604 885 3237
seamus@straitlandsurveying.com

Integrated Land Management Bureau
Ministry of Forests Lands and Natural Resource Operations
#200 – 10428 153rd Street
Surrey, B.C.
V3R 1E1

February 22, 2017

Re: Application for Specific Permission for Private Moorage Fronting
Strata Lot 1, DL 4552, Strata Plan BCS3893, 5383 Sans Souci Road, Halfmoon Bay, BC.

Dear Sir, Ms;

I wish to submit the following management plan on behalf of the owners of the above noted Property:

Section A – Project Overview.

- ❖ The lot owners wish to apply for specific permission for private moorage to encompass an existing private dock, consisting of an aluminium ramp, boat house and a wood float on the foreshore fronting their upland property for the purpose of mooring their boat, and to provide moorage for guests. These structures have been in place for over 100 years.
- ❖ There will be no commercial uses of the moorage.
- ❖ The site is located in Secret Cove, Strata Lot 1, DL 4552, Strata Plan BCS3893. The civic address is 5385 Sans Souci Road. It is important to note for this application that the upland parcel has no dedicated road access, and is considered water access only.
- ❖ The existing structures and access are as shown on the accompanying sketches.

Section B – Project Details.

- ❖ The site is used for the private moorage of boats owned by the upland owner and family. The upland consists of solid granite bluff.
- ❖ The boathouse is constructed of wood, it is approximately 12.2m x 7.3m. There are 3 piling locations. At the north end of the float, there is a 4-piling dolphin. At the south end of the float there is a 2-piling dolphin. There is also 1 additional piling to stabilize the boathouse. Please see Site Plan C.
- ❖ The ramp is 10.6m x 1.1m.

- ❖ The dimensions of the floats fronting SL 1 are approximately 2.2x20.6m and 7.5x15.5m with an open boat house on the latter.
- ❖ There are no proposed changes to the existing improvements.
- ❖ There are existing floats to the north and south of the application area, which are used for private moorage of the owner's boats.
- ❖ The nearest public access to the foreshore is approximately 150m South East of the application area to the east of lot 6, DL 4552, VAP13302. There is no publicly used beach in front of the subject lot or on any of the adjacent lots. The waterfront is composed of solid granite.
- ❖ The lot is flanked on each side by R-2 zoned sites with the southerly site having an existing pier, boathouse and float.

Section C – Additional Information.

1. Environmental

The owners will moor their boats at the float and use it during the boating season. Atmospheric impact will be minimal, some exhaust and motor noise when leaving and arriving at the float. I am not qualified to give an opinion on the impact of the dock on the aquatic zone and fish habitat.

2. Socio-Community

The property lies within the Sunshine Coast Regional District. The existing land use in the area is waterfront residential homes. The existing upland zoning is R-2, which allows for a single family dwelling. The existing water zoning is W1, which permits one mooring facility for pleasure craft.

First Nations have not been contacted regarding this application.

Owner(s): Denise Broderick-Brynnelsen
5385 Sans Souci Road
Halfmoon Bay, BC
V0N 1Y2

Our File: 15117-609 (1)

A handwritten signature in black ink, appearing to read 'S. Pope', with a stylized, flowing script.

Seamus Pope, BCLS

General Location - 2411830

92F/09

92G/12

Sunshine Coast Hwy

SECHELT

CAREN

PENINSULA

MALASPINA

STRAIT

[SALISH SEA]

WELCOME PASSAGE

HALFMOON BAY

92G/05
THORMANBY ISLANDS

SOUTH

THORMANBY

99

1:50,000

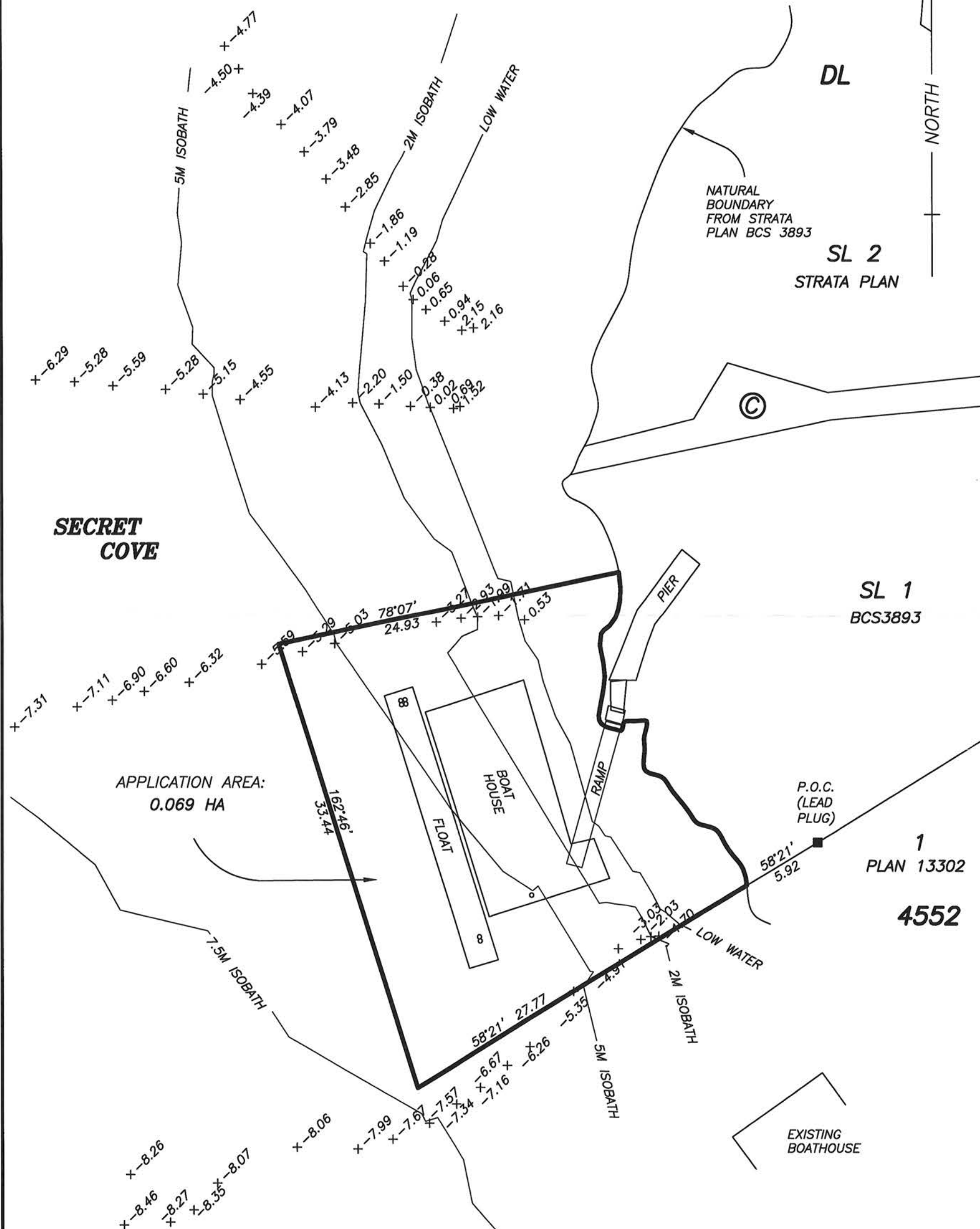
Legend
- Dock

92F/08



6

**LARGE SCALE
SITE PLAN "C"**



■ DENOTES A LEAD PLUG FOUND
+9.44 DENOTES ELEVATION OF SEABED

ALL DISTANCES ARE IN METRES UNLESS OTHERWISE NOTED.

STRAIT LAND SURVEYING INC.
SEAMUS POPE, BCLS
BOX 61 (5689 DOLPHIN ST)
SECHLT, BC VON 3A0
T: 604-885-3237

15117-609 (1)



STRAIT LAND SURVEYING INC.

Box 61 Sechelt, BC
V0N-3A0 604 885 3237
seamus@straitlandsurveying.com

Integrated Land Management Bureau
Ministry of Forests Lands and Natural Resource Operations
#200 – 10428 153rd Street
Surrey, B.C.
V3R 1E1

February 22, 2017

Re: Application for a Specific Permission for Private Moorage Fronting
Strata Lot 2, DL 4552, Plan BCS3893, Halfmoon Bay, BC.

Dear Sir, Ms;

I wish to submit the following management plan on behalf of the owners of the above noted Property:

Section A – Project Overview.

- ❖ The lot owners wish to apply for specific permission for private moorage to build a private dock, consisting of an aluminium ramp and a wood float on the foreshore fronting their upland property for the purpose of mooring their boat, and to provide moorage for guests.
- ❖ There will be no commercial uses of the moorage.
- ❖ The site is located in Secret Cove, Strata Lot 2, DL 4552, Strata Plan BCS3893. The civic address is 5383 Sans Souci Road. It is important to note for this application that the upland parcel has no dedicated road access, and is considered water access only.
- ❖ The existing structures and access are as shown on the accompanying sketches.

Section B – Project Details.

- ❖ The site will be used for the private moorage of boats owned by the upland owner and family.
- ❖ There are existing floats to the north and south of the application area, which are used for private moorage of the owner's boats.
- ❖ The nearest public access to the foreshore is approximately 150m South East of the application area to the east of lot 6, DL 4552, VAP13302. There is no publicly used beach in front of the subject lot or on any of the adjacent lots. The waterfront is composed of solid granite.

- ❖ The dimensions of the float fronting SL2 will be approximately 18.3 metres long and 3.4 metres wide. The float will consist of wood over contained flotation blocks. The float will be held in position by either pilings if ground is soft or otherwise with concrete anchors and steel chain. The anchors will be placed from the dock back towards the shore for a distance of approximately 6m and are to be kept within the proposed tenure area.
- ❖ The ramp/pier fronting SL2 will each respectively be approximately 12.0 metres long and 1.2 metres wide, made of aluminium. There will be two concrete trestles constructed to hold up the pier, as shown in Site Plan D. These consist of a concrete footing with posts and a beam.
- ❖ Minimal ground disturbance is expected; when pilings are driven into soft ground or alternatively as anchors are dropped to the seabed.
- ❖ The dock and related structures are proposed to be constructed within 12-24 months of having been granted the licence.
- ❖ The lot is flanked on each side by R-2 zoned sites with the northerly site "Common Strata Property" having an existing ramp and float and the southerly site "SL1" having an existing ramp and float with semi-enclosed boat house.

Section C – Additional Information.

1. Environmental

The owners will moor their boats at the float and use it during the boating season. Atmospheric impact will be minimal, some exhaust and motor noise when leaving and arriving at the float. I am not qualified to give an opinion on the impact of the proposed dock on the aquatic zone and fish habitat.

2. Socio-Community

The property lies within the Sunshine Coast Regional District. The existing land use in the area is waterfront residential homes. The existing upland zoning is R-2, which allows for a single family dwelling. The existing water zoning is W1, which permits one mooring facility for pleasure craft.

First Nations have not been contacted regarding this application.

