



## PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

Thursday, May 14, 2020  
SCRD Boardroom, 1975 Field Road, Sechelt, B.C.

### AGENDA

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

#### AGENDA

1. Adoption of Agenda

#### PRESENTATIONS AND DELEGATIONS

2. Angela Boss, Regional Agrologist (Sunshine Coast/Central Fraser Valley), BC Ministry of Agriculture and Stephanie Tam, Water Management Engineer, BC Ministry of Agriculture  
Regarding Agriculture Land Use Inventory and Agriculture Water Demand Model Results Presentation  
Verbal
3. Lorna Vanderhaeghe, Owner/Applicant, 4355 Lake Road, Pender Harbour  
Regarding Development Variance Permit Application DVP00054 (Vanderhaeghe)  
Annex A  
pp 1 - 3
4. Dr. Martin Aidelbaum, Adjacent Property Owner, 4343 Lake Road, Pender Harbour  
Regarding Development Variance Permit Application DVP00054 (Vanderhaeghe)  
Verbal

#### REPORTS

5. Planning Technician – Development Variance Permit DVP00054 (Vanderhaeghe)  
**Electoral Area A (Rural Planning Service) (Voting – A, B, D, E, F)**  
Annex B  
pp 4 - 66
6. Acting Chief Building Official - Removal and Re-application of Bylaw Contravention Notice – District Lot 696 Keats Island  
**Building Inspection Services (Voting – A, B, D, E, F, SIGD)**  
Annex C  
pp 67 - 70
7. Senior Planner – West Howe Sound Official Community Plan Amendment Bylaw No. 640.3, 2020 and Zoning Amendment Bylaw No. 310.188, 2020 (O'Toole) – Consideration of First and Second Readings  
**Electoral Area F (Rural Planning Service) (Voting – A, B, D, E, F)**  
Annex D  
pp 71 - 133
8. Senior Planner – Zoning Amendment Bylaw No. 310.189 – Consideration for First, Second and Third Readings – 7470 Redrooffs Road, Halfmoon Bay  
**Electoral Area B (Rural Planning Service) (Voting – A, B, D, E, F)**  
Annex E  
pp 134 - 140
9. Senior Planner – Telus Telecommunication Tower at Cawley Point – Request for Local Government Concurrence  
**Electoral Area B (Rural Planning Service) (Voting – A, B, D, E, F)**  
Annex F  
pp 141 - 162
10. Senior Planner – District of Sechelt Official Community Plan and Zoning Bylaw Amendment Referral 3360-2019-06 (Trellis Seniors Services)  
**Regional Planning (Voting – All)**  
Annex G  
pp 163 - 220

- |   |                              |
|---|------------------------------|
| 11. Planner 1 / Senior Planner – Provincial Referral CRN000105 for a Private Moorage 2412248 (Watton)<br><b>Electoral Area A (Rural Planning Service) (Voting – A, B, D, E, F)</b>  | Annex H<br>pp 221 - 245      |
| 12. Planner 1 / Senior Planner – Provincial Referral CRN000107 for a Strata Moorage 2412342 (Sunaccess William Island Investment Inc)<br><b>Electoral Area A (Rural Planning Services) (Voting – A, B, D, E, F)</b>           | Annex I<br>pp 246 - 267      |
| 13. Planning Technician – Development Variance Permit DVP00053 (Plows)<br><b>Electoral Area F (Rural Planning Service) (Voting – A, B, D, E, F)</b>   | Annex J<br>pp 268 - 281      |
| 14. Planning Technician – Development Variance Permit DVP00057 (Magnuson-Ford)<br><b>Electoral Area F (Rural Planning Service) (Voting – A, B, D, E, F)</b>   | Annex K<br>pp 282 - 295      |
| 15. Planning Technician - Development Variance Permit DVP00058 (Mulligan for Corbett)<br><b>Electoral Area B (Rural Planning Service) (Voting – A, B, D, E, F)</b>  | Annex L<br>pp 296 - 305      |
| 16. Planning Technician - Development Variance Permit DVP00059 (Mulligan for Corbett)<br><b>Electoral Area B (Rural Planning Service) (Voting – A, B, D, E, F)</b>  | Annex M<br>pp 306 - 315      |
| 17. Manager, Protective Services and Bylaw Enforcement – Cell Tower Project Management Services – Planetworks Consulting Contract Amendment<br><b>911 Service (Voting – All)</b>  | Annex N<br>pp 316 - 317      |
| 18. Parks Superintendent – Homesite Creek Secret Cove Recreation Site (Secret Cove Falls Trail, Rec 0383)Partnership Agreement and Stewardship Memorandum of Understanding<br><b>Community Parks (Voting – A, B, D, E, F)</b> | Annex O<br>pp 318 - 376      |
| 19. Electoral Area A (Egmont/Pender Harbour) APC Minutes of April 29, 2020<br><b>Electoral Area A (Rural Planning) (Voting – A, B, D, E, F)</b>   | <b>Annex P<br/>Late Item</b> |
| 20. Electoral Area B (Halfmoon Bay) APC Minutes of April 28, 2020<br><b>Electoral Area B (Rural Planning) (Voting – A, B, D, E, F)</b>  | Annex Q<br>pp 377 - 379      |
| 21. Electoral Area E (Elphinstone) APC Minutes of April 22, 2020<br><b>Electoral Area E (Rural Planning) (Voting – A, B, D, E, F)</b>   | Annex R<br>pp 380 - 383      |
| 22. Electoral Area F (West Howe Sound) APC Minutes of April 28, 2020<br><b>Electoral Area F (Rural Planning) (Voting – A, B, D, E, F)</b>   | Annex S<br>pp 384 - 387      |

## COMMUNICATIONS

- |  |                         |
|--|-------------------------|
| 23. <u>Christina Clark, 924 Henry Road, dated April 16, 2020</u><br>Regarding Reed Road Forest (DL 1313)   | Annex T<br>pp 388 - 389 |
| 24. <u>Rory Kulmala, Chief Executive Officer, Vancouver Island Construction Association and Kerriann Coady, Executive Officer, Canadian Home Builders' Association Vancouver Island, dated April 20, 2020</u><br>Regarding COVID-19 and Construction | Annex U<br>pp 390 - 392 |

## NEW BUSINESS

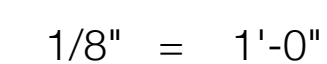


**IN CAMERA**

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 who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.”

**ADJOURNMENT**





|     |               |   |
|-----|---------------|---|
|     |               |   |
| 7   | MAY 7, 2020   | LANDSCAPE PLAN<br>AERIAL SITE PLAN<br>PHOTOS FOR DWP                      |
| 6   | MAR 27, 2020  | NORTH ELEVATION<br>RE-ISSUED FOR DWP                                      |
| 5   | MAR 2, 2020   | HEIGHT CALC<br>RVSD & CLARIFIED<br>RE-ISSUED FOR DWP                      |
| 4   | DEC 23, 2019  | FLOOR HEIGHTS RVSD<br>ROOF HT RVSD<br>RET WALL ADDED<br>RE-ISSUED FOR DWP |
| 3   | NOV 12, 2019  | ISSUED FOR DWP  |
| 2   | FEB 5, 2019   | ISSUED FOR DWP  |
| 1   | JULY 18, 2018 | ISSUED FOR BP   |
| NO. | DATE          | REVISION  |

VANDERHAEGHE  
**4355 LAKE ROAD**  
 SAKINAW LAKE  
 PENDER HARBOUR, B.C.

SITE PLAN W/ AERIAL  
PHOTO UNDERLAY

|                  |  |              |
|------------------|--|--------------|
| SHEET TITLE:     |  | <b>A-1.1</b> |
| DRAWN BY:        |  |              |
| CHECKED BY:      |  |              |
| DATE: 2019-08-09 |  |              |
| SCALE: AS NOTED  |  |              |





PHOTO 1- EXISTING VIEW NEAR WOODSHED (PHOTO DATED MAY, 2020)



PHOTO 1- PROPOSED VIEW NEAR WOODSHED WITH PLANTED TREES



PHOTO 2- EXISTING VIEW NEAR NEIGHBOUR DECK (PHOTO DATED FEBRUARY, 2020)



PHOTO 2- PROPOSED VIEW NEAR NEIGHBOUR DECK WITH PLANTED TREES

AMY ADAMS

RESIDENTIAL DESIGN

604.612.3656

amy@amycadams.ca

3D CAD Models

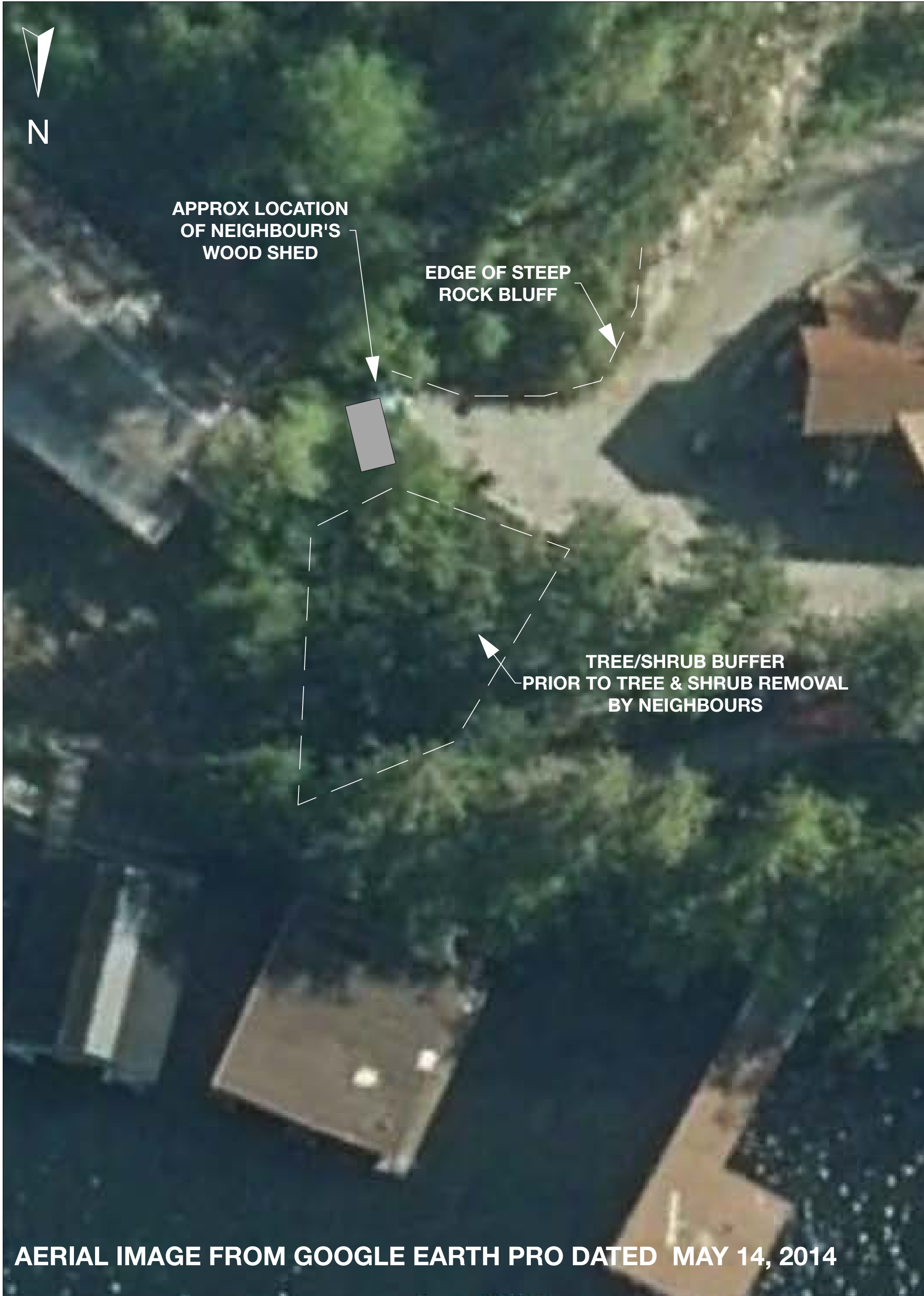
New Build Permit Sets

Presentation Sets

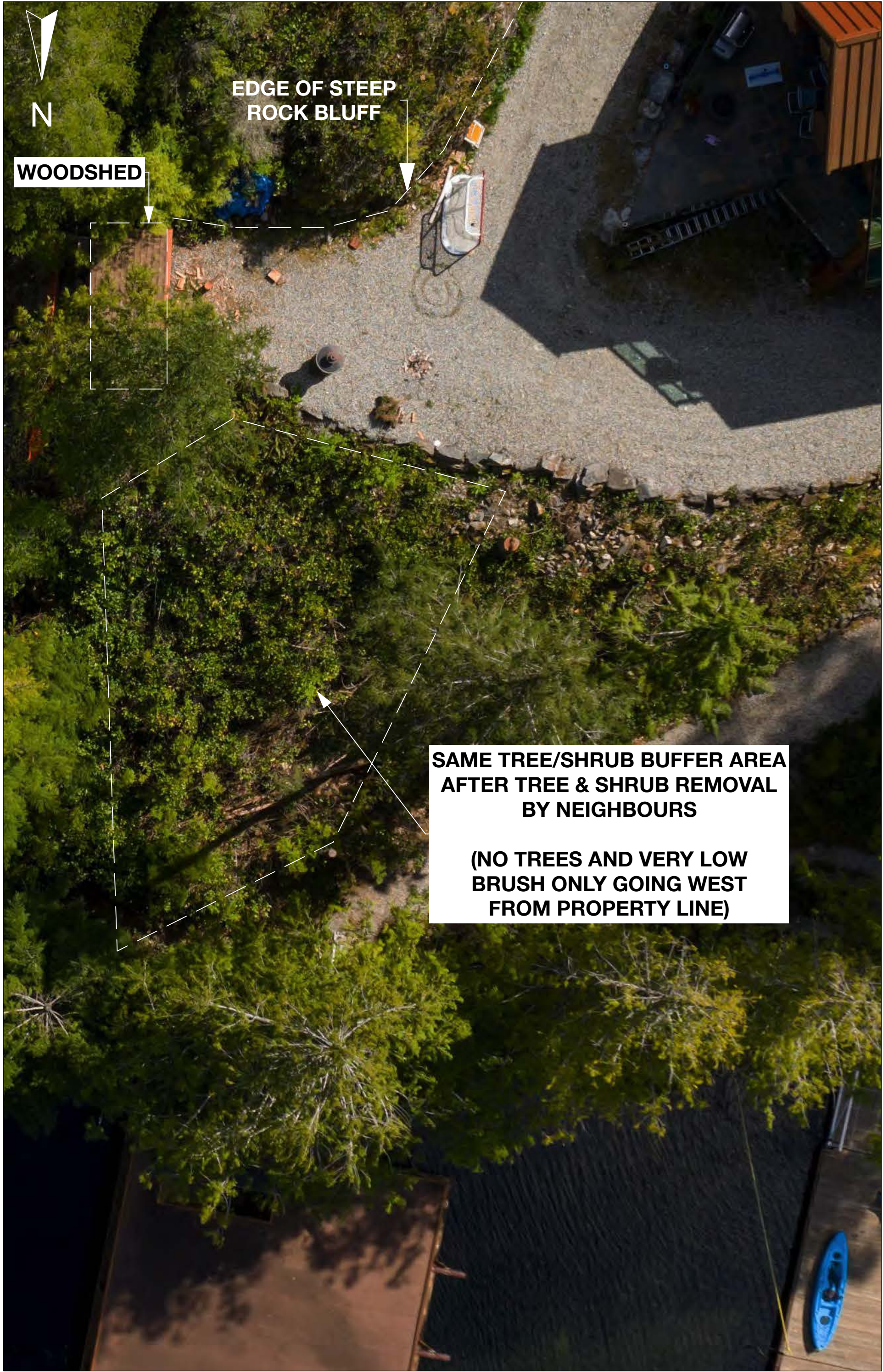
Renovation Permit Sets

| 7   | MAY 7, 2020   | LANDSCAPE PLAN<br>AERIAL SITE PLAN<br>(PHOTOS FOR DVP)                 |
|---|---------------|--|
| 6   | MAR 27, 2020  | NORTH ELEVATION<br>RE-ISSUED FOR DVP                                   |
| 5   | MAR 2, 2020   | HEIGHT CALC<br>RVSD & CLARIFIED<br>RE-ISSUED FOR DVP                   |
| 4   | DEC 23, 2019  | FLR HIGHTS RVSD<br>ROOF HT RVSD<br>RET WALL ADDED<br>RE-ISSUED FOR DVP |
| 3   | NOV 12, 2019  | ISSUED FOR DVP   |
| 2   | FEB 5, 2019   | ISSUED FOR DVP   |
| 1   | JULY 18, 2018 | ISSUED FOR BP  |
| NO.   | DATE          | REVISION   |
| TIMELINE FOR DRAWINGS<br>SUBMITTED TO SCRD                                    |               |  |
| VANDERHAEGHE<br><b>4355 LAKE ROAD</b><br>SAKINAW LAKE<br>PENDER HARBOUR, B.C. |               |  |
| PROJECT TITLE:  |               |  |
| EXISTING AND PROPOSED VIEW IMAGES   |               |  |
| SHEET TITLE:  |               |  |
| DRAWN BY:   |               | A-1.2  |
| CHECKED BY:   |               |  |
| DATE: 2019-08-09  |               |  |
| SCALE: AS NOTED   |               |  |

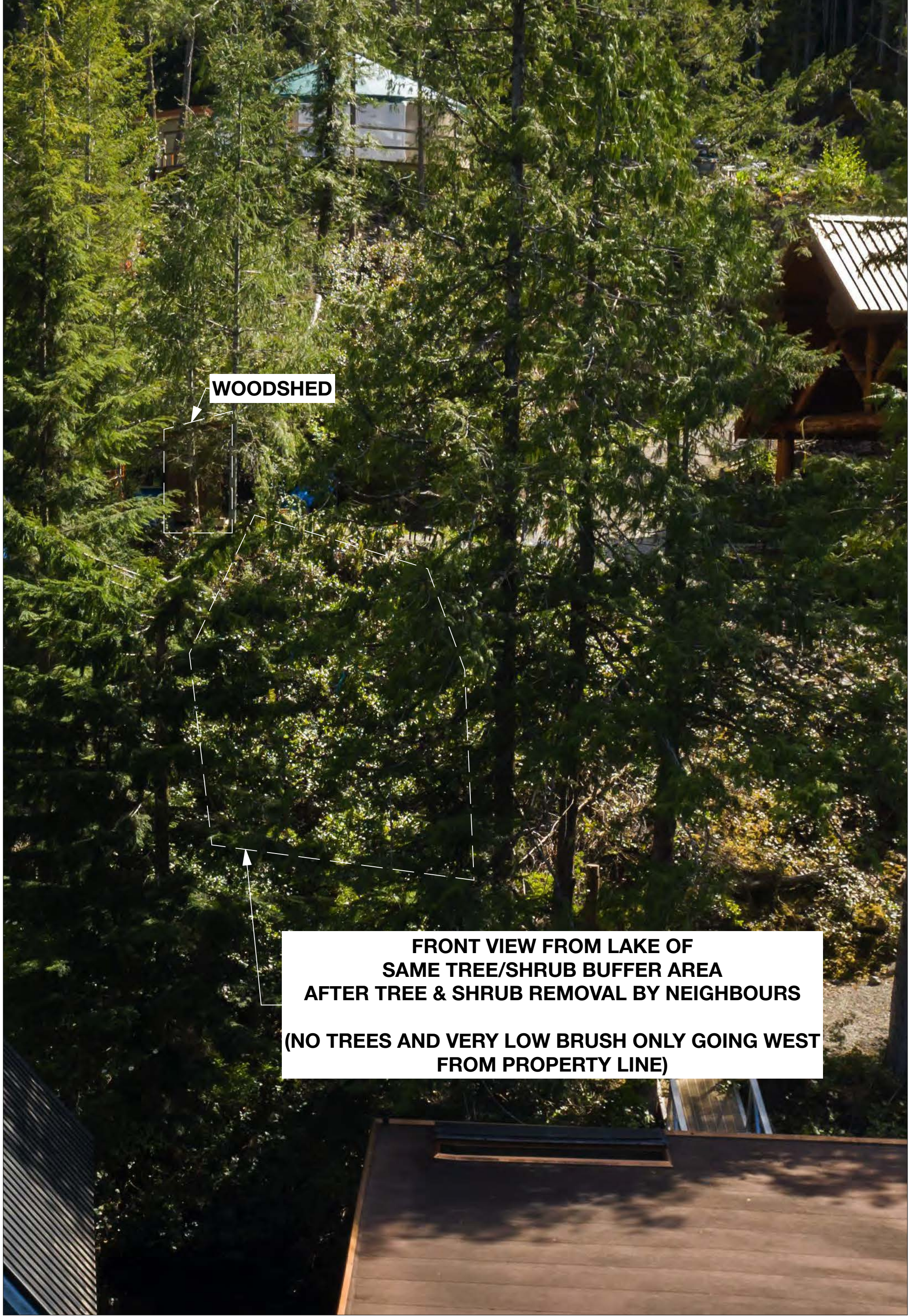




AERIAL IMAGE FROM GOOGLE EARTH PRO DATED MAY 14, 2014



AERIAL PHOTO DATED MAY 5, 2020



AERIAL PHOTO DATED MAY 5, 2020

AMY ADAMS

RESIDENTIAL DESIGN

604.612.3656

amy@amyadams.ca

3D CAD Models

Presentation Sets

New Build Permit Sets

Renovation Permit Sets

|  |               |  |
|--|---------------|--|
|  |               |  |
| 7  | MAY 7, 2020   | LANDSCAPE PLAN<br>AERIAL SITE PLAN<br>(PHOTOS FOR DVP)                 |
| 6  | MAR 27, 2020  | NORTH ELEVATION<br>RE-ISSUED FOR DVP                                   |
| 5  | MAR 2, 2020   | HEIGHT CALC<br>RVSD & CLARIFIED<br>RE-ISSUED FOR DVP                   |
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| 1  | JULY 18, 2018 | ISSUED FOR BP  |
| NO.  | DATE          | REVISION   |
| TIMELINE FOR DRAWINGS<br>SUBMITTED TO SCRD |               |  |

VANDERHAEGHE  
4355 LAKE ROAD  
SAKINAW LAKE  
PENDER HARBOUR, B.C.

PROJECT TITLE:  
  
AERIAL PHOTOS  
SHOWING TREE & SHRUB  
REMOVAL

SHEET TITLE:  
DRAWN BY:  
CHECKED BY:  
DATE: 2019-08-09  
SCALE: AS NOTED

A-1.3



## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 14, 2020  
**AUTHORS:** Dave Pady, Manager, Planning and Development  
 Kasha Janota-Bzowska, Planning Technician I  
**SUBJECT:** Development Variance Permit Application DVP00054 (Vanderhaeghe)

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### RECOMMENDATION(S)

1. **THAT the report titled Development Variance Permit Application DVP00054 (Vanderhaeghe) be received;**
  2. **AND THAT Development Variance Permit Application DVP00054 (Vanderhaeghe) to vary the maximum height of a single family dwelling which is legally non-conforming as to siting from the permitted 8.89 metres to the constructed 9.94 metres and to reduce the required natural boundary setback to a lake from 20 metres to 9.4 metres to permit the recently reconstructed single family dwelling be approved, subject to:**
    - i. **Provision to SCRD of a landscaping plan, with drawings, that includes at least:**
      - a. **A comprehensive landscape plan, including installation of appropriate shade trees with a minimum Diameter at Breast Height DBH caliper of 6cm, for the riparian area,**
      - b. **A tree buffer along the south property line, to reduce visual impacts of the dwelling only, for the neighbouring property,**
      - c. **An installation and monitoring plan (2-year term),**
    - ii. **Registration of a *Land Title Act* Section 219 covenant on title to protect trees,**
    - iii. **An approved (amended) Development Permit,**
    - iv. **SCRD acceptance of updated drawings as required for the Building Permit;**
  3. **AND FURTHER THAT final occupancy for the building not be approved until all Development Variance Permit conditions are fulfilled.**
- 

### BACKGROUND

A Development Variance Permit application has been received for a property on Sakinaw Lake located at 4355 Lake Road, Pender Harbour (see Figure 1 below).

The variance request is to increase the maximum allowable height of a recently reconstructed legally non-conforming single family dwelling from 8.89 metres to 9.94 metres, and to reduce the required natural boundary setback to a lake from 20 metres to 9.4 metres to permit a deck extension and relocation of the footing. This represents a height variance of 1.05 metres and a natural boundary setback variance of 10.6 metres.

The setback for the deck was previously 9.5 metres from the lake. The variance to 9.4 metres addresses moving of a deck support and is varied from the 20 metre setback requirement set by Zoning Bylaw No. 337. Determination of exact setback has been complicated by having several survey certificates and changes to the lake shore over time (perhaps through the addition of fill). Staff have worked with the applicant and the applicant's surveyor to come to a consensus on the setback/variance required to permit the proposed construction.

Reconstruction of the legally non-conforming dwelling was authorized by a Development Permit (with strict conditions) and subsequent Building Permit. The increase in building height and construction within the 20 metre zoning bylaw setback for natural boundary to a lake has occurred in contravention of the development permit and building permit which were issued by the SCRD's Planning and Building Divisions. A stop work order has been issued. Despite this, two Fail to Obey a Stop Work Order tickets have been issued for continued construction.

The Board has authority to grant or deny the variance. This report provides background on the application, including extensive history of the property, and options moving forward.

Staff have analyzed the application and identify concerns related to building alterations made to a legal non-conforming dwelling without authorization, impacts on neighbouring properties and unresolved environmental concerns.

The applicant's rationale letter (see Attachment G) states errors made by the builder resulted in a height increase to the non-conforming portion of the existing dwelling and issues resulting from the residential design were discovered once construction was underway.

In order for the application to be supported, a number of conditions must be fulfilled to address these concerns. Retroactive permitting of unauthorized construction is always challenging; staff have conducted extensive review of the application package and worked through diligence with the applicant to develop specific conditions to ensure that the environment is not negatively impacted and that impacts to the neighbouring property are mitigated. Staff will ensure that the covenant, required as a condition of issuance of this permit, includes exceptions for the removal of trees deemed by a certified arborist to be dangerous to life and safety in addition to a save harmless clause indemnifying the SCRD.

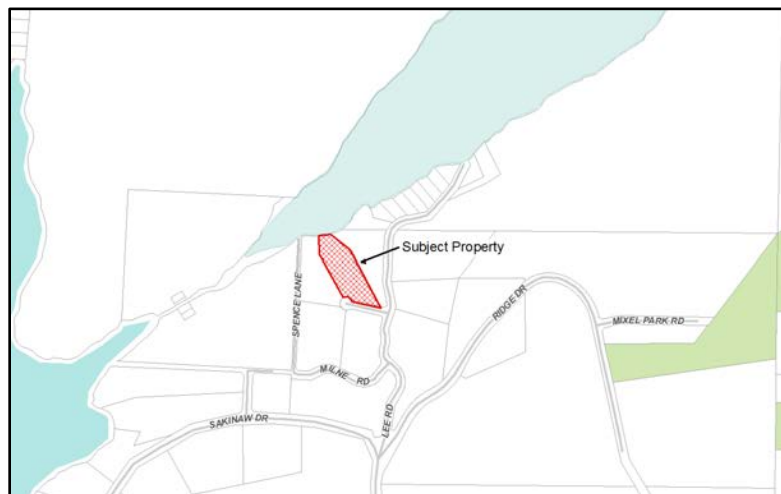
A proposed landscape plan (Attachment H) has been provided by the applicant. Staff will review the proposal for compliance with the Province's *Riparian Area Regulation*. Any required amendments can be incorporated into the final landscape plan, which would form part of the (amended) development permit.

*Table 1 – Application Summary*

|                           |   |
|---------------------------|---|
| <b>Owner / Applicant:</b> | Lorna Vanderhaeghe  |
| <b>Legal Description:</b> | Lot 2, DL 3921, Plan BCP23871   |
| <b>P.I.D.:</b>            | 026-674-548   |
| <b>Electoral Area:</b>    | A – Pender Harbour / Egmont   |
| <b>Civic Address:</b>     | 4355 Lake Road, Pender Harbour  |
| <b>Zoning Bylaw 337:</b>  | RU-1 (Rural Residential)  |
| <b>OCP Land Use:</b>      | Rural Residential A in the Egmont / Pender Harbour OCP  |
| <b>Parcel Area:</b>       | 1 hectare   |
| <b>Proposed Variance:</b> | To vary the height of a single family dwelling which is legally non-conforming as to siting from the permitted 8.89 metres to the constructed 9.94 metres and to reduce the required natural boundary setback to a lake from 20 metres to 9.4 metres under Section 516.1 (c) of Zoning Bylaw No. 337. |

The current construction is to replace a previously existing, legally non-conforming single family dwelling on the property (constructed circa 1970, according to the Qualified Environmental Report dated January 11, 2018) which currently encroaches into the 20 metre natural boundary setback to a lake by 10.6 metres as shown on the survey plan. Construction of this building is well underway; details on the project are provided below and in the attachments.

*Figure 1 – Location of Subject Property*



As part of the Sakinaw Ridge subdivision, Lot 2 was created and purchased by the applicant.

At time of subdivision (2006), a covenant was placed on the title certificate of Lot 2 identifying a 15 metre Riparian Vegetation Protection Area (RVPA) setback from the natural boundary of Sakinaw Lake (see Attachment F).

The requirements of the RVPA are as follows:

- The lakeside area within the RVPA previously disturbed by human activity must be replanted. All re-vegetation will utilize trees and shrubs native to the area;
- Obtain a development permit prior to commencement of the construction of, addition to or alternation of a building or other structures and alteration of land within the RVPA;
- In a two year period from the date of the covenant registration (May 19, 2006), the RVPA planting prescribed will be healthy and self-sustaining; and
- Provide fencing protection as to keep livestock from entering into the RVPA.

Section 1. (b) of the restrictive covenant states “*with the exception of the existing house on Lot 2, the lakeside area within the RVPA previously disturbed by human activity must be replanted*”.

The covenant exempts the existing house on Lot 2, but it does not exempt the lands lying within the 15-metre RVPA. This means that there are specific environmental requirements and development constraints on the land.

*Previous Development Variance Permit Application (DVP00026)*

The applicant met with planning staff in 2015 to request information about the process for applying to renovate the non-conforming single family dwelling.

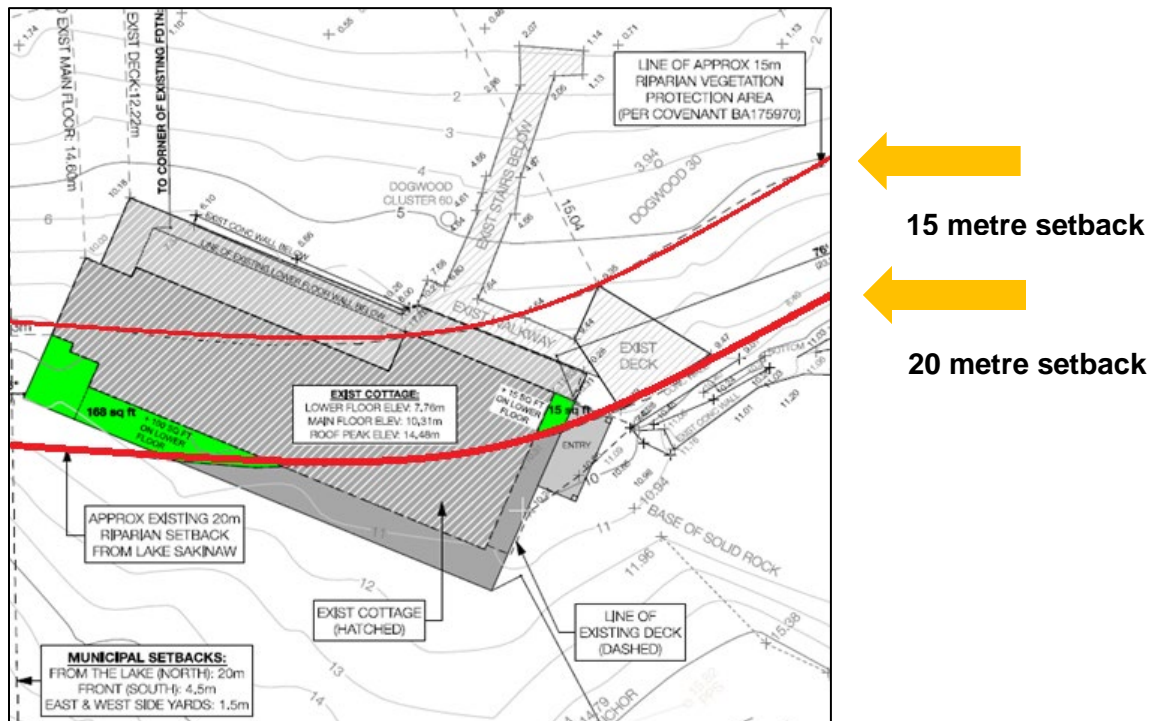
A development variance permit was recommended by staff at that time as the proposed additions would fall within the 20 metre setback to Sakinaw Lake.