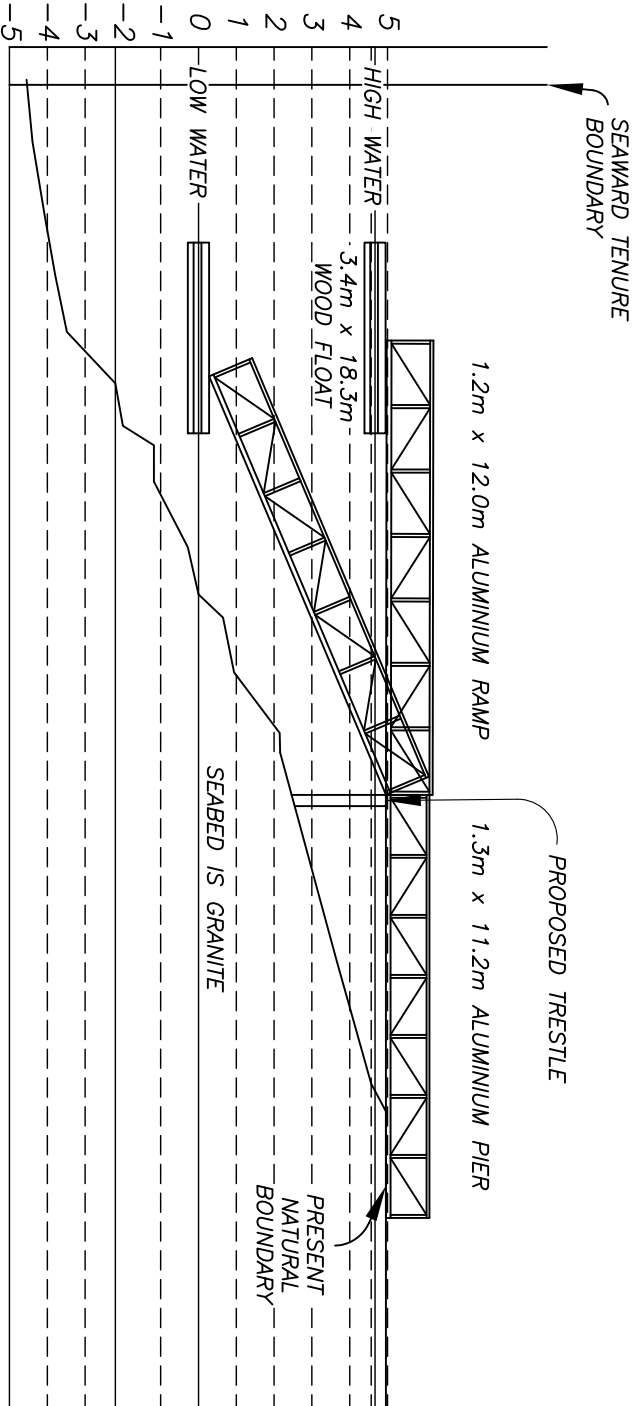
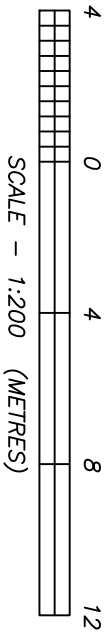
Owner(s): Dana Brynelson
5383 Sans Souci Road
Halfmoon Bay, BC
V0N 1Y2

Our File: 15117-609 (2)

A handwritten signature in black ink, appearing to read 'S. Pope', with a stylized, flowing script.

Seamus Pope, BCLS

PROFILE PLAN TO ACCOMPANY AN APPLICATION FOR SPECIFIC PERMISSION FOR PRIVATE MOORAGE FRONTING STRATA LOT 2, DL 4552, G.1, NWD, STRATA PLAN BCS3893.
 PROFILE VIEW PLAN "D"



LEGEND

ELEVATIONS SHOWN ARE IN METRES AND ARE REDUCED TO CHART DATUM.

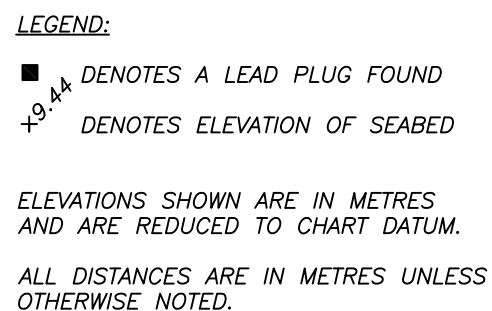
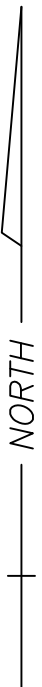
ALL DISTANCES ARE IN METRES UNLESS OTHERWISE NOTED.

REVISED: FEBRUARY 22, 2017
DATE: NOVEMBER 27, 2015

STRAIT LAND SURVEYING INC.
SEAMUS POPE, BCLS
BOX 61 (5689 DOLPHIN ST)
SECHELT, BC V0N 3A0
T: 604-885-3237

15117-609 (2)

LARGE SCALE
SITE PLAN "C"



15117-609 (2)



STRAIT LAND SURVEYING INC.

Box 61 Sechelt, BC
 V0N-3A0 604 885 3237
 seamus@straitlandsurveying.com

Integrated Land Management Bureau
 Ministry of Forests Lands and Natural Resource Operations
 #200 – 10428 153rd Street
 Surrey, B.C.
 V3R 1E1

February 22, 2017

Re: Application for Specific Permission for Private Moorage Fronting
 Common Strata Property, DL 4552, Strata Plan BCS3893, Halfmoon Bay, BC.

Dear Sir, Ms;

I wish to submit the following management plan on behalf of the owners of the above noted Property:

Section A – Project Overview.

- ❖ The lot owners wish to apply for specific permission for private moorage to encompass an existing private dock, consisting of an aluminium ramp and a wood float over steel frame with foam flotation blocks on the foreshore fronting their upland property for the purpose of mooring their boat, and to provide moorage for guests.
- ❖ There will be no commercial uses of the moorage.
- ❖ The site is located in Secret Cove, Common Strata Property, DL 4552, Strata Plan BCS3893. The civic address is adjacent to 5385 Sans Souci Road. It is important to note for this application that the upland parcel has no dedicated road access, and is considered water access only.
- ❖ The existing structures and access are as shown on the accompanying sketches.

Section B – Project Details.

- ❖ The site will be used for the private moorage of boats owned by the upland owner and family.
- ❖ There are existing floats to the north and south of the application area, which are used for private moorage of the owner's boats.
- ❖ The nearest public access to the foreshore is approximately 150m South East of the application area to the east of lot 6, DL 4552, 13302. There is no publicly used beach in front of the subject lot or on any of the adjacent lots. The waterfront is composed of solid granite.

- ❖ The dimensions of the float fronting the common property are 24.1 metres long and 5.1 metres wide. The float consists of wood over a steel frame and foam flotation blocks. The float is held in position by a steel piling and concrete anchors and steel chain.
- ❖ The ramp/pier fronting the common property is 12.0 metres long and 1.2 metres wide, made of aluminium. The existing pier is held in place by a trestle system consisting of a concrete footing with 6x6 posts, 2x8 braces & 6x6 beams. These are all composed of pressure treated wood.
- ❖ The lot is flanked on each side by R-2 zoned sites with the northerly site 'lot 11' having an existing ramp, boathouse and float.

Section C – Additional Information.

1. Environmental

The owners will moor their boats at the float and use it during the boating season. Atmospheric impact will be minimal, some exhaust and motor noise when leaving and arriving at the float. I am not qualified to give an opinion on the impact of the existing dock on the aquatic zone and fish habitat.

2. Socio-Community

The property lies within the Sunshine Coast Regional District. The existing land use in the area is waterfront residential homes. The existing upland zoning is R-2, which allows for a single family dwelling. The existing water zoning is W-1, which permits one mooring facility for pleasure craft.

First Nations have not been contacted regarding this application.

Owner(s): Dana Brynelsen & Denise Broderick-Brynelson
5383 Sans Souci Road
Halfmoon Bay, BC
V0N 1Y2

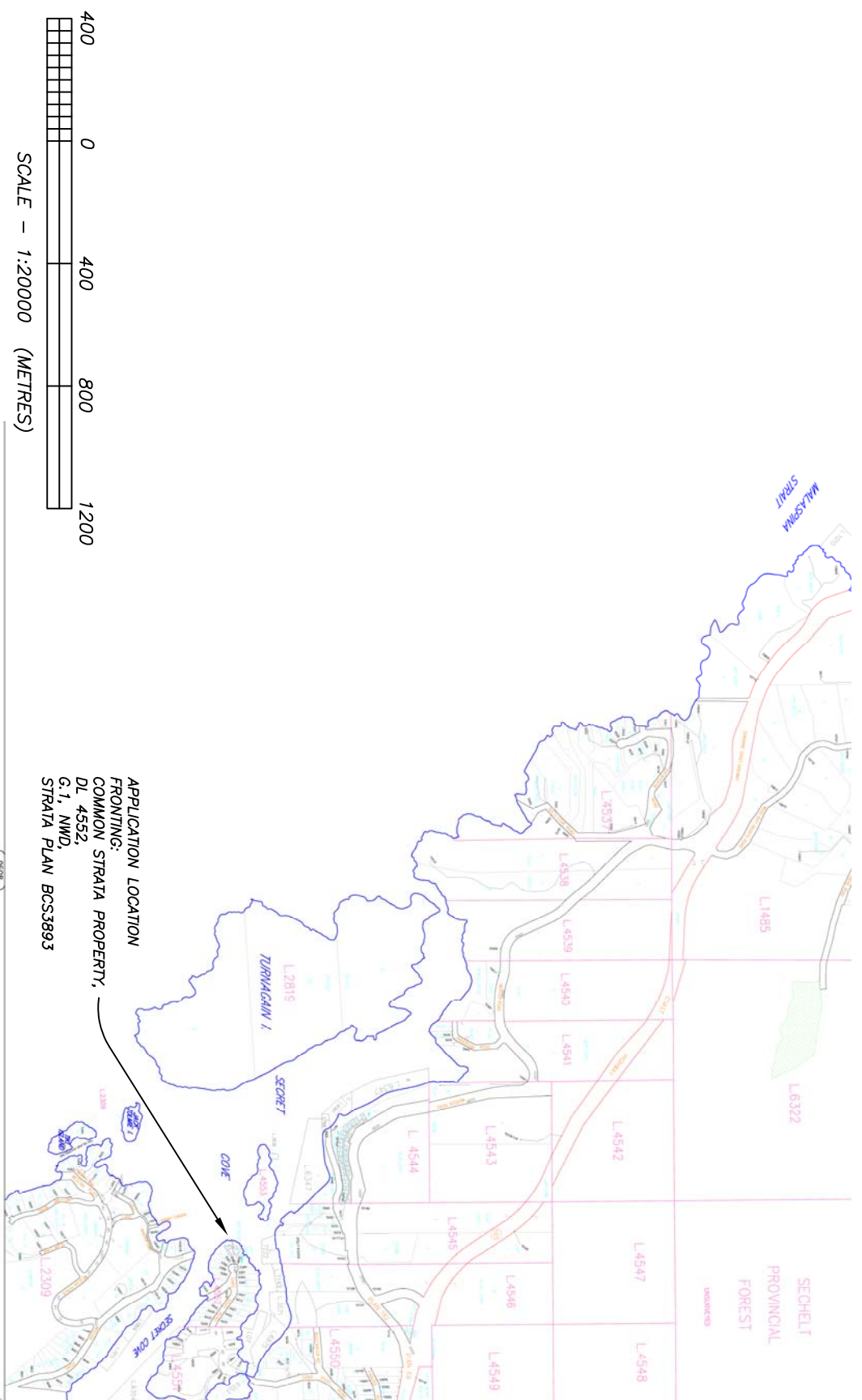
Our File: 15117-609 (3)



Seamus Pope, BCLS

GENERAL LOCATION PLAN TO ACCOMPANY AN APPLICATION FOR SPECIFIC PERMISSION FOR PRIVATE MOORAGE FRONTING COMMON STRATA PROPERTY, DL 4552, G.1, NWD, STRATA PLAN BCS3893.

SMALL SCALE GENERAL SITE PLAN "A"



APPLICATION LOCATION
FRONTING:
COMMON STRATA PROPERTY,
DL 4552,
G.1, NWD,
STRATA PLAN BCS3893

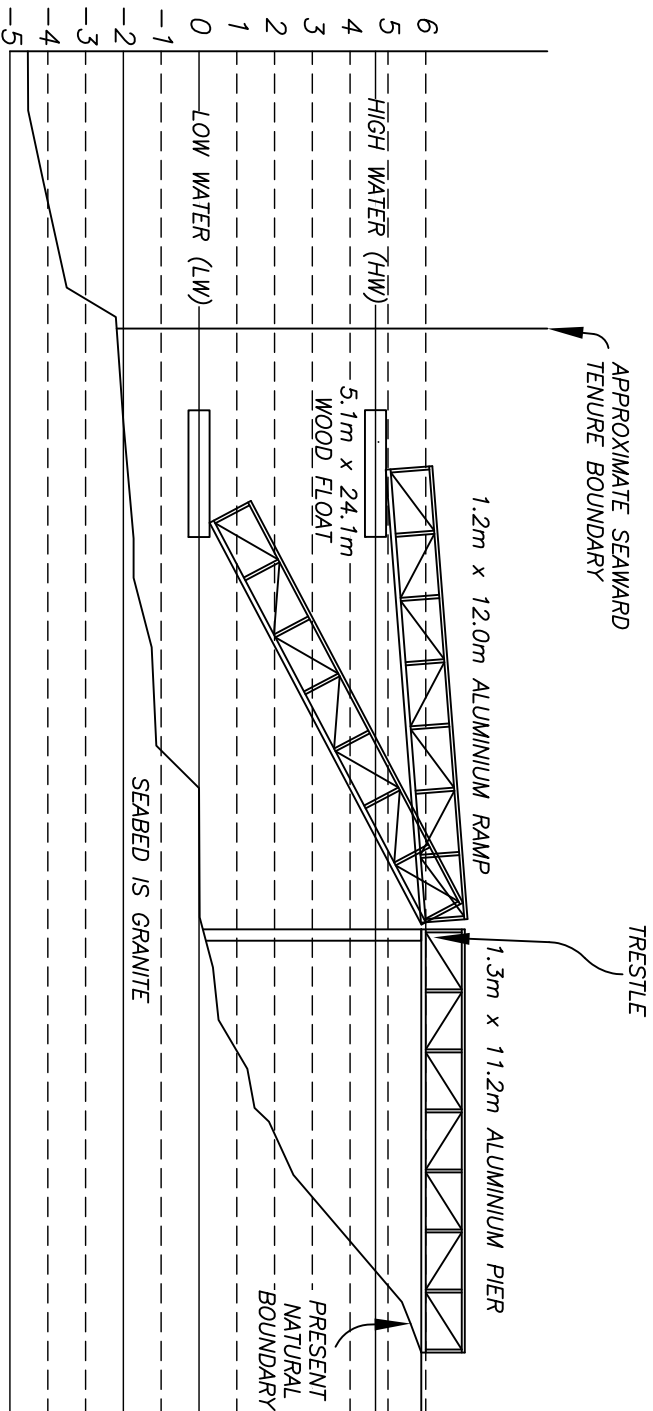
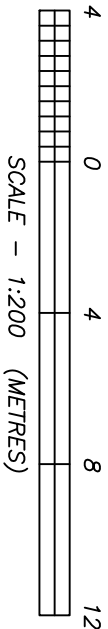
15117-609 (3)

DATE: NOVEMBER 27, 2015

STRAIT LAND SURVEYING INC.
SEAMUS POPE, BCLS
BOX 61 (5689 DOLPHIN ST)
SECHelt, BC VON 3A0
T: 604-885-3237

PROFILE PLAN TO ACCOMPANY AN APPLICATION FOR SPECIFIC PERMISSION FOR PRIVATE MOORAGE FRONTING COMMON STRATA PROPERTY, DL 4552, G.1, NWD, STRATA PLAN BCS3893.

PROFILE VIEW PLAN "D"



LEGEND
 ELEVATIONS SHOWN ARE IN METRES
 AND ARE REDUCED TO CHART DATUM.
 ALL DISTANCES ARE IN METRES UNLESS
 OTHERWISE NOTED.

REVISED: FEBRUARY 22, 2017
 REVISED: OCTOBER 21, 2016
 DATE: NOVEMBER 27, 2015
 STRAIT LAND SURVEYING INC.
 SEAMUS POPE, BCLS
 BOX 61 (5689 DOLPHIN ST)
 SECHELT, BC V0N 3A0
 T: 604-885-3237
 15117-609 (3)

LARGE SCALE
SITE PLAN "C"



■ DENOTES A LEAD PLUG FOUND

⁹ DENOTES ELEVATION OF SEABED

ELEVATIONS SHOWN ARE IN METRES
AND ARE REDUCED TO CHART DATUM.

ALL DISTANCES ARE IN METRES UNLESS OTHERWISE NOTED.

SL 2
BCS3893

REVISED: FEBRUARY 22, 2017
REVISED: OCTOBER 21, 2016
DATE: NOVEMBER 27, 2015

STRAIT LAND SURVEYING INC.
SEAMUS POPE, BCLS
BOX 61 (5689 DOLPHIN ST)
SEHELT, BC V0N 3A0
T: 604-886-3237

15117-609 (3)

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: Lesley-Ann Staats, Planner

SUBJECT: REFERRAL FOR EXCLUSION FROM THE AGRICULTURAL LAND RESERVE –
ELECTORAL AREA E

RECOMMENDATIONS

THAT the report titled Referral for Exclusion from the Agricultural Land Reserve – Electoral Area E be received;

AND THAT exclusion be supported subject to a report completed by a Professional Agrologist determining the land is not suitable for agriculture;

AND FURTHER THAT a Board resolution and the Professional Agrologist report on this referral be sent to the Agricultural Land Commission for a final decision.

PURPOSE

The purpose of this report is to provide information on an Agricultural Land Reserve (ALR) exclusion referral and to provide a recommendation to the Agricultural Land Commission (ALC). The application is for a property located at 1481 Reed Road, Elphinstone, and is enclosed as Attachment A.

Applications to the ALC are referred to the SCRD for comment. The Agricultural Land Commissioners consider referral comments before making a final decision on an application.

BACKGROUND

In 1966, the applicant purchased the property, prior to the establishment of the ALR.

In 1973, lands were designated in the ALR and the *Agricultural Land Commission Act* came into effect.

In 1982, the applicant applied to the ALC to exclude the entire property from the ALR for the purpose of eventually subdividing it into smaller lots. The ALC Panel made a decision, Resolution #1637/82, to not permit exclusion, but supported a minimum 1.75 hectare parcel size, which would allow the lot to be subdivided into five smaller parcels.

In 1985, the SCRD referred a background report to the ALC for comment, which was developed for the original Elphinstone Official Settlement Plan (now Official Community Plan). The ALC wrote a letter to the SCRD, recommending “that serious consideration be given to the exclusion from the Agricultural Land Reserve of that area generally out-lined in red on Map ‘B’. This particular area has lesser agricultural capability (Class 5 unimprovable) than lands to the south, generally with topographical and stoniness limitations.” Map ‘B’ referred to in the quote is shown

as Figure 1 below. This recommendation became a policy in the Official Settlement Plan which has carried through to the current OCP. Figure 1 is consistent with land use designations in the original and current OCP.

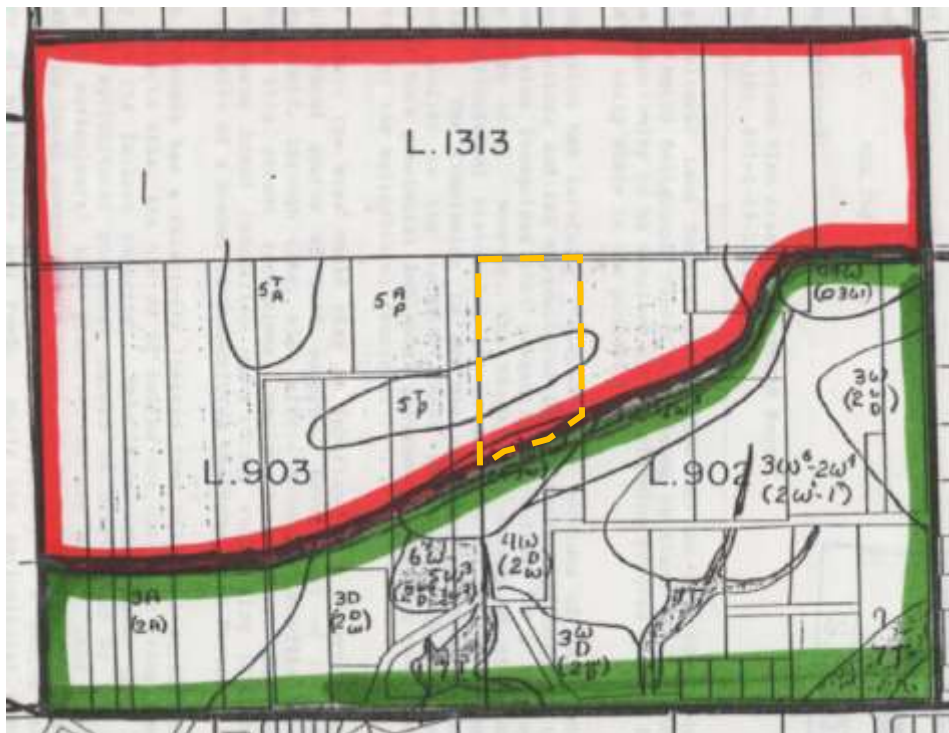


Figure 1: Exclusion area recommended by ALC (in red) - subject area shown in orange outline

In the fall of 2016, the SCR D reviewed an application for a two-lot subdivision in the ALR on the same property. The SCR D Board resolved to support the two-lot subdivision application as it was consistent with the Elphinstone Official Community Plan (OCP) and Zoning Bylaw No. 310 requirements.

In March, 2017, the ALC Panel refused the subdivision proposal for the purposes of estate settlement. The ALC decision noted that although Resolution #1637/82 allowed for the possibility of a five lot subdivision on the Property, [that decision] was made over 34 years ago and that the land use framework and the local government bylaws referenced in Resolution #1637/82 have since changed. The latest decision, Resolution #65/2017, is enclosed for reference as Attachment B.

A new application has been received, requesting to exclude the northern portion, approximately 6 hectares, of the property from the ALR as shown on Figure 2. Below is an excerpt from the application:

What is the purpose of the proposal?

To remove from the Agricultural Land Reserve the portion of the parcel located to the north of the Agricultural A land use designation as supported by the



Figure 2: Exclusion request (North - hatch)

Agricultural Land Commission in the current SCRD Area E Elphinstone Official Community Plan. The portion south of this line would remain within the ALR.

Explain why you believe that the parcel(s) should be excluded from the ALR.

This parcel is in District Lot 902. Excluding the portion of the parcel north of the Agricultural A land use designation would make its land use designation consistent with that already in place for the parcels to the west. This is as stated in the SCRD Area E Elphinstone OCP B-3: Rural Residential Objectives: "4. To exclude the lands from the Agricultural Land Reserve within District Lots 902 and 903 located to north of the Agricultural A land use designation as supported by the Agricultural Land Commission."

An application summary is provided in the table below:

Owner / Applicant:	0941623 BC Ltd, Kenneth Gurney, Susan Oshvalda
Civic Address:	1481 Reed Road, Gibsons, BC V0N1V2
Legal Description:	Lot 4, Except Part in Plan 10912 DL 902 Plan 3654
Electoral Area:	E – Elphinstone
Parcel Area:	9.6 hectares
OCP Land Use:	Rural Residential (north), Agricultural A (south)
Land Use Zone:	AG (Agriculture)
Application Intent:	Exclude the northern 6 ha portion from the ALR, along the Rural Residential OCP land use designation boundary.

Existing and Surrounding Land Uses

On the southern end of the property is a commercial business, Coastal Tire & Mechanical. There are three buildings associated with the business. The building permit for the shop was issued in 1970 and the building permit for the office and display room was issued in January 1973, before the ALC Act was in effect. Thus, the commercial use is lawfully non-conforming.

There is a house and shed on the southeast corner of the parent parcel, and a mobile home on the northwest corner.

Portions of the lot have been cleared, but the majority of the lot is treed. The southern portion where the business is located has been cleared for the shop and shop yard, as well as a section in the middle where a gravel pile exists. The gravel was moved from the northern part of the property to the southern part of the property for the shop yard.

Three hobby tree farms were planted in 2001 on the property: a 1 hectare Christmas tree farm on the north side, a 0.2 hectare Windmill Palm and Fraser Fir tree farm on the west. The applicant noted that the stony soil and poor moisture retention caused stunted growth for the palms. Replanting has not occurred and the trees have been left to grow. A tree farm is considered a permitted farm use consistent with ALC regulations.

Surrounding land uses are residential to the south (in ALR), west (not in ALR) and east (in ALR). To the north (in ALR) is District Lot 1313, which is forested Crown land identified in the

Elphinstone OCP for future community or regional park acquisition. BC Timber Sales has a proposed cutblock on District Lot 1313.