In 2017, a Development Variance Permit (DVP) application was received to reduce the natural boundary setback to a lake as set in Zoning Bylaw No. 337 from 20 metres to 15 metres to allow for the proposed addition to the existing legally non-conforming single family dwelling.

The variance request was to allow for the proposed renovation to add the allowable 50 square metres addition to the rear of the dwelling as per the Egmont / Pender Harbour Official Community Plan.



Figure 2 – Proposed Addition (shown in green) to existing Single Family Dwelling under DVP00026



The previous Egmont/Pender Harbour Official Community Plan (OCP) contained policy requirements for a variance to be granted.

One of the conditions was that a covenant was required that confirmed the addition was one-time only and would be required to be removed prior to applying to build a second dwelling.

Section 4.17 of the Egmont / Pender Harbour OCP Bylaw No. 432, 1998 (repealed) stated:

*The Regional District may give consideration to additions to existing lakefront dwellings that do not conform to the established lakefront setbacks under development variance permit application to a maximum of 28 square metres (300 square feet), which includes deck space, provided that the addition does not encroach any closer to the lake; the parcel complies with Ministry of Health Services current standards and requirements for a septic disposal system for sewage and grey water disposal system; and an assessment report by a qualified environmental professional in accordance with the Riparian Areas Regulation provides the required certification in support of the application. Such an addition is on a one-time only basis and that the non-conforming structure will be removed or relocated in compliance with setbacks before issuance of a building permit for a second dwelling. Measures to preserve native vegetation shall also be covenanted.*

**Implementation:** Registration of a restrictive covenant;  
 Liaison with Ministry of Health;  
 Development Variance Permit process; and  
 Report from a qualified environmental professional.

At time of application, approximately 50% of the proposed addition to the rear of the existing non-conforming single family dwelling was within the 20 metre setback of Sakinaw Lake. At their meeting on February 28, 2018, the Advisory Planning Commission (APC) recommended approval of the DVP application DVP00026 (Vanderhaeghe) with the following comments:

- SCRD conditions are met; and
- The QEP is engaged by the applicant to monitor construction pursuant to the recommendations outlined in his study, and to confirm that those requirements are met.

Following APC consideration, the applicant elected not to proceed with the application for Variance due to the requirement for a covenant on title.

Planning staff offered three possibilities for the owner's consideration:

1. Move forward with the proposed variance and accept the covenant, seeking Board approval;
2. Redesign the extension to exclude any part within the setback, thus not requiring a development variance permit; or
3. Put the plans for an extension on hold and close the DVP file. Build a second dwelling outside of the 20-metre natural boundary setback to a lake.

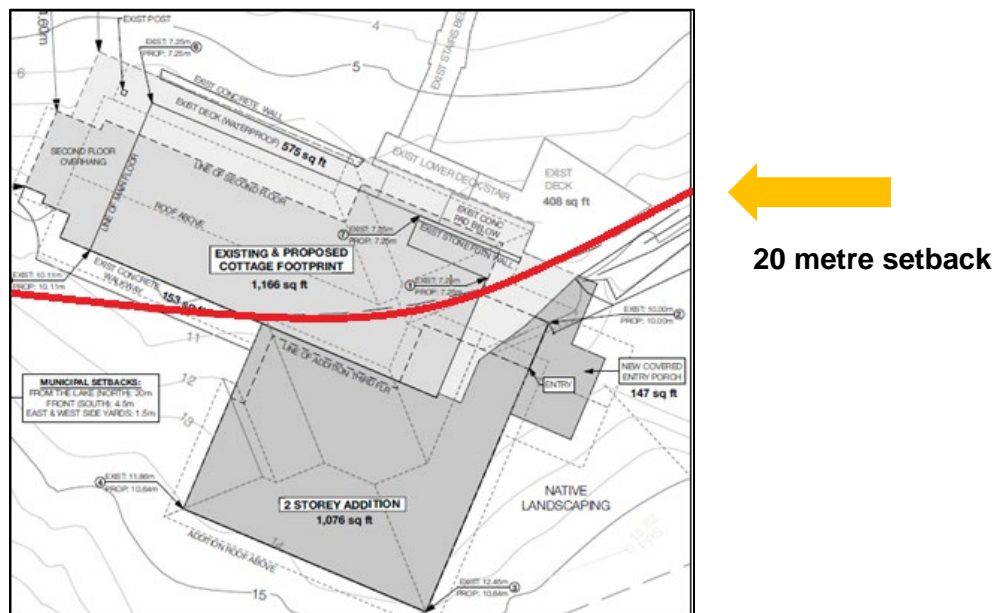
The applicant chose to pursue option 2.

#### *Building Permit Application BP001554*

In July 2018, the applicant applied for a building permit to construct interior renovations and add a new two-floor addition, approximately 100 square metres, to the rear of the existing single family dwelling outside of the 20 metre setback.

No increase in building height was identified at the time of application. The expanded footprint of the proposed addition behind the 20 metre setback is shown in Figure 3 below.

*Figure 3 – Proposed Addition to existing Single Family Dwelling under BP001554*



Proposed renovations to the existing and non-conforming portion of the building were extensive and required a complete reconstruction including the foundation.

Under the terms of demolition and development permits (see next section – Development Permit application DP000077), the applicant was permitted to proceed with demolition and essentially identical reconstruction of the existing single family dwelling providing it did not result in a further contravention of the bylaw (construction within the 20 metre setback without permission under permit) including no increase to volume or height.

Section 529 (2) of the *Local Government Act* allows a building which is non-conforming as to siting to be maintained, extended or altered providing it does not result in a further contravention of the bylaw. The setback applies to the airspace of the parcel and not just the measurement to the foundation so any addition to height under the legislation is considered a further contravention. For clarity, the maximum height of a legal non-conforming building is the height of the existing building prior to any alterations.

Building permit BP001554 (construction of the addition beyond the 20 metre setback) and BP001759 (demolition of the existing single family dwelling) should have resulted in maintaining the legal non-conforming status of the building since the process intended to ensure no further contraventions were committed.

- BP001554 was issued on March 22, 2019 to construct a two-story addition to the existing single family dwelling behind the 20 metre setback; and
- BP001759 was issued on March 25, 2019 to demolish the non-conforming single family dwelling on the property in preparation for the proposed new construction.

The applicant submitted the required documents for both building permit applications, including drawings provided by the retained residential designer. The applicant received copies of the issued permits that included the conditions described above.

#### *Development Permit Application DP000077*

At time of the Building Permit application (July, 2018), the draft Egmont / Pender Harbour OCP Bylaw No. 708, 2018 had not yet been adopted. The OCP was adopted on October 25, 2018.

The property was originally developed under the Streamside Protections Regulations (repealed 2005) and at the time of subdivision (2006) a 15 metre RVPA was established through a covenant. Development Permit Areas were established within the new OCP bylaw. The subject property is within Development Permit Area #4 – Riparian Assessment Areas.

A Development Permit (DP) was also a requirement to be met under covenant BA175970 which states: *“for purposes of assisting with the enhancement and protection of local area water quality, biodiversity and terrestrial/aquatic habitat, development permits shall be required prior to the commencement of the construction of, addition to or alteration of a building or other structure and alteration of land within the RVPA”*.

As part of the DP requirements, the applicant submitted a Riparian Areas Regulation Assessment Report prepared by a Qualified Environmental Professional (QEP). A Riparian Assessment Report was conducted by the QEP on August 28, 2017, with revisions dated October 16, 2017. Under the section “encroachment”, the QEP report dated October 16, 2017 listed measures to protect the SPEA within the 15 metre RVPA setback as follows:

- *In order to maintain the effectiveness of the riparian protection area, vegetation and trees, tree rooting zones should be protected from foot traffic and any further clearing; and*
- *Property owners shall avoid additional trails, refuse dumping, soil disturbance, vegetation conversion or tree clearing in the existing riparian zone of Sakinaw Lake.*

Planning staff advised the applicant that in order to ensure that the proposed construction conformed to the 20 metre zoning bylaw setback and non-conforming siting, detailed drawings and pictures of the existing building would be required.

SCRD Building and Planning staff required the applicant to submit amended drawings to ensure the new construction was consistent with the previously existing building.

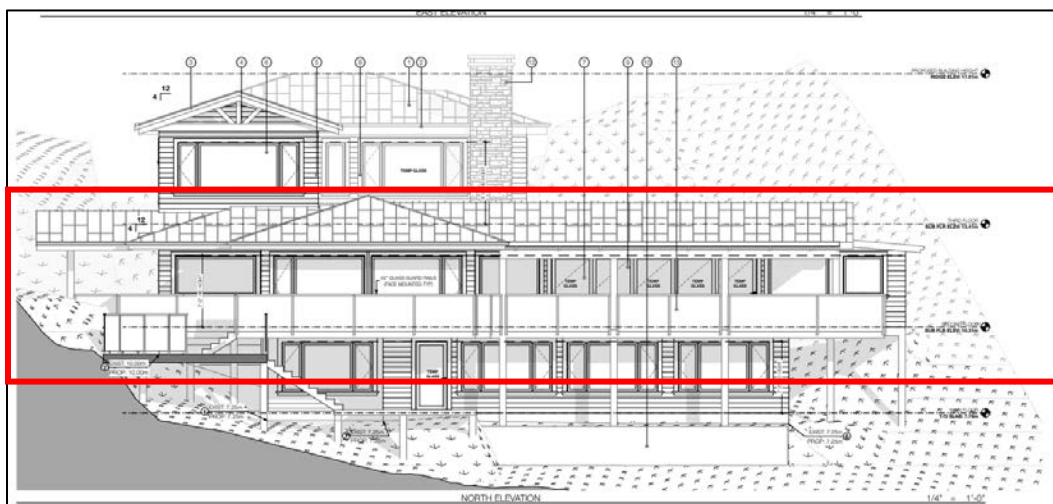
Development Permit DP000077 was issued on March 12, 2019 with the following conditions:

- No further encroachment of any building mass as it existed at the time of the development permit issuance;
- Adhere to the guidelines and recommendations in the report prepared by the appointed qualified environmental professional, dated October 16, 2017. Specifically, an environmental monitoring program during the construction phase to ensure that the SPEA is understood and protected; and
- Strictly adhere to the design specified in the drawings prepared by the Residential Designer (Architect) on record, dated January 17, 2019.

The drawings prepared by the Residential Designer and appended to the Development Permit (see Attachment C) indicate that the maximum height of the existing non-conforming single family dwelling was 8.89 metres.

Figure 4 below shows the permitted North Elevation under the Development Permit.

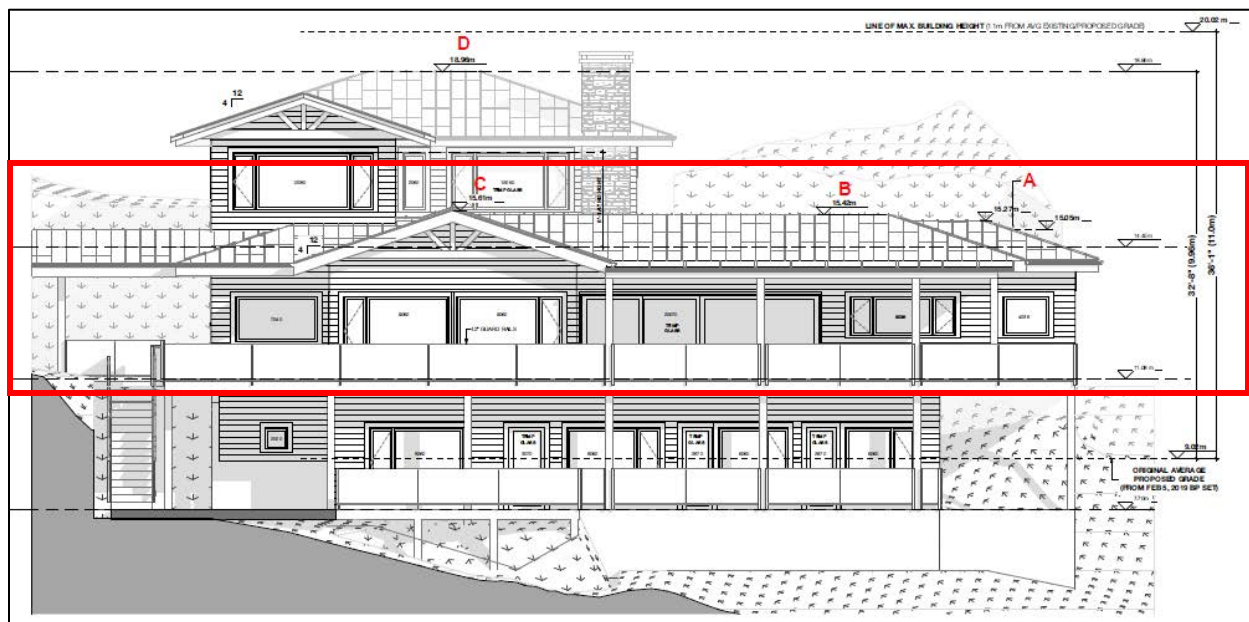
*Figure 4 – Appendix B – North Elevation– Development Permit - DP000077*



Building staff inspected the property on numerous occasions, as inspections were requested by the contractor and following normal practice. On December 17, 2019, it was discovered that the construction was inconsistent with the issued building permit and inconsistent with the conditions of the development permit.

Figure 5 below shows the constructed North Elevation without authorization.

Figure 5 – North Elevation of what has been constructed without authorization.



The height of the single family dwelling currently under construction exceeds the height of the original non-conforming single family dwelling by 1.05 metres. At this stage the owner applied for a development variance permit.

A Stop Work Order was issued on December 17, 2019 for any works taking place within the 20 metre setback. The order was issued since the building encroaches into the SPEA setback and it is both taller and volumetrically larger and in contravention of the issued Development Permit.

The order provided some flexibility to continue construction in areas outside the required setback, as work in these areas could proceed in accordance with permitted plans and in conformance with Zoning Bylaw No. 337.

On January 31, 2020 staff learned that construction on the dwelling had continued in contravention of the Stop Work Order. A Stop Work Order for the entire property was issued on January 31, 2020. Despite the Stop Work Order construction has continued.

SCRD Bylaw officers issued Fail to Obey Stop Work Order tickets on February 12, 2020 and April 15, 2020.

*Consultation*

The application has been referred to the following groups and agencies for comment.

*Table 2 – Consultation Summary*

| Group / Agency                     | Comments   |
|------------------------------------|--|
| shíshálh Nation                    | <p>On March 3, 2020, shíshálh Nation provided the SCRD with the following comment:</p> <p>Our data shows that Sakinaw Lake and the surrounding areas as being critical habitat for Western Painted Turtle, which is a red-listed species in BC. Sakinaw Lake is listed as critical habitat in the federal addition to the Recovery Program for Painted Turtles in BC (2018) under Environment and Climate Change Canada. This same report lists recreational activities among the risks to Turtle habitat as “pervasive”, meaning it affects 70-100% of the species over a 10 year period. Turtles rely on sandy beaches and other open level areas within 150 m of resident water bodies for terrestrial activities such as nesting. The Nation supports the retention of a minimum 15 metre setback between developments and all shorelines (taken from the high water mark).</p> <p><b>This proposed setback reduction would be less than 10 m from the lake shore.</b></p> |
| Building Division                  | <p>The Building Division will require amended drawings which identify exactly what has been constructed to date.</p> <p>If the variance is denied, the Building Division will oversee the partial deconstruction of the portions of the single family dwelling that were constructed beyond the building permit that was issued on March 22, 2019.</p>   |
| Infrastructure Services Department | The Infrastructure Services Department have no comments.   |
| Protective Services Division       | The Pender Harbour Volunteer Fire Department have no comments.   |



|  |  |
|--|--|
| Advisory Planning Commission             | <ul style="list-style-type: none"> <li>• Subject to the applicant's strict compliance with the conditions set out in the staff report, the scope of the variance requested does not seem unreasonable.</li> <li>• The Area A APC has serious concerns with a variance being granted in the face of daily continued construction where two stop-work orders have been issued, setting a dangerous precedent. APC recognizes the applicant has suffered significant delays through the planning process, but if the variance is granted, penalties may be appropriate to ensure compliance.</li> </ul> |
| Neighbouring Property Owners / Occupiers | <p>Notifications sent on April 27, 2020.</p> <p>Neighbour will be a delegation at May 14, 2020 Planning and Community Development Committee meeting.</p>   |

As per Section 499 the *Local Government Act* and the Sunshine Coast Regional District Bylaw No. 522, residential property owners and occupiers within 100 metres of the property subject to the Development Variance Permit must receive written notification of the Sunshine Coast Regional District's intent to consider issuances of the permit.

The application is responsible for ensuring all work undertaken complies with the *Heritage Conservation Act*.

#### *Options / Staff Recommendation*

Possible options to consider:

#### **Option 1: Issue the permit, subject to conditions**

This would authorize the applicant to proceed with the current construction. Prior to proceeding, an amendment to development permit DP00077 would be required in order to authorize the construction.

As well, a landscaping plan that ensures that riparian effects are mitigated and that view/privacy impacts on the neighbouring property to the south are mitigated is required (proposal has been supplied; staff will review for compliance with Riparian Areas Regulation. Monitoring for a period of two years and a tree protection covenant are recommended in order to ensure that the intended effect of the landscape plan is realized over time.

Updated drawings for building permit BP001554 will be required.

Final occupancy should not be granted for the building until all conditions are fulfilled.

Planning staff recommend this option.

**Option 2: Deny the permit**

Drawing from staff site visits and analysis conducted by planning and building staff, the proposed construction is anticipated to impact neighbouring views and enjoyment of their property. Notification of neighbouring property owners with respect to this variance application will occur as part of staff's process to advance the application to the Planning and Community Development Committee. Additional information may be gathered through this notification process.

The proposed construction is a further intrusion into, and potential impact on, the riparian vegetation protection area identified as lying within 15 metres of the natural boundary to Sakinaw Lake. This conclusion is supported by the encroachment section of the applicant's October 2017 QEP report.

The currently constructed building would require partial deconstruction in order to bring the property into compliance with both Development Permit DP00077 and Building Permit BP001554, which were issued to the applicant in 2019.

*Timeline for next steps or estimated complete date*

A staff report incorporating referral comments will be provided to the Planning and Community Development Committee at its meeting scheduled on May 14, 2020.

*Communication Strategy*

As per Section 499 of the *Local Government Act* adjacent residents were notified of the application. No comments have been received as a result of the notification to date.

**STRATEGIC PLAN AND RELATED POLICIES**

Review of the application for the development variance permit supports the SCRD's strategy for community collaboration.

**CONCLUSION**

The variance request is to increase the maximum allowable height of a legally non-conforming single family dwelling from the permitted 8.89 metres in height under the issued development and building permits to the constructed height of 9.94 metres, and to reduce the required natural boundary setback to a lake from 20 metres to 9.4 metres under Section 516.1 (c) of Zoning Bylaw No. 337.

The increase in building height and construction within the 20 metre zoning bylaw setback for natural boundary's to a lake has occurred in contravention of the development permit and building permit which were issued by the SCRD's Planning and Building Divisions. A Stop Work



Order has been issued. Despite this, two subsequent Fail to Obey a Stop Work Order tickets have been issued for continued construction.

On the basis of extensive consideration of impacts to the natural environment and neighbouring properties, staff recommend conditional support for the variance. Conditions including a landscaping plan and tree protection covenant will mitigate the further intrusion into, and potential impact on the riparian vegetation protection area identified as lying 15 metres from the natural boundary to Sakinaw Lake and impacts on neighbouring views and enjoyment of property.

The Board has authority to grant or deny the variances requested in this application.

#### **ATTACHMENTS**

Attachment A – Site Photos  
Attachment B – 2019 Site Survey  
Attachment C – 2020 Site Survey  
Attachment D – Residential Design Construction Drawings  
Attachment E – QEP MEMOS and Riparian Areas Assessment  
Attachment F – Covenant BA175970 for the RVPA  
Attachment G – Applicant's Rationale Letter  
Attachment H – Proposed Landscape Plan

|              |                 |             |  |
|--------------|-----------------|-------------|--|
| Reviewed by: |                 |             |  |
| Manager      | X – D. Pady     | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Other       |  |

**Attachment A – Site Photos  
(RVPA Area before and after Construction Commenced)**

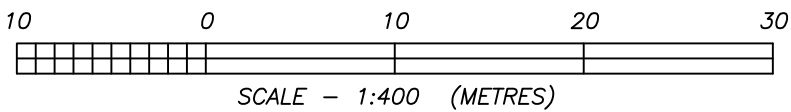




**Construction in Contravention of the Permits issued (taken December 2, 2019)**



BC LAND SURVEYOR'S CERTIFICATE OF LOCATION (FOUNDATION SURVEY) FOR LOT 2 DISTRICT LOT 3921 G.1 NWD PLAN BCP23871.



ALL DISTANCES ARE IN METRES.

DIMENSIONS OF THE LOT ARE FROM FIELD MEASUREMENTS AND FROM REGISTERED PLAN BCP23871.

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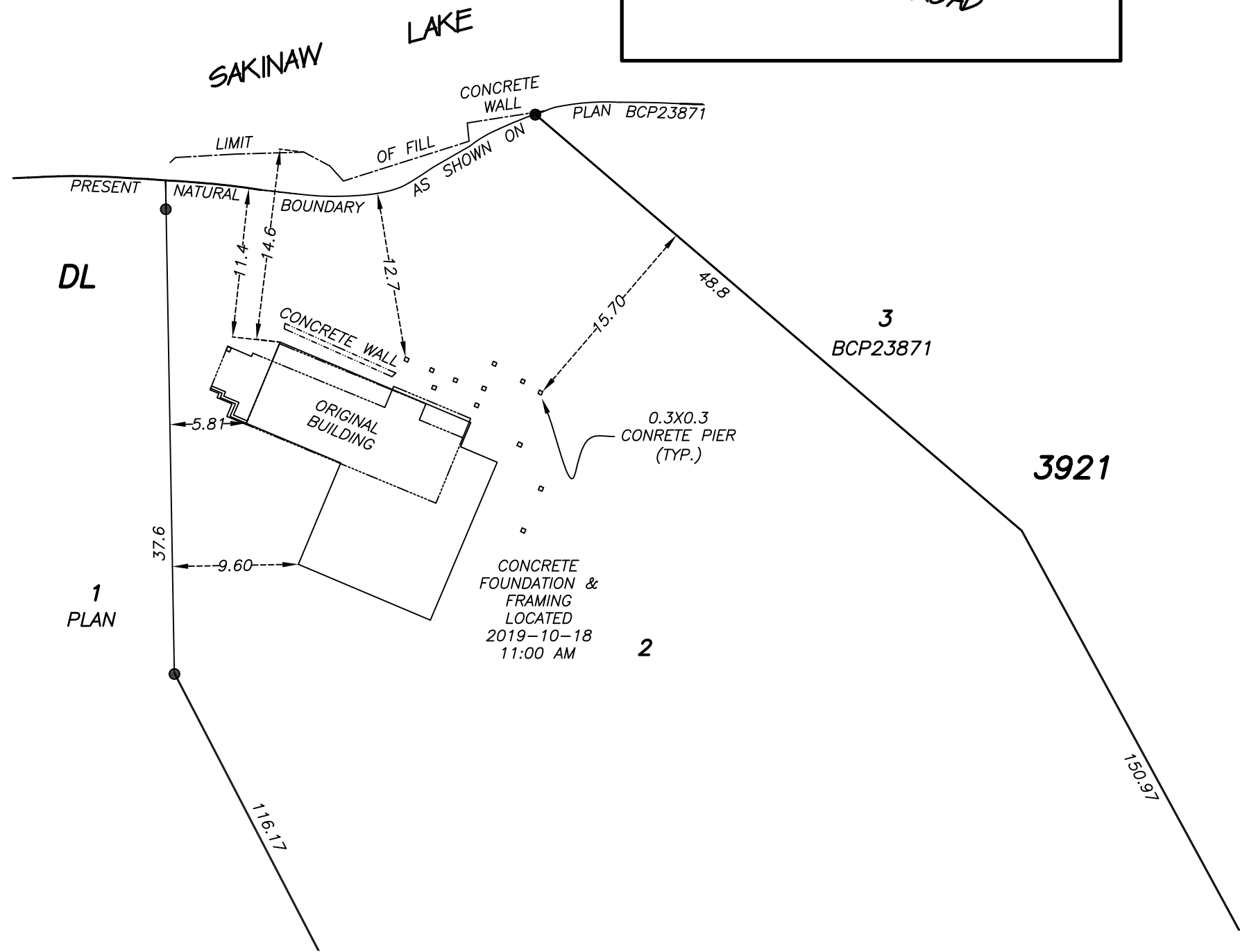
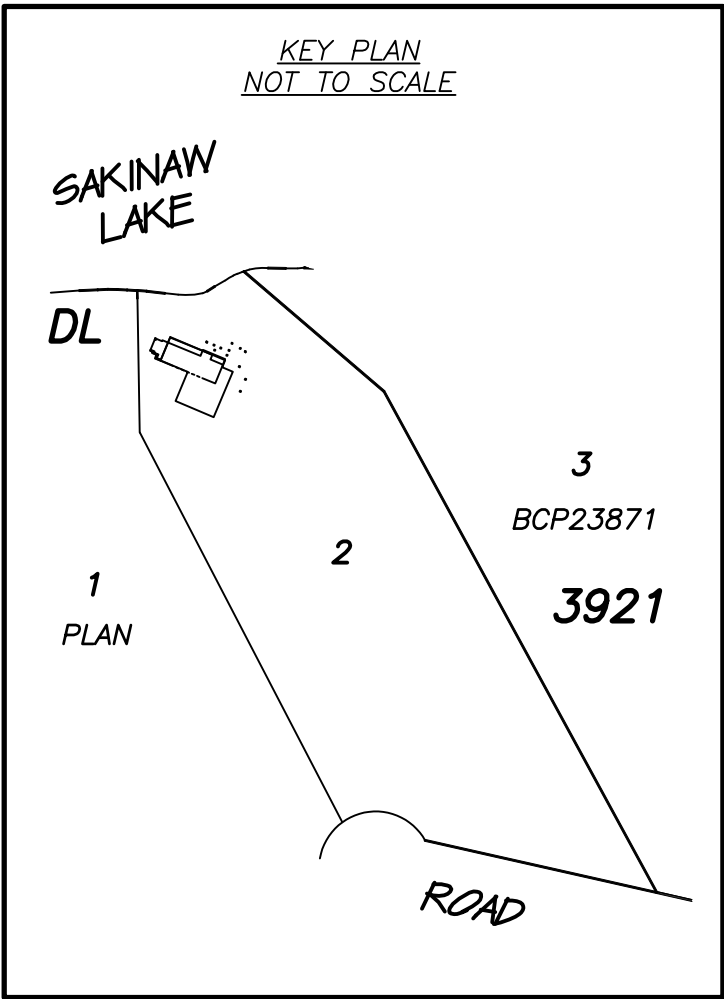
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- COVENANT BA175970
- STATUTORY BUILDING SCHEME BB476576
- STATUTORY RIGHT OF WAY CA2337584
- STATUTORY RIGHT OF WAY CA2337585

THIS PLAN WAS PREPARED FOR JENKINS CONSTRUCTION LTD.

THE REGISTERED OWNER OF LOT 1 IS LORNA VANDERHAEGHE.

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LOCATION: 4355 LAKE ROAD, SAKINAW LAKE, BC  
PID: 026-674-548

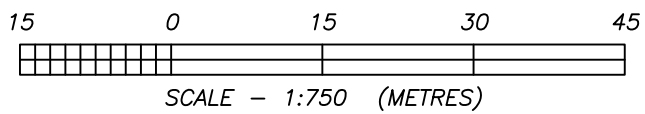
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PER: SEAMUS POPE BCLS

SITE PLAN OF PART OF LOT 2 DISTRICT LOT 3921 G.1 NWD PLAN BCP23871. PAGE 1 OF 2



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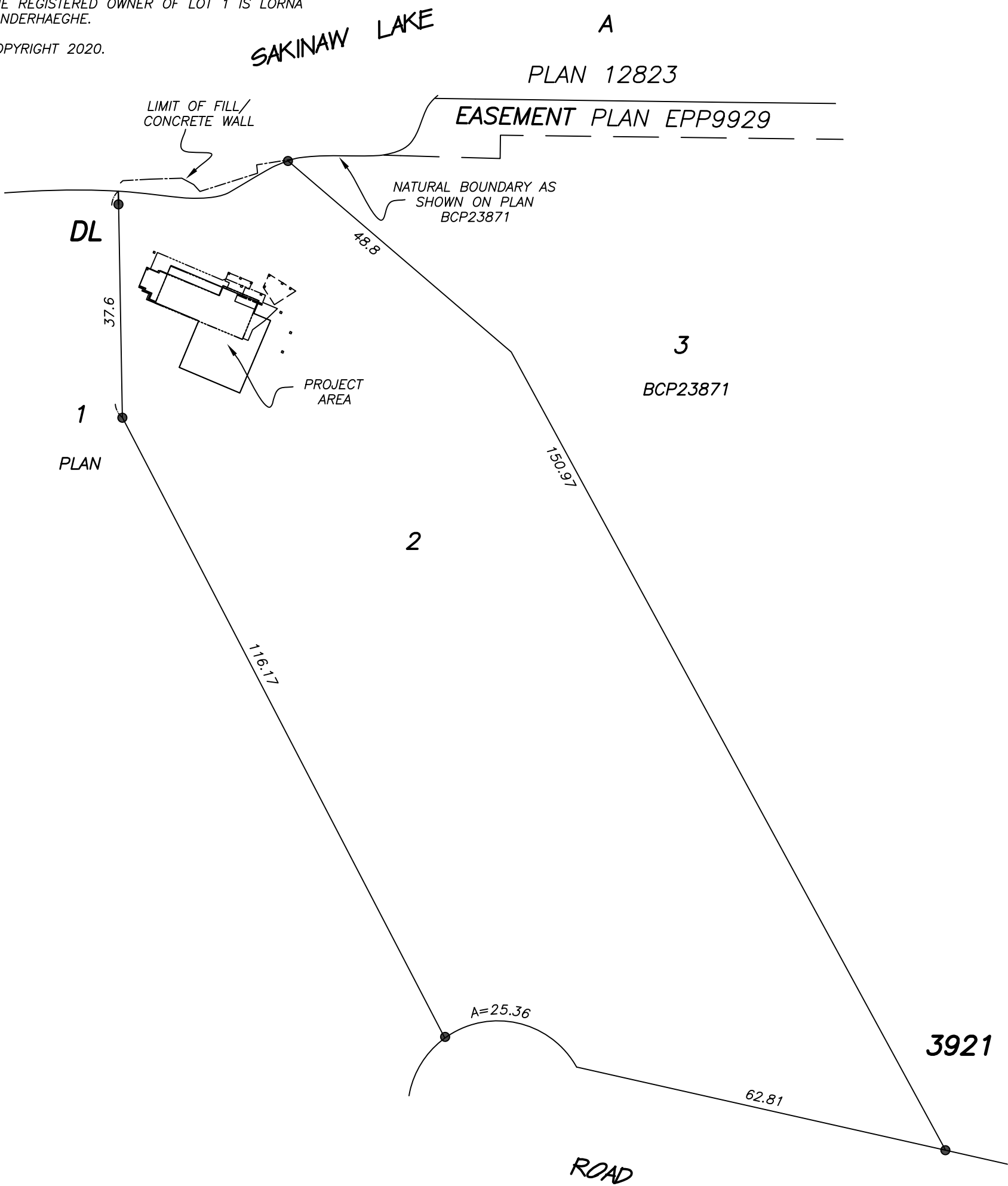
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SITE OVERVIEW.....PAGE 1