DISCUSSION

Agricultural Capability

The ALC assessed the land's agricultural capability ratings using the Canada Land Inventory (CLI) 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings for the subject exclusion area is Class 5. Class 5 land has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops. The limiting subclasses associated with this area are A (aridity), P (stoniness), and T (topographic limitations).

The topography of the property is steadily sloped, with about an average 10% grade from the north to the south. However, the northern portion of the property has an average 15% grade, while the southern portion has an average 5% grade.

The ALC Panel found that the property is capable of supporting agriculture, and ultimately did not support the previous subdivision application.

Elphinstone Official Community Plan (OCP)

A goal of the Elphinstone OCP is to protect the long-term potential for agriculture and promote food security on the Sunshine Coast.

The OCP designates Agricultural A land on the southern portion of the property and Rural Residential land on the northern portion. The proposed exclusion boundary follows the land use designation boundary between the Agricultural A and Rural Residential land.

The OCP recommends lands designated Rural Residential on District Lot 902 and 903 be excluded from the ALR. This policy direction has been in place since approximately 1985, as initially recommended by the ALC.

The table below shows the past exclusion applications on DL 903 that were supported by the long-standing OCP policy and subsequently approved by the ALC, dating back to the first approval in 1995.

SCRD File No.	Year	District Lot	Purpose	Size (+/-)	SCRD Comment	ALC Decision
E-24	1993	903	Exclusion	6.4 ha	Support	Approved 1995
E-28	1995	903	Exclusion	3.6 ha	Support	Approved 1996
E-29	1995	903	Exclusion	6.4 ha	Support	Approved 1996
E-32	2003	903	Exclusion	3.6 ha	Support	Approved 2004
E-33	2003	903	Exclusion	12.6 ha	Support	Approved 2004
E-36	2009	903	Exclusion	5.3 ha	Support	Approved 2009

Since 1993, six exclusion applications have been approved by the ALC and 37.9 hectares of land has been removed from the ALR with no additional land included to compensate.

Based on past exclusion applications in the area, staff consider this application to be consistent with the direction of the OCP.

It should be noted that the ALC's recommended exclusion policy has been in place for more than 30 years, which was based on biophysical information such as climate, topography, and soil characteristics. Since then, some agricultural practices and technologies have changed and improved. Staff note that rearing chickens or livestock may not necessarily require high quality soils. Hydroponics and other forms of non-soil-based agriculture may be suitable on properties with low-quality soils.

If the ALC's decision does not support this exclusion application, the SCRD may wish to consider an OCP amendment to update its policies to reflect the direction of the ALC.

Zoning

Zoning Bylaw No. 310 designates the land in the AG (Agriculture) zone with an "I" subdivision designation (4 hectare minimum parcel size). The AG zone is applied to land within the ALR, specifically to allow a range of agricultural uses in accordance with provincial regulations.

Advisory Planning Commission (APC) Comments

The Elphinstone APC reviewed this application on June 28, 2017 and made the following recommendation:

Recommendation No. 4 *Application for Exclusion from the Agricultural Land Reserve*

The APC recommended support for the application moving forward to the Agricultural Land Commission to decide, and supports the application for the following reasons:

- The soil will not grow much other than trees;
- Because they chose not to act before 2009, they should not be penalized when their neighbours have options for "residence for a relative";
- It is in the OCP.

Options

The Committee is requested to make a recommendation on this application. It may recommend support, support with conditions, or denial.

Staff recommends supporting exclusion, subject to a report completed by a Professional Agrologist, determining that the land is not suitable for agriculture. The report should provide an updated, site-specific assessment confirming the division line created in 1985.

Timeline for next steps or estimated completion date

Upon adoption of a Board resolution and the Professional Agrologist report, the resolution will be forwarded to the ALC for a final decision.

STRATEGIC PLAN AND RELATED POLICIES

Agricultural Area Plan (“Ag Plan”)

The Ag Plan identifies protecting farms, improving farming opportunities and expanding access to land for agriculture under Strategic Goal 1. Other goals include: 2) secure a sustainable water supply for agriculture; 3) develop a Coastal food system; 4) educate and increase awareness of Coastal food and agriculture; 5) advance and promote sustainable agricultural practice; and 6) prepare for and adapt to climate change.

Regional Sustainability Plan for the Sunshine Coast (We Envision)

We Envision includes Community Food Security as a strategic direction with the objective of increasing the amount of and access to locally grown and produced food.

Although the Ag Plan and *We Envision* provide strategic direction on supporting farming and food security, the documents do not specifically provide direction on ALR exclusion applications.

CONCLUSION

The Regional District received an application to exclude 6 hectares of a 9.6 hectare property from the ALR. The application is consistent with the direction of the Elphinstone OCP, which has been in place for over 30 years. The agricultural capability of the proposed exclusion area is Class 5.

Based on OCP direction and past recommendations from the Board on exclusion applications, staff recommend supporting the referral for exclusion from the ALR. Staff recommend support be subject to a report completed by a Professional Agrologist determining the land is not suitable for agriculture, and forwarding SCRD comments to the ALC for a final decision.

Attachments

Attachment A – Application

Attachment B – March 2017 ALC decision

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

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 56501

Application Status: Under LG Review

Applicant: 0941623 BC Ltd , Kenneth Gurney , Susan Oshvalda

Agent: Kenneth Gurney

Local Government: Sunshine Coast Regional District

Local Government Date of Receipt: 06/13/2017

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Exclusion

Proposal: To remove from the Agricultural Land Reserve the portion of the parcel located to the north of the Agricultural A land use designation as supported by the Agricultural Land Commission in the current SCR D Area E Elphinstone Official Community Plan. The portion south of this line would remain within the ALR.

Agent Information

Agent: Kenneth Gurney

Mailing Address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Primary Phone: [REDACTED]

Email: [REDACTED]

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 003-430-685

Legal Description: Lot 4, Except Part in Pl. 10912 DL 902 Pl. 3654

Parcel Area: 9.6 ha

Civic Address: 1481 Reed Road, Gibsons, BC V0N1V2

Date of Purchase: 07/24/2012

Farm Classification: No

Owners

1. **Name:** 0941623 BC Ltd

Address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

2. **Name:** Kenneth Gurney

Address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

3. **Name:** Susan Oshvalda

Address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Phone: [REDACTED]

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

No agriculture.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Ken Gurney purchased the parcel in 1966, and in the late 1970s and early 1980s cleared various areas for pasture, but found that the gravelly soil didn't retain enough moisture for the grass to survive summer drought. In 2001, 1.0 hectare was cleared and planted in Christmas trees. No replanting has taken place as the steep gradient and stoniness makes the maintenance of the growing trees too labour intensive to be commercially viable. In 2001, 0.2 hectare was cleared and planted in windmill palms. Growth of the palms has been inconsistent throughout the planted area, with many stunted through poor moisture retention in the summer in the stony gravel. Several local nurseries have been contacted, but none are interested. No replanting has taken place.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

House and shed, also Equipment shed; Commercial business (Coastal Tire & Mechanical, est. 1970 see attached building permit) and shed; Mobile home

Adjacent Land Uses

North

Land Use Type: Unused

Specify Activity: crown land forested

East

Land Use Type: Residential

Specify Activity: single family dwelling forested

South

Land Use Type: Residential

Specify Activity: single family dwelling

West

Land Use Type: Residential

Specify Activity: single family dwelling subdivision

Proposal

1. How many hectares are you proposing to exclude?

6 ha

2. What is the purpose of the proposal?

To remove from the Agricultural Land Reserve the portion of the parcel located to the north of the Agricultural A land use designation as supported by the Agricultural Land Commission in the current SCR D Area E Elphinstone Official Community Plan. The portion south of this line would remain within the ALR.

3. Explain why you believe that the parcel(s) should be excluded from the ALR.

This parcel is in District Lot 902. Excluding the portion of the parcel north of the Agricultural A land use designation would make its land use designation consistent with that already in place for the parcels to the west. This is as stated in the SCR D Area E Elphinstone OCP B-3: Rural Residential Objectives: "4. To exclude the lands from the Agricultural Land Reserve within District Lots 902 and 903 located to north of the Agricultural A land use designation as supported by the Agricultural Land Commission."

Applicant Attachments

- Agent Agreement - Kenneth Gurney
- Proposal Sketch - 56501
- Proof of Signage - 56501
- Proof of Advertising - 56501
- Proof of Serving Notice - 56501
- Other correspondence or file information - SCR D Topo/Land Use
- Other correspondence or file information - Exclusion Notice of Application
- Site Photo - Site Photos (003-430-685)
- Other correspondence or file information - Corporate Registry 0941623 BC Ltd
- Other correspondence or file information - Coastal Tires Building Permit 1970
- Other correspondence or file information - Certificate of Title Gurney 1986
- Other correspondence or file information - Elphinstone OCP Land Use Map
- Other correspondence or file information - SCR D Area E OCP p36
- Certificate of Title - 003-430-685

ALC Attachments

None.

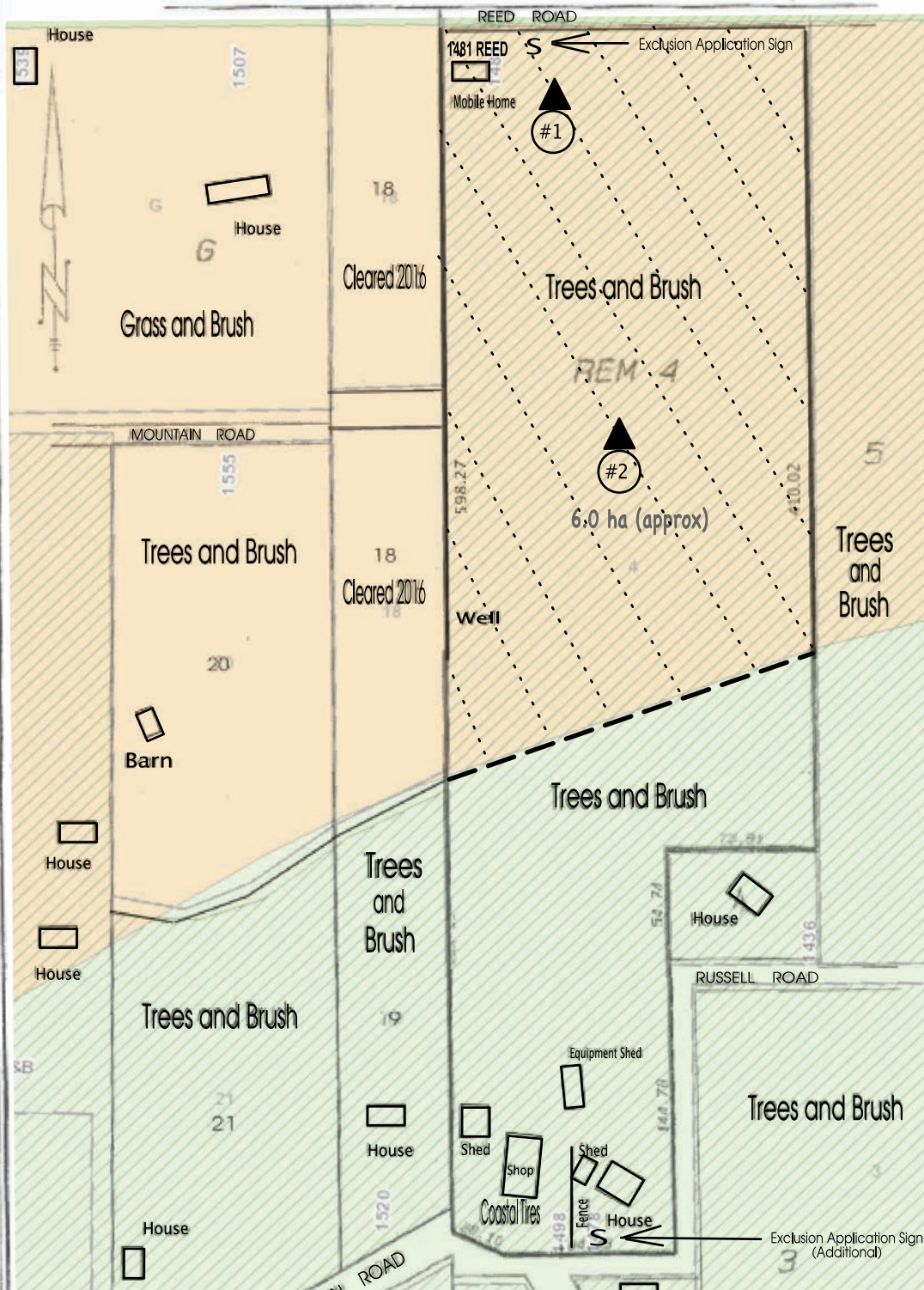
Decisions

None.

**PLAN OF PART OF LOT 4,
DL 902, PLAN 3654.**

**FOR ALR EXCLUSION CONSISTENT
WITH THE ELPHINSTONE OFFICIAL
COMMUNITY PLAN**

SCALE : 1 : 2500



Larry W. Penonzek
B. C. Land Surveyor
Box 505 Gibsons B.C.
V2M 1Y0 Pk. 896-2553
Phone 604-895-2531

NOTE:
Dimensions are based on Plan 3654
dated 1911, and may vary upon a
legal recovery of lot 4.

October 29, 2004.

57028 - 1404



NOTICE OF EXCLUSION APPLICATION
Regarding Land in the Agricultural Land Reserve

0941623 BC Ltd. (Kenneth W. Gurney, Susan D. Oshvalda)

I,
(full name, or names, of registered owner)
Box 831, Sechelt, BC V0N 3A0
of
(mailing address)

intend on making an application pursuant to Section 30(1) of the *Agricultural Land Commission Act* to exclude from the

Agricultural Land Reserve the following property which is legally described as,
Lot 4, Except Part in PI 10912, DL 902, PI 3654, the portion north of the Agricultural A line as per the Elphinstone OCP

.....
(legal description from the title certificate)
1481 Reed Road, Gibsons, BC
and located at
(street address if applicable)

Any person wishing to express an interest in the application may do so by forwarding their comments in writing to,

Sunshine Coast Regional District, 1975 Field Road, Sechelt, BC V0N 3A1
.....
(name and mailing address of the local government)

June 23 2017
by
(14 days from the date of second publication)

NOTE:

- This notice and the application are posted on the subject property.
- Please be advised that all correspondence received by the local government and/or the ALC forms part of the public record, and is disclosed to all parties, including the applicant.



EXCLUSION PROOF OF SERVING NOTICE

AS REQUIRED BY SECTION 16 OF THE AGRICULTURAL LAND RESERVE USE, SUBDIVISION AND PROCEDURE REGULATION

I, Kenneth W. Gurney (full name of declarant)
of Box 831, Sechelt, BC V0N 3A0 (mailing address)

do solemnly declare that a copy of the notice of application and a copy of the signed application as required by Section 16 of the *Agricultural Land Reserve Procedure Regulation* for land legally described as

Lot 4, Except Part in Pl 10912, DL 902, Pl 3654 PID 003-430-685

was served to the following owners of land:

NAME AND ADDRESS	LEGAL DESCRIPTION OF LAND	DATE OF SERVICE	HOW SERVED (Registered mail or delivered)
S. Russell 1382 Russell Rd, Gibsons BC	Lot 5, DL 902, VAP 3654 PID 012-421-821	May 30, 2017	Hand delivered
B. Russell 1409 Russell Rd, Gibsons BC	Lot 3, Bl 1, DL 902, VAP 4919 PID 011-279-397	May 30, 2017	Hand delivered
T. Bailey 1436 Russell Rd, Gibsons BC	Lot A, Bl 4, DL 902, VAP 10912 PID 009-274-561	May 28, 2017	Hand delivered
R. Cran 1491 Russell Rd, Gibsons BC	Lot 2, Bl 1, DL 902, VAP 4919 PID 008-301-671	May 28, 2017	Hand delivered
P. Higgins 1463 Burton Rd, Gibsons BC	Lot 1, Bl 1, DL 902, VAP 4919 PID 008-301-654	May 28, 2017	Hand delivered
S. Rooney 1519 Burton Rd, Gibsons BC	Lot 6, DL 903, VAP 3877 PID 006-619-274	May 28, 2017	Hand delivered
M. Wilson 1520 Burton Rd, Gibsons BC	Lot 19, Bl 7, DL 903, VAP 40319 PID 027-875-784	May 28, 2017	Hand delivered
SCRD 1975 Field Rd, Sechelt BC	DL 1313	May 31, 2017	Hand delivered

And I make this solemn declaration believing it to be true and correct to the best of my knowledge.

[Signature]
(Signature of declarant)

May 31, 2017
(Date)

IMPORTANT - AN APPLICATION FILED UNDER SECTION 30 OF THE AGRICULTURAL LAND COMMISSION ACT MUST INCLUDE A COPY OF THIS STATEMENT COMPLETED IN FULL, AND SIGNED AND DATED BY THE PERSON WHO SERVED THE NOTICE. Please complete as many copies of this page as necessary.



Exclusion Application Sign at 1481 Reed Road (PID 003-430-685)





Exclusion Application Sign (Additional) at 1478 Russell Road (PID 003-430-685)





Photo #1: Stony Soils Exposed Facing North



Photo #2: Gravel Escarpment Facing North



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

March 17, 2017

ALC File: 55675

Kenneth Gurney
Box 831
Sechelt, B.C. V0N 3A0

Dear Mr. Gurney:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the South Coast Panel (Resolution #65/2017) as it relates to the above noted application. As agent, it is your responsibility to notify the applicant accordingly.

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 Kamelli Mark at Kamelli.Mark@gov.bc.ca.

Page 2 of 2

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'KMARK', written in a stylized, cursive script.

Kamelli Mark, Land Use Planner

Enclosure: Reasons for Decision (Resolution #65/2017)

cc: Sunshine Coast Regional District (File: ALR00002)

55675d1



AGRICULTURAL LAND COMMISSION FILE 55675

REASONS FOR DECISION OF THE SOUTH COAST PANEL

Application submitted pursuant to s. 21(2) of the *Agricultural Land Commission Act*

Applicant: 0941623 B.C. Ltd.
(the “Applicant”)

Agent: Kenneth Gurney
(the “Agent”)

Application before the South Coast Regional Panel: William Zylmans, Panel Chair
Satwinder Bains
Sam Wind

THE APPLICATION

[1] The legal description of the property involved in the application is:

Parcel Identifier: 003-430-685

Lot 4, Except Part in Plan 10912, District Lot 902, Plan 3654
(the "Property")

[2] The Property is 9.6 ha in area.

[3] The Property has the civic address 1481 Reed Road, west of Gibsons.

[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. 21(2) of the *ALCA*, the Applicant is applying to subdivide the Property into a 5.6 ha parcel and a 4.0 ha parcel for the purposes of estate settlement (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. 21(2) of the *ALCA*:

21(2) An owner of agricultural land may apply to the commission to subdivide agricultural land.

[8] 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

[9] The Panel considered the following evidence:

- 1. The Application
- 2. Local government documents
- 3. Previous application history
- 4. Agricultural capability map, ALR context map and satellite imagery

All documentation noted above was disclosed to the Agent in advance of this decision.

[10] At its meeting of October 27, 2016, the Sunshine Coast Regional District resolved that the proposed subdivision be supported and forwarded to the Commission.

[11] The Panel reviewed one previous application involving the Property:

Application ID: 26539
Legacy File: 14591
(Gurney, 1982)

To exclude the 9.6 ha property from the ALR. The Commission found that the property had potential for agricultural utilization and that it should therefore be retained within the ALR; however, the Commission noted that they would consider permitting the subdivision of the Property into lots consistent with the proposed new Regional District zoning for the area with a minimum lot size provision of 1.75 ha. The application for exclusion was refused and the option to subdivide the property into

lots consistent with the proposed new Regional District zoning for the area was conditionally approved by Resolution #1637/82.

SITE VISIT

[12] The Panel, in the circumstances of the Application, did not consider it necessary to conduct a site visit to the Property based on the evidentiary record associated with the Application.

FINDINGS

[13] In assessing agricultural capability, the Panel referred 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/05 for the mapping units encompassing the Property are Class 2, Class 3 and Class 4; more specifically, 65% (6:4PAT-4:3PTA), 20% (7:3PAT-3:2AT), and 15% (4:2AD-3:2AT- 3:2WA).

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

The limiting subclasses associated with this parcel of land are A (aridity), P (stoniness), D (undesirable soil structure), W (excess water) and T (topographic limitations).

- [14] The Panel reviewed the CLI ratings and finds that the Property is capable of supporting agriculture.
- [15] No agricultural operations are currently taking place on the Property. There is a house and a mobile home on the Property as well as existing non-farm use buildings (a tire repair facility that pre-dates the *ALCA*). The Proposal would result in the existing house and non-farm use buildings being located on a separate lot than the existing mobile home.
- [16] The Panel reviewed Resolution #1637/82 in which the 1982 Commission considered permitting the subdivision of the Property into lots consistent with the proposed Regional District zoning for the area at the time; this proposed zoning had a minimum lot size provision of 1.75 ha and would have allowed for the subdivision of the Property into five lots. Although Resolution #1637/82 allowed for the possibility of a five lot subdivision on the Property, the Panel notes that Resolution #1637/82 was made over 34 years ago and that the land use framework and the local government bylaws referenced in Resolution #1637/82 have since changed.
- [17] The Panel acknowledges that the settling of an estate can be challenging; however, this can be achieved by means other than the subdivision of agricultural land. The Panel finds that the Proposal would result in the parcelization of agricultural land and that the creation of two smaller lots would restrict the types of agricultural operations that could be employed either at present or in future, particularly given the existing commercial use occurring on the Property.

DECISION

- [18] For the reasons given above, the Panel refuses the Proposal to subdivide the Property into a 5.6 ha parcel and a 4.0 ha parcel for the purposes of estate settlement.
- [19] These are the unanimous reasons of the South Coast Panel of the Agricultural Land Commission.



[20] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.

[21] This decision is recorded as Resolution #65/2017 and is released on March 17, 2017.

CERTIFICATION OF DECISION

A handwritten signature in black ink, appearing to read 'W. J. Zylmans', is written over a horizontal line.

William Zylmans, Panel Chair, on behalf of the South Coast Panel

END OF DOCUMENT

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – July 13, 2017

AUTHOR: Yuli Siao, Senior Planner

SUBJECT: Pender Harbour Music Society Lease Agreement Renewal – Electoral Area A

RECOMMENDATIONS

THAT the report titled Pender Harbour Music Society Lease Agreement Renewal – Electoral Area A be received;

AND FURTHER THAT the Chair and Corporate Officer be authorized to execute the Pender Harbour Music Society Lease Agreement renewal for a five-year term for District Lot 1023.

BACKGROUND

The Regional District received a request from the Pender Harbour Music Society to renew its lease of the premises on District Lot 1023. The current lease expired on June 24, 2017. The lease is renewable on five-year terms.

The purpose of this report is to obtain the Board's direction on whether or not to proceed with the lease renewal for another 5-year term until 2022.

DISCUSSION

The premises leased to the Pender Harbour Music Society include a building, a shed and a lawn area on the parcel, which is an SCRD park. The building, the largest one on the property, was a ranger station originally constructed in 1952 for the BC Forestry Service. The property ownership was transferred to the Regional District in 1986. The building is used as the performing art centre and teaching facility for the Music Society. The rest of the property is being leased to the Pender Harbour Reading Centre, the Harbour Gallery and the Serendipity Child Development Society.

The Music Society organizes a variety of music performances and provides music education in this building. It is also well used by community groups for various events. It contains a stage, a piano, a hall that can seat 100 people, a kitchen, a light and sound equipment area, a sitting room and a storage room.

The facility is modest but has been an asset to the community, as it brings world-class performances to the Sunshine Coast, enriches art and culture of the coast, and promotes tourism. The Music Society maintains the interior of the building and the exterior lawn and gardens in good condition.



★ Premises leased to the Pender Harbour Music Society

The new lease agreement for 2017-2022 has the same conditions as the previous lease.

Staff recommend that the Chair and Corporate Officer be authorized to execute the Pender Harbour Music Society Lease Agreement renewal for a five-year term.