ORIGINAL VERSUS EXISTING FLOOR AND ROOF PEAK ELEVATION COMPARISON.....PAGE 2



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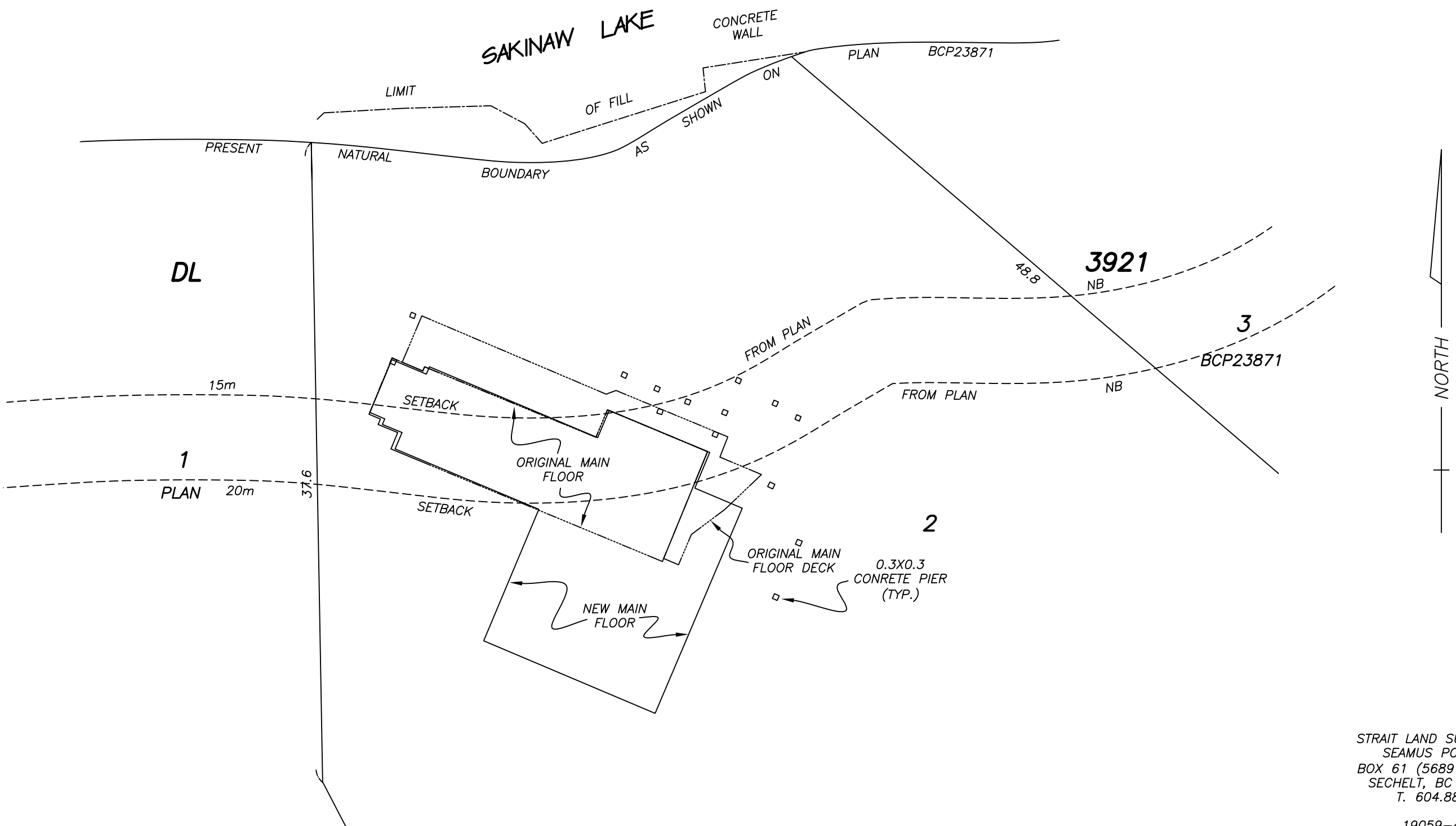
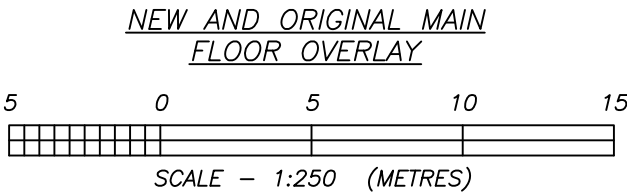
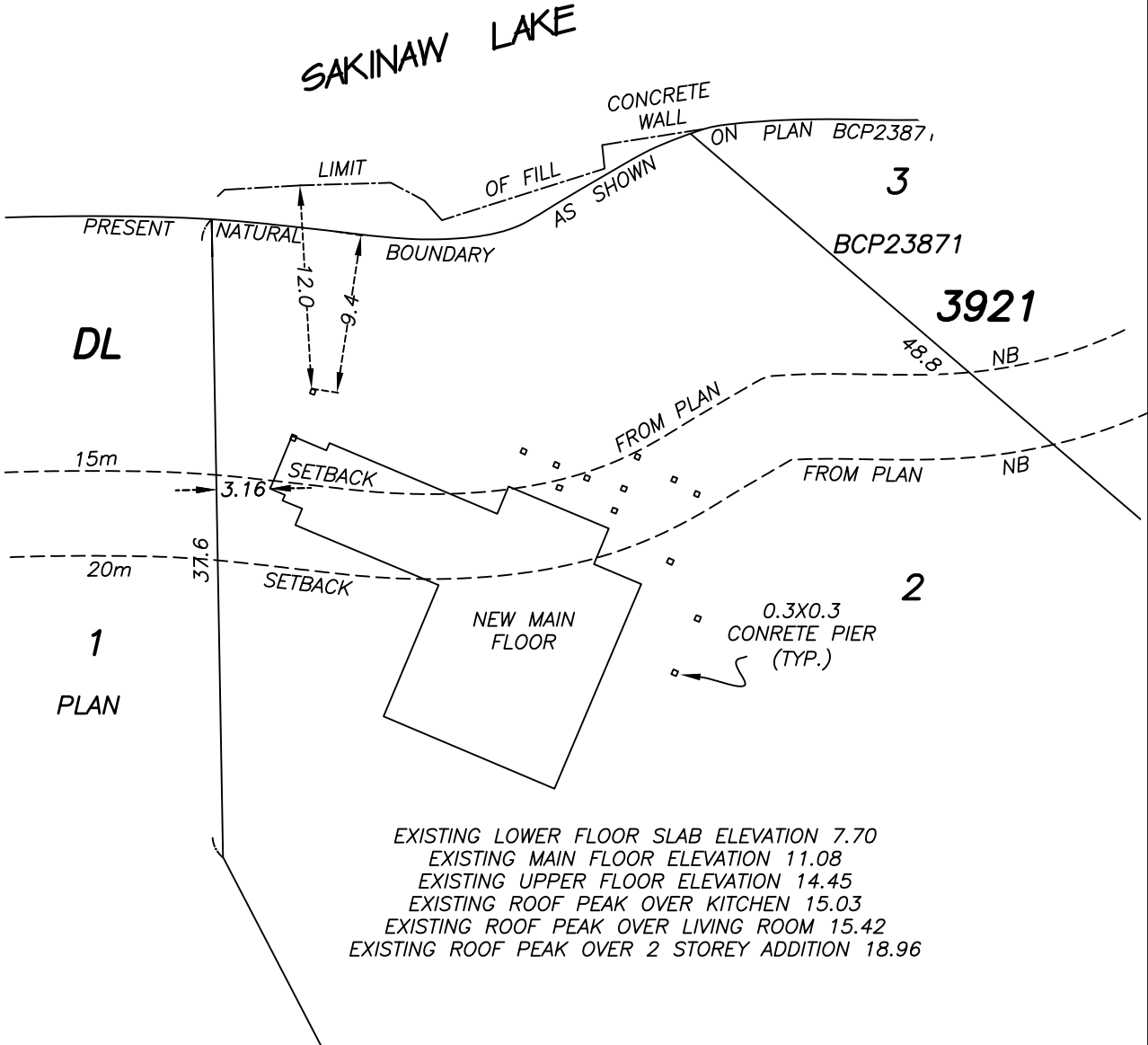
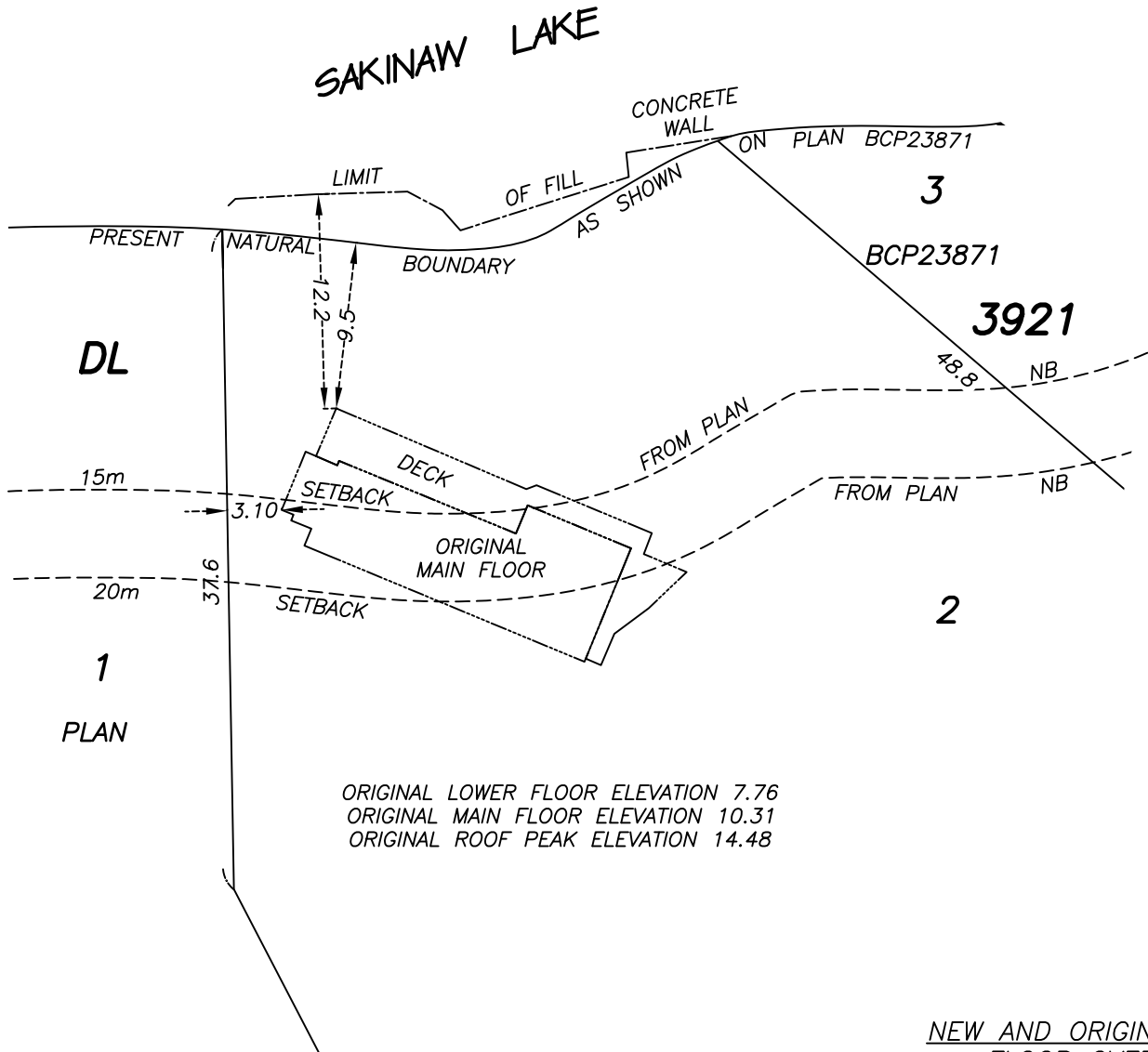
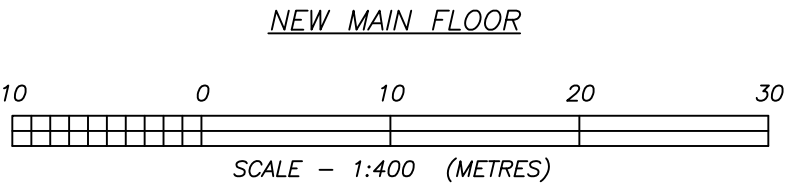
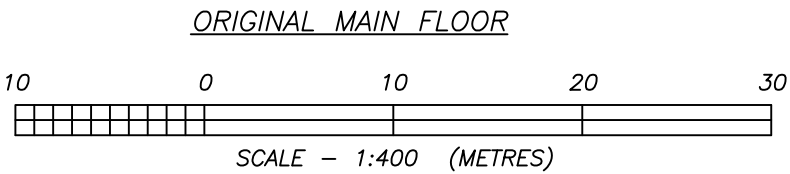
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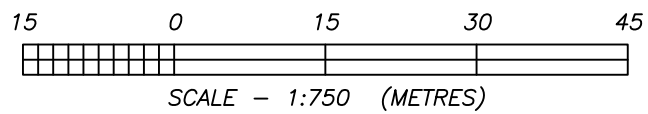
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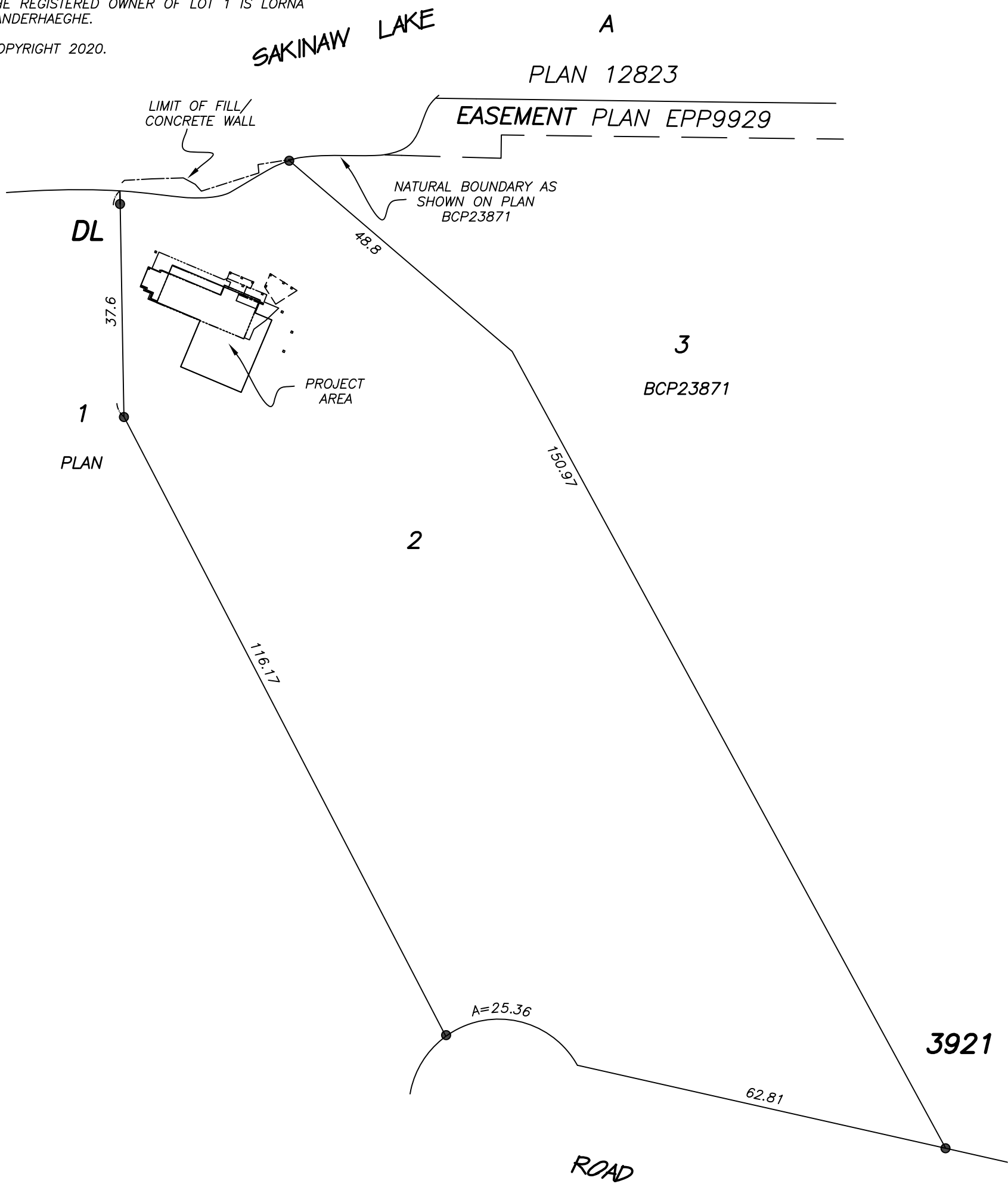
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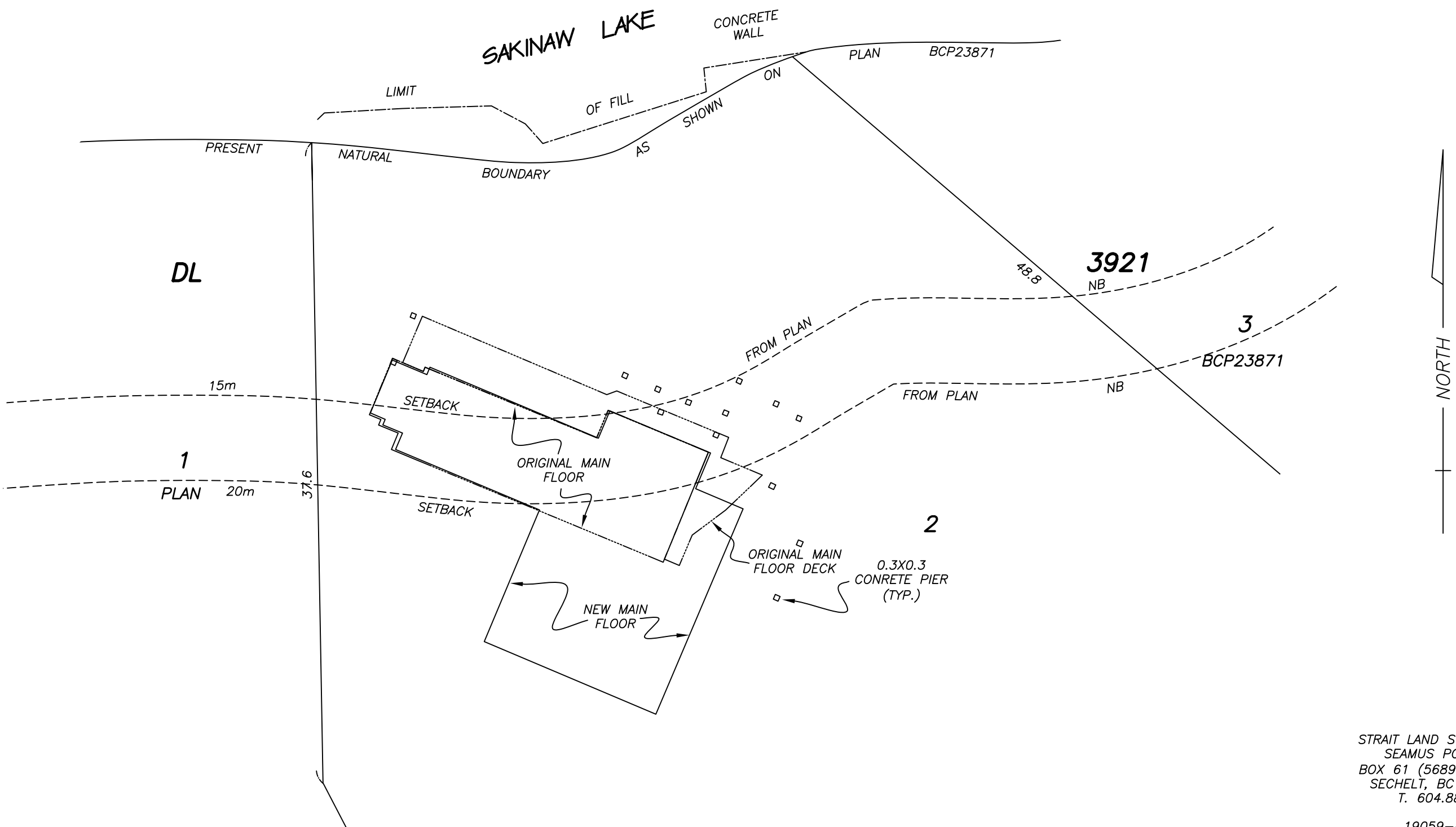
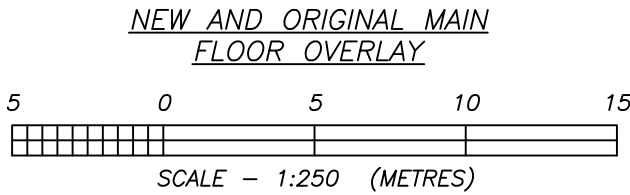
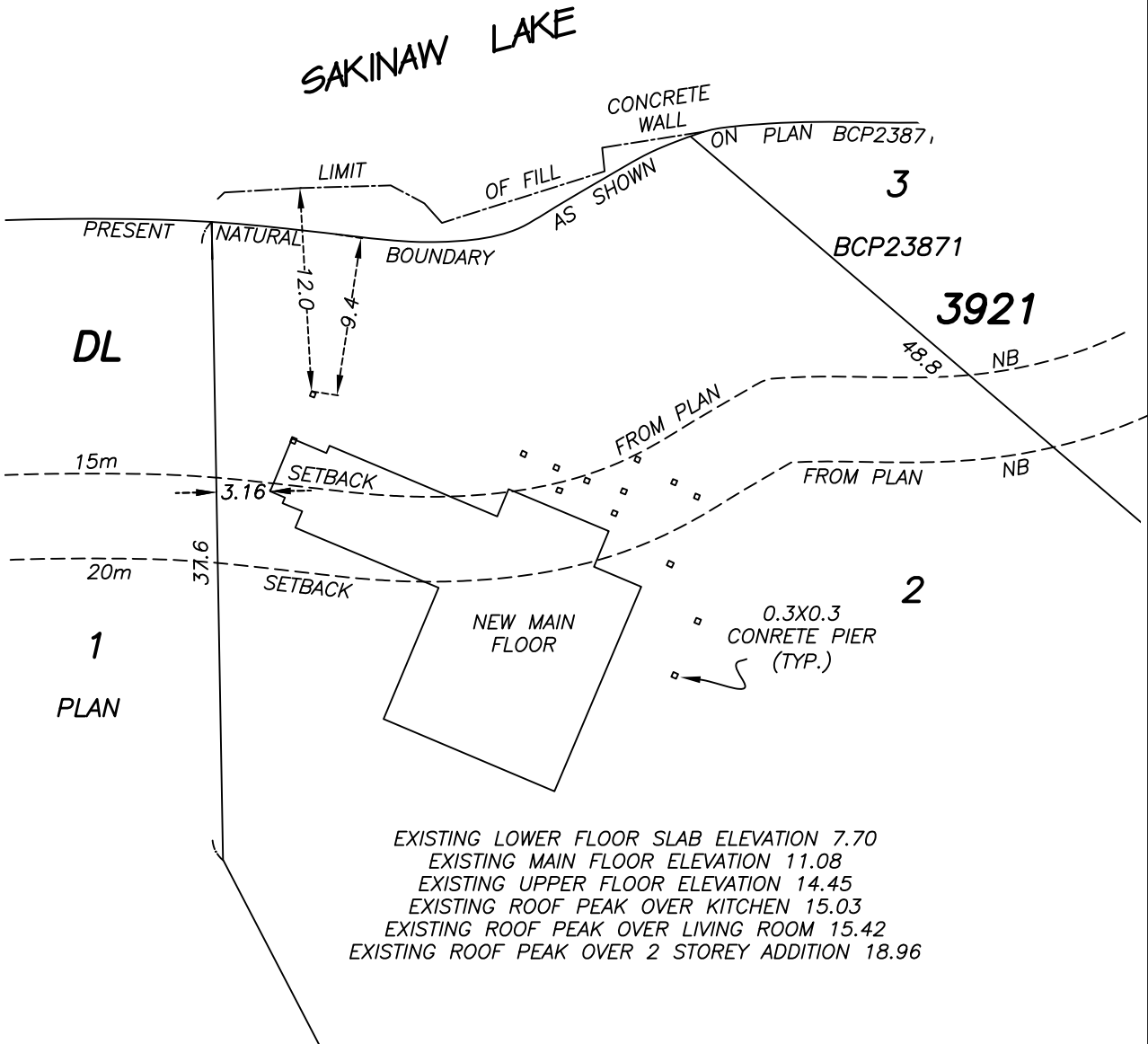
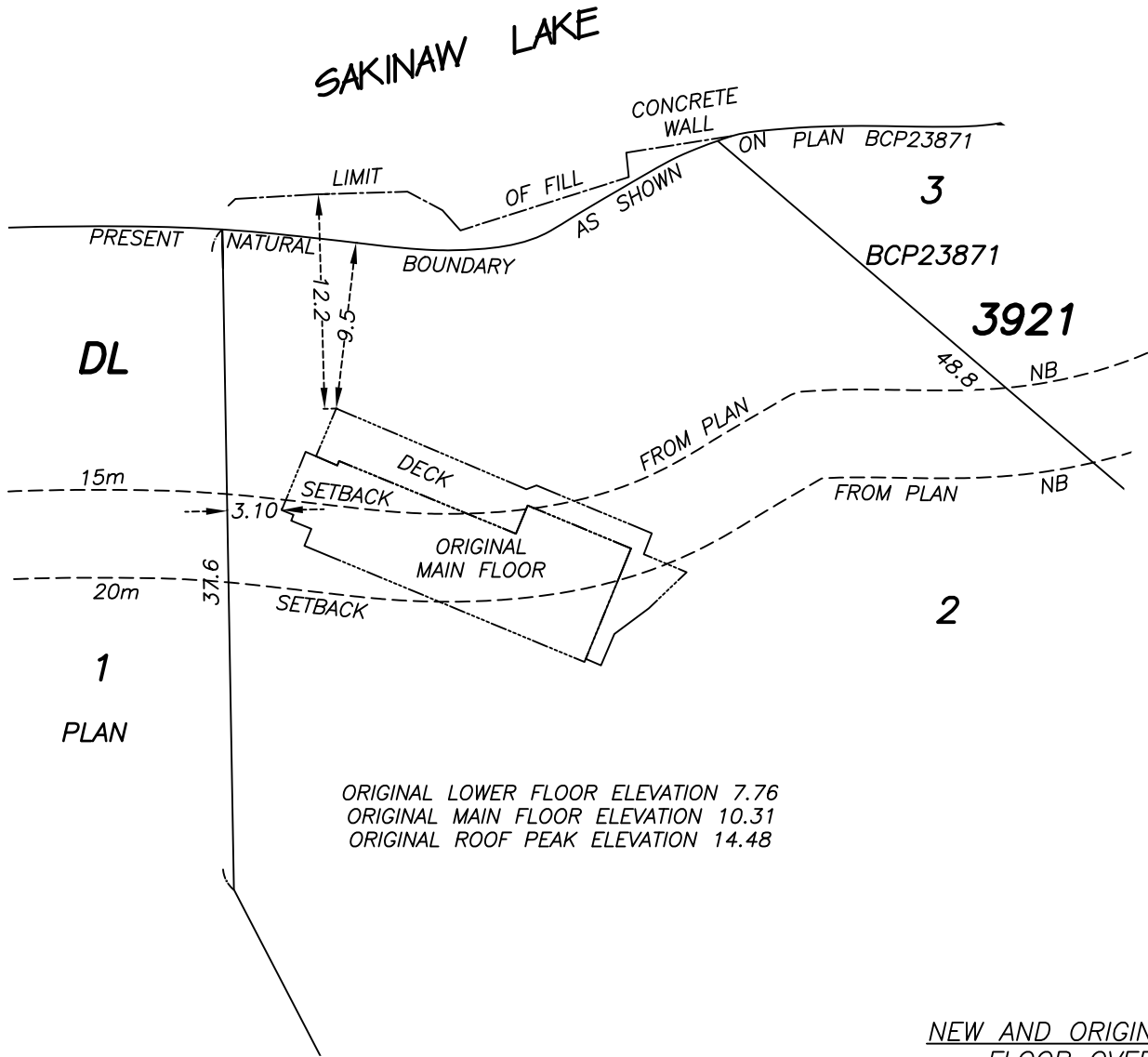
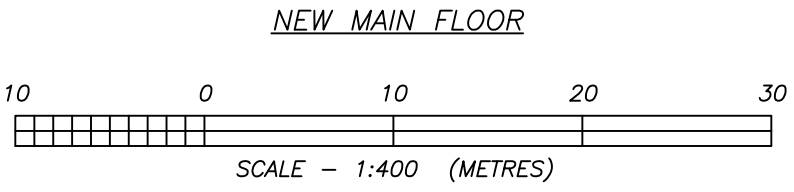
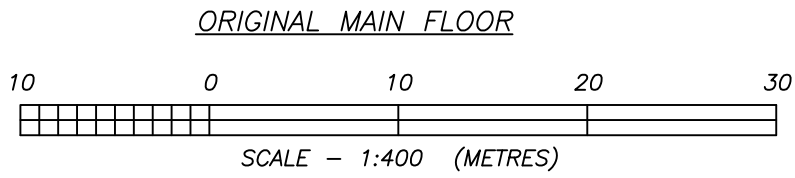
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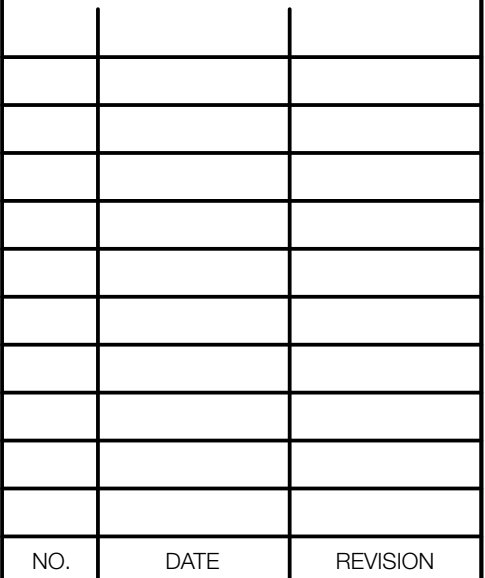


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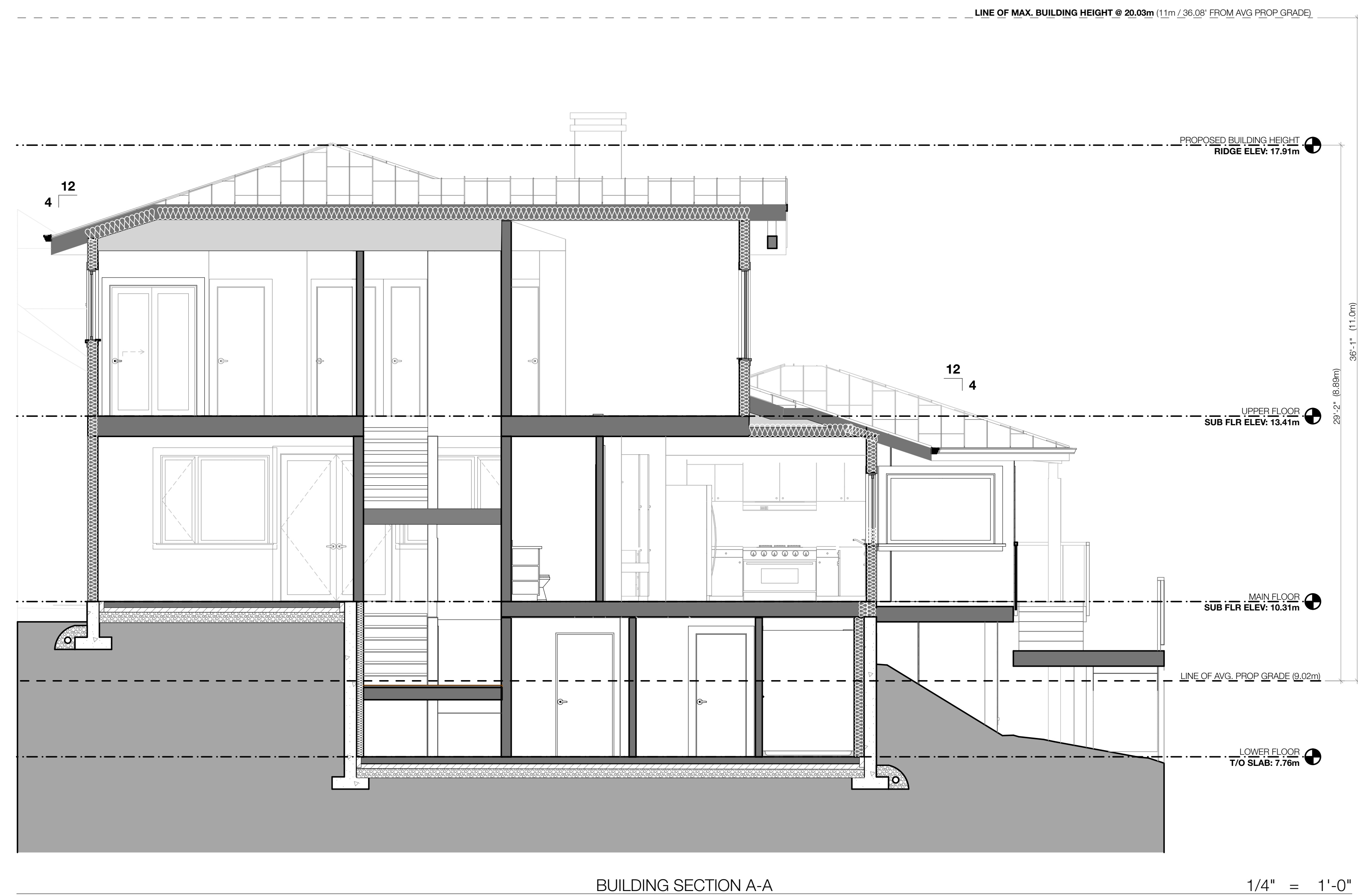


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| CHECKED BY:         |  |              |
| DATE: 2019-11-12    |  |              |
| SCALE: AS NOTED     |  |              |





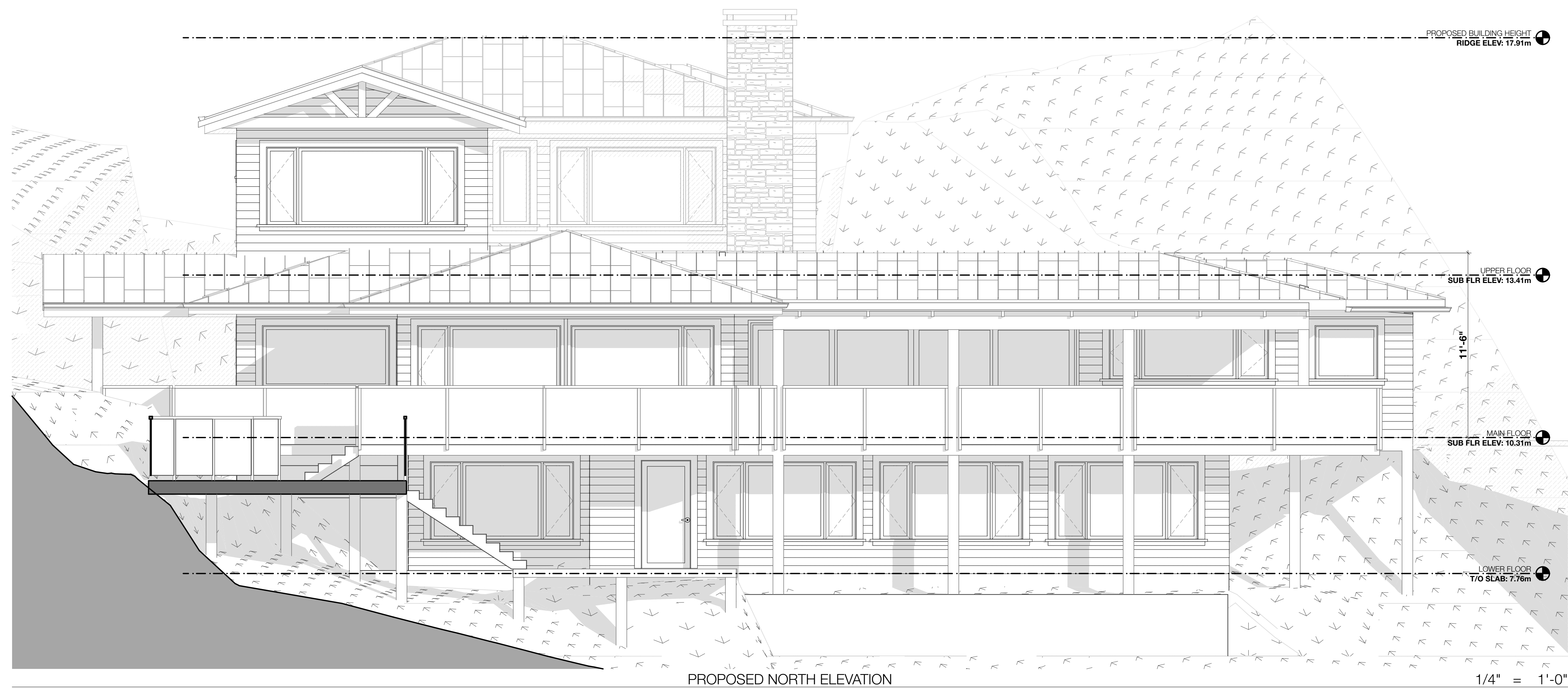
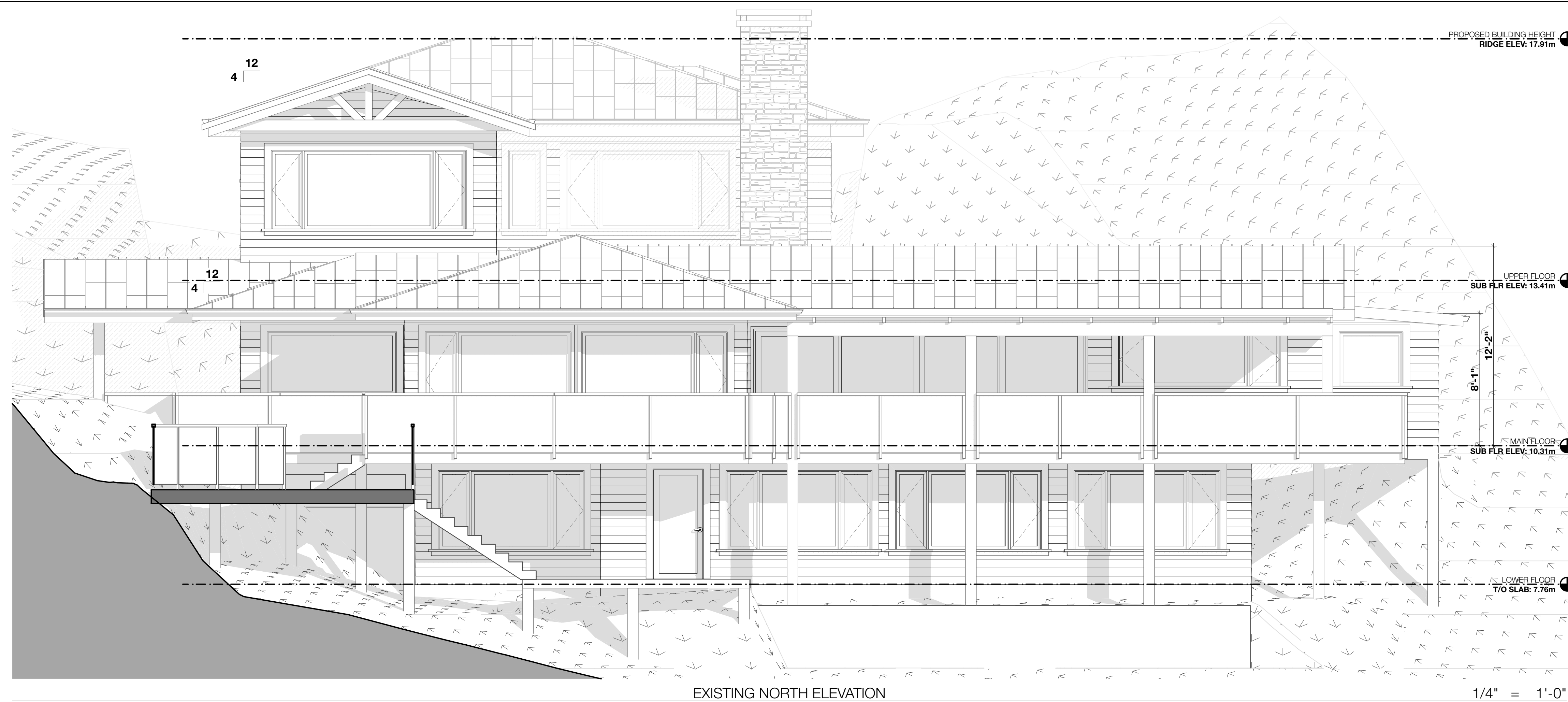
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**4355 LAKE ROAD**  
SAKINAW LAKE  
PENDER HARBOUR, B.C.

SUBJECT TITLE:

SECTION A-A

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| CKED BY:          |              |
| E: 2019-11-12     |              |
| LE: AS NOTED      |              |



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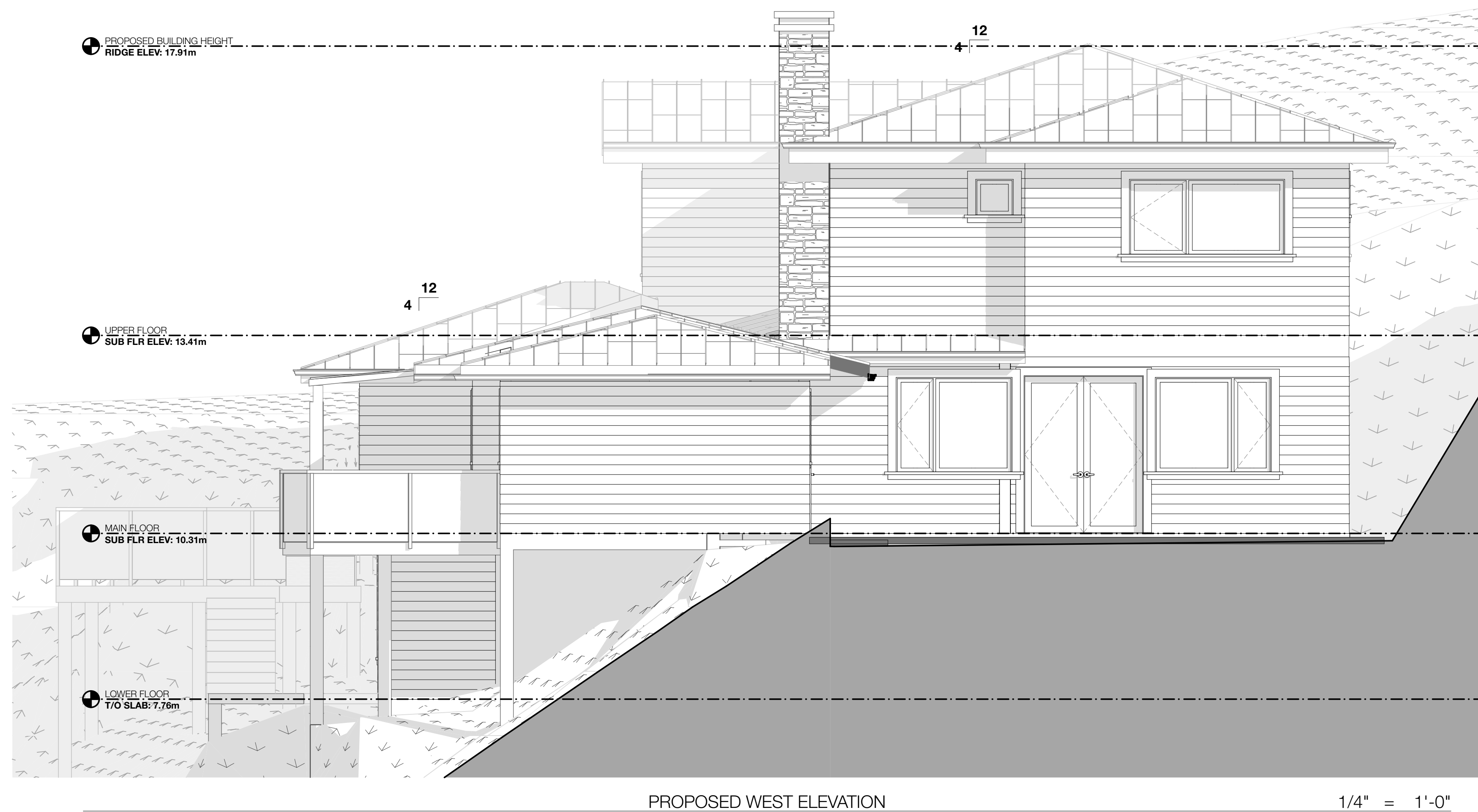
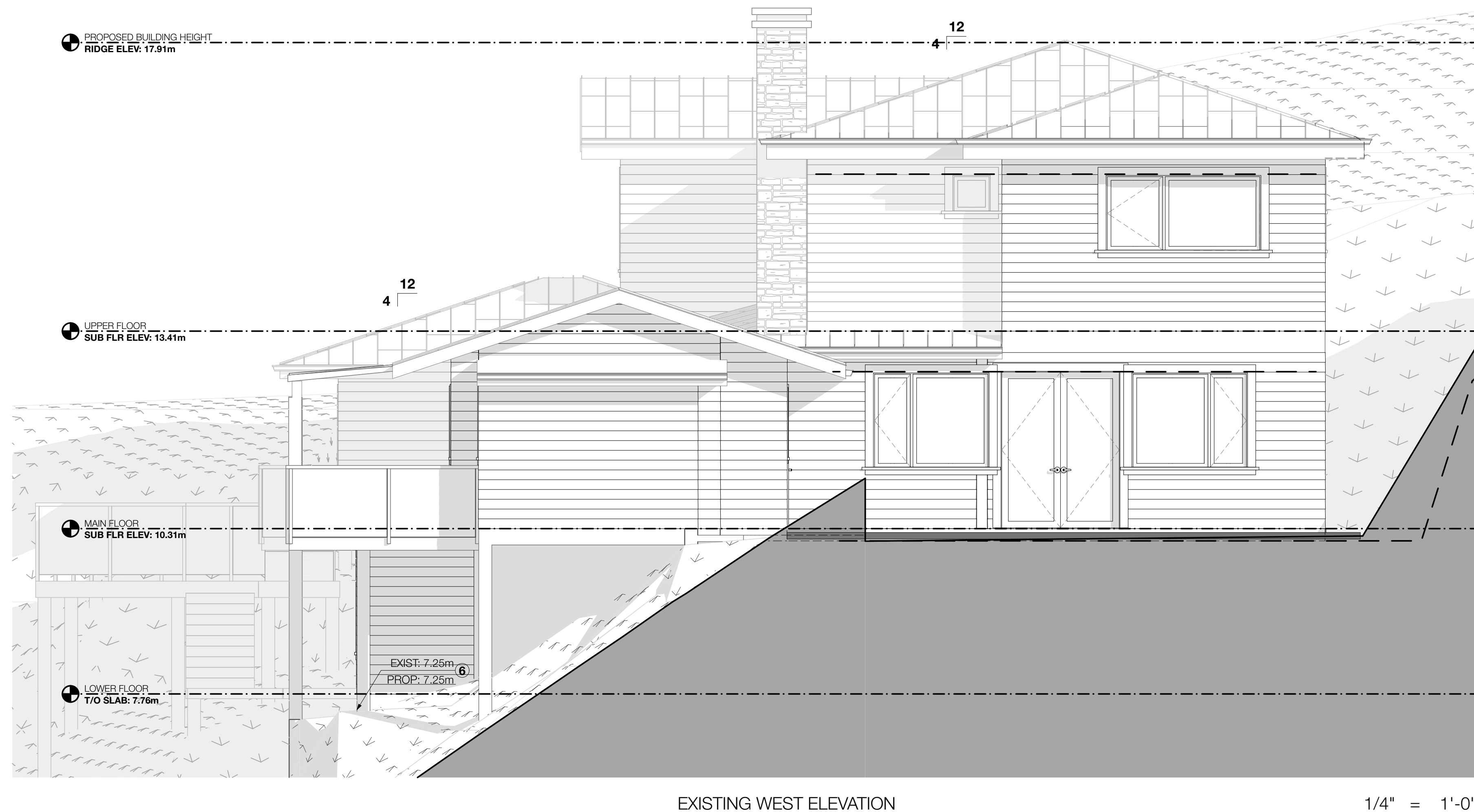
**4355 LAKE ROAD**  
SAKINAW LAKE  
PENDER HARBOUR, B.C.

SUBJECT TITLE:

NORTH ELEVATIONS

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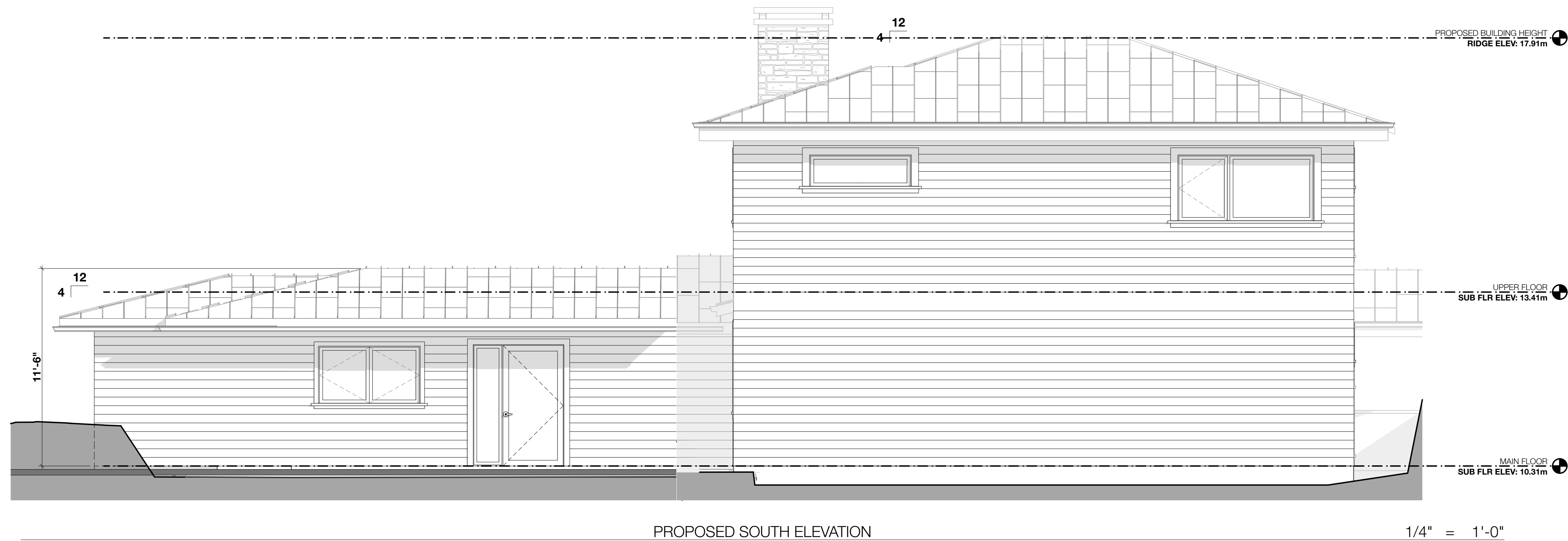
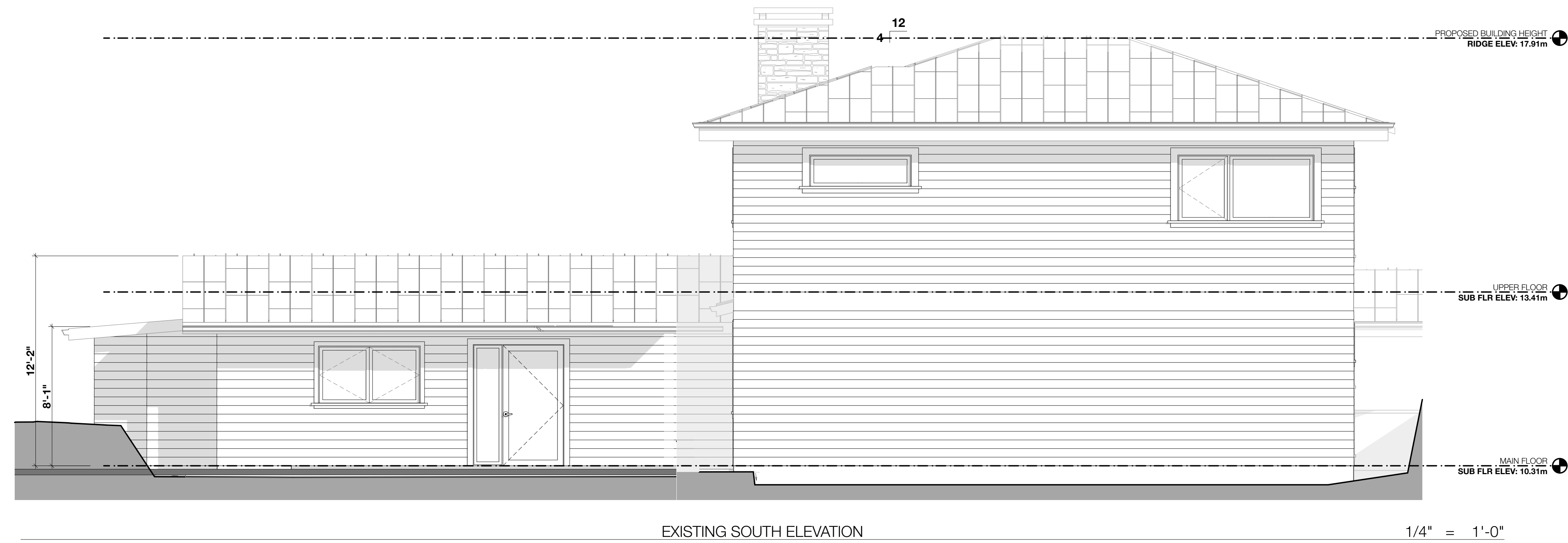
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**4355 LAKE ROAD**  
SAKINAW LAKE  
PENDER HARBOUR, B.C.

SUBJECT TITLE:

WEST ELEVATIONS

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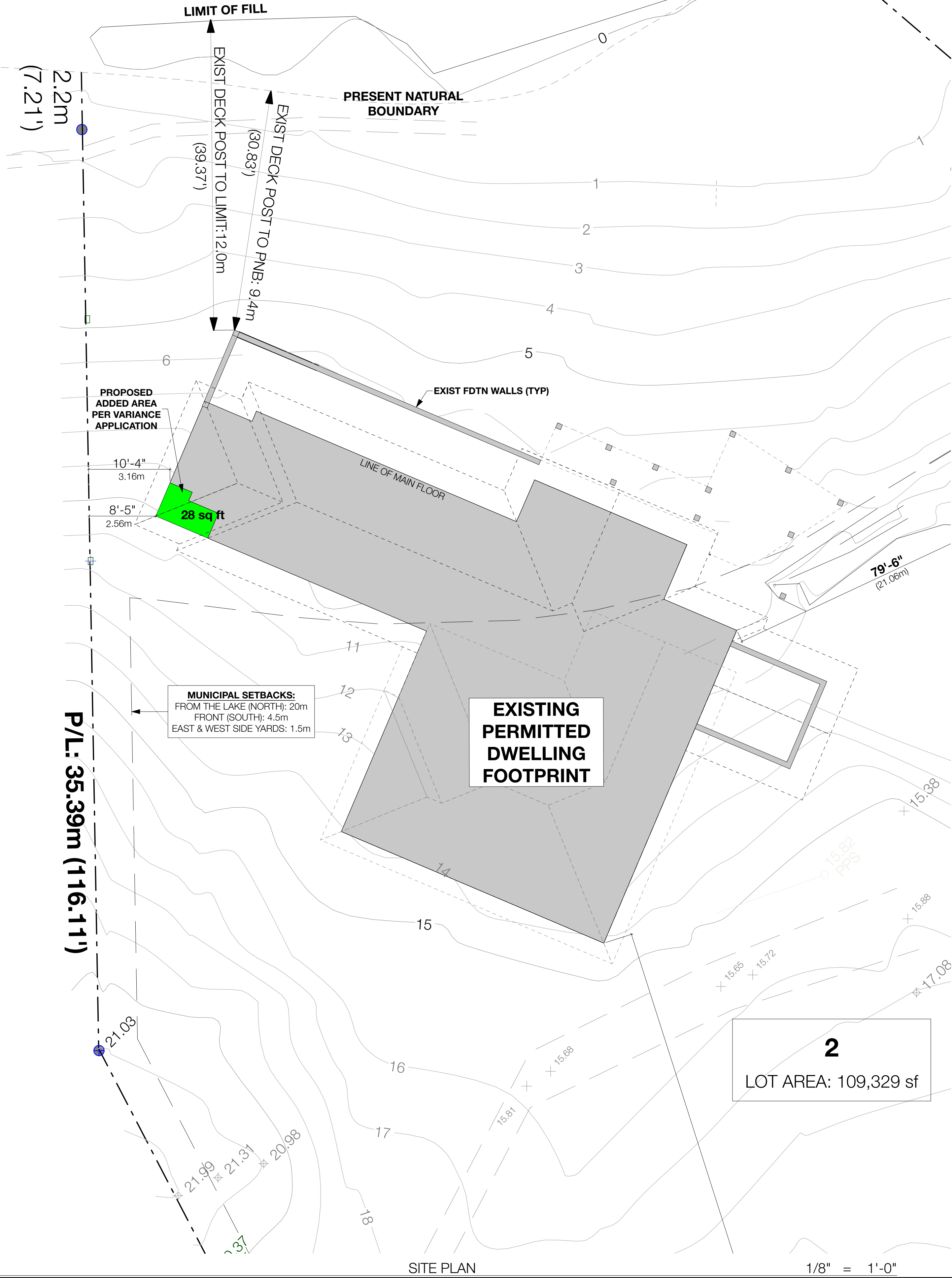
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SAKINAW LAKE  
PENDER HARBOUR, B.C.

SOUTH ELEVATIONS

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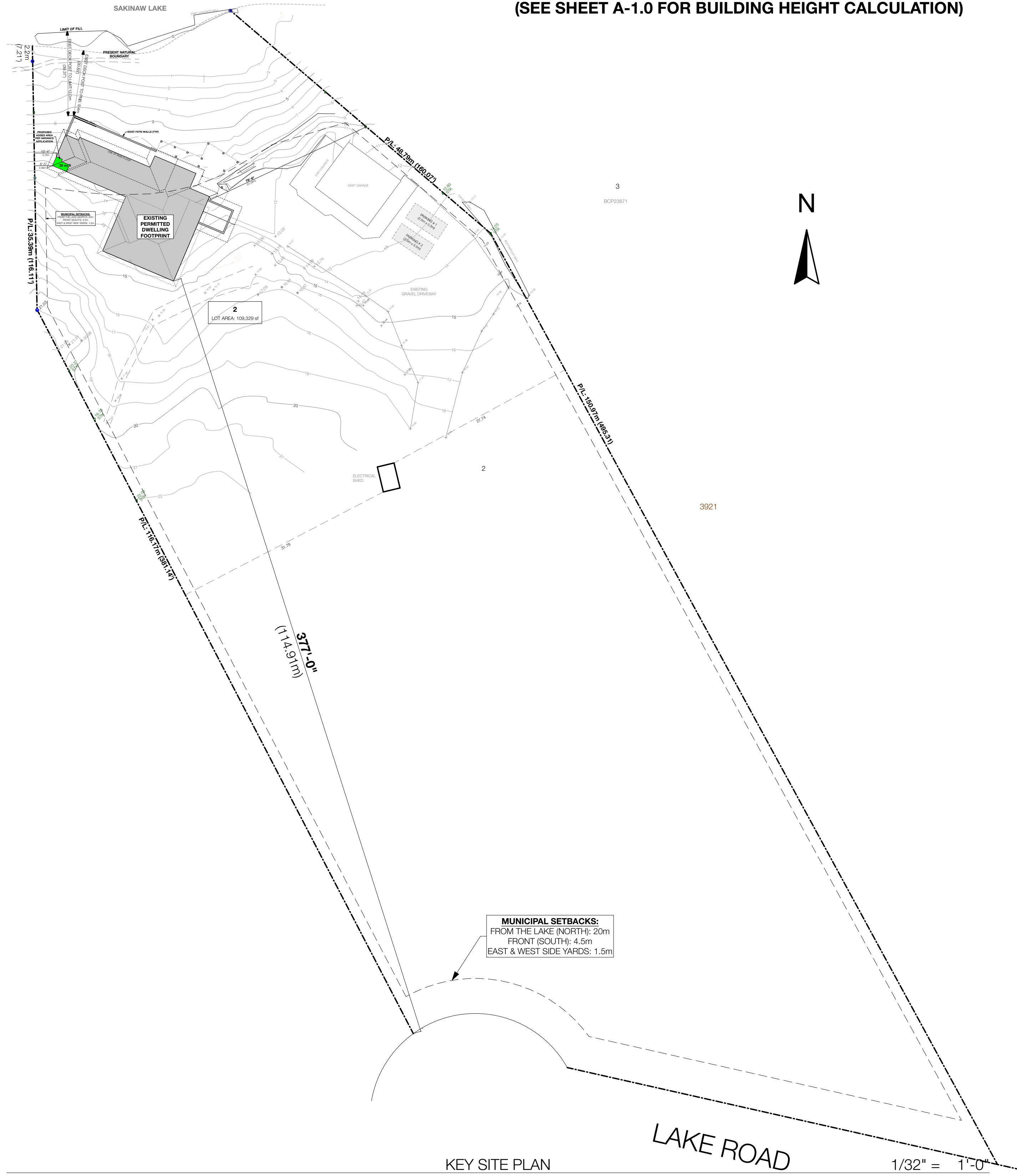
SAKINAW LAKE



ZONING ANALYSIS

|                        |  |
|------------------------|--|
| MUNICIPALITY:          | Sunshine Coast Regional District, B.C.                                       |
| ZONING:                | RU-1 (Zoning Bylaw 337)  |
| PID:                   | 026-674-548  |
| LEGAL DESCRIPTION:     | LOT 2, DL 3921, G.1, NWD, PLAN BCP23871                                      |
| CIVIC ADDRESS:         | 4355 Lake Road, Sakinaw Lake, Pender Harbour, BC                             |
| LOT AREA:              | 10,157 sm (109,329 sf)   |
| SETBACKS (DWELLING):   | ALLOWED PER ZONING BYLAW ORIGINAL DWELLING EXISTING                          |
| FROM THE LAKE (NORTH): | 65.61 ft (20.0 m) 31.16' (9.5m) 30.83' (9.4 m)                               |
| WEST SIDEYARD:         | 4.92 ft (1.5 m) 10.17' (3.10m) 10'-4" (3.16 m)                               |
| EAST SIDEYARD:         | 4.92 ft (1.5 m) 79'-6" (21.06 m) 79'-6" (21.06 m)                            |
| BUILDING HEIGHT:       | Prop WEST SIDEYARD after adding 28 sq ft to south west corner: 8'-5' (2.56m) |
|                        | ALLOWED: 36'-1" (11.0 m) EXIST: 32'-8" (9.96 m)                              |

(SEE SHEET A-1.0 FOR BUILDING HEIGHT CALCULATION)



AMY ADAMS  
RESIDENTIAL DESIGN

604.612.3656  
amy@amycadams.ca

3D CAD Models | Presentation Sets  
New Build Permit Sets | Renovation Permit Sets

|  |               |  |
|--|---------------|--|
|  |               |  |
| 5  | MAR 2, 2020   | HEIGHT CALC<br>RVSD & CLARIFIED<br>RE-ISSUED FOR DVP                   |
| 4  | DEC 23, 2019  | FLR HIGHTS RVSD<br>ROOF HT RVSD<br>RET WALL ADDED<br>RE-ISSUED FOR DVP |
| 3  | NOV 12, 2019  | ISSUED FOR DVP   |
| 2  | FEB 5, 2019   | ISSUED FOR DVP   |
| 1  | JULY 18, 2018 | ISSUED FOR BP  |
| NO.  | DATE          | REVISION   |
| TIMELINE FOR DRAWINGS<br>SUBMITTED TO SCRD                             |               |  |
| VANDERHAEGHE<br>4355 LAKE ROAD<br>SAKINAW LAKE<br>PENDER HARBOUR, B.C. |               |  |
| PROJECT TITLE:   |               |  |
| SITE PLAN  |               |  |
| SHEET TITLE:   |               | A-0  |
| DRAWN BY:  |               |  |
| CHECKED BY:  |               |  |
| DATE: 2019-08-09   |               |  |
| SCALE: AS NOTED  |               |  |



AMY ADAMS  
RESIDENTIAL DESIGN  
604.612.3656  
amy@amycadams.ca

3D CAD Models | Presentation Sets  
New Build Permit Sets | Renovation Permit Sets

|     |               |  |
|-----|---------------|--|
| 5   | MAR 2, 2020   | HEIGHT CALC<br>RVSD & CLARIFIED<br>RE-ISSUED FOR DVP                   |
| 4   | DEC 23, 2019  | FLR HIGHTS RVSD<br>ROOF HT RVSD<br>RET WALL ADDED<br>RE-ISSUED FOR DVP |
| 3   | NOV 12, 2019  | ISSUED FOR DVP   |
| 2   | FEB 5, 2019   | ISSUED FOR DVP   |
| 1   | JULY 18, 2018 | ISSUED FOR BP  |
| NO. | DATE          | REVISION   |

TIMELINE FOR DRAWINGS  
SUBMITTED TO SCRD

VANDERHAECHT  
4355 LAKE ROAD  
SAKINAW LAKE  
PENDER HARBOUR, B.C.