Financial Implications

The lease agreement requires the Music Society to pay the Regional District a rent of \$5 per year plus applicable taxes.

The Music Society is responsible for purchasing comprehensive general liability insurance in a minimum amount of \$5,000,000 with the Regional District as an additional named insured.

Timeline for next steps or estimated completion date

Should the Board resolve to renew the lease, it will be signed by the SCRD Chair and Corporate Officer, and the Pender Harbour Music Society.

STRATEGIC PLAN AND RELATED POLICIES

The following SCRD Strategic Plan objectives and success indicators relate to the subject of this report:

- Collaborate with community groups and organizations to support their objectives and capacity.

Renewal of this lease aligns with the Strategic Priority to facilitate community development.

CONCLUSION

The Pender Harbour Music Society has requested to renew a lease for the use of buildings on District Lot 1023. Staff recommend that the Chair and Corporate Officer be authorized to execute the Pender Harbour Music Society Lease Agreement renewal for a five-year term.

Attachments

Attachment A – 2017-2022 Lease Agreement

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

Attachment A

LEASE AGREEMENT

THIS AGREEMENT made in duplicate this _____ day of July, 2017.

BETWEEN:

SUNSHINE COAST REGIONAL DISTRICT

1975 Field Road
Sechelt, British Columbia
V0N 3A1
(the “**Regional District**”)

AND:

PENDER HARBOUR MUSIC SOCIETY

Box 95
Madeira Park, British Columbia
V0N 2H0
(the “**Society**”)

WHEREAS the Regional District is the registered owner in Fee-Simple of land and buildings in the New Westminster Assessment Area, legally described as: Lot 1, (Reference Plan 3397) Block 20, District Lot 1023, Plan 7125.

AND WHEREAS the Society desires to lease a portion of the above mentioned land and buildings, the location of which is shown outlined in red on the plan attached hereto as Schedule “A” (the “Premises”) from the Regional District and the Regional District is agreeable to leasing such Premises to the Society, on the terms and conditions and for the purposes set out herein;

NOW THEREFORE this Agreement witnessed that in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each party to the other, the Regional District and the Society hereby agree as follows:

1. Demise

The Regional District grants and demises to the Society a Lease for exclusive occupation and possession of the Premises for the Term defined herein.

2. Term

The term of the Lease shall, subject to the provisions herein, be for a period of five years from the current date, to July____, 2022.

3. Renewal

The Regional District grants to the Society the right to a renewal of this Lease Agreement on the same terms and conditions herein save and except:

The rent shall be stipulated by the Regional District in its sole discretion at the time of renewal; and

The term of the lease upon renewal will be five years;

By the Society delivering notice to the Regional District within 90 days from the date on which the term expires of its desire to renew this agreement.

4. Ongoing Communications

The Regional District and the Society agree to appoint a person for the purpose of regular ongoing communications regarding the use of the site and mutual operating issues.

5. Purposes

The Society covenants and agrees that the Premises shall be used only for non-profit community purposes.

6. The Music Society's Covenants

The Music Society's covenants with the Regional District:

- (a) to pay rent to the Regional District for the full lease term calculated as FIVE DOLLARS (\$5.00) per year plus applicable taxes and agrees that only one invoice will be issued for the full term of the lease.
- (b) AND to be responsible for the repair and maintenance of all matters related to the interior of the building including plumbing, oil furnaces, electrical, fixtures, reasonable wear and tear excepted and exterior grass and gardens and other expenses connected with the occupation of the Premises;
- (c) AND that the Regional District may enter and view the state of repair and that the Society will repair according to notice, reasonable wear and tear excepted;
- (d) AND that the Society shall not assign, sublet or transfer its interest in the Premises without first obtaining the permission of the Regional District, such permission not to be unreasonably withheld;
- (e) AND that the Society shall leave the Premises in good repair;
- (f) AND that the Society will not undertake any alterations or improvements to the Premises without the approval of the General Manager, Planning and Community

Development. Alterations or improvements may require a building permit and the Regional District Building Inspector shall inspect and approve such approved alterations; and all improvements shall become the property of the Regional District.

- (g) AND that the Regional District may gain access to the premises for non-payment of rent, or non-performance of any covenant herein;
- (h) AND to be responsible for all costs related to utilities including, but not necessarily limited to, oil, electricity, sewer and telephone;
- (i) AND to be responsible for payment of the quarterly water utilities bills to the Regional District;
- (j) AND to provide all risks comprehensive general liability insurance in a minimum amount of FIVE MILLION (\$5,000,000) with the Regional District as an additional named insured, with terms and conditions of such policy to the reasonable satisfaction of the Regional District and to be approved by the Regional District in advance;
- (k) AND to indemnify and save harmless the Regional District, its elected and appointed officers, its employees, and agents from and against any and all losses, claims, damages, actions, causes of action, costs and expenses the Regional District may sustain, incur, suffer or be put to at any time either before or after the termination of the agreement, where the same or any of them are based upon, arise out of or occur, directly or indirectly, by reason of any act or omission of the licensee or of any agent, employee, officer, director or sub contractor of the licensee pursuant to the agreement, excepting always liability arising out of the independent negligent act of the Regional District;
- (l) AND to comply promptly at its own expense with the legal requirement of all authorities, including environmental authorities and an association of fire insurance underwriters or agents, and all notices issued under them that are served upon the Regional District or the Society;
- (m) AND to abide by all laws, bylaws and regulations in force from time to time;
- (n) AND the Society will not bring upon the leased premises any hazardous substances and shall comply with all regional, provincial, federal enactments, bylaws, regulations governing hazardous substances.
- (o) AND the Society covenants and agrees upon expiry or earlier termination of this agreement and at its sole cost to promptly remove hazardous substances pursuant to this section;

- (p) FURTHER, the Society shall immediately give notice to the Regional District any occurrence of an offence or breach of laws regarding hazardous substances and at its own expense remove the hazardous substance.

7. Regional District's Covenants

The Regional District covenants with the said Society to:

- (a) provide quiet enjoyment and allow the Society exclusive occupation of the Premises;
- (b) be responsible, subject to the Financial Plan, for costs associated with capital replacement to existing building and major mechanical components; and
- (c) maintain windows, roofs, gutters, siding, the septic system, parking lot, major structural components of the building, chimneys and large fir and cedar trees.

The Regional District shall be solely responsible, at its cost, for any hazardous substances which exist or are used in relation to its obligations under this agreement.

8. Default by Lessee

Subject to any provision herein, the Regional District and the Society agree that if and whenever:

- (a) the rent of \$5 plus applicable taxes per annum is not paid by the Society to the Regional District within thirty (30) days after receipt by the Society of written notice from the Regional District that such rent is overdue; or
- (b) the Lessee shall default in performing or observing any of its other covenants or obligations under this Agreement, or any contingency shall occur which by the terms of this Agreement constitutes a breach hereof or confers upon the Regional District the right to gain access, forfeit or terminate this Agreement;
- (c) this Agreement shall expire or be forfeited or be terminated by any other provision in it contained;

then and in every such case, it shall be lawful for the Regional District subject to Section 9 Dispute Resolution to terminate this Agreement by leaving upon the Leased Premises notice in writing of such termination. If the Regional District terminates this Agreement pursuant to this section, the Society will be liable to the Regional District for the rents to be paid and the covenants to be performed by the Lessee up to the date of such termination.

9. Dispute Resolution

9.1 Parties Representatives

Each party will, during the Term and any renewal or extension thereof, appoint a person as its representative for the purpose of coordinating all matters and obligations of the parties as required by this Agreement. Each party will advise the other party in writing of the name, telephone number, fax number and email address of its representative and each party may change its representative from time to time by notice in writing to the other.

9.2 Mediation

Where there is an unresolved dispute arising out of this Agreement, then, within 7 days of written notice from one party to the other, or such time as agreed to by both parties, the representatives of the parties will participate in good faith in order to resolve and settle the dispute. In the event that such representatives are unable to resolve the dispute within 14 days of the first written notice, or such other time period agreed to by both parties, each party will appoint a senior representative that has not been previously involved in the manner in dispute, to attempt to resolve the dispute, and may use a mutually agreed upon independent mediation practitioner versed in the resolution of commercial disputes. Each party will bear their own costs of the mediation process.

9.3 Arbitration

The parties may, by mutual agreement, participate in resolving all unresolved disputes arising out of or in connection with this Agreement, or in respect of any legal relationship associated therewith, or derived or entered into, by arbitration administered by Mediate BC services pursuant to its rules. Matters not settled through the process in section 9.2 within 45 days notice of the dispute may go to arbitration unless the parties agree to extend the 45 day period. Each party will bear its own costs of the arbitration regardless of the arbitrator's decision. This does not preclude the option of litigation.

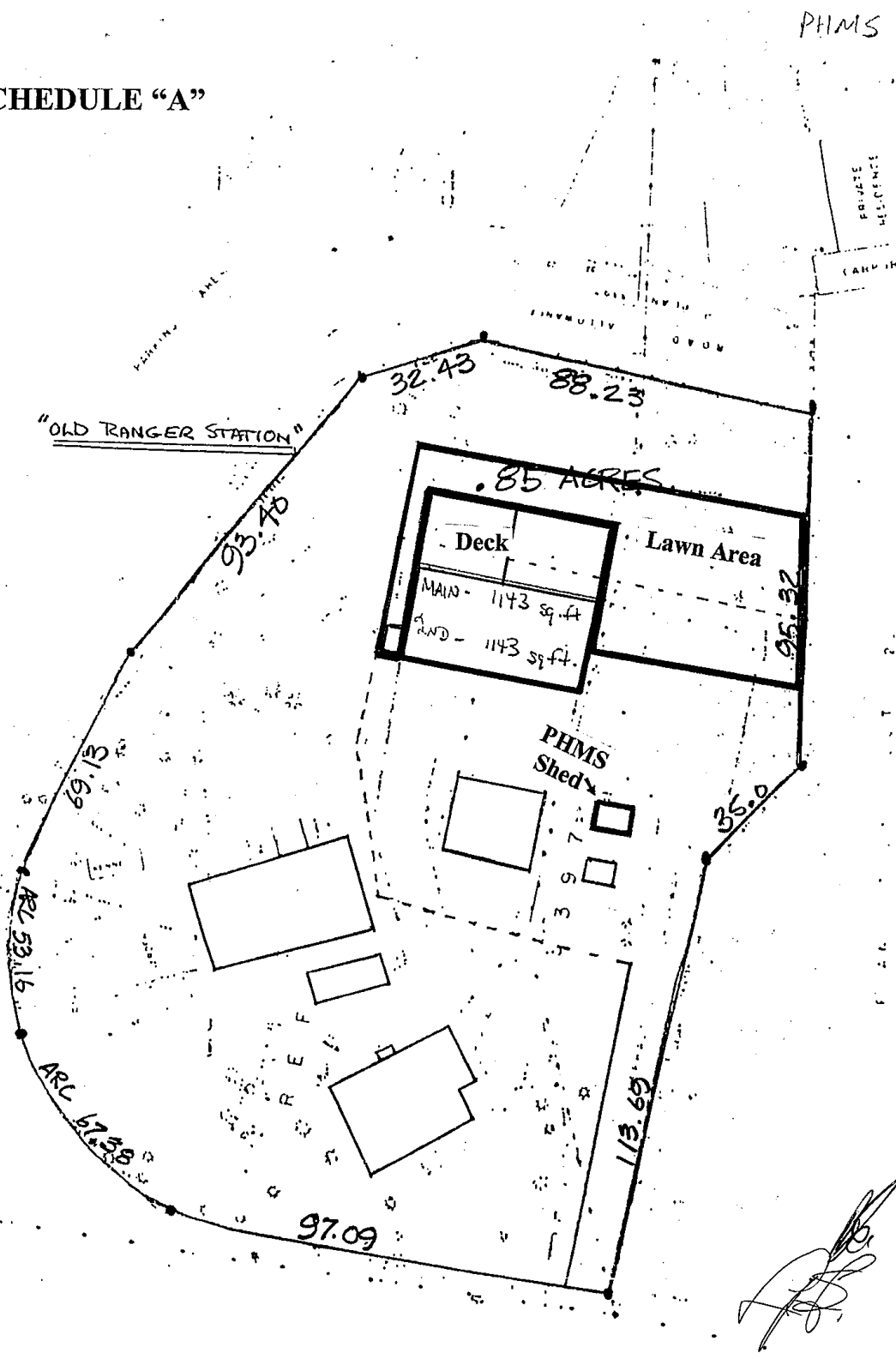
10. General Provisions

- (a) The Regional District and Society agree that this Agreement may be amended from time to time provided such amendments are mutually agreed upon and in writing, signed by both parties.
- (b) This Agreement embodies the entire Agreement and understanding between the parties and there are no warranties, representations, terms, conditions or collateral agreements express or implied or statutory other than expressly set forth in this Agreement.
- (c) This lease Agreement shall be binding upon and enure to the benefit of the parties hereto, their respective heirs, executors, administrators and other legal representatives and, to the extent permitted hereunder, their respective successors and assigns.