PROJECT TITLE:

BUILDING SECTION  
(SHOWS HEIGHT CALC)

SHEET TITLE:

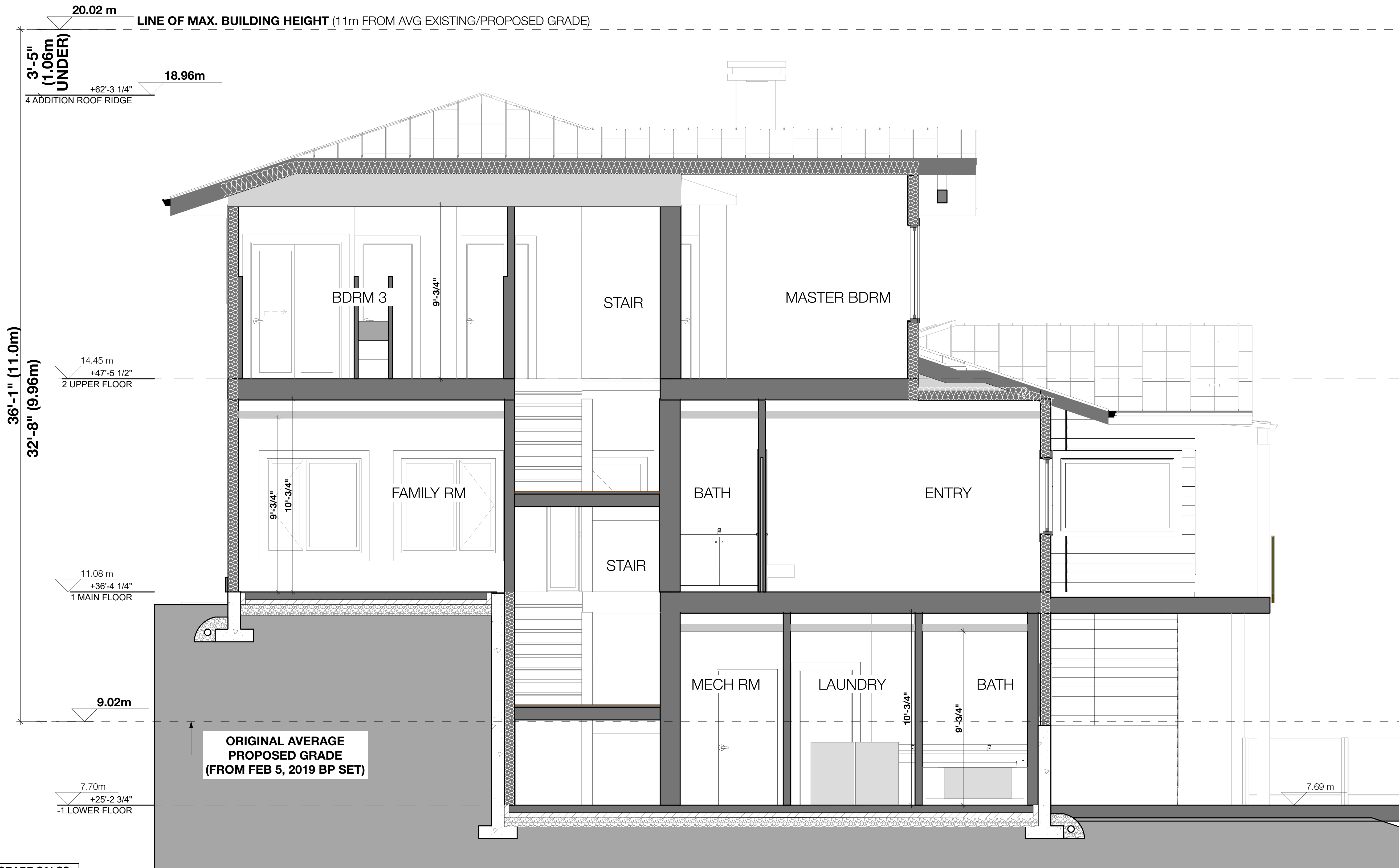
DRAWN BY:

CHECKED BY:

DATE: 2019-08-09

SCALE: AS NOTED

**A-1.1**



BUILDING SECTION A-A

3/8" = 1'-0"

| AVERAGE GRADE CALCS |             |              |
|---------------------|-------------|--------------|
| #                   | NATURAL (m) | FINISHED (m) |
| 1                   | 10.88       | 10.88        |
| 2                   | 7.50        | 7.50         |
| 3                   | 7.50        | 7.50         |
| 4                   | 7.50        | 7.50         |
| 5                   | 7.50        | 7.50         |
| 6                   | 10.88       | 10.88        |
| 7                   | 10.88       | 10.88        |
| 8                   | 10.88       | 10.88        |
| AVG. NAT GRADE (m): |             | 9.19         |
| AVG. FIN GRADE (m): |             | 9.19         |

AVERAGE GRADE POINTS & CALCULATION  
FROM APPROVED FEB 5, 2019 BP SET

"height" means the vertical distance from the lower of the average finished grade or the average natural grade to the highest point of a building or structure; (per SCRD Area A Zoning Bylaw 337)

## MEMO

TO: ANDREW ALLEN, PLANNER - SUNSHINE COAST REGIONAL  
FROM: CAM FORRESTER, R.P.F  
SUBJECT: REVIEW OF RIPARIAN AREAS – LOT 2 DL3921  
DATE: JAN 11, 2018  
CC: LORNA VANDERHAGUE

---

This memo is intended to support a Development Variance Permit (DVP) application to the SCRD related to the renovation of an existing dwelling on Lot 2 DL 3921 at the south western end of Sakinaw Lake.

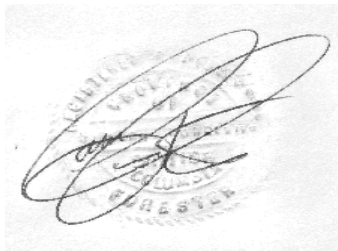
The Lot 2 waterline is north-northwest facing and is characterized by a legal and non-conforming dwelling, which was constructed in approximately 1970, as well as unattached landscaping, docks, driveway and garage.

The owner has applied to reconstruct the dwelling with a modified foundation on the side and back of the dwelling, but not closer to the lake.

A 15m streamside protection restrictive covenant (Riparian Vegetation Protective Area) was charged to the property at the time of sub-division in 2006, as required by the Streamside Protection Act in order to implement riparian protection objectives.

Issuance of a DVP is:

- Supported by pre-existing measures to protect the affected riparian area: and,
- Given that no additional disturbance will take place inside the 15m covenant, environmental best management practices will be adequate to protect the integrity of the affected terrestrial and aquatic habitat areas from the effects of the development and will prevent harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes for the area in which the development is proposed.



Jan 11, 2018

---

Cam Forrester, RPF

---

Date


MEMO

TO: ANDREW ALLEN, PLANNER - SUNSHINE COAST REGIONAL  
FROM: CAM FORRESTER, R.P.F.  
SUBJECT: REVIEW OF RIPARIAN AREAS – LOT 2 DL3921  
DATE: FEB 25, 2019  
CC: LORNA VANDERHAGUE

This memo is intended to support a Development Permit application to the SCRD related to the addition and alteration of an existing non-conforming dwelling on Lot 2 DL 3921, entirely beyond 20 metre zoning setback. I have reviewed the revised construction drawing and am of the opinion that it meets the intent of Zoning By-Law 377. Further, a covenant was registered on title at the time of subdivision that required a 15 metre riparian vegetation protection area. This was done under the previous Streamside Protection Regulation and therefore the proposed development is exempt from the Riparian Areas Regulation per Section 8(2).

Given that the 15m setback was enacted in the spirit of this transition provision, it is the opinion of the writer that the development is:

- Supported by pre-existing measures to protect the affected riparian area;
- Mitigation measures during construction will be adequate to protect the integrity of the affected terrestrial and aquatic habitat areas from the effects of the development and will prevent harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes for the riparian assessment area in which the development is proposed; and,
- Construction environmental monitoring will ensure practices align with commitments to protect riparian values.

| QEP SIGNATURE and SEAL  | QEP PRINTED NAME                |
|---|---------------------------------|
|  | Cam Forrester, R.P.F.<br># 2118 |
|   | Date signed: Feb 25, 2019       |

**Riparian Areas Regulation: Assessment Report**

Date 2017-10-16

**I. Primary QEP Information**

|                |                             |                                     |              |
|----------------|-----------------------------|-------------------------------------|--------------|
| First Name     | Cam                         | Middle Name                         | S            |
| Last Name      | Forrester                   |                                     |              |
| Designation    | R.P.F.                      | Company: Cam Forrester & Associates |              |
| Registration # | #2118                       | Email: cam_forrester@telus.net      |              |
| Address        | 6231 Sunshine Coast Highway |                                     |              |
| City           | Sechelt                     | Postal/Zip                          | V0N 3A7      |
| Prov/state     | BC                          | Country                             | CAN          |
|                |                             | Phone #                             | 604.885.7112 |

**II. Secondary QEP Information: Not Applicable****III. Developer Information**

|            |                        |             |         |
|------------|------------------------|-------------|---------|
| First Name | Lorna                  | Middle Name |         |
| Last Name  | Vanderhaeghe           |             |         |
| Company    | N/A                    |             |         |
| Phone #    | 604.808.2206           |             |         |
| Address    | 106A-3430 Brighton Ave |             |         |
| City       | Burnaby                | Postal/Zip  | V5E 3H4 |
| Prov/state | BC                     | Country     | CAN     |

**IV. Development Information**

|  |                     |                       |                               |
|--|---------------------|-----------------------|-------------------------------|
| Development Type – residential single family | Rural Residential A |                       |                               |
| Area of Development (ha)                     | 0.1ha               | Riparian Length (m)   | Affected area - 50m           |
| Lot Area (ha)                                | 2.0ha               | Nature of Development | Residential build/renovation. |
| Proposed Start Date                          | Sep 2017            | Proposed End Date     | Dec 2018                      |

**V. Location of Proposed Development**

|                                  |  |          |                 |
|----------------------------------|--|----------|-----------------|
| Street Address (or nearest town) | Pender Harbour                                 |          |                 |
| Local Government                 | Sunshine Coast Regional District               | City     | Pender Harbour  |
| Lake Name                        | Sakinaw Lake – 00435JERV                       |          |                 |
| Legal Description (PID)          | Lot 2 DL3921 Group 1 NWD BCP 23871 026-674-548 | Region   | New Westminster |
| Stream/River Type                | Lake   | DFO Area | 2               |
| Watershed Code                   | 900-147300                                     |          |                 |
| Latitude                         | 49   | 39       | 12              |
| Longitude                        | 123  | 03       | 47              |

***Table of Contents for Assessment Report***

|  | <b>Page Number</b> |
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| 2. Results of Riparian Assessment (SPEA width) .....                             | 5                  |
| 3. Site Plans & Orthophoto Showing Assessment Area.....                          | 6/7                |
| 4. Measures to Protect and Maintain the SPEA.....<br>(detailed methodology only) | 9                  |
| 5. Environmental Monitoring.....   | 9                  |
| 6. Photos .....  | 10                 |
| 7. Attachment .....  | 12                 |

## Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

The area of interest is small portion of the Sakinaw Lake riparian zone along Lot 2 DL 3921, near the ocean outlet in the south western end of the lake. The waterline in the vicinity of Lot 2 is north-northwest facing and is characterized by a legal and non-conforming cottage, which was constructed in approximately 1970, as well as unattached landscaping, docks, driveway and a recently renovated garage. Aerial photos from 1990 (Section 3) indicate that the current levels of access and clearing are similar to conditions on the lot during that era.

The owners would like to reconstruct the cottage in a slightly modified foundation from the current configuration/design. The new location overlaps most of the pre-existing cottage footprint, impermeable surfaces and previous disturbance and there will be no addition to the cottage footprint on the water side of the existing structure. There will be a minor increase in foundation area on the side and back of the renovated cottage. Construction would take place in the fall/winter of 2017/18.

The approach of this assessment is:

- to define the SPEA in the area of the cottage reconstruction;
- to document and quantify the new construction as it relates to existing constraints;
- to verify that construction plans are consistent with the level of existing disturbance; and,
- that the proposal will not result in any alteration to fish habitat.

The Riparian Areas Regulations - Assessment Methodology (P.12.) provides the following guidance:

*"Existing permanent structures, roads and other development within riparian protection areas are "grand parented." Landowners can continue to use their property as they always have even if a streamside protection and enhancement area is designated on it. The Regulation also has no effect on any repair or reconstruction of a permanent structure on its existing foundation. Only if the existing foundation is moved or extended into a streamside protection and enhancement area (SPEA) would the Regulation apply."*

For the purposes of this report, the bulk of the existing structures and the cottage noted above are considered 'grand-parented'. The RAR requirement is triggered by adding minor areas of the renovation/reconstruction of the cottage in the RAR 30m assessment area, SPEA and within the SCRD 20m set back at the back of the cottage. (The new construction will not increase the permanent structure foundation on the lake side but will add minor non-material foundation area inside the 20m SCRD setback at the back of the cottage.)

Sakinaw Lake is 681ha in size and has 35.3 km of shoreline. The lake and its feeder streams support Chum, Coho, Pink, Sockeye, Cutthroat Trout, Rainbow Trout and Kokanee Salmon. There are noteworthy salmonid enhancement structures at the mouth of the lake 2-300m to the southwest of Lot 2, which include a fish ladder, counting station, associated shed and log boom/walkway.

The shoreline habitat in the vicinity of the proposed cottage rebuild is composed of a littoral zone that is in a semi-natural state and a terrestrial strip of native vegetation with various modifications between the cottage and the natural boundary/high water mark.

- The littoral zone is functionally intact and is characterized by a moderately steep incline, dipping towards the north at 8-30%, and appears to be consistent for 20+ metres from the shoreline. The lake substrate is mainly angular cobble/boulder. Coarse woody debris in the littoral zone is sparse and is composed of minor amounts of submerged fine and moderate sized woody debris. There are no shoal structures or aquatic vegetation adjacent to Lot 2.
- The strip of vegetation immediately north of the cabin is composed of a dense shrub layer of salmonberry, sword fern, salal, bracken fern, thimbleberry, several dogwood tree clumps and immature conifer emergents. The east and west property lines support pole-sized native second

# FORM 1

growth conifers. Shoreline vegetation is mainly terrestrial shrubbery in pockets of soil where surface rock or sand is absent.

No new trees will be removed and no new material impacts to the riparian zone will result from this proposal. Construction would take place in the fall/winter of 2017/18.

There are no other RAR defined streams on the property.

The Egmont & Pender Harbour OCP indicates that:

- the Environmentally Sensitive Area Lake Sensitivity ratings are 'Slight'; Lakeshore Vegetation Retention Area - 15m buffer) and 'Power Craft Safety Area';
- the General Land Use Designation is Rural Residential 'A';
- the Development Permit Area indicates a Riparian Area Assessment is required; and,
- Sechelt band lands are located at the mouth of Sakinaw Lake 200-300 metres top the southwest.

The existing development condition on the lot consists of an established cottage and associated permanent structures, such as unattached decks, stairs, docks, driveways, a garage and rustic pathways. The cottage and associated unattached structures are sited in a legal non-conforming condition, with respect to the 20m SCRD lake setback, based the age of construction and pre-dating of the RAR requirements. The lot owners are applying for a Development Variance Permit to allow reconstruction of the cottage (See Site Plan). There will be minor sliver additions to the existing development footprint/foundation in terms of permanent structures inside the 20m set back and SPEA in the back and side of the cottage. These additional areas are previously disturbed margins to the existing cottage such as walkways or foundation fill and are not considered habitat loss.

The development proposal will result in a final area inside the SCRD 20m Lake Setback Zone of 152.9m<sup>2</sup> and that the post-construction foundation area will increase the overlap/footprint within the SCRD 20m setback by 17.3m<sup>2</sup>. The additional SPEA overlap is 18.0m<sup>2</sup>.

Table 1. Summary of pre/post construction - cottage foundation

|   | <b>Pre-existing<br/>m<sup>2</sup></b> | <b>Post<br/>construction<br/>m<sup>2</sup></b> | <b>Additional<br/>disturbance</b> |
|---|---------------------------------------|--|-----------------------------------|
| <b>Inside 15m<br/>SCRD<br/>Vegetation<br/>Retention<br/>setback</b> | <b>48.5</b>                           | <b>48.5</b>                                    | <b>NIL</b>                        |
| <b>Inside 20m<br/>OCP Setback</b>                                   | <b>135.6</b>                          | <b>152.9</b>                                   | <b>17.3</b>                       |
| <b>Outside 20m<br/>OCP<br/>Setback/Inside<br/>SPEA</b>              | <b>29.8</b>                           | <b>47.8</b>                                    | <b>18.0</b>                       |

For the purposes of this assessment, the SPEA is established at 30m due south from the High Water Mark. The RAR assessment methodology defines the Shade ZOS as the SPEA for this large coastal lake.

It is the opinion of the writer that the measures identified in this Assessment Report are necessary to protect the integrity of the terrestrial and aquatic habitat areas from the effects of the development, and are adequate to prevent harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.



**Section 2. Results of Detailed Riparian Assessment**

Refer to Chapter 2 and Appendix of the Assessment Methods. Duplicate this form as needed for each assessment report.

**Description of Water bodies involved (number, type):**

Sakinaw Lake is 681ha in size and has 35.3 km of shoreline. The lake and feeder streams support Chum, Coho, Pink, Sockeye, Cutthroat Trout, Rainbow Trout and Kokanee Salmon. The proposed development does not impact any streams.

|         |            |
|---------|------------|
| Wetland | N/A        |
| Lake    | Sakinaw Lk |
| Area    | 681ha      |

**Channel width and slope and Channel Type – Not Applicable**

|   |  |
|---|--|
| - | I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:   |
| - | a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;                        |
| - | b) I am qualified to carry out this part of assessment of the development proposal made by the developer <u>Lorna Vanderhaeghe</u> ;                           |
| - | c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and                                    |
| - | d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation. |

Existing or Potential Vegetation Category **TR**

Yes

No\*\*

Fish bearing **X**Segment **N/A**LWD, Bank and  
Channel  
Stability ZOS  
(m)

15m

Litter fall and insect  
drop ZOS (m)

15m

Shade ZOS (m) max

30m

Southwest bank

Yes

X

**Max SPEA width:**

30m

\*\*If non fish-bearing, insert non-fish bearing status report

N/A

I, Cam Forrester, R.P.F., hereby certify that:a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe;

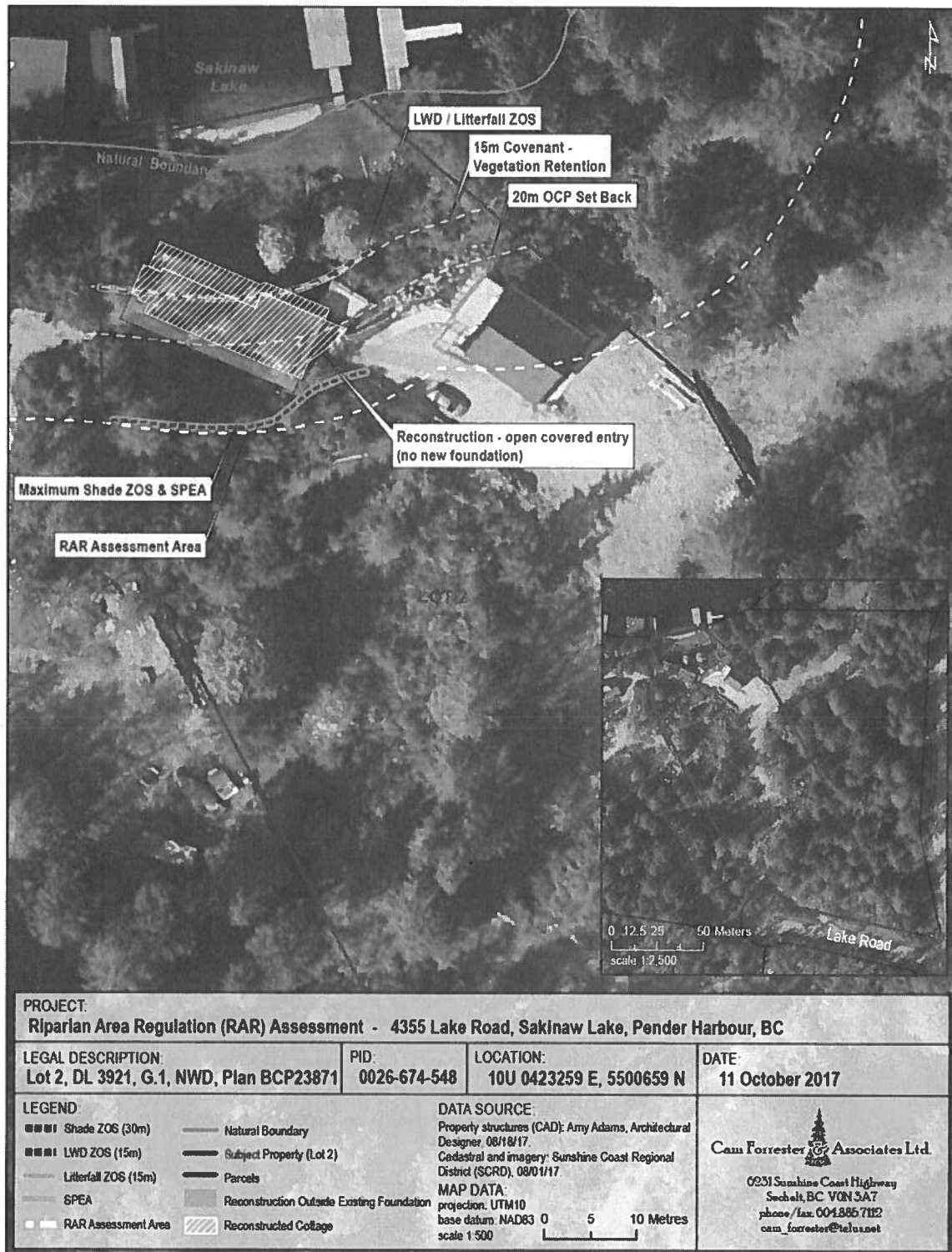
c)

d) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

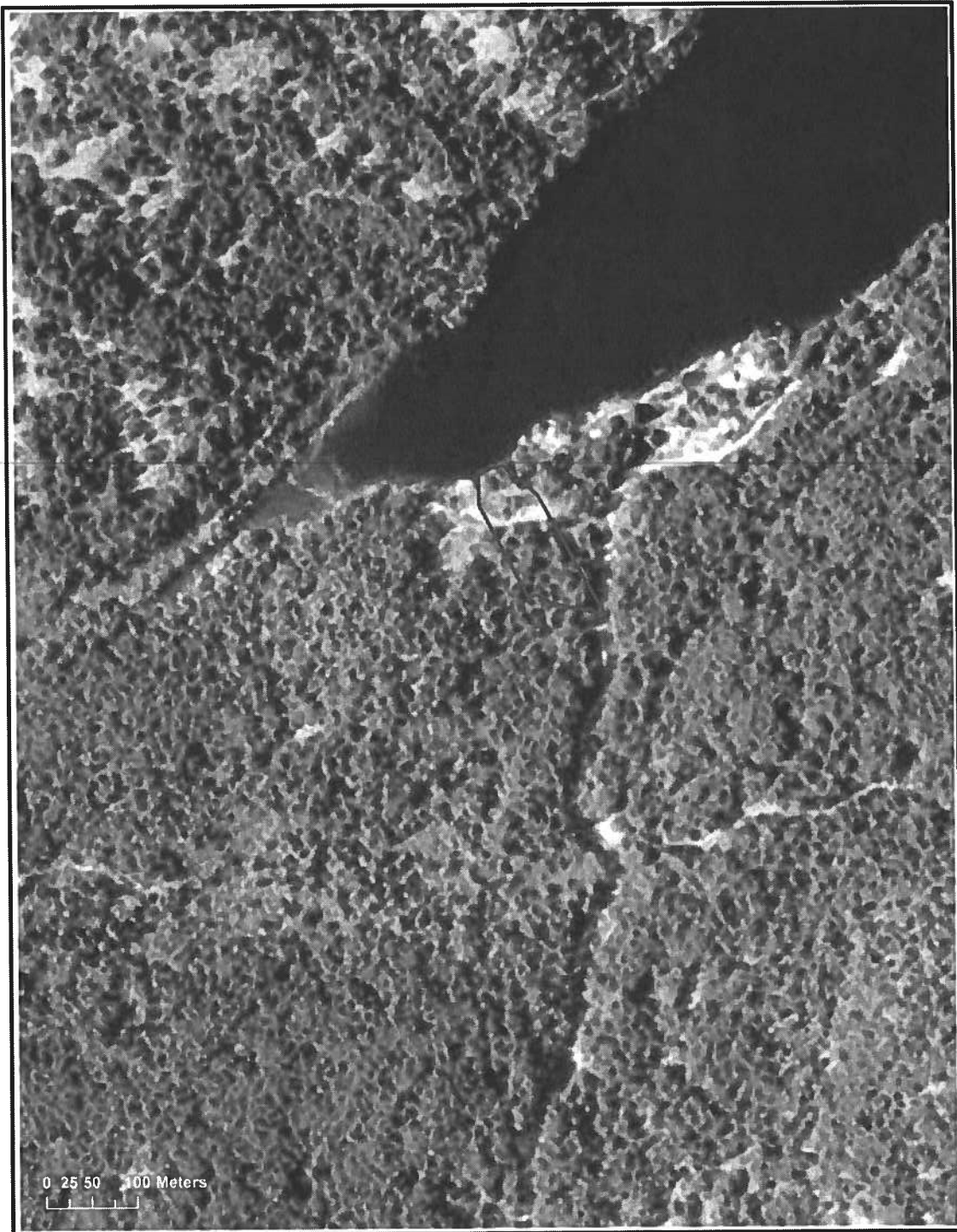
e) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

**Comments**

Measures to protect the SPEA: See attachment.

**Section 3. Site Plan Map 1(Ortho included)**

**Section 3. Historic Aerial Photo – 1990**



**Section 4. Measures to Protect and Maintain the SPEA**

|   |                 |
|---|-----------------|
| <b>1. Danger Trees</b>  | See attachment. |
| I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:<br>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;<br>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe<br>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation  |                 |
| <b>2. Windthrow</b>   | See attachment. |
| I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:<br>d) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;<br>e) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe;<br>f) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation |                 |
| <b>a. Slope Stability</b>   | See attachment. |
| I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:<br>g) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;<br>h) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe;<br>i) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation |                 |
| <b>b. Protection of Trees</b>   | See attachment. |
| I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:<br>j) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;<br>k) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe;<br>l) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation |                 |
| <b>a. Encroachment</b>  | See attachment. |
| I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:<br>m) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;<br>n) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe;<br>o) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation |                 |
| <b>b. Sediment and Erosion Control</b>  | See attachment. |
| I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:<br>p) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;<br>q) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe;<br>r) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation |                 |

**Section 4. Measures to Protect and Maintain the SPEA (Continued)**

|  |                 |
|--|-----------------|
| a. Stormwater Management   | See attachment. |
| I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:   |                 |
| s) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;  |                 |
| t) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe;   |                 |
| u) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation |                 |
| b. Floodplain Concerns (highly mobile channel)   | See attachment. |
| I, <u>Cam Forrester, R.P.F.</u> , hereby certify that:   |                 |
| v) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;  |                 |
| w) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe;   |                 |
| x) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation |                 |

**Section 5. Environmental Monitoring**

|   |
|---|
| <p>An environmental monitoring program is required during the construction phase to ensure that the SPEA is understood and protected. This will consist of :</p> <ul style="list-style-type: none"> <li>• crew education and standard operating procedures for construction, hazardous materials, pollution prevention, spill preparedness and fuel management around the lake;</li> <li>• pre-work meeting, pre-work plan and crew sign-offs;</li> <li>• on-site monitoring as required to ensure SPEA integrity is maintained by following the pre-work plan;</li> <li>• the ability for the qualified monitor to direct and advise works related to protection of the SPEA, especially on the implementation of erosion and sediment controls;</li> <li>• the ability to issue stop work orders in the case of practices that are illegal or damaging to the SPEA or Sakinaw Lake;</li> <li>• the ability to report environmental infractions related to stream protection regulations;</li> <li>• Photographs and notes should be taken to document the various phases of construction, any observed environmental events and their resolution.</li> <li>• A Post Development Report is to be completed and submitted to MOE-RAR notification system as a requirement of the regulation by a QEP. The report must document that setbacks and measures were adhered to during construction.</li> </ul> |
|---|



**Section 6. Photos**



**Photo 1: East side of existing cottage, looking southwest.**



**Photo 2: Existing legal non-conforming cottage. No new disturbance in the front (lake side) of property.**

## Section 7. Professional Opinion

### Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date Oct 16, 2017

I, Cam Forrester

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
  - f) I am qualified to carry out the assessment of the proposal made by the developers Lorna Vanderhaeghe, which proposal is described in section 3 of this Assessment Report (the "development proposal");
  - g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
  - h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation;
- AND

2. As a qualified environmental professional, I hereby provide my professional opinion that:

- b) CF if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

**ATTACHMENT****Windthrow recommendations**

| Hazard Rating   |   |                  |                   |                          | Risk                 |
|---|---|------------------|-------------------|--------------------------|----------------------|
| -   | Topographic Exposure  | Soil Description | Stand Description | Summary Windthrow Hazard | Hazard X Consequence |
| -   | North facing orientation/aspect, adjacent to a major coastal water body<br>HIGH | MOD-HIGH         | LOW               | LOW                      | LOW-MOD              |
| <p>Description: This assessment applies to the entire shoreline of the subject lot. The area is characterized by a strips of second growth conifers along the adjacent property lines as well as scattered trees along the shore, which are mainly second growth Douglas-fir with scattered western red-cedar \ hemlock. The height:diameter ratio of dominant trees is favourable (50-70%). Trees are adapted to wind loads. Soils are thin well-drained sandy loams with moderate coarse fragment content of 40-50+%. Windthrow likelihood and risk are low-moderate.</p> |   |                  |                   |                          |                      |

**Danger Trees**

The property owner may modify trees within their property, and inside the RAR assessment area utilizing accepted arboriculture methodology for tree risk assessment and treatment. Within the SPEA, a QEP must provide a recommendation stating that any trees prescribed for removal or modification represent a hazard to life or property.

Currently there is no requirement to remove or modify any trees within the SPEA or RAR assessment area. Only a minor amount of shrubbery will be affected.

**Encroachment**

In order to maintain the effectiveness of the riparian protection area, vegetation and trees and tree rooting zones should be protected from foot traffic and any further clearing.

Property owners shall avoid additional trails; refuse dumping, soil disturbance, vegetation conversion or tree clearing in the existing riparian zone of Sakinaw Lake.

### **Protection of trees during construction**

The shoreline vegetation and existing boundary trees should be protected during construction. A tree protection zone that includes as much of the rooting zone as possible, and at a minimum, the area of the tree drip line, should be established by creating a clear barrier to construction equipment and activity. These measures shall be established to ensure contractors and their agents respect the tree protection zone.

Within the tree protection zone, the following practices will apply:

- Do not change ground level;
- Do not change grade;
- No trenching through root zone;
- No paving over root zone;
- No parking or equipment traffic;
- No pollutants or chemical disposal.
- Avoid damage to tree stems.

### **Stormwater Management**

Management of stormwater within the RAR Assessment area associated with this minor construction project is expected to be related to the sediment and erosion control considerations. See below.

Residential or other building construction within the RAR assessment area will follow building code requirements for site drainage.

### **Terrain Stability**

A geotechnical assessment conducted by GeoTacTics, April, 2009 for reconstruction of the garage to the east of the cottage does not indicate areas of terrain hazard that would have habitat implications. A contemporary assessment will likely provide engineering and design recommendations for new construction.

No special geotechnical considerations with respect to the SPEA and aquatic habitat are required.

### **Sediment and Erosion Control**

Management of sediment and erosion within the RAR Assessment area is related to minimizing soil disturbance from the construction of the cottage within the RAR assessment area. Bare soil should be minimized in extent and also by timing, clearing as close to construction as possible to avoid long periods of bare soil being exposed to rain and run-off erosion. Interception and diversion of run-off, including from the driveway to manage erosion and sediment and to maintain water quality should consider the appropriate combination of interception/settlement ponds, diversion, mulching, re-vegetation, infiltration, sediment fences and/or plastic covers on exposed soils.

### **Floodplain Channel Stability**

No encroachment or impact to any active floodplain is necessary under this proposal. No changes to stream floodplains, channels or streambanks are proposed.

MEMO

TO: LORNA VANDERHAGUE  
FROM: CAM FORRESTER, R.P.F  
SUBJECT: REVIEW OF HEIGHT VARIANCE - LOT 2 DL3921  
DATE: JAN 14, 2020  
CC: N/A


This memo is intended to support the application for a height variance related to the reconstruction of a cottage on Lot 2 DL 3921 near the ocean outlet in the southwestern end of Sakinaw Lake.

In short, there are no habitat implications resulting from the minor height increase.

- There is no additional footprint to the foundation or new incursion into the SPEA from the height variance;
- Riparian vegetation is not affected by the height variance;
- It is difficult to quantify, but the minor increase in height may slightly increase shade / decrease direct solar radiation within the SPEA, which contributes to the SPEA objectives; and
- Recent (July/December 2019) environmental monitoring of construction practices and measures to protect the environment have demonstrated that the current construction is following environmental commitments and covenants.

Given that no additional disturbance will take place inside the 15m covenant or in the riparian area generally from the height variance, there will be no related harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes for the riparian assessment area in which the development is proceeding.

Certification

| QEP SIGNATURE and SEAL  | QEP PRINTED NAME                                   |
|---|--|
|  | <div>Cam Forrester, R.P.F.</div> <div># 2118</div> |
|   | Date signed: Jan 14, 2020                          |



2006 **Land Title Act**  
**Form C**  
 (Section 233)  
 Province of  
 British Columbia

19 MAY 2006 12 05

BA175972

BA175970

**GENERAL INSTRUMENT – PART I** (This Area for Land Title Use Only)

Page 1 of 14 pages

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

3#  
 (4#)  
 \$195.60  
**Allison Oswald**, Legal Secretary  
**ROSBOROUGH & COMPANY**  
 33832 South Fraser Way  
 Abbotsford, B.C. V2S 2C5  
 859-7171 (Client No. 010429)  
 File No. BGD Holdings Co. Ltd. A5-4003

NETWORK REGISTRY SERVICES LTD.  
 CLIENT #10378

*Allison Oswald*  
 Signature of Agent  
**Allison Oswald**

2. Parcel Identifier(s) and Legal Description(s) of Land:  
 (PID) (Legal Description)

**See Schedule**

3. Nature of Interest:  
 Description

Document Reference  
 (page and paragraph)

18 Person Entitled to Interest  
 CHARGE 06/05/19 12:04:44 02 LM 706370  
 \$195.60

**See Schedule**

4. Terms: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

D.F. No.

(b) Express Charge Terms **XX**

Annexed as Part 2

(c) Release

There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.  
 If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. Transferor(s): \*

**See Schedule**

6. Transferee(s): (including postal address(es) and postal code(s) and occupation(s):

**See Schedule**

7. Additional or Modified Terms: \* n/a

8. Execution(s):\*\* This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

**Execution Date**

| Y  | M  | D  |
|----|----|----|
| 06 | 07 | 10 |

Officer Signature(s)

*John Koot*  
**JOHN KOOT**  
 Barrister & Solicitor  
 33832 South Fraser Way  
 Abbotsford, B.C.

V2S 2C5  
**OFFICER CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

\* If space insufficient, enter "SEE SCHEDULE" and attach Schedule in Form E.

\*\*If space insufficient, continue executions on additional page(s) in Form D.

SIGNATURE(S)

**BGD HOLDINGS CO. LTD.**

by its authorized signatories:

*Dave McLean*

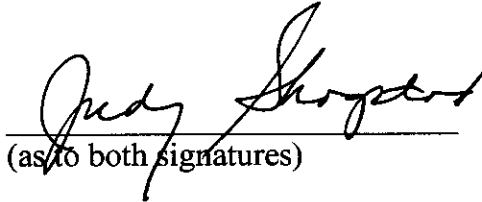
*Brian A Spence*  
**BRIAN A SPENCE**

12  
 12

**Land Title Act**  
**Form D**  
 Executions Continued

Page 2 of 14 pages

Officer Signature(s)



(as to both signatures)


Judy Skogstad,  
 A Commissioner for taking  
 Affidavits for British Columbia  
 1975 Field Road  
 Sechelt, B.C. V0N 3A1  
 (604) 885-2261

**Execution Date**

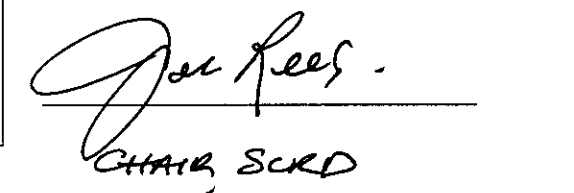
| Y    | M  | D  |
|------|----|----|
| 2006 | 04 | 26 |

Transferee(s) Signature(s)

**SUNSHINE COAST REGIONAL  
 DISTRICT** by its authorized  
 signatory(ies):



DEPUTY CORPORATE OFFICER



CHAIR, SCRD

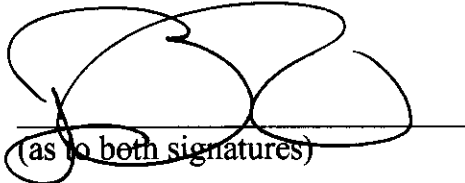
**OFFICER'S CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**Land Title Act**  
**Form D**  
Executions Continued

Page 3 of 14 pages

Officer Signature(s)

  
(as to both signatures)

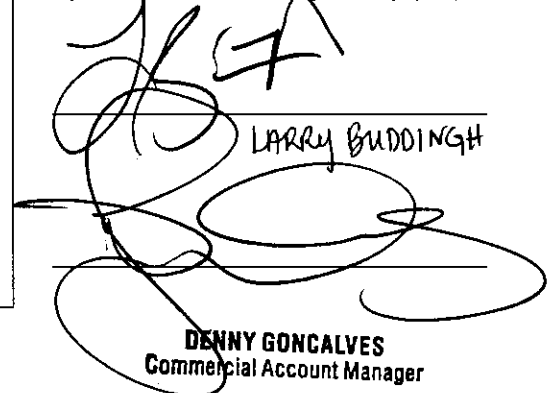
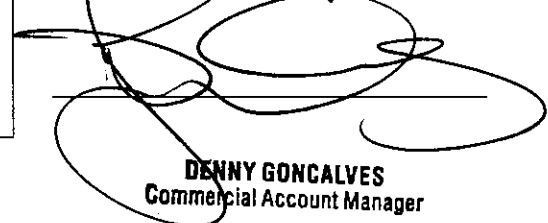
**MICHAEL BURKE**  
33832 South Fraser Way,  
Abbotsford, B.C.  
V2S 2C5  
Barrister & Solicitor

**Execution Date**

| Y | M | D  |
|---|---|----|
| 6 | 4 | 19 |

Transferee(s) Signature(s)

**PROSPERA CREDIT UNION**  
by its authorized signatory(ies):

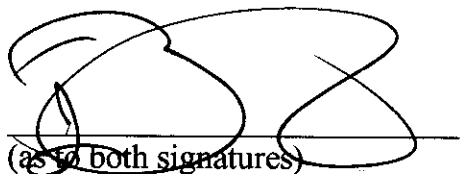
  
LARRY BUDDINGH  
  
DENNY GONCALVES  
Commercial Account Manager**OFFICER'S CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**Land Title Act**  
**Form D**  
Executions Continued

Page 4 of 14 pages

Officer Signature(s)

  
(as to both signatures)

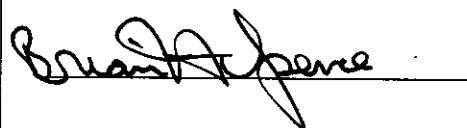
**MICHAEL BURKE**  
33832 South Fraser Way,  
Abbotsford, B.C.  
V2S 2C5  
Barrister & Solicitor

**Execution Date**

| Y | M | D  |
|---|---|----|
| 6 | 4 | 19 |

Transferee(s) Signature(s)

**5200 INVESTMENTS LTD.**  
by its authorized signatory(ies):



Brian H Spence

**OFFICER'S CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Land Title Act  
Form E  
Schedule

Page 5 of 14 pages

Enter the required information in the same order as the information must appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

2. Parcel Identifier(s) and Legal Description(s) of Land:\*

Lots 1, 2 & 3 Group 1 NWD Plan BCP 23871

3. Nature of Interest:\*

| Description  | Document Reference<br>(page & paragraph) | Person Entitled<br>to Interest |
|--|--|--------------------------------|
| <b>Section 219</b><br><b>Covenant over</b><br><del>part shown bold</del><br><del>on Plan BCP 23872</del>   | Pages 7 to 12                            | Transferee                     |
| <b>Priority Consent</b><br><b>granting Section</b><br><b>219 Covenant</b><br><b>No. BA 175970</b><br><b>priority over</b><br><b>Mortgage No. CA204047</b><br><b>&amp; Assignment of Rents</b><br><b>No. CA204048</b> | Page 13                                  | Transferee                     |
| <b>Priority Consent</b><br><b>granting Section</b><br><b>219 Covenant</b><br><b>No. BA 175970</b><br><b>priority over</b><br><b>Mortgage No.</b><br><b>BV142863</b>  | Page 14                                  | Transferee                     |

Land Title Act  
**Form E**  
Schedule

Page 6 of 14 pages

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Enter the required information in the same order as the information must appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

5. Transferor(s):\*

**BGD HOLDINGS CO. LTD.** (Incorporation No. 667224) of 9701, 201<sup>st</sup> Street, Langley,  
B.C., V1M 3E7

**PROSPERA CREDIT UNION** (Priority Consent)

**5200 INVESTMENTS LTD.** (Priority Consent)

6. Transferee(s): (including postal address(es) and postal codes(s) and occupations(s):\*

**SUNSHINE COAST REGIONAL DISTRICT** of 9175 Field Road, Sechelt, B.C., V0N 3A1



## TERMS OF INSTRUMENT - PART 2

**COVENANT**Section 219 *Land Title Act*

THIS AGREEMENT made the \_\_\_\_ day of \_\_\_\_\_, 2006.

BETWEEN:

**BGD HOLDINGS CO. LTD.** (Incorporation No. 667224) of 9701,  
201<sup>st</sup> Street, Langley, B.C., V1M 3E7

(hereinafter called the "Grantor")

AND:

**SUNSHINE COAST REGIONAL DISTRICT** of 1975 Field Road,  
Sechelt, B.C., V0N 3A1

(hereinafter called the "Regional District")

W H E R E A S:

- A. The Grantor is the registered owner in fee simple of the Lands herein defined;
- B. Section 219 of the *Land Title Act* RSBC 1996, c.250 permits the registration of a covenant, whether of a negative or positive nature, in favour of the Regional District, as a charge against the title to the Lands and is enforceable against the Grantor and their successors in title even if the covenant is not annexed to land owned by Regional District;
- C. The Grantor desires to indemnify and save harmless the Regional District in the event of any damages or claims arising for the reasons set out hereafter with respect to the parcels located within the Lands herein described;

NOW THEREFORE in consideration of the premises and of other good and valuable consideration the Grantor hereby grants this covenant for registration as a charge against ALL AND SINGULAR that certain parcel of land situated in the Sunshine Coast Regional District, British Columbia which is more particularly described as:

**Lots 1, 2 & 3 Group 1 NWD Plan BCP 23871**  
(the "Lands")

The Covenantor covenants and agrees with the Regional District that he will not use the Lands, or build, place or erect any buildings or structures on the Lands other than in accordance with the following:

For purposes of assisting with the enhancement and protection of local area water quality, biodiversity and terrestrial/aquatic habitat, the Grantor shall abide by the following prescriptive conditions to be undertaken to the satisfaction of the Regional District:

1. The Grantor shall establish and maintain, a Riparian Vegetation Protection Area (hereinafter referred to as "RVPA") which will be ultimately self sustaining with the following prescriptive conditions to be undertaken to the satisfaction of the Regional District:
  - (a) the RVPA shall be defined as that part of the Lands lying within 15 metres of the high water mark (HWM) of Sakinaw Lake;
  - (b) with the exception of the existing house on Lot 2, the lakeside area within the RVPA previously disturbed by human activity must be replanted. All re-vegetation will utilize trees and shrubs native to the area. Planting must be done to current BC Environment criteria. A partial list outlining suitable species and appropriate procedures is attached as Schedule A;
  - (c) development permits shall be required prior to the commencement of the construction of, addition to or alteration of a building or other structure and alteration of land within the RVPA;
  - (d) if so desired, the Grantor can establish one crossing area of 3 metres width over the RVPA to provide access to the lakeshore. The Grantor can plant grasses, shrubs and trees of their choice (eg. lawn grass) in the crossing;
  - (e) it is agreed that within a two year period from date of the agreement the Grantor shall ensure, that the RVPA planting prescribed will be healthy and self-sustaining. In the event that successful replanting has not taken place, or that the RVPA is less than healthy and self-sustaining to the satisfaction of the Regional District, the Grantor agrees to the use of a Letter of Irrevocable Credit of \$1000, if requested by the Regional District, at the time of this covenant's registration. In the event that funds are drawn upon, they will be used to have the parcel's RVPA planted and established by a landscape/gardening professional;
  - (f) the Grantor further covenants and agrees that to further assist in protecting water quality, aquatic/terrestrial habitat:

- i) the use of pesticides, herbicides, or fertilizer applications are not permitted and shall not be used within the RVPA;
  - ii) the Grantor will endeavour to keep livestock from entering into the RVPA (eg. fencing protection).
- 2. The Grantor hereby:
  - a) indemnifies and saves harmless the Regional District from and against any liabilities caused directly or indirectly; and
  - b) releases and forever discharges the Regional District from and against all manner of actions, causes of action, suits and demands whatsoever at law or at equity which the Grantor may at any time have.
- 3. This Agreement runs with the Lands and inures to the benefit of and is binding on the parties hereto and their respective successors and assigns.
- 4. Wherever the singular or masculine are used in this Agreement, the same shall be deemed to include the plural, the feminine, the body politic or corporate as the context or the parties so require; all references to each party hereto shall include the heirs, executors, administrators, successors, assigns, officers, employees or agents of that party; this Agreement shall enure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns; and if any section, subsection, sentence, clause or phrase of the Agreement is for any reason held to be invalid by the decision of a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.
- 5. This covenant in no way relieves the Grantor from adhering to all other federal, provincial or local government regulations or procedures.

## SCHEDULE A



# INFORMATION

July 1998

## PLANTING CRITERIA AND RECOMMENDED NATIVE TREE AND SHRUB SPECIES FOR RESTORATION AND ENHANCEMENT OF FISH AND WILDLIFE HABITAT

**Deciduous Trees**

| Botanical Name                                      | Common Name           | Mature Height (m) | Best Growth Conditions |
|---|-----------------------|-------------------|------------------------|
| <i>Acer circinatum</i>                              | vine maple            | to 7              | m-w                    |
| <i>Acer glabrum</i> var. <i>douglasii</i>           | Douglas maple         | to 10             | d-m                    |
| <i>Acer macrophyllum</i>                            | broadleaf maple       | to 35             | d-m                    |
| <i>Alnus rubra</i>                                  | red alder             | to 25             | m                      |
| <i>Betula papyrifera</i> var. <i>commutata</i>      | western white birch   | to 30             | m-w                    |
| ♦ <i>Crataegus douglasii</i>                        | black hawthorn        | to 10             | m                      |
| ♦ <i>Malus fusca</i>                                | Pacific crabapple     | 2-12              | m-w                    |
| <i>Populus balsamifera</i> or <i>P. trichocarpa</i> | black cottonwood      | to 50             | m-w                    |
| ♦ <i>Prunus emarginata</i>                          | bitter cherry         | 2-15              | m                      |
| <i>Rhamnus purshiana</i>                            | cascara               | to 10             | d-w                    |
| <i>Salix lucida</i> ssp. <i>lasiantha</i>           | Pacific willow        | to 12             | w                      |
| ♦ <i>Sorbus aucuparia</i>                           | European mountain ash |                   |                        |

**Coniferous Trees**

| Botanical Name               | Common Name        | Mature Height (m) | Best Growth Conditions |
|------------------------------|--------------------|-------------------|------------------------|
| <i>Picea sitchensis</i>      | Sitka spruce       | up to 70          | m                      |
| <i>Pinus monticola</i>       | western white pine | to 40             | m-d                    |
| <i>Pseudotsuga menziesii</i> | Douglas-fir        | to 70             | d                      |
| <i>Thuja plicata</i>         | western red cedar  | to 60             | m-w                    |
| <i>Tsuga heterophylla</i>    | western hemlock    | to 60             | d-w                    |

1. d = dry, m = moist, w = wet
  2. European mountain ash is not native but is naturalized
- ♦ denotes fruit-bearing species

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**THE GOVERNMENT OF BRITISH COLUMBIA IS AN 'EMPLOYMENT EQUITY EMPLOYER'**


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**Ministry of Environment  
Lands and Parks**
**BC Environment  
Lower Mainland Region**
**Mailing/Location Address:** Telephone: (604) 582-5200  
 10470 152 Street Facsimile: (604) 930-7119  
 SURREY BC V3R 0Y3

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## SCHEDULE A

## Riparian Planting Criteria and Recommended Species

Page 2  
July 1998**Shrubs**

| <b>Botanical Name</b>                              | <b>Common Name</b>    | <b>Mature Height (m)</b> | <b>Best Growth Conditions</b> |
|--|-----------------------|--------------------------|-------------------------------|
| <i>Alnus crispa ssp. Sinuata</i>                   | Sitka alder           | 1-5                      | m                             |
| ♦ <i>Amelanchier alnifolia</i>                     | saskatoon             | 1-5                      | d-m                           |
| ♦ <i>Cornus sericea</i> or <i>C. stolonifera</i>   | red-osier dogwood     | 1-6                      | m                             |
| ♦ <i>Corylus cornuta</i> var. <i>californica</i>   | beaked hazelnut       | 1-4                      | m                             |
| <i>Holodiscus discolor</i>                         | oceanspray            | to 4                     | d-m                           |
| <i>Physocarpus capitatus</i>                       | Pacific ninebark      | to 4                     | w                             |
| ♦ <i>Prunus virginiana</i>                         | choke cherry          | 1-4                      | d                             |
| ♦ <i>Rosa nutkana</i>                              | Nootka rose           | to 3                     | d-m                           |
| ♦ <i>Rosa gymnocarpa</i>                           | baldhip or dwarf rose | to 1.5                   | d-m                           |
| ♦ <i>Rubus parviflorus</i>                         | thimbleberry          | 0.5-3                    | m                             |
| ♦ <i>Rubus spectabilis</i>                         | salmonberry           | to 4                     | m-w                           |
| <i>Salix hookeriana</i>                            | Hooker's willow       | to 6                     | w                             |
| <i>Salix lucida</i> spp. <i>Lasiandra</i>          | Pacific willow        | to 12                    | w                             |
| <i>Salix scouleriana</i>                           | Scouler's willow      | 2-12                     | m                             |
| <i>Salix sitchensis</i>                            | Sitka willow          | 1-8                      | m-w                           |
| ♦ <i>Sambucus caerulea</i> or <i>S. glauca</i>     | blue elderberry       | -                        | d-m                           |
| ♦ <i>Sambucus racemosa</i> var. <i>arborescens</i> | red elderberry        | to 6                     | m                             |
| ♦ <i>Sorbus sitchensis</i>                         | Sitka mountain ash    | 1-4                      | m                             |
| ♦ <i>Symphoricarpos albus</i>                      | snowberry             | 0.5-2                    | d-m                           |
| ♦ <i>Vaccinium parvifolium</i>                     | red huckleberry       | to 4                     | m                             |

1. d = dry, m = moist, w = wet  
♦ denotes fruit-bearing species

**Planting Criteria**

- All riparian plantings should be based on 1 tree or shrub per 1 square metre density.
- Coniferous trees should comprise not less than 10% nor more than 25% of the tree stock planted.
- All tree/shrub species should be of guaranteed nursery stock.
- The botanical name should be used when ordering stock to ensure that the desired native species is being purchased. Each specimen should be tagged with the botanical name and the tag should be left attached after planting.
- Tree stock should be a minimum of 1.2 metres (4 feet) in height when purchased and planted 1.5 to 2 metres apart.
- Stock planted during the fall (Sept - Oct) and spring (Mar - Apr) has the greatest likelihood of surviving. Regular watering may be required until the plants are established. Additional advice on proper planting procedures should be obtained from the nursery supplying the stock.
- Planting on a given area being enhanced must be successful to an 80% take. If more than 20% die over one year, replanting is required.
- A minimum of 50% of trees and shrubs planted should be fruit-bearing species.

Page 12 of 14 pages

## SCHEDULE A

### Riparian Planting Criteria and Recommended Species

Page 3  
July 1998

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For further information, please contact the following:  
Ecosystem Planning & Protection  
BC Environment, Lower Mainland Region  
10470-152<sup>nd</sup> St.  
Surrey BC V3R 0Y3  
Phn: (604) 582-5235  
Fax: (604) 582-5305  
Web-site: <http://www.elp.gov.bc.ca/sry>

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**CONSENT AND PRIORITY AGREEMENT**

WHEREAS Prospera Credit Union (the "Chargeholder") is the holder of the following charges encumbering the following lands:

**Charge**

Mortgage No. CA204047 &  
Assignment of Rents No. CA204048

(the "Charges")

**Lands**

Lots 1, 2 & 3  
Group 1NWD Plan BCP 23871

(the "Lands")

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) paid to the Chargeholder by Sunshine Coast Regional District (the "Transferee") and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Chargeholder hereby agrees as follows:

1. The Chargeholder hereby consents to the granting and registration of the attached Section 219 Covenant (the "Covenant") and the Chargeholder hereby agrees that all of the covenants therein granted shall be binding upon its interest in and to the Lands.
2. The Chargeholder hereby grants to the Transferee priority over the Chargeholder's right, title and interest in and to the Lands and the Chargeholder does hereby postpone the Charges and all of its right, title and interest thereunder to the Covenant as if the Covenant had been executed, delivered and registered prior to the execution, delivery and registration of the Charges and prior to the advance of any money pursuant to the Charges.

IN WITNESS WHEREOF the Chargeholder has executed this Consent and Priority Agreement on the Form C above which form is part hereof.



**CONSENT AND PRIORITY AGREEMENT**

WHEREAS 5200 Investments Ltd. (the "Chargeholder") is the holder of the following charges encumbering the following lands:

**Charge**

Mortgage No. BV142863

(the "Charge")

**Lands**

Lots 1, 2 & 3

Group 1 NWD Plan BCP 23871

(the "Lands")

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) paid to the Chargeholder by Sunshine Coast Regional District (the "Transferee") and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Chargeholder hereby agrees as follows:

1. The Chargeholder hereby consents to the granting and registration of the attached Section 219 Covenant (the "Covenant") and the Chargeholder hereby agrees that all of the covenants therein granted shall be binding upon its interest in and to the Lands.
2. The Chargeholder hereby grants to the Transferee priority over the Chargeholder's right, title and interest in and to the Lands and the Chargeholder does hereby postpone the Charge and all of its right, title and interest thereunder to the Covenant as if the Covenant had been executed, delivered and registered prior to the execution, delivery and registration of the Charge and prior to the advance of any money pursuant to the Charge.

IN WITNESS WHEREOF the Chargeholder has executed this Consent and Priority Agreement on the Form C above which form is part hereof.

**END OF DOCUMENT**

January 16, 2020

Attention Development Variance Permit Committee,

We are writing this rationale letter as part of our variance application.

We are applying to have the rear west corner at the back of our building squared off which adds an additional 28 square feet. We have also discovered that our builder has built our house taller than our DP drawings. We are rebuilding a legal non-conforming house at Sakinaw Lake. Part of the rebuild is in the 15 meter set back, and the other part of the house sits in the 20 meter set back area.

### **Square off Corner Additional 28 square feet**

In early 2018 we applied for a variance permit to add square footage to our legal non-conforming house rebuild at Sakinaw Lake, which included squaring off the rear west corner of the house. The house was 70 years old and had been added onto many times creating a very difficult step back corner situation. We were approved by the advisory committee at that time to proceed with our variance permit as submitted.

We then received an email from Sven Koverwitz at the SCRD advising that a covenant would be attached to the property title that stated we would have to “remove the square footage on the new build” if we wanted to build a second dwelling on the property. Due to the way the square footage was added in the variance application we would have had to basically dismantle our house if we wanted to build a second dwelling. We are zoned for two homes on our property and we have a large immediate family of 19 and may have wanted to build a second dwelling, which is allowed per the zoning bylaw. As a result of this situation we did not proceed with the variance that was approved by the advisory committee.

Mr. David Raphael, the senior planner, then provided the option to proceed with a rebuild of the house on the exact footprint of the property, with any additional square footage to be added behind the 20 meter setback. We went back to the drawing board and complied with the SCRDs suggestions and submitted a Development Permit to build on the exact footprint with an addition in the 20 meter set back.

All in, this process took more than two years. We finally received a Development Permit in February 2019 and we are currently in the process of building the house.

We have realized that the rear west corner of the building has such an irregular shape that it is causing roof line issues and a step back interior that is creating HVAC and kitchen layout issues.

Our request is to square off the rear corner of the house and simplify the roof line above that area. This roof line change will have a lower pitch than the approved height in our existing DP.

### **Building Height**

According to the zoning bylaw, the maximum building height allowed is 11 meters above the average grade for the site. The max height for our project is 20.19 m (from sea level). Currently the roof ridge of the addition (highest peak) is 3' 11 ¾" below the maximum allowable height according the zoning. The

height issue is with the rebuild portion where we were supposed to have a ridge height of 14.48 meters, but our builder built it at 15 meters. We are very upset that this has occurred. Our builder advised us that they had blasted 4 feet lower in order to find solid bearing on bedrock, and that we would comply with the height on the DP. This is not what has occurred. We are 20 inches higher on the rebuild portion. The roof has already been built and waterproofed, and we cannot remove it and rebuild, or we risk damage to all of the existing construction during the unpredictable winter weather.

Our family is not happy that our builder made this error. He assumed that because we were so far below the bylaw height maximum of 20.19 meters that this would not be an issue. We have been advised by the SCRD to apply for a variance for this 20 inch height difference.

We have gone through hardship through this process. We feel the process has been fraught with misinformation which has created over 2 years in delays, excessive costs and a lot of stress. We have since been advised the information we were given from the SCRD about the covenant was incorrect, and we would not have to remove the additional square footage should we choose to build a second house for our large family. We have also been advised that we will not be able to rebuild the new dwelling currently under construction if it burns down as it is not conforming. We apologize for the 20 inch height difference and request that you grant our variance request so that our house can be conforming.

We appreciate you reviewing our application for variance to square off the corner of our house and deal with the builder mistake of 20 inches.

Sincerely,

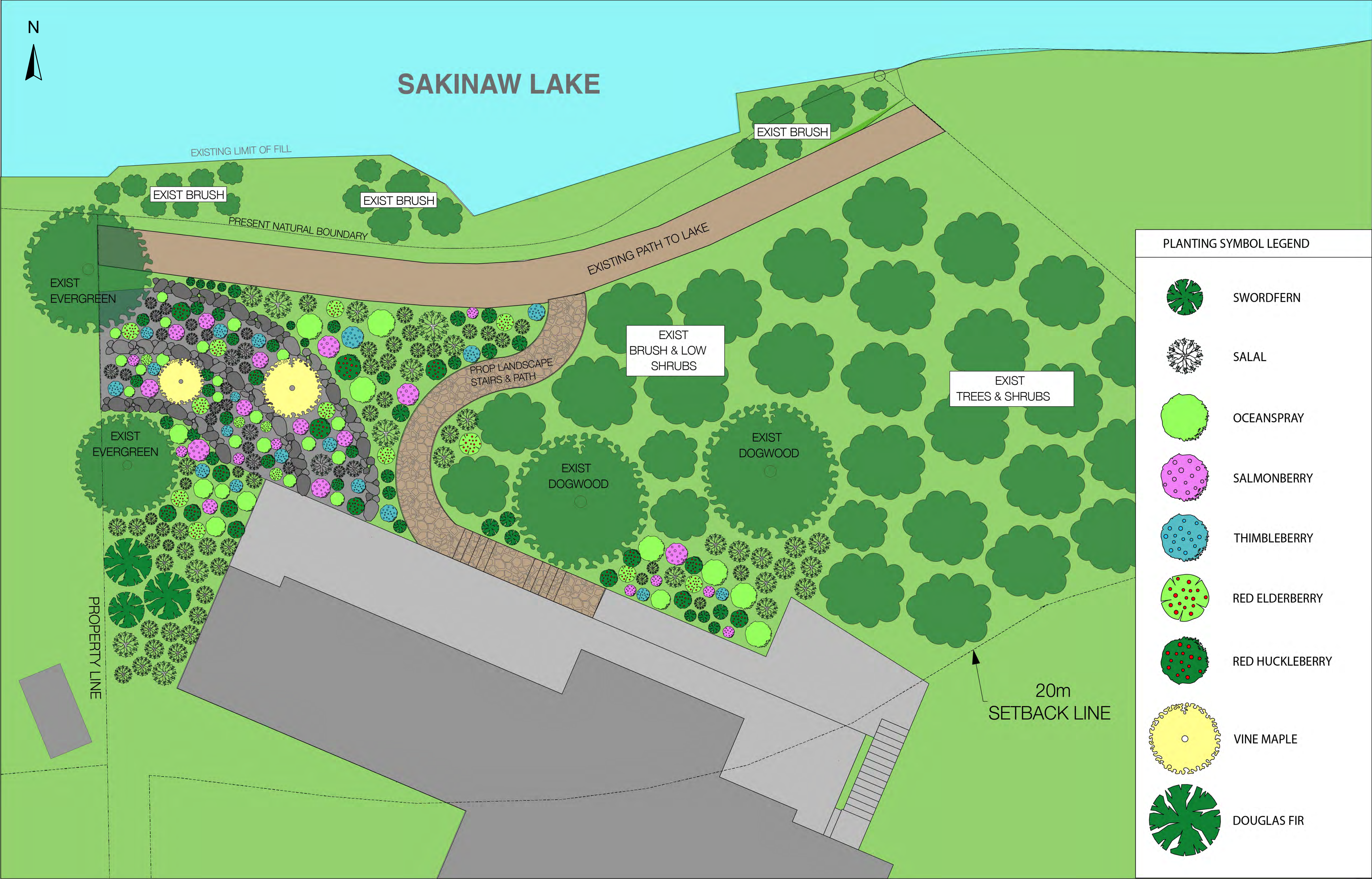
Lorna Vanderhaeghe 604 808-2206



AA

AMY ADAMS  
RESIDENTIAL DESIGN  
604.612.3656  
amy@amycadams.ca

3D CAD Models | Presentation Sets  
New Build Permit Sets | Renovation Permit Sets



|     |               |  |
|-----|---------------|--|
| 7   | MAY 7, 2020   | LANDSCAPE PLAN<br>AERIAL SITE PLAN<br>(PHOTOS FOR DVP)                 |
| 6   | MAR 27, 2020  | NORTH ELEVATION<br>RE-ISSUED FOR DVP                                   |
| 5   | MAR 2, 2020   | HEIGHT CALC<br>RVSD & CLARIFIED<br>RE-ISSUED FOR DVP                   |
| 4   | DEC 23, 2019  | FLR HIGHTS RVSD<br>ROOF HT RVSD<br>RET WALL ADDED<br>RE-ISSUED FOR DVP |
| 3   | NOV 12, 2019  | ISSUED FOR DVP   |
| 2   | FEB 5, 2019   | ISSUED FOR DVP   |
| 1   | JULY 18, 2018 | ISSUED FOR BP  |
| NO. | DATE          | REVISION   |

|  |  |  |
|--|--|--|
| TIMELINE FOR DRAWINGS<br>SUBMITTED TO SCRD |  |  |
|--|--|--|

|   |              |
|---|--------------|
| VANDERHAEGHE<br><b>4355 LAKE ROAD</b><br>SAKINAW LAKE<br>PENDER HARBOUR, B.C. |              |
| PROJECT TITLE:  |              |
| LANDSCAPE PLAN  |              |
| SHEET TITLE:  |              |
| DRAWN BY:   | <b>A-1.5</b> |
| CHECKED BY:   |              |
| DATE: 2019-08-09  |              |
| SCALE: AS NOTED   |              |



## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Brian Kennett, Acting Chief Building Official

**SUBJECT:** REMOVAL AND RE-APPLICATION OF BYLAW CONTRAVENTION NOTICE – DISTRICT LOT 696 KEATS ISLAND

---

### RECOMMENDATION(S)

**THAT the report titled Removal and Re-application of Bylaw Contravention Notice – District Lot 696 Keats Island be received;**

**AND THAT the notice on title against DL696 be discharged, subject to:**

- 1. Placement of an equivalent notice on title on proposed Lot 2 created by proposed subdivision of District Lot 696 Group 1 New Westminster District; and**
- 2. The subdivision applicant paying any fees or charges associated with the removal/placement of notice on title;**

**AND FURTHER THAT the Corporate Officer be authorized to file a Notice at the Land Titles Office stating that a resolution has been made under Section 57 of the Community Charter by the Sunshine Coast Regional District Board against title of proposed Lot 2 created by proposed subdivision of District Lot 696 Group 1 New Westminster District.**

---

### BACKGROUND

The SCRD Board adopted the following resolution on September 9, 2010:

365/10      THAT the Chief Building Inspector and Bylaw Manager's report regarding Building Division files requiring placement of a Notice on Title be received;

AND THAT the Manager of Legislative Services be authorized to file a Notice at the Land Title Office stating that a resolution has been made under Section 57 of the *Community Charter* by the Sunshine Coast Regional District Board against title of Lot 5 of Lot 6, Block 37, District Lot 847, Plan 3769, Group 1, NWD and that further information respecting the resolution may be inspected at the Sunshine Coast Regional District Building Division during regular office hours;

AND FURTHER THAT the Manager of Legislative Services be authorized to file a Notice at the Land Title Office stating that a resolution has been made under Section 57 of the *Community Charter* by the Sunshine Coast Regional District Board against title of Lot 34, District Lot 696, Group 1, NWD and that further information respecting the resolution may be inspected at the Sunshine Coast Regional District Building Division during regular office hours.

As a result of Board resolution 365/10 of September 9, 2010, a Bylaw Contravention Notice was registered as a Legal Notation against title to the whole of DL696. The object of the notice is lot 34, a specific cottage. Since it was not possible to register the notice against this un-subdivided piece of land, it is registered against the whole parcel.

Prior to registration of the Bylaw Contravention notice, the leaseholder of lot 34 submitted a Building Permit Application in an attempt to bring the property into compliance. However, the SCRD was unable to issue the Building Permit due to the construction not meeting the requirements of Gambier Island Local Trust Committee Land Use Contract Authorization Bylaw No. 4, 1978. This Land Use Contract prohibits all development activity for leaseholder lots other than minor repair that is not deemed to be new construction or as altering the building footprint or envelope in any substantial manner. It has, in effect, established a moratorium on all new construction.

The Legal Notation registered on title now presents an impediment to the subdivision process being undertaken by the owner of District Lot 696, Convention of Baptist Churches of British Columbia.

The subdivision is proposed to occur in two stages – the first will be to create Lot 1, Lot 2 and the Remainder of DL 696. This roughly corresponds to the area known as Sandy Beach (Lot 1), the cottages (Lot 2) and Keats Camp (the Remainder). The second stage will involve a subdivision by way of strata plan which will create individual fee simple lots in Lot 2 (see Attachment A).

## **DISCUSSION**

The current need/request is to revise the land to which the contravention notice applies, in order to facilitate the first stage of the proposed subdivision. The registered Legal Notation against title for the originally intended object (the unsubdivided piece of land identified as lot 34) will be retained.