- (d) The Society shall not be entitled to compensation for any loss resulting from the termination of this license.
- (e) This Agreement shall be construed in accordance with and governed by the laws applicable in the Province of BC.
- (f) When the singular or plural are used in this Agreement they include the feminine or the masculine as required.
- (g) The headings to the clauses in this Agreement have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope of meaning of this Agreement or any provision of it.
- (h) Waiver of any default by a party shall not be interpreted or deemed to be a waiver of any subsequent default.
- (i) This Agreement is not transferable.
- (j) All notices and other communications required or permitted to be given hereunder shall be in writing and may be given by mail, postage prepaid, addressed to the respective parties at the addresses shown on the first page of this Agreement or to such other address in British Columbia as either party may provide in writing to the other pursuant to the provisions of this paragraph. Time periods shall commence on the date of mailing of a notice. Any notice which is required or permitted to be given within the time stipulated must be postmarked before midnight three days before the last day of such period. Time shall be of the essence of this Agreement. This Agreement is not intended to create any interest in the Lands and the Society shall not register this Agreement in any Land Title Office.

IN WITNESS WHEREOF the Regional District and Society have hereunto set their respective hands and affixed their seals on the day and year first above written.

SCHEDULE "A"



SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee, July 13, 2017

AUTHOR: Deb Cole, Manager Pender Harbour Aquatic and Fitness Centre

SUBJECT: Pender Harbour Aquatic & Fitness Centre Acoustic Remediation Project

RECOMMENDATION(S)

THAT the report titled Pender Harbour Aquatic & Fitness Centre Acoustic Remediation Project be received;

AND THAT the Acoustic Remediation – Sound Absorption Panels / Acoustic project budget be increased by \$13,000, for a total of \$23,000, and funded from reserves;

AND THAT the 2017-2021 Financial Plan be amended accordingly;

AND FURTHER THAT this recommendation be forwarded to the Regular Board meeting of July 13, 2017 for adoption.

BACKGROUND

The Pender Harbour Aquatic & Fitness Centre (PHAFC) in its design, has highly reflective surfaces for sound. This causes echo and reverberation resulting in poor sound quality. Safety and patron comfort are key factors in addressing this issue.

March 23, 2017 R2 Board Recommendation:

110/17 **Recommendation No. 15** *Pender Harbour Aquatic and Fitness Centre [625] – 2017 R2 Budget Proposal*

THAT the report titled 2017 R2 Budget Proposal for [625] Pender Harbour Aquatic and Fitness Centre be received;

AND THAT the following budget proposal be approved and incorporated into the 2017 Budget:

- Budget Proposal 1 – Acoustic Remediation – Sound Absorption Panels / Acoustics, \$10,000 funded from capital reserves;

AND FURTHER THAT the budget for Pender Harbour Aquatic and Fitness Centre [625] be moved to adoption in the 2017 Budget as amended.

PROJECT OBJECTIVES

The objective of the project is to install sound absorption panels to reduce the dBA readings and sound reverberation. To bring the levels within acceptable standards as identified by Work Safe (G7.2 Exposure limits) would require the install of sound absorption panels.

Sound testing has been completed by two acoustic contractors with calculations indicating the current level of absorption in the space is 1,356 sabines, or 90dB and an RT60 (reverberation time) factor average of 4.0 seconds. To achieve the desired results of 60dB with a reverberation time (RT60) of 1.5 seconds additional absorption materials equaling 900 sabines is required. This requires installation of 100 sound absorbing panels.

PROJECT PLANNING/SCOPING

The initial documents/quotes used to develop a budget of \$10,000 to complete the project have proven inadequate for what will be required to achieve the performance outcomes and sound reduction.

Further research, testing and modelling conducted as part of finalizing project scope have shown that the volume of material was underestimated and that a different material would prove more durable in an aquatic environment and have a longer life cycle (20-25 years vs. 10-15 year for formerly-specified material). This material is more expensive on a per unit basis but when lower install costs and increased durability are factored in yields better value for SCRD over the long run.

Staff have confirmed quotations for the recommended product. Including all materials, installation by a qualified contractor, freight/delivery charges, PST and standard contingency, the revised project cost is \$23,000.

With a greater value over time to the PHAFC, staff recommend increasing the project budget.

OPTIONS/ANALYSIS

Option 1

Proceed with the full job and installation of 100 panels in 2017 at a cost of up to \$23,000. Uncommitted capital reserve funding in the amount of \$74,000 is available to support the amended project budget. This is the recommended option.

Option 2

Proceed with the install of 40 panels in 2017 within the current project budget of \$10,000 (including install and taxes) and follow up with 2018 budget proposal to the Board to install an additional 60 panels in 2018 at a cost of \$15,000.00 (including install and taxes). Total cost would be \$25,000 with Option 2 to install all 100 panels and only partial achievement of performance objectives would occur in 2017.

Timeline

Materials and supplies have a 2-3 week delivery time which would require an order date as soon as possible pending board approvals as the project is to be completed during the annual shutdown period in August. Install time would be 3-5 days.

This project requires the pool be empty for contractors to have safe access to the ceiling by installing scaffolding in the main pool tank. A project completion date of August 30 allows enough time to refill the pool, balance the water and open the facility on September 11. Pool draining will be coordinated with both fire officials and water use restrictions (noting Pender Harbour is managed separately from the South Coast).

CONCLUSION

Further research, testing and modelling conducted as part of finalizing the Acoustic Remediation project scope have revealed that a more expensive but more durable material is recommended and that a greater volume of material than initially specified is required.

As the revised project scope will meet the performance objective and provide better long-term value to SCRD the project budget is recommended to be increased by \$13,000 to \$23,000. Reserve funding is available to meet this need. The 2017-2021 Financial Plan will be amended accordingly.

Reviewed by:			
Manager	X - D. Cole	Finance	X - T. Perreault
GM	X - I. Hall	Legislative	
CAO	X - J. Loveys	Other	

SUNSHINE COAST REGIONAL DISTRICT

AREA A - EGMONT/PENDER HARBOUR
ADVISORY PLANNING COMMISSION

June 20, 2017

RECOMMENDATIONS FROM THE AREA A ADVISORY PLANNING COMMISSION MEETING
HELD AT THE SCRD SATELLITE OFFICE, 12828 LAGOON ROAD, MADEIRA PARK, BC

PRESENT:	Vice Chair	Janet Dickin
	Members	Alex Thomson Jane McOuat Peter Robson Dennis Burnham Catherine McEachern Tom Silvey
ALSO PRESENT:	Alternate Area A Director Recording Secretary Public	Les Falk Kelly Kammerle 1
REGRETS:		Alan Skelley Yovhan Burega Gordon Littlejohn Gordon Politeski Sean McAllister

CALL TO ORDER 7:00 p.m.

AGENDA The agenda was adopted as presented.

DELEGATIONS Mark Brezer for Subdivision Application SD000019 (Brezer)

MINUTES3.1 Area A Minutes

The Area A APC minutes of May 30, 2017 were approved as circulated.

The following minutes were received for information:

- Elphinstone (Area E) APC Minutes of May 24, 2017
- Planning and Community Development Committee Minutes of May 11, 2017

REPORTS**5.1 Subdivision Application SD000018 (Creelman)**

The APC recommends approval of Subdivision Application SD000018 (Creelman) with the following comments:

- SCRD conditions are met

5.2 Subdivision Application SD000019 (Brezer)

The APC recommends approval of Subdivision Application SD000019 (Brezer) with the following comments:

- SCRD conditions are met

DIRECTOR'S REPORT

Alternate Area A Director Les Falk provided a verbal report of activities.

NEXT MEETING July 25, 2017

ADJOURNMENT 7:40 p.m.

SUNSHINE COAST REGIONAL DISTRICT**ROBERTS CREEK (AREA D)
ADVISORY PLANNING COMMISSION****June 19, 2017**

RECOMMENDATIONS FROM THE AREA D ADVISORY PLANNING COMMISSION MEETING
HELD IN THE ROBERTS CREEK LIBRARY AT 1044 ROBERTS CREEK ROAD, ROBERTS
CREEK, BC AT 7:00 PM.

PRESENT:	Chair	Bill Page
	Members:	Heather Conn Marion Jolicoeur Barry Morrow Dana Gregory
ALSO PRESENT:	Area D Director Recording Secretary Public	Mark Lebbell Peggy Martin 2
REGRETS:	Member:	Gerald Rainville
ABSENT:	Member:	Nicola Kozakiewicz

CALL TO ORDER 7:02 p.m.

AGENDA The agenda was adopted as presented.

DELEGATIONS

Jeff Barringer and Denise Lofstrom discussed their plan to build a small craft distillery on their property – distilling brandies from locally-sourced and other British Columbia-sourced fruit. Discussion with APC considered fire safety, parking, noise and smells from the fermentation process and impact on neighbours. Fermentations and distillation would be in the 227 litre (or 50 gallon) range per batch, water would be sourced from a well on the property, and there would be minimal machine noise. The proposed distillery is well separated from the forest and has a pond nearby that could be used in firefighting. The amount of alcohol formed should not constitute a fire or explosion hazard. The design shows 3 on-site parking spaces, but this can be increased to 11 or 12. As well a pullout will be cleared on their driveway to get cars off the local road. The tasting room will serve very small samplers (about 15 ml or 0.5 ounce). The patio is oversized in the plan and there are no plans for serving food or drinks on the patio. Fruit fermentations (as opposed to grain fermentation) should decrease odor production and fermentation wastes, removed by filtration, will be fed to livestock.

The APC thanked the applicants for their presentation and discussion.

MINUTES

3.1 Area D Minutes

The Area D APC minutes of April 24, 2017 were approved, as amended, subject to rephrasing “Community consultation needs to be more open-minded” to make it clear that both BC Timber Sales and the community both need to be more open-minded. As well, Barry Morrow had sent his regrets and should not have been noted as being absent.

3.2 Minutes

The following minutes were received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of May 30, 2017.
- Elphinstone (Area E) APC Minutes of May 24, 2017.
- Planning and Community Development Committee Minutes of May 11, 2017.

REPORTS

5.1 OCP 641.7 & BL 310.172 (Artisan Craft Distillery) 2042 Porter Rd., Roberts Creek (Jeff Barringer)

Recommendation No. 1 – *APC recommends that the minimal number of on-site parking spaces required to accommodate customers should be added to the text of bylaw amendment.*

Recommendation No. 2 – *The APC questions whether the existing septic system on the property is suitable for combined domestic and distillery use. APC recommends that the requirements for waste disposal from the distillery be examined by an engineer and by Coastal Health.*

Recommendation No. 3 – *APC gives unanimous support for this proposal.*

5.2 Subdivision Application SD000020, 3781 Beach Ave., Peter M. Gordon for Abercrombie

Recommendation No. 1 *Subject to the Building Department and the Water Department satisfaction of the conditions raised in the staff report, the APC is in favour of the above noted subdivision.*

DIRECTOR'S REPORT

The Director's report was received.

Director Lebbell reiterated that he could be contacted via his website for further discussion.

NEXT MEETING July 17, 2017

ADJOURNMENT 8:25 p.m.