The “old lot 34” is located on what will be lot 2 upon completion of the first stage of the subdivision; therefore, so long as the notice is re-applied to the newly created lot 2, the interests of the SCRD are protected.

This process of removing and re-applying of the Legal Notation registered on title will ultimately have to be repeated at time of the second stage of the subdivision. Upon completion of the second stage, the Legal notation registered against title will be registered solely on the intended object, lot 34.

Once the subdivision is completed, and the moratorium on new construction is lifted by Islands Trust, a Building Permit can be issued and this property may be brought into compliance.

### *Organizational and Intergovernmental Implications*

Based on steps involved in this process, there is likely to be a time lag (staff estimate days or weeks) between removal of existing notice on title and application of notice to the new title. Staff consider this to be a low risk to SCRD. Staff are not aware of any life safety issues associated with the object of the notice.

Staff understand Islands Trust is supportive of the subdivision; agreeing to the change supports intergovernmental cooperation.

*Financial Implications*

The applicant should be responsible for any fees or charges associated with removal/registration. SCRD's fee for discharge of notice on title is \$100.

*Timeline for next steps or estimated completion date / Communications*

Staff will communicate the Board's decision to the proponent once adopted. The subdivision process will proceed on timelines managed by Islands Trust, the applicant and the Province.

The new notice on title will be put in place once the title for the new parcel is established.

**STRATEGIC PLAN AND RELATED POLICIES**

The staff recommendation is in alignment with Focus Area 3 of the SCRD Strategic Plan, Regional Collaboration and Partnership.

**CONCLUSION**

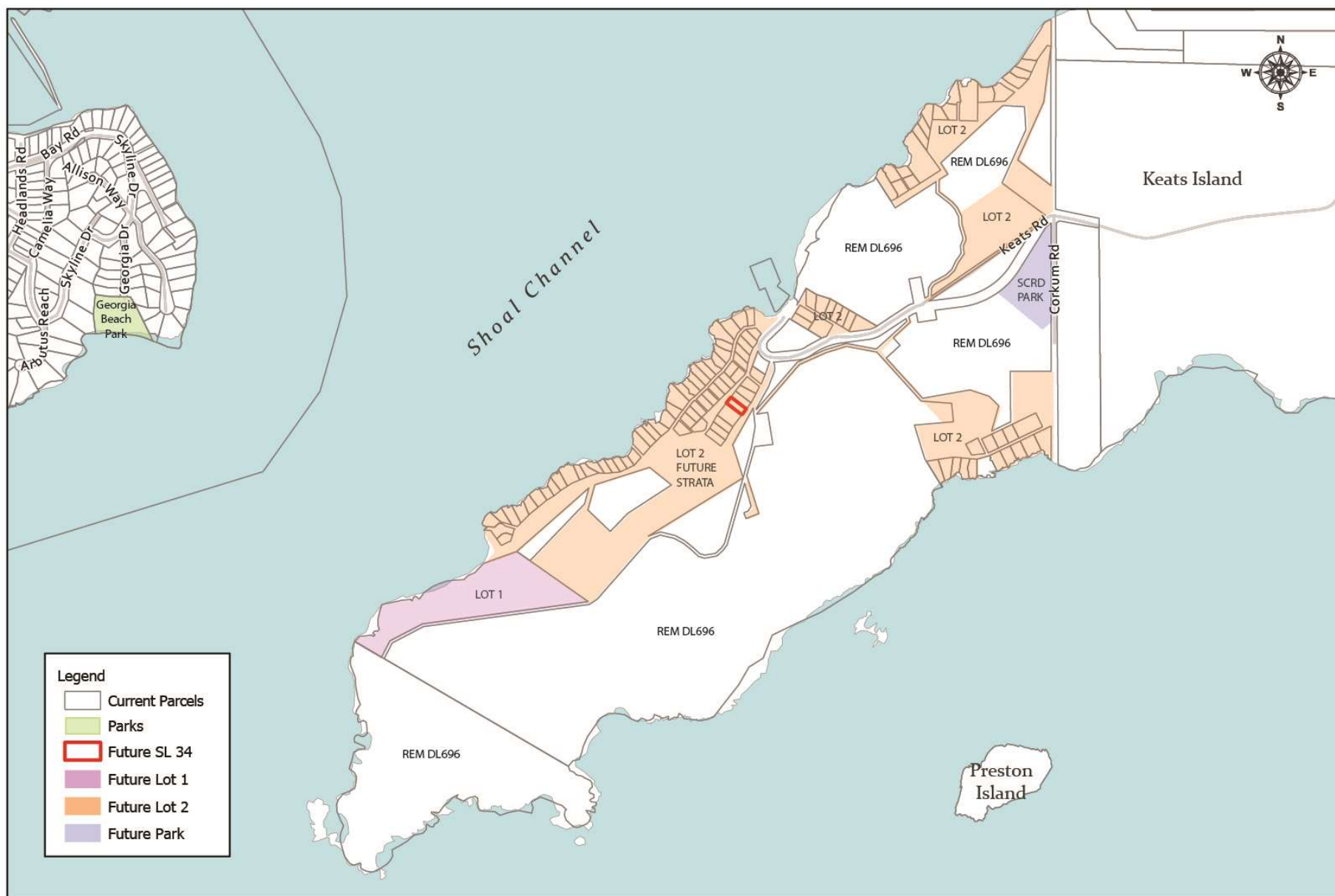
Staff recommends the execution of a full discharge of the notice against title from DL696 on the condition that a notice on title be filed on proposed Lot 2 created by the proposed subdivision.

**ATTACHMENTS**

Attachment A – Survey Plan of DL 696

|              |                 |                 |              |
|--------------|-----------------|-----------------|--------------|
| Reviewed by: |                 |                 |              |
| A/Manager    | X – B. Kennett  | Finance         |              |
| GM           | X – I. Hall     | Legislative     | X – S. Reid  |
| CAO          | X – D. McKinley | Planning        | X – D. Pady  |
|              |                 | Risk Management | X – V. Cropp |





**DL 696**

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

Date: 4/28/2020

0 0.1 0.2 0.3 0.4  
Kilometers

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Yuli Siao, Senior Planner

**SUBJECT:** West Howe Sound Official Community Plan Amendment Bylaw 640.3, 2020 and Zoning Amendment Bylaw No. 310.188, 2020 (O'Toole) – Consideration of First and Second Readings

---

### RECOMMENDATIONS

1. THAT the report titled West Howe Sound Official Community Plan Amendment Bylaw 640.3, 2020 and Zoning Amendment Bylaw No. 310.188, 2020 (O'Toole) – Consideration of First and Second Readings be received;
  2. AND THAT West Howe Sound Official Community Plan Amendment Bylaw 640.3, 2020 and Zoning Amendment Bylaw No. 310.188, 2020 be forwarded to the Board for First and Second Readings;
  3. AND THAT West Howe Sound Official Community Plan Amendment Bylaw 640.3, 2020 is considered consistent with the SCRD's 2020-2024 Financial Plan and 2011 Solid Waste Management Plan;
  4. AND THAT a Public Hearing to consider the Bylaws be arranged;
  5. AND FURTHER THAT Director \_\_\_\_\_ be delegated as the Chair and Director \_\_\_\_\_ be delegated as the Alternate Chair for the Public Hearing.
- 

### BACKGROUND

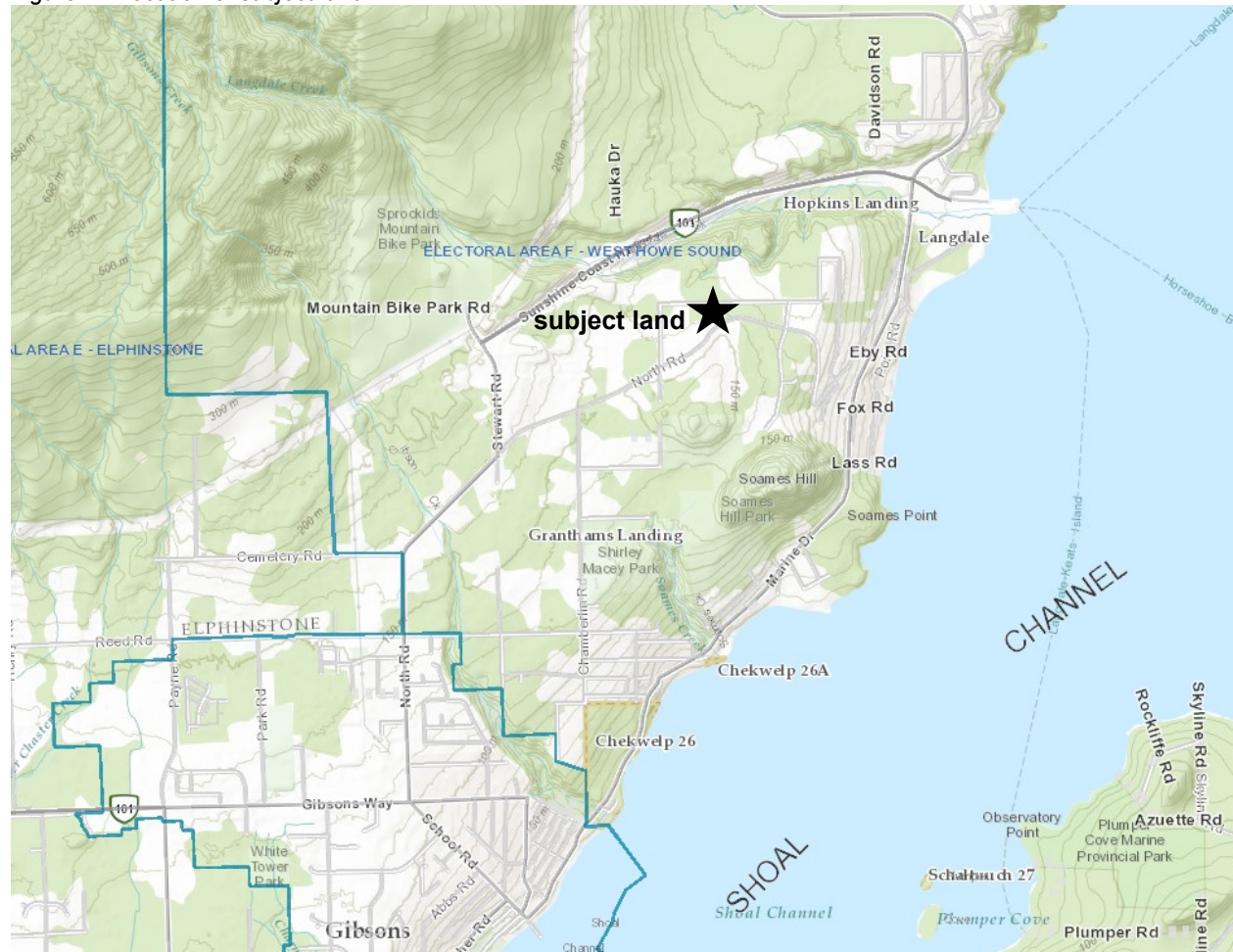
The SCRD received an Official Community Plan and Zoning Bylaw amendment application to facilitate a cluster housing development located in the Gateway Neighbourhood of Electoral Area F - West Howe Sound (Figure 1). Table 1 below provides a summary of the application.

*Table 1: Application Summary*

|   |  |
|---|--|
| <b>Owner/Applicant:</b>                   | Yeah Life Joint Venture / Colleen O'Toole                  |
| <b>Legal Description:</b>                 | Block 30 District Lot 695 Plan 2746                        |
| <b>PID:</b>                               | 013-285-149  |
| <b>Electoral Area:</b>                    | Area F – West Howe Sound                                   |
| <b>Civic Address:</b>                     | 1457 North Road  |
| <b>Parcel Area:</b>                       | 4.08 Acres (1.65 hectares)                                 |
| <b>Existing OCP Land Use Designation:</b> | Rural Residential A  |
| <b>Existing Zoning:</b>                   | RU1 (Rural One) Zone, Subdivision District E2              |
| <b>Proposed Use:</b>                      | Cluster housing in bare-land strata subdivision of 10 lots |

|   |  |
|---|--|
| <b>Proposed OCP Land Use Designation:</b> | Residential  |
| <b>Proposed Zoning:</b>                   | New CD4 Zone, Subdivision District E2 with site specific exception |

*Figure 1 Location of subject land*



### Site and Surrounding Land Uses

The subject property (Figure 2) is located between North Road and Parker Road. The land generally slopes down from south to north with an elevation change of approximately 10 metres. 75% of the property is forested, and 25% is lawn and planted with ornamental fruit trees largely concentrated around the existing house. There are several existing buildings on the property including a house and several auxiliary buildings. There are two existing driveways, one connecting to North Road and the other Parker Road.

Surrounding land uses include a 22-unit, 4.5-ac mobile home park and several rural residential parcels to the south, and parcels of varying sizes within the Agricultural Land Reserve (ALR) to the north, west and east (Figure 3). The parcel immediately adjacent to the west is a rural residential property. The subject property is not within the ALR.

The property is within a 1.5-km radius of the Langdale Ferry Terminal, Langdale Elementary School, Langdale Beach, Sunshine Coast Highway, Soames Hill Park, Shirley Macey Park, as

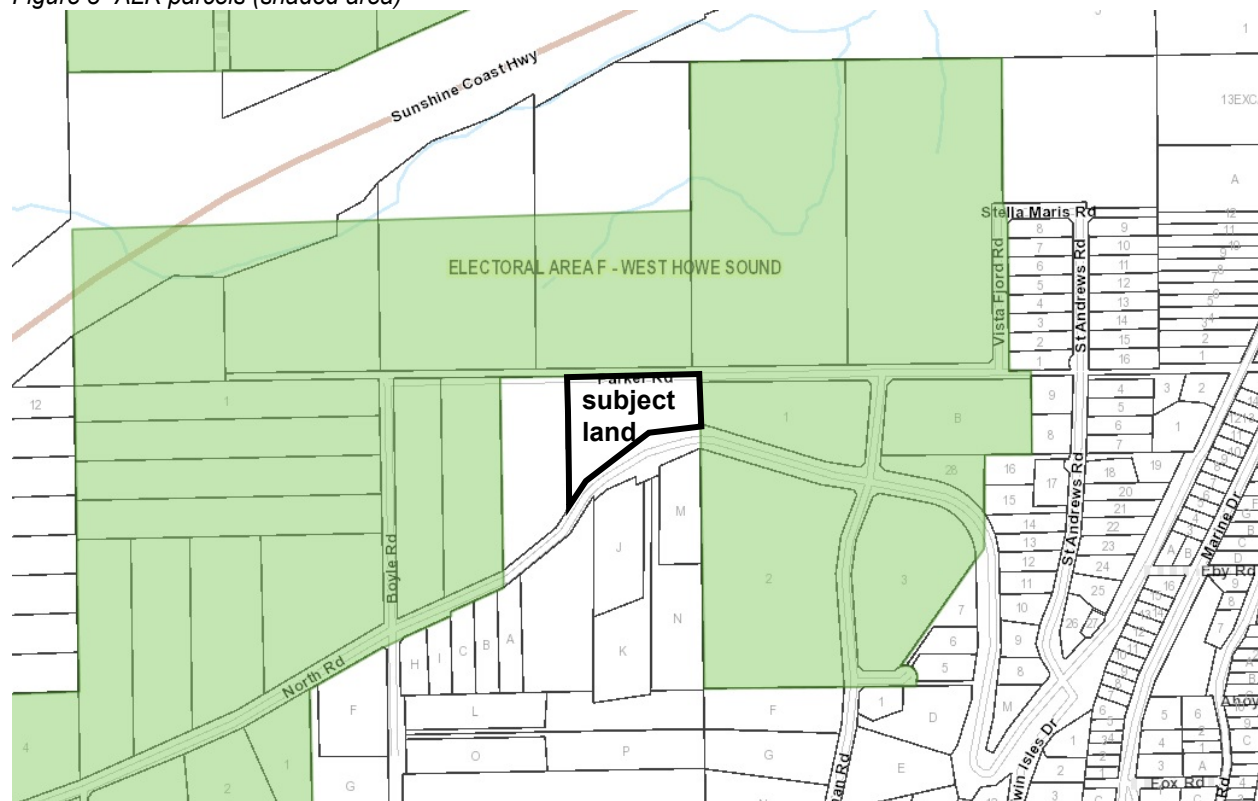


well as denser residential settlements in the Hopkins Landing neighbourhood. BC Transit Route 90 runs along North Road with a stop at the doorstep of the property.

Figure 2 Aerial photo of subject land



Figure 3 ALR parcels (shaded area)



### Proposed Uses

The applicant proposed to develop the property into a cluster of housing units based on bare land strata ownership of 10 lots averaging 500 m<sup>2</sup> in size and one dwelling on each lot. These lots will be clustered on one side of the parcel, with the remaining area (at least half of the parcel) dedicated for communal uses such as a common building used for communal gathering, daycare and a non-commercial guest bedroom for short term stay, driveway, gardens, utility facilities, storage buildings and landscape buffers with adjacent properties. One of the strata lots is proposed to be donated to Sunshine Coast Habitat for Humanity to build affordable housing. The applicant intends to apply energy efficient building design, water conservation and tree preservation to create a development that has low impact on the environment and is compatible with the character of the surrounding neighbourhood.

### DISCUSSION

#### Official Community Plan (OCP)

The property is within the Rural Residential A designation. This designation is generally intended to serve as a buffer between lands within the Agricultural and Rural designations and lands within the Residential designation. Lands within the Agricultural designation are also within the ALR. These are normally large parcels mostly spreading out on inland areas, whereas the smaller parcels with Residential designation are more densely concentrated on slopes along the shoreline. The size of parcels in the Rural Residential A designation is somewhat in between, and subdivisions are required to have a minimum lot size of 0.8 hectares.

The subject property is located on the eastern edge of the Gateway Neighbourhood, which borders on the more densely populated Hopkins Landing Neighbourhood to the east. The area between the two neighbourhoods can be considered a transition zone where development density transitions from higher density in the Hopkins Neighbourhood to lower density in the Gateway Neighbourhood. The OCP identifies that “properties above Marine Drive in the proximity of the North Road ‘hair pin’ are mid-sized residential parcels, which blend into rural-residential acreages and larger parcels located uphill within the ALR”. Density increase in this area that blends the densities of the two neighbourhoods and fits in with the existing character of the area can be considered. The proposed design of the development strives to achieve this. This will be further discussed later in this report.

To facilitate the proposed cluster housing development, it is recommend that the OCP designation be changed to Residential.

Cluster housing is recognized by the OCP as an affordable housing option. The proposed cluster housing development is similar to a mobile home park in terms of layout and density despite the difference in tenure. The OCP provides criteria for developing higher-density cluster housing such as mobile home parks. The criteria include:

- Proximity to major collector road and transit route
- Proximity to commercial retail areas and schools
- Land size between 2 ha to 10 ha
- Serviced by a community sewage treatment system and a water supply system
- Internal traffic circulation
- On site recreation and amenity space

The proposal can meet most of these criteria: North Road is a major collector road and a public transit route, the site is within 3 km from commercial retail areas and schools, the strata property will be serviced by a community sewage system and SCRD water supply system, and there will be an internal driveway and communal green space that occupies at least 50% of the parcel area.

Additionally, the applicant proposes to advance the affordable housing initiative of the development by donating one of the strata lots to Sunshine Coast Habitat for Humanity. This contribution could be made a condition prior to adoption of the proposed bylaws. Further arrangement can be made through the subdivision application process to implement this contribution.

### *Zoning Bylaw No. 310*

The current RU1 zoning for the subject property permits a wide range of rural land uses such as agriculture, horticulture, dwelling, keeping domestic animals and home occupation. Most of these uses are common to the rural residential area and can continue either within the individual lots or dwellings, or in the common area of the strata property.

To control site specific uses and layout parameters in a comprehensive manner, it is recommended that a new zone – Comprehensive Development Zone 4 (CD4) be created and incorporated into Zoning Bylaw No. 310. The CD4 Zone provides cohesive regulations for uses in private and common area, as well as site parameters such as buffering, building setback, size and coverage, etc. to implement the proposed design and layout. Details of the zoning amendment bylaw can be found in Attachment B. The concept of this zone, if established in the Zoning Bylaw, could be used for future rezoning elsewhere.

Despite the small average size of 500 m<sup>2</sup> proposed for the individual strata lots, due to the large common area, the density of the cluster housing development is effectively 1461 m<sup>2</sup> per unit, which is moderately higher than the average density of 2000 m<sup>2</sup> per parcel (or 1333 m<sup>2</sup> per unit based on one principal dwelling plus one auxiliary dwelling) in the Residential designation, but lower than the density of 843 m<sup>2</sup> per unit of the mobile home park nearby. It is recommended that the Subdivision District E2 for the subject parcel be amended to allow a site specific exception for a minimum average parcel size of 500 m<sup>2</sup> for strata subdivision purposes.

### *Design and Servicing Considerations*

The overall design concept (Figure 4) of the development is to cluster most of the individual strata lots together in one part of the parent parcel, and leave at least half of the parcel area for common uses, such as communal building, green space, garden, utility facilities, guest parking, and landscape buffer with adjacent properties and road frontage. This will help to create a visual effect of seclusion and ambience that is compatible with the character of this transition area than what the proposed density of the development may imply. Concentrating the dwelling units together can also reduce the building footprint on the existing environment and help to preserve existing trees.

To facilitate the proposed strata subdivision, the Ministry of Transportation and Infrastructure (MOTI) requires the conveyance of a strip of land along the northern edge of the parcel to the existing road right of way of Parker Road, for possible future widening of the road to align with the existing eastern section of the road. The road, if widened, would not only provide an additional access point for the development, but also help to alleviate potential traffic conflict with adjacent parcels in the ALR.

The existing parcel is overall heavily wooded. Dense existing vegetation can provide significant buffering from adjacent properties. A 10 m wide landscape buffer strip consisting of existing vegetation supplemented by new plantings where appropriate is recommended along parcel lines contiguous to ALR parcels to strengthen separation from adjacent farming activities. A 5 m wide similar landscape buffer strip is recommended along parcel lines contiguous to a public road. These buffer strips will ensure preservation and enhancement of existing vegetation and help to mitigate noise, view and light interference with adjacent properties. Fencing is not recommended as a requirement for the buffer, because a mix of existing vegetation and new plantings are sufficient to create an effective buffer, yet avoid creating an image of gated community and allow wildlife to pass through. This is a more natural approach to buffering which is more compatible with the rural character.

To address neighbouring residents' concern with respect to the higher density of the development and the need to scale down the dwelling size in order to create more compatible built form, a floor area limit for each dwelling is recommended. Considering there will be varying sizes of dwellings on lots of various sizes, the size of each dwelling (gross floor area) should be proportional to the size of the strata lot it is situated on.



Similar to the current zoning standard for dwellings on small lots, 30% of the lot area is recommended as the maximum gross floor area of the dwelling. Based on the proposed average lot size of 500 m<sup>2</sup>, the average floor area of a dwelling is 150 m<sup>2</sup> (1615 ft<sup>2</sup>), which is a typical size of a 2 to 3 bedroom suburban house, but smaller than most houses on larger rural parcels.



The SCRD has a water main on North Road that would service the proposed development. Development cost charges and infrastructure requirements would be evaluated at a later stage. Water supply to the development will be sized to provide peak hour demand and fire protection flow based on SCRD water system requirements. The applicant proposes to adopt water conservation methods such as xeriscaping, rainwater harvesting and grey water reuse. These methods are encouraged by the SCRD for any development.



The applicant plans to use a high efficiency on-site community sewage treatment system for the strata development. It is estimated that the maximum daily effluent will not exceed the limit of 22.7 m<sup>3</sup>, beyond which the approval of the Ministry of Environment and SCRD's management will be required. The system design will be reviewed by Vancouver Coastal Health and SCRD to ensure that the system will not exceed the effluent limit.

Site drainage will consist of open swales and roadway storm water collection as needed. A detailed drainage plan will be provided at the subdivision and development permit application stage to address storm water management issues and potential downstream impacts. The applicant anticipates that subsurface materials will be suitable for storm water infiltration, and this would be confirmed by a geotechnical professional's report through the development permit process.

The subject parcel is within SCRD fire protection and solid waste collection service areas. The Fire Department and the SCRD Solid Waste Management Services have no objection to the proposed development.

#### *Built Environment Related to Health*

Vancouver Coastal Health has reviewed the proposal through the lens of how the built environment affects health and community (Attachment F). Small communal cluster housing developments have unique attributes that conventional detached single family homes lack in terms of affordability and facilitating social interaction, sharing and mutual support.

#### *APC and AAC Comments*

Both the West Howe Sound Advisory Committee and the Agricultural Advisory Committee support the proposal.

#### *Public Information Meeting and Public Feedback*

The applicant hosted a public information meeting on March 2, 2020. Approximately 30 members of the public attended the meeting. Meeting notes can be found in Attachment D. Additional written comments received can be found in Attachment E. Members of the public are generally supportive of the development proposal, with a few concerns on future tenure and operation of the strata, density, on-site sewage treatment, potential downstream impact of storm water runoff, and potential noise and lighting issues around the neighbourhood.

A few adjacent ALR land owners whose lands are not used for active farming expressed a desire to convert their lands to residential development considering the transitional position of this area having close connection to a major transportation hub and nearby residential neighbourhoods and amenities.

#### *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 relevant departments and determined that the amendment to the West Howe Sound Official Community Plan has no negative impact on either plan. It is therefore recommended that West Howe Sound Official Community Plan Amendment Bylaw No. 640.3, 2020 be considered

consistent with the 2020-2024 Financial Plan and 2011 Solid Waste Management Plan of the Sunshine Coast Regional District.

#### *Timeline for Next Steps*

If the Board gives the proposed bylaws first and Second readings, a public hearing will be arranged. 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 Third Reading of the proposed bylaws.

#### *Communications Strategy*

Information on this application will be posted on the SCRD website. The Public Hearing will be advertised in the local newspaper and notices will be sent to property owners within 100 metres of the subject parcel.

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

The OCP and zoning bylaw amendment process supports the SCRD’s strategy for engagement and collaboration.

### **CONCLUSION**

The proposed cluster housing development can support the West Howe Sound OCP’s objectives for promoting affordable housing opportunities in compatible areas. The applicant seeks to take advantage of the subject property’s location at the gateway to the Sunshine Coast with convenient connection to public transit and amenities, to create a development that blends in with the rural surroundings, minimizes impact on adjacent agricultural lands and provides affordable housing options for the owners of the land as well as the community.

Staff recommend that the bylaws be presented to the Board for first and second readings and a public hearing be arranged.

#### *Attachments*

Attachment A – OCP Amendment Bylaw 640.3 for First Reading and Second Reading

Attachment B – Zoning Amendment Bylaw 310.188 for First Reading and Second Reading

Attachment C – Development Proposal by Applicant

Attachment D – Public information meeting notes

Attachment E – Written comments received from members of the public

Attachment F – Vancouver Coastal Health comments

| Reviewed by: |                 |             |                  |
|--------------|-----------------|-------------|------------------|
| Manager      | X – D. Pady     | CFO/Finance | X - T. Perreault |
| GM           | X – I. Hall     | Legislative |                  |
| CAO          | X – D. McKinley | Other       | X – R. Cooper    |

Attachment A

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 640.3

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

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

**PART A – CITATION**

1. This bylaw may be cited as *West Howe Sound Official Community Plan Amendment Bylaw No. 640.3, 2020*.

**PART B – AMENDMENT**

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

*Map 1: Land Use* is amended by re-designating Block 30 District Lot 695 Plan 2746 (PID: 013-285-149) from “Rural Residential A” to “Residential” as depicted on Appendix ‘A’ attached to and forming part of this bylaw.

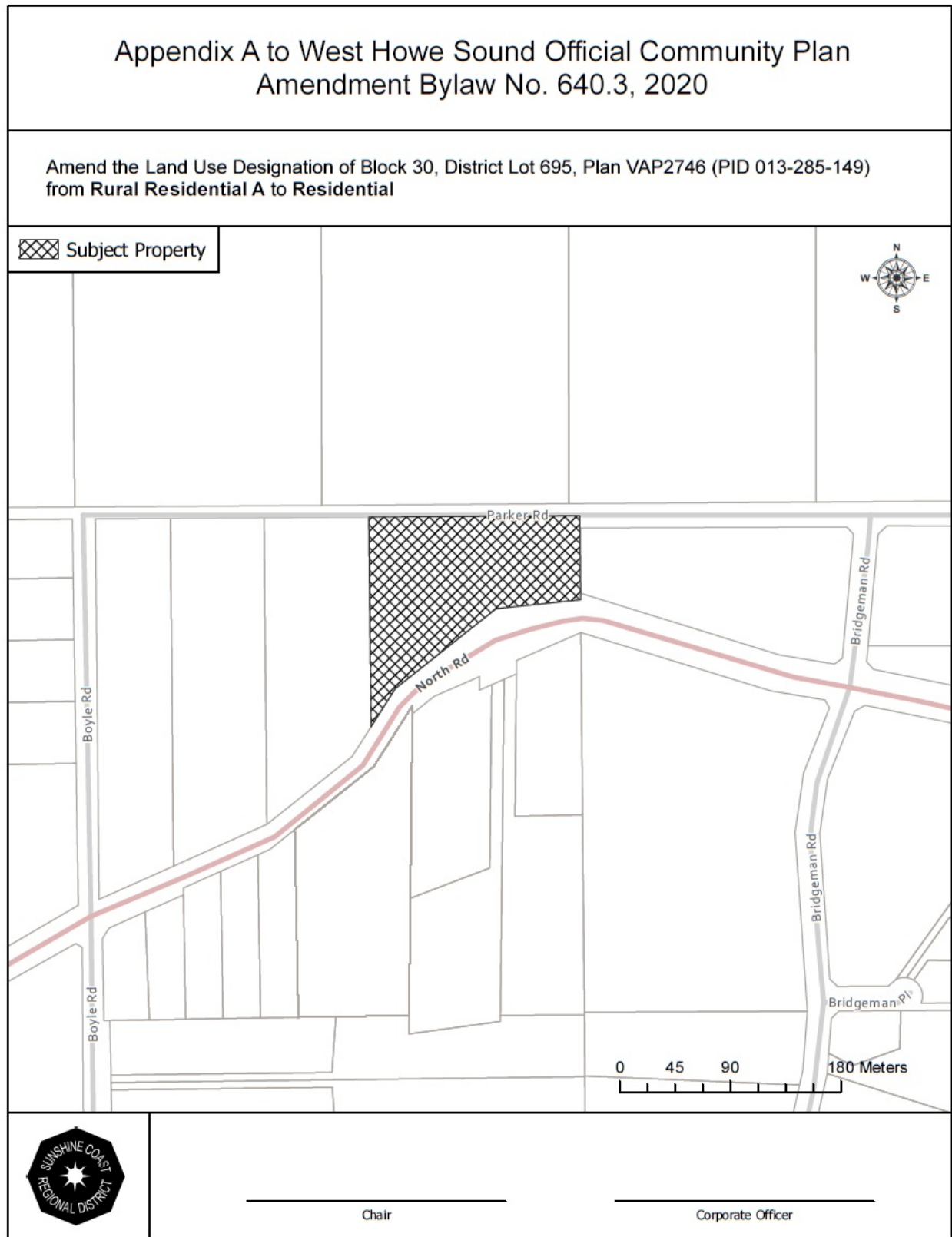
**PART C – ADOPTION**

|  |                |      |
|--|----------------|------|
| READ A FIRST TIME this   | DAY OF MONTH , | YEAR |
| PURSUANT TO SECTION 475 OF THE LOCAL GOVERNMENT ACT CONSULTATION REQUIREMENTS CONSIDERED this  | DAY OF MONTH , | YEAR |
| READ A SECOND TIME this  | DAY OF MONTH , | YEAR |
| CONSIDERED IN CONJUNCTION WITH THE SUNSHINE COAST REGIONAL DISTRICT FINANCIAL PLAN AND ANY APPLICABLE WASTE MANAGEMENT PLANS PURSUANT TO THE LOCAL GOVERNMENT ACT this | DAY OF MONTH , | YEAR |
| PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this  | DAY OF MONTH , | YEAR |
| READ A THIRD TIME this   | DAY OF MONTH , | YEAR |
| ADOPTED this   | DAY OF MONTH , | YEAR |

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Chair





**Attachment B**

**SUNSHINE COAST REGIONAL DISTRICT**

**BYLAW NO. 310.188**

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. 310.188, 2020.