SUNSHINE COAST REGIONAL DISTRICT**AREA E – ELPHINSTONE
ADVISORY PLANNING COMMISSION****June 28, 2017**

RECOMMENDATIONS FROM THE AREA E ADVISORY PLANNING COMMISSION MEETING
HELD AT FRANK WEST HALL, 1224 CHASTER ROAD, ELPHINSTONE, BC

PRESENT:	Chair	Mary Degan
	Members	Bob Morris Dougald Macdonald Lynda Chamberlin Rod Moorcroft Rob Bone
ALSO PRESENT:	Recording Secretary Public	Diane Corbett 7
REGRETS:	Director	Lorne Lewis
ABSENT:	Members	Brenda Thomas Jenny Groves Patrick Fitzsimons Raquel Kolof

CALL TO ORDER 7:03 p.m.

AGENDA The agenda was adopted as presented.

DELEGATIONS2.1 Eleanor Swan and Ken Gurney re. item No. 5.2 application for exclusion from the ALR

Eleanor Swan and Ken Gurney gave a presentation on their application for exclusion from the Agricultural Land Reserve. See item 5.2.

2.2 Rob Graham and Charlene Graham re. item 5.1 request to vary the maximum auxiliary dwelling floor area regulation

Rob and Charlene Graham commented and responded to questions regarding their application for a development variance permit. See item 5.1.

MINUTES

3.1 Area E Minutes of May 24, 2017

The Area E APC minutes of May 24, 2017 were approved as circulated.

3.2 Minutes

The following minutes were received for information:

- Egmont Pender Harbour (Area A) APC Minutes of May 30, 2017
- Planning & Community Development Committee Minutes of May 11, 2017

REPORTS

5.1 Development Variance Permit DVP00014 (Graham)

The APC discussed the staff report regarding a request for a variance to the maximum auxiliary floor area regulation in Zoning Bylaw No. 310 from 55 square metres to 91 square metres to enable the replacement of a mobile home. Applicants commented and responded to questions.

The following points were noted by APC members:

- The size for auxiliary units should be looked at and maybe altered.
- With a variance, we run up against (this issue) coming up until the Regional District does something so it is an equal field for everybody. For example, whether it is R1 or RU1, if the property allows for a 1000 square foot auxiliary dwelling, it should be consistent across the board.
- The zoning seems bizarre; should ask for a rezoning; could have two houses.
- About five years ago SCRD decided “residence for a relative” was not on their agenda. The “Residence for a Relative” bylaw made it more restrictive to subdivide land to transfer to a relative.
- It isn’t going to be offensive to the neighbours, except maybe for the neighbour to the north. We are experiencing difficulties for people to find housing. If there were a zoning change, this would be allowed.

Recommendation No. 1 *Development Variance Permit DVP00014*

The APC recommended that the SCRD make a move, sooner rather than later, towards changing the square footage permitted on auxiliary dwellings.

Recommendation No. 2 *Development Variance Permit DVP00014*

The APC recommended support for the application, as presented, for the following reasons:

- If the zoning were different, they would be allowed two dwellings
- Low visual impact
- Replacing formerly existing trailer
- We need to support additional housing for young people.

5.2 Application for Exclusion from the Agricultural Land Reserve (Gurney/Oshvalda)

The APC discussed the staff report regarding an application for exclusion from the Agricultural Land Reserve.

Eleanor Swan, with supporting comments from Ken Gurney, provided detailed background information on the application and its evolution, and described its current status. Points mentioned included:

- A previous application to Agricultural Land Commission (ALC) in 2016 to subdivide in the ALR was denied.
- District Lot 902 and 903 were referenced for exclusion in the Elphinstone OCP.
- Description of farming initiatives and experiments conducted on the property, and challenges due to the nature of the soil.
- Some properties in DL 902 were excluded from the ALR.
- The ALC had recommended to the SCRD by letter that the land be excluded from the ALR.
- The water source would remain with the house in the lower portion.
- If able to achieve exclusion of the back half of subject property, the applicant would be able to work within the Regional District to apply for all its processes and protocols to be then able to draw that line. The southern half would be entirely within the ALR; the back portion would not.
- Northern portion of the property rises about 15% - it goes from being soil to being rock. Land is sloped and stony and won't hold a lot of water.
- If it were divided, the north piece would be Rural Residential as per the OCP.

Recommendation No. 4

Application for Exclusion from the Agricultural Land Reserve

The APC recommended support for the application moving forward to the Agricultural Land Commission to decide, and supports the application for the following reasons:

- The soil will not grow much other than trees;
- They should not be penalized when their neighbours have had other options;
- It is in the OCP.

DIRECTOR'S REPORT

Director Lewis sent his regrets.

NEXT MEETING July 26

ADJOURNMENT 7:50 p.m.

SUNSHINE COAST REGIONAL DISTRICT**AREA F - WEST HOWE SOUND
ADVISORY PLANNING COMMISSION****June 27, 2017**

RECOMMENDATIONS FROM THE WEST HOWE SOUND (AREA F) ADVISORY PLANNING COMMISSION MEETING HELD AT ERIC CARDINALL HALL, 930 CHAMBERLIN ROAD, WEST HOWE SOUND, BC

PRESENT:	Chair	Fred Gazeley
	Members	Bob Small Laura Houle Maura Lavery Susan Fitchell
ALSO PRESENT:	Director Alternate Director Recording Secretary	Ian Winn Kate-Louise Stamford Diane Corbett
REGRETS:	Members	Doug MacLennan
ABSENT:	Members	Lee Selmes

CALL TO ORDER 7:00 p.m.

AGENDA The agenda was adopted as presented.

MINUTES3.1 West Howe Sound Advisory (Area F) APC Minutes of April 25, 2017

The West Howe Sound (Area F) APC minutes of April 25, 2017 were approved as amended, as follows:

- Item 5.2, bullet 1: insert sub bullet:

- If the applicant can only grow 40% or 30% or 20% of the grain, then that would be considered a 'relaxation' of the zoning bylaw. However, when the applicant cannot grow any grain and must import 100% in order to operate a brewery or distillery then that varies the land use entirely and allows farmland to be used for commercial use with no obligation or requirement to farm.

- Item 5.2, bullet 6: delete second sentence and insert two sub bullets:

- It was reported that Persephone has one collection pond that collects and aerates

- the wastewater. The air pump keeps the wastewater in the pond moving and that doesn't allow the solids to settle out. Persephone needs a second pond to allow the solids to settle so they can be removed and composted. The current system appears to be too small for the volume of effluent. There should be oversight of the wastewater management system by SCRD or the Province.
- An APC member estimated 8,000 litres of effluent per day are being discharged at Persephone onto the field and into the ditch. This is based on information from Brian Smith who said Persephone purchases 180 tonnes of malted barley per year. If 4.535 kg of barley makes 18.9 litres of beer, then Persephone produces 750,000 litres of beer per year, 14,000 litres per week, 2,000 litres per day. If the ratio of beer to water is 1:4 (1 litre of beer will result in 4 litres of wastewater), then Persephone averages 2,000 litres of beer and 8,000 litres of wastewater per day.

- Item 5.2: add bullet 7:

- It was suggested that Persephone rent property in Gibsons for the industrial operation and get a permit to have a tasting room on the Area F agricultural property.

3.2 Minutes

The following minutes were accepted for information:

- Egmont Pender Harbour (Area A) APC Minutes of May 30, 2017
- Elphinstone (Area E) APC Minutes of May 24, 2017
- Planning & Community Development Committee Minutes of May 11, 2017

REPORTS

5.1 Crown Referral re: Howe Sound Pulp & Paper application for removal and deposition of gravel from Rainy River

The APC discussed the staff report regarding the Crown referral of the Howe Sound Pulp and Paper application for removal and deposition of gravel from Rainy River. The following points were noted:

- This request comes forward every few years. It is the design of the intake of the dam that is the problem.
- The applicant needs to figure out a long-term permanent solution, such as a berm that goes up the river and allows the river through, or face the dam with a heavy plate steel and cover with a grate to catch the gravel and allow it to flow over the dam and downstream.
- The difference in the current application from previous applications is the presence of water sampling sites.
- Support staff recommendation on page 2: that the applicant needs to consider a Plan B if the water on Rainy River continues to drop, with climate change, the possibility of drought conditions and low flow.

Recommendation No. 1 *Crown referral of Howe Sound Pulp and Paper application for removal and deposition of gravel from Rainy River*

The APC recommended support for the the Howe Sound Pulp and Paper application and the conditions for approval as stated in the staff report, and advised that the

applicant look for a long-term permanent solution to the problem.

5.2 Bylaw 310.173 (BC Ferries)

The APC discussed the staff report regarding a Board referral of an application from BC Ferries to rezone the Langdale terminal area. The following points were noted:

- They need to include a plan to protect the Langdale well. It is only 70 feet deep; run off from parking areas must be controlled so it protects the well.
- Support for comments from staff noting that redevelopment would offer an opportunity to maximize and improve alternate transportation options. The property is almost a kilometer across. BC Ferries could help with the Marine Drive situation for non-motorized transportation modes in support for a pathway. ...Make it conditional on a bike path.
- Appreciation for the current pedestrian walkway at the terminal. The terminal should be more pedestrian friendly, which, currently, it is not. People used to be able to go down the Gibsons side to the waiting room, and now have to walk across the awaiting cars in the parking area and across a roadway to get to the waiting room.
- There is nothing for children there. That would be in huge demand from families. People are paying a lot to wait and sit.
- Curiosity about a requested setback "above the high water mark" as noted in the staff report.
- This is being proposed and is nothing substantive.
- The public consultation is scheduled to happen over the summer, not a good time for a public meeting for some people. Suggestion to hold consultations in the summer and autumn. Meetings are often held in the afternoon; could BC Ferries do a weekend or an evening meeting so that people who work and/or are commuting can come to the meeting?
- Suggestion that BC Ferries put this public consultation on the ferries as well.
- There was discussion of the site design and the surrounding community, which likely would not have easy access to the site due to security systems.
- It has one of the best views of any terminal.

Regarding retail commercial floor area, comments included:

- The travelling public should say what they want to see.
- Suggestion to have a grocery store.
- It depends on the demand for vendor booths. I like to drive onto the ferry, and don't want to hang around the ferry terminal. Nice to go for coffee or a sandwich. Wheatberries gets used quite a bit; don't know how successful other shops are.
- More area doesn't seem like a lot more, but the height seems like quite a lot more.
- Why would you have a separate limit for mobile vendors?
- Clarify what are mobile vendors.
- If it is seasonal retail, it is very difficult for grassroots operations to lease something in the building. It takes a fair amount of capital. A portion should still be available for seasonal opportunities for artists or businesses.

Regarding whether there is a need for new definitions for proposed new uses, comments included:

- Need more information on what BC Ferries are proposing. Need to see details of the

- proposal before commenting on whether definitions are needed.
- Want to see more design plans before making any recommendations.

Recommendation No. 2 *Bylaw 310.173 (BC Ferries)*

The APC recommended that BC Ferries should provide additional information to justify the request for a 25-metre height limit for buildings/structures, as noted in the staff report.

Recommendation No. 3 *Bylaw 310.173 (BC Ferries)*

The APC supported Option 1, that first reading be given and engagement proceeds with the lease area included.

DIRECTOR'S REPORT

Director Winn reported on recent activities and events.

NEXT MEETING **July 25**

ADJOURNMENT 8:48 p.m.



Skwxwú7mesh Úxwumixw | Squamish Nation
Intergovernmental Relations, Natural Resources and Revenue

June 9, 2017



To Whom It May Concern:

The Squamish Nation leadership is open to participating in an initial round of discussion with Parks Canada, to explore the creation of a new national park within the Nation's territory of Atl'Kitsem/ Howe Sound.

We have been briefed by the lead on this initiative, Stephen Foster, from the David Suzuki Foundation, and understand that the request at this moment is for Parks Canada to initiate a feasibility study on the possibility of a new park, to be based on Gambier Island and the surrounding marine environment.

Chen kwen mantumi
(I thank you),

Chief Bill Williams

Chief Bill Williams
talalsámkin siyám
Lead Negotiator Aboriginal Rights & Title Skwxwú7mesh
Intergovernmental Relations, Natural Resources, & Revenue
Squamish Nation