**PART B – AMENDMENT**

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

- a. In Section 301 (1) add “CD4 Comprehensive Development Four” following “CD3 Comprehensive Development Three”.
- b. *Schedule B* is amended by rezoning Block 30 District Lot 695 Plan 2746 from RU1 to CD4 as depicted on Appendix ‘A’, attached to and forming part of this bylaw.
- c. Insert the following section immediately following Section 732:

**733 CD4 Zone (Comprehensive Development Four Zone)**

**Permitted Uses**

733.1 Except as otherwise permitted in Part V of this Bylaw, the following and no other uses are permitted:

- 1) Not more than a total of 10 “strata lots” designated pursuant to the *Strata Property Act*.
- 2) In area designated as “strata lot” pursuant to the *Strata Property Act*:
  - a. Not more than one single family dwelling per strata lot
  - b. Auxiliary buildings in accordance with Section 502 of this Bylaw
  - c. Home occupation in accordance with Section 502 of this Bylaw
- 3) In area designated as “common property” of a strata pursuant to the *Strata Property Act*:

- a. Buildings for the common use of the strata which may contain:
  - i. kitchen, dining room, laundry
  - ii. day care and auxiliary children’s play area, office, meeting room, lounge, library and workshop
  - iii. one guest bedroom for non-commercial transient accommodation of the same occupant(s) for a period not exceeding 15 consecutive days
- b. Greenhouse
- c. Outdoor recreation facilities in the form of a playground, courtyard and garden
- d. Auxiliary buildings used for storage, workshop, studio, recycling and composting
- e. Keeping of livestock in accordance with Section 502 of this bylaw
- f. 5 ground level parking spaces including one accessible space

### **Siting of Structures**

733.2 No structures shall be located within 1.5 m from a parcel line not contiguous to a highway or a parcel within the Agricultural Land Reserve.

733.3 No structures shall be located within 5 m from a parcel line contiguous to a highway.

733.4 No structures shall be located within 10 m from a parcel line contiguous to a parcel within the Agricultural Land Reserve.

### **Buffering**

733.5 A buffer consisting of existing vegetation supplemented by new plantings shall be in place within the setback area contiguous to a parcel within the Agricultural Land Reserve or a highway.

### **Parcel Coverage**

733.6 Parcel coverage of all buildings and structures on land designated as “strata lot” pursuant to the *Strata Property Act* shall not exceed 35% of the area of the strata lot.

733.7 Parcel coverage of all buildings and structures on land designated as “common property” of a strata pursuant to the *Strata Property Act* shall not exceed 15% of the area of the “common property”.

### **Lot Size**

733.8 The minimum average size of all strata lots shall be 500 m<sup>2</sup>.

733.9 The absolute minimum strata lot size shall be 485 m<sup>2</sup>.



733.10 The absolute maximum strata lot size shall be 810 m<sup>2</sup>.

733.11 The area of land designated as “common property” pursuant to the *Strata Property Act* shall not be less than 50% of the entire area of the strata parcel.

### Floor Area

The maximum gross floor area of a dwelling on a strata lot shall not exceed 30% of the area of the strata lot.

d. Replace the entirety of Section 406(5A) with the following:

(5A) With the exception of Block 30 District Lot 695 Plan 2746, the minimum size of a parcel created within the E2 Subdivision District shall be 8000 square metres.

## PART C – ADOPTION

READ A FIRST TIME this DAY OF MONTH YEAR

READ A SECOND TIME this DAY OF MONTH YEAR

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

APPROVED PURSUANT TO SECTION 52 OF  
 THE *TRANSPORTATION ACT* this DAY OF MONTH YEAR

READ A THIRD TIME this DAY OF MONTH YEAR

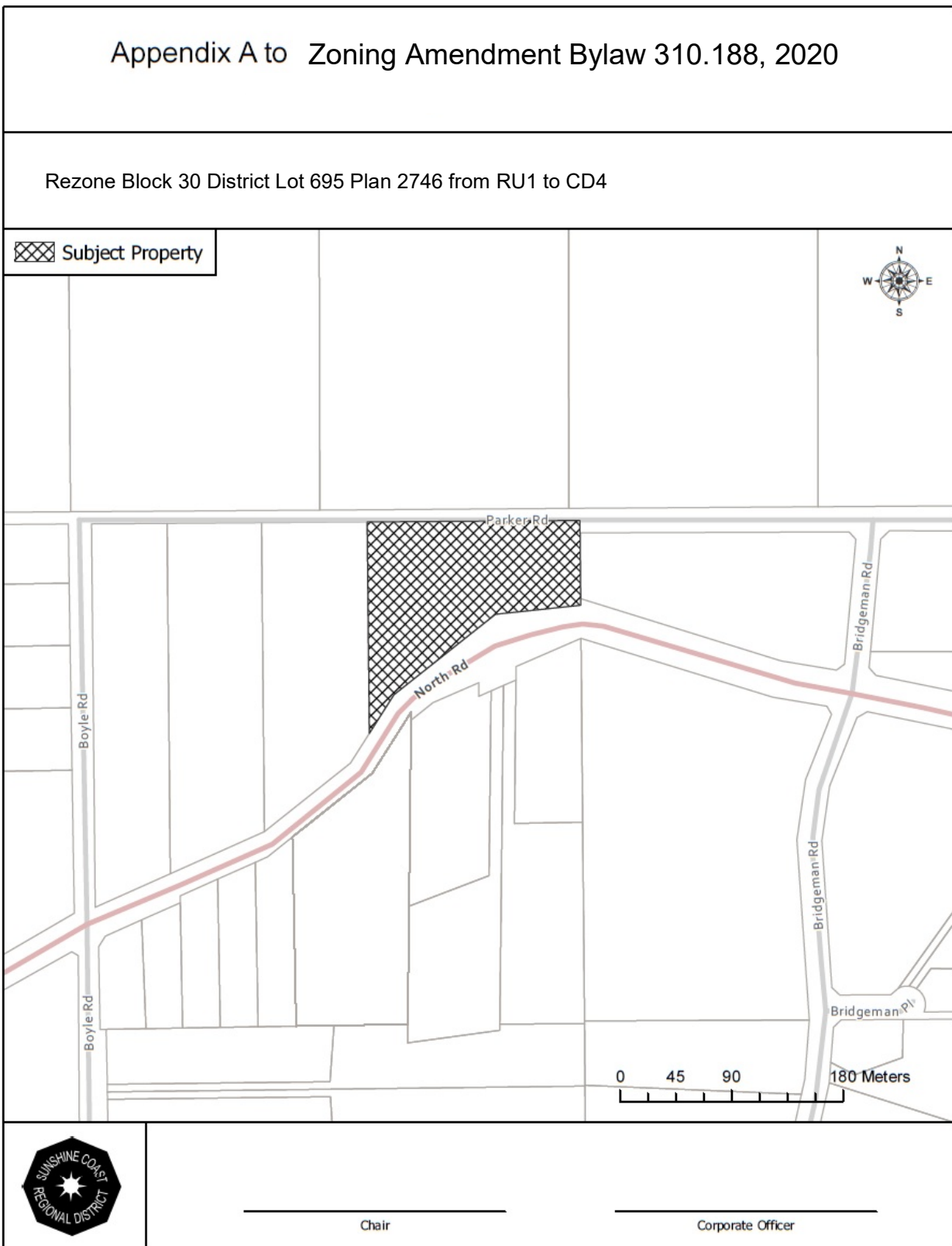
ADOPTED this DAY OF MONTH YEAR

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Corporate Officer

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Chair



## Executive Summary

This Written Summary Report provides a detailed overview of the proposed subdivision development at 1457 North Road in the West Howe Sound Neighbourhood of the Sunshine Coast Regional District (SCRD).

We are requesting an amendment to the Official Community Plan Bylaw 640, West Howe Sound, Section 3.4 Gateway - Neighbourhood Land Use. **Specifically, we are requesting that Comprehensive Development Cluster Housing Area (CDCHA) be added as a new land use zone within the Gateway neighbourhood, and that the property at 1457 North Road be included in this zone on Map 1.** Further, we request that the subdivision district be amended from E2 to CD1.

With respect to the Official Community Plan Bylaw 640, West Howe Sound, and the Zoning Bylaw 310, Sunshine Coast, this report seeks to provide the SCRD with some overall context for the current and proposed land use designations and infrastructure services that the Yeah Life Joint Venture (YLJV) group seeks to see happen to our property in the neighbourhood.

Our group is built on the belief that “together is better” through fostering community, and as such, we seek to strengthen our relationships by living close to one another and are excited by the prospects of joining the already beautiful, vibrant, and sustainable Sunshine Coast community.

YLJV is applying for OCP Amendment and Rezoning under this application and will be submitting a separate application for Subdivision and Development Permit Area.



# 1.0 Our Story

The Yeah Life Joint Venture (YLJV) is a group of ten young professionals who value community. Inaccessible housing costs in Metro Vancouver and the surrounding municipalities are creating uncertainty and leading to fragmentation of our group; in response, we joined together to develop a socially and economically sustainable housing solution that would enable us to maintain our connections with one another. Family and friendship ties to the Sunshine Coast as well as a desire to be closer to nature, adventure, and local culture ultimately led us to purchase a property (1457 North Road) in the West Howe Sound neighbourhood.

Over the course of 2018, our group made a substantial investment in improving the property by cleaning, removing garbage and broken trailers from the lot, landscaping, repainting inside and outside, installing new flooring, fixing a leaky roof, and upgrading the bathrooms and kitchen. We completed the work ourselves and leveraged the collective efforts of friends and family. It was important to us to enhance the natural beauty of the property and to restore the once-beautiful-but-recently-neglected house. Now, we are proud that the newly renovated house provides a comfortable long-term rental for a young family. These improvements have been received positively by our neighbours.

The next phase of the project is to work towards developing a small-scale and sustainable community on the property that would provide us with an affordable lifestyle in the long term. We envision a clustered form of development consisting of small homes with extensive green space and shared amenities. We are excited to engage with the Gateway neighbourhood and want to become role models in sustainability and community development in the area as it continues to grow in population. Given our love of nature, we are committed to minimizing our impact on the environment through preservation of mature trees, leveraging alternative energy sources, and prioritizing energy efficiency, water conservation, and waste reduction throughout our proposed design. We intend for this development to blend with the rural character of the existing neighbourhood and to preserve as much of the natural forest as possible.

Our group is committed to engaging with and contributing positively to the Sunshine Coast community and we feel we have already begun this process through our efforts to date at 1457 North Road. We hope that this unique project will provide a model for sustainable community growth that strives to preserve neighbourhood character, protect natural ecosystems and support the needs of future generations within the West Howe Sound Area.





*Figure 1: Our group and partners on the first work day at the property.*

## 2.0 Site Description

The property is located at 1457 North Road in the Gateway Neighbourhood of Area F, West Howe Sound within the Sunshine Coast Regional District. It is a 1.65 hectare (4.08 acre) parcel of land, is currently zoned as Rural Residential (RU1), and resides in the E2 Subdivision District, which has a minimum parcel size of 0.81 hectares (2 acres). The lot fronts onto North Road to the south and is bordered by Parker Road to the north.



Figure 2: Locations of existing buildings and infrastructure.

### 2.1 Parcel Description

The subject parcel is District Lot 695 G1, PID 013-285-149, Plan VAP2746, Lot 30.



## 2.2 Property Owners

The ten members of our ownership group are:

- Kevin Baillie: Engineer
- Tess Baker: Carpenter
- Charles Calladine: Construction Engineer
- Michael Cancilla: Biomedical Engineer
- Andrew Nobles: Hardware Engineer
- Colleen O'Toole: Project Manager (P. Eng.)
- Annelies Tjebbes: Strategy & Evaluation Consultant
- Lauren Van Ingen Schenau: Water Resources Engineer
- Maria Whitehead: Geoscientist (P. Geo)
- Kaan Williams: Avionics Engineer

All ten property owners currently reside in Vancouver.

## 2.3 Current Official Community Plan Bylaw Regulation - Gateway Neighbourhood Rural Residential A

The current West Howe Sound OCP Bylaw Regulation zoning applying to 1457 North Road is Rural Residential A. According to the West Howe Sound OCP, this designation “is applied to properties that are larger than the nearby residential properties and yet are not located within the Agricultural Land Reserve (ALR).” These properties serve as a buffer between the ALR and the residential neighbourhoods (SCRD 2011a, p. 13). Of note, the West Howe Sound OCP was amended on September 27, 2018 to incorporate OCP Amendment No. 640.2, 2017.

As described above, the property at 1457 North Road is 1.65 hectares in size and as thus is zoned to allow for a suite within a dwelling or an auxiliary dwelling as defined by the West Howe Sound OCP bylaw. The West Howe Sound OCP specifies that “the average parcel size for subdivision purposes shall be 0.80 hectare, thus requiring at least 1.6 hectares of land to subdivide. The intent of this designation is to account for many of the ‘5 acre’ properties in this designation that are actually slightly smaller than the minimum subdivision size, and yet to enable some subdivision of these properties” (SCRD 2011a, p. 65).

## 2.4 Current Zoning Bylaw Regulation

Current zoning of the property at 1457 North Road is RU1 Zone (Rural One), E2 Subdivision District. This zoning allows for the maximum permitted number and types of dwelling as “two single family dwellings or one duplex or one single family dwelling and one transition house” as the property is greater than 0.80 hectares (Zoning Bylaw No. 310, p. 83)

## 2.5 Existing Buildings and Infrastructure

There are several existing buildings on the property and associated infrastructure. The locations of these are shown in Figure 2 and they are described below. Photos of existing buildings on the property are provided in Figure 3.

**1. House**

The primary building is a 1300 ft<sup>2</sup>, 1.5 storey house.

**2. Carport**

Adjacent to the house is a carport.

**3. Outbuilding**

On the north side of the property is an outbuilding that is primarily used for storage.

**4. Shed**

There is a shed in the northwest of the property that is currently used for storage.

**5. Driveways**

Two (2) driveways provide access to the property: access to the main house is via a gravel driveway from North Road; a secondary dirt driveway enables access to the outbuilding from Parker Road.

**6. Septic Field**

A septic field provides wastewater disposal for the house.

**7. Municipal Water Connection**

The property is connected to the municipal water supply system via the North Road water main.

**8. BC Hydro Utility Connections**

There are two (2) BC Hydro utility connections on the property, near the house and outbuilding. The connection near the house is active and the other is currently disconnected.

## 2.6 Development Permit Areas

The site is within Development Permit Area (DPA) #5 - Aquifer Protection and Stormwater Management. We intend to comply with the requirements for the DPA and will work with SCRD to understand and complete all applicable steps.

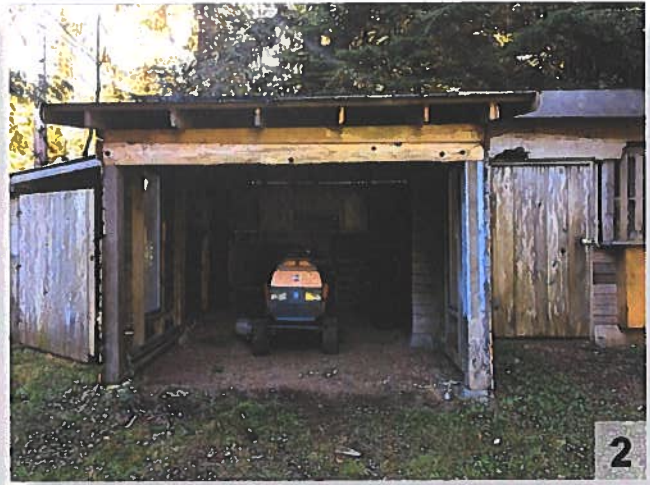


Figure 3: Photos of existing buildings: (1) house, (2) carport, (3) outbuilding, (4) shed.



Figure 4: Yard and cleared portion of property.



## 2.7 Topography and Soil Conditions

The property has a slight northern aspect, gently sloping toward Parker Road. There is a 13 m difference between the highest (SW) and lowest (NE) points. Appendix F shows a current legal survey. The property is approximately 75% forested, with the remaining 25% being lawn and ornamental/fruit bearing trees that are largely concentrated around the house (see Figure 4).

The property has poor soil, falling almost entirely (85%) within Agricultural Capability Class 7 (BC Soil Information Finder Tool, Province of British Columbia, 2018), making it unsuitable for farming. According to the Agricultural Land Commission of BC, “Class 7 lands have limitations that preclude all arable and natural grazing agricultural systems, regardless of the climate (ALC, n.d.). This Agricultural Capability Classification makes this property somewhat unique when compared to the surrounding area of small scale farms. Most of the farms in the area fall within Agricultural Capability Class 3 or 4 and are found on Agricultural Land Reserve. As shown in Figure 5, there are only a few properties without agricultural potential in the area.

## 2.8 Density and Land Use of Surrounding Properties

Land use, density and zoning of properties surrounding 1457 North Road are described in the following sections. Surrounding properties are shown in Figure 6 and additional details are provided in Appendix D.

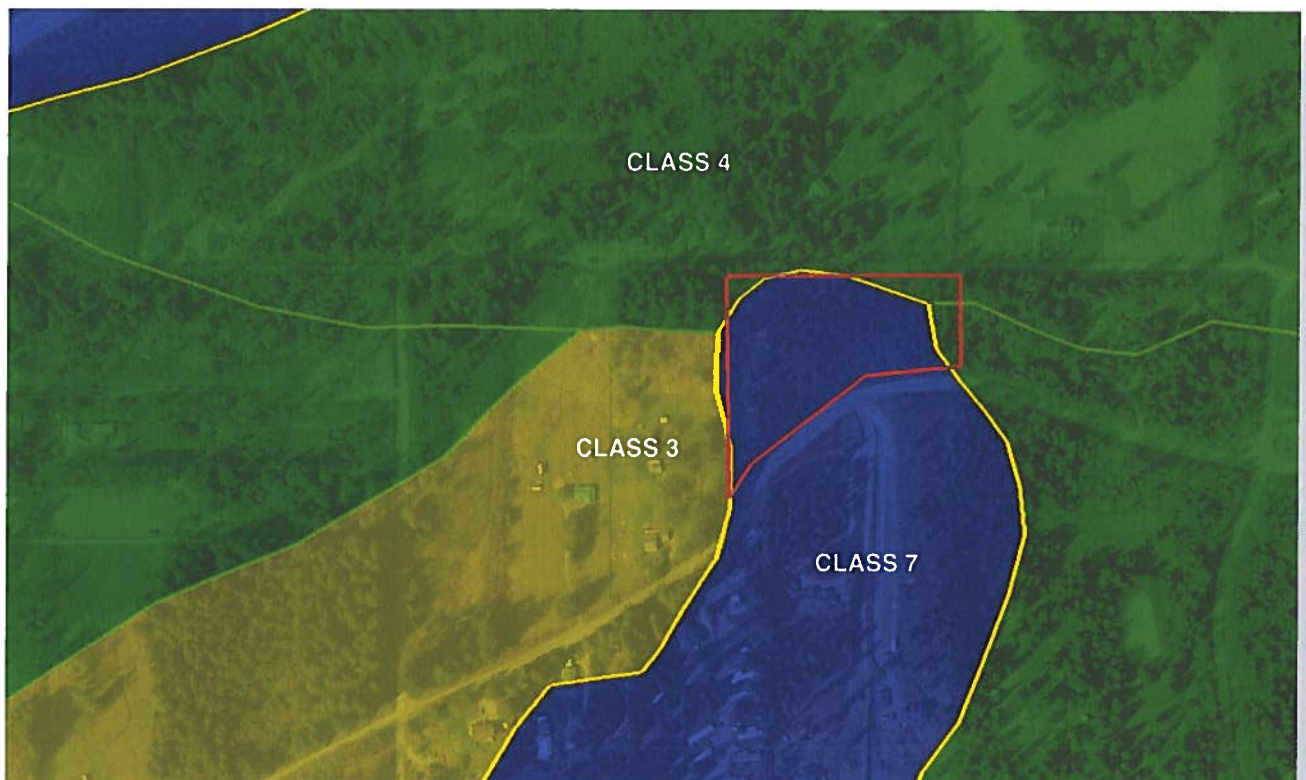


Figure 5: Agricultural Capability Classification in the area. Property in Red.

### 2.8.1 Mobile Home Park

Directly across North Road from the property there is a fully developed mobile home park (RM2 zoning) with 22 homes on 4.5 acres.

### 2.8.2 Agricultural Land Reserve and Small Farms

Most of the properties to the west of the property along North Road are small farms (4-6 acres) on ALR. The neighbouring eastern lot is an undeveloped mostly forested lot within the ALR. Continuing east along North Road there is one more small lot within the ALR (1.2 acres).

To the north of the property across Parker Road are a number of large (15-20 acre) cleared ALR properties with large expanses of grassed areas. To the southeast of the property across North Road there is a 12.5 acre property within the ALR.

### 2.8.3 Residential Lots

Further east along North Road and Parker Road is a denser residential area (R1 zoning) in Hopkins Landing. Along St Andrews Road there has been significant residential construction activity in recent years.

### 2.8.4 Rural Residential Lots

Across North Road from the property (south) are several smaller (0.7 to 3 acre) developed properties zoned RU1.

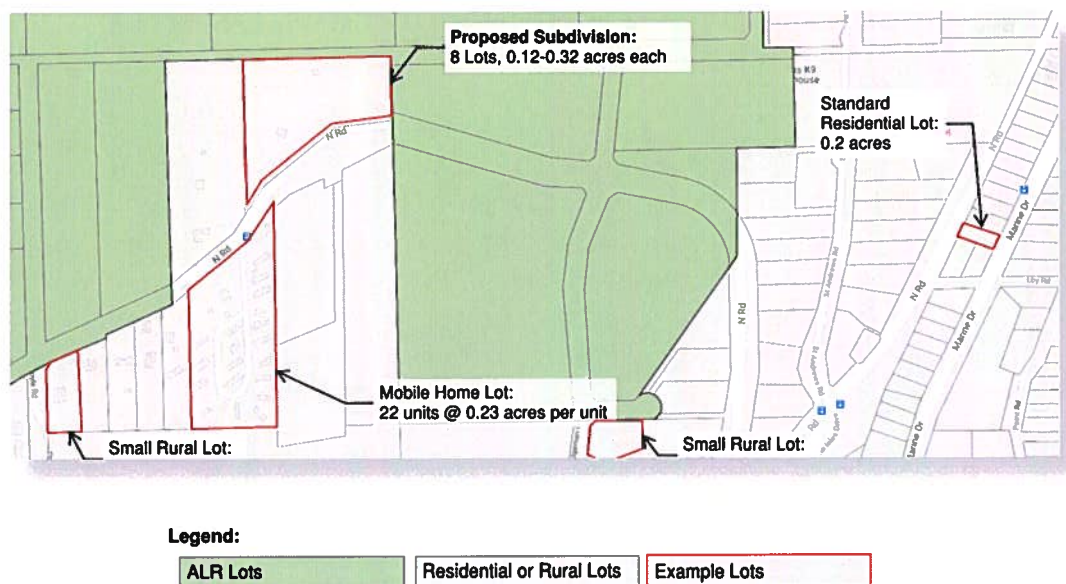


Figure 6: Zoning and sizes of nearby properties.

## 3.0 Proposed Land Use and Infrastructure Development

### 3.1 Proposed West Howe Sound Official Community Plan Amendment

We are requesting an amendment to the West Howe Sound Official Community Plan, Section 3.4 Gateway - Neighbourhood Land Use (SCRD 2011a). Specifically, we request that the following text be added under the header, "Policies" (pp. 33-34):

*"9. Comprehensive Development Cluster Housing Area - Subdivision creating lots smaller than 0.1 hectare (0.25 acre) which preserve approximately 50% of the subdivision as undeveloped green space. This zoning type may include cluster residential development and mixed-use development that combines residential use with commercial, retail, service and office uses."*

For consistency, this text has been developed based on our understanding of the intent and design of the zoning designation *Comprehensive Development Cluster Housing Area* as included in the current Elphinstone Official Community Plan - Bylaw No. 600 (March 2017).

### 3.2 Proposed Zoning Bylaw and Subdivision District Amendment

We are requesting an amendment to Area F - West Howe Sound Official Community Plan, Map 1, Land Use (SCRD 2011b) such that 1457 North Road be zoned a *Comprehensive Development Cluster Housing Area*. As this zoning does not currently exist within Area F - West Howe Sound, we propose the following definition to be incorporated into Bylaw No. 640: Area F - West Howe Sound Official Community Plan. This zoning definition was drawn from the Elphinstone Official Community Plan - Bylaw No. 600 (SCRD 2008) with some modifications to reflect our understanding of the SCRD's current priorities:

*"Lands are within Comprehensive Development Cluster Housing Area No. 1 on Map 1, in which site rezonings may be considered to allow a density bonus in subdivisions creating smaller parcels averaging 1000 sq. m. (0.25 acres), with a minimum size of 700 sq. m. (0.18 acres) if land comprising 50% of the subdivision's gross area remains as undeveloped green space "forested area"; and a local community sewer system is constructed that will serve the entire area under rezoning application.*

*Site rezonings may be considered to allow a density bonus in subdivisions creating smaller parcels with a flat minimum size of 700 sq. m. (0.18 acres) within*



*Comprehensive Development Cluster Housing Area No. 1 if there is also installation of systems for on-site clean stormwater retention for irrigation, and stormwater detention to improve on-site and down-slope drainage conditions in addition to the requirements in subsection above."*

Further, we are requesting an amendment to the subdivision zoning for 1457 North Road from Subdivision District E2 to a modified Comprehensive Development One (CD1), and proposing the following change be incorporated into Zoning Bylaw 310, on page 26:

- (11) *The minimum average size of a strata parcel created in the CD1 (Comprehensive Development) Subdivision District is 360 square meters, as delineated on Schedule 'C'. The total number of parcels designated pursuant to the Land Title Act as "strata" shall not exceed 31, in addition one parcel designated as "common property", one parcel designated as "park" or "forested area", and one parcel dedicated for community sewage disposal and treatment.*

### **3.3 Neighbourhood Impacts**

We recognize that our neighbours stand to be most affected by any changes to 1457 North Road. In order to minimize adverse impacts to the neighbourhood, we are committed to several mitigative measures as described below.

#### **3.3.1 Form and Character of Development**

The property will be developed with an aim to create a neighbourhood that is complementary to the scale, layout, architectural design, landscaping, neighbouring properties, and surrounding natural environment and will place emphasis on maintaining the rural and agricultural character of the area.

To achieve this, building footprints will be limited to a maximum of 1500 ft<sup>2</sup>, and natural exterior finishes will be prioritized. Existing conifers will be preserved and incorporated into the design of the neighbourhood wherever possible, and the development in aggregate will commit to maintaining community green space as defined below. Where applicable, we will design and build in accordance with the Form and Character Guidelines outlined in Section B-1.12 of the Elphinstone OCP (SCRD 2008).

#### **3.3.2 Visual Buffers**

To limit the visual impact of the development to neighbouring properties, we propose establishing visual buffers along North and Parker Roads and adjacent to ALR properties. The intent of the visual buffers is to ensure that the rural and wooded feel of the neighbourhood is preserved, and to screen ALR properties from the visuals of increased density. As such, we will maintain a 6 m minimum natural buffer--protected by covenant and later transferred to the proposed subdivided lots after subdivision--on the north and east boundaries of the property.

This 6 m minimum visual buffer may also be implemented on the southern boundary adjacent to North Road to support minimal disruption to the look and feel of the area as specified in the West Howe Sound OCP.

### 3.3.3 Local Green Space

The property's proximity to several community parks (Shirley Macey Park, Soames Hill Park, Sprockids Park) underscores the need to maintain green space and natural aesthetic in line with the West Howe Sound - Gateway OCP. These parks serve as a valuable local resource to the community.

In order to support the shared goals between our group and the West Howe Sound OCP of promoting community green space, we will commit to maintaining at least 50% of the land area of the development as green space. This green space may include, but not be limited to: the proposed visual buffers, garden, lawns, and undeveloped forest. Maintaining this space is in line with our values of spending time outdoors and the preservation of natural areas to support the local ecosystem and preserve the aesthetic and character of the Gateway Neighbourhood.

### 3.3.4 Access to Community Hubs and Public Transportation

The Sunshine Coast Transit Future Plan gives the vision statement: *"Sunshine Coast Transit is an essential component of our sustainable community and a preferred method of travel. It enhances mobility by providing a convenient, reliable and affordable alternative to the car that is aligned with sustainable land use decisions and fully integrated with other transport options"* (SCRD and BC Transit 2014, p. 3).

The West Howe Sound - Gateway Neighbourhood OCP suggests that new developments and proposals consider distance and access to transportation and nearby hubs. The property is well situated on the route 90 bus line less than 2 km from the Langdale Ferry Terminal (see Figure 7). With Lower Gibsons 3.7 km away, Upper Gibsons 3.2 km away, and the Gibsons clinic 4.1 km away, nearby community hubs are easily accessible by transit or cycling.

The Sunshine Coast Transit Future Plan presents an ambitious vision for increased transit service and sets a target to double transit ridership from 484,000 in 2010 to 968,000 by 2020 (SCRD and BC Transit 2014, p. 66). The planned increase in service will be beneficial to serve the needs of a growing population density.

### 3.3.5 Ministry of Transportation and Infrastructure Easement

In order to preserve the BC Ministry of Transportation and Infrastructure's option to upgrade Parker Road in the future, we are open to establishing a 10 m easement along the northern boundary of the property for use by the Ministry of Transportation and Infrastructure (MOTI) and SCRd. This easement would allow for the future upgrade of Parker Road to a full width 20 m municipal road if deemed necessary by the SCRd and MOTI. The 10 m easement would be applied in addition to the visual buffers proposed in this document.



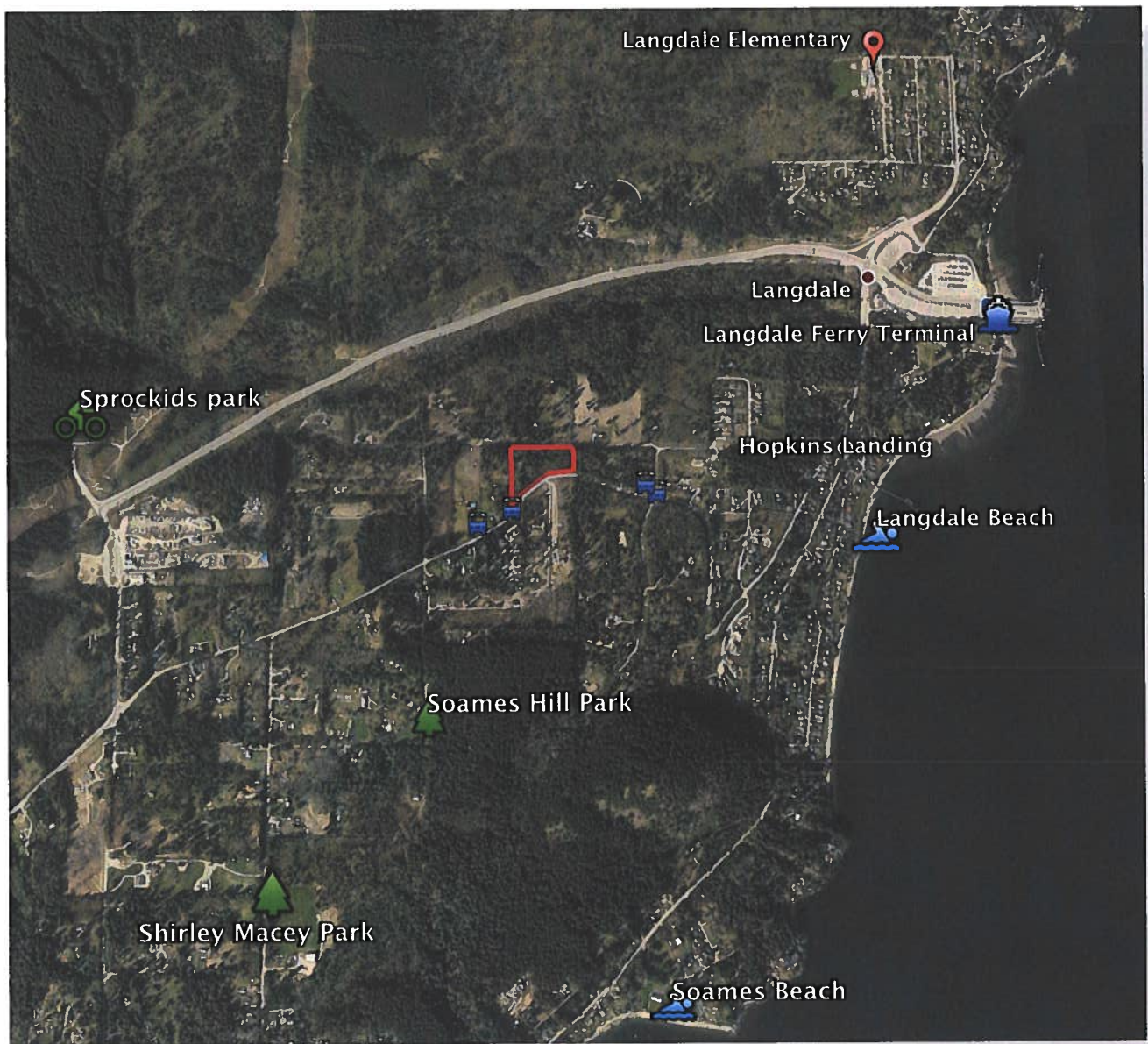


Figure 7: Community amenities and transit near the property. Property outlined in red.



### **3.4 Community Growth and Development**

It is our wish to develop the property in line with the Smart Growth Principles outlined in the West Howe Sound OCP (SCRD 2011a, p. 5-6); particularly:

- Build well-designed compact neighbourhoods;
- Create diverse housing opportunities;
- Preserve open spaces, natural beauty, and environmentally sensitive areas;
- Utilize smarter and cheaper infrastructure and green buildings;
- Foster a unique neighbourhood identity; and,
- Nurture engaged citizens.

The proposed development offers positive impacts to the West Howe Sound community in line with the Smart Growth Principles. The development would set an example for innovative housing solutions on the Sunshine Coast that allow for higher density with lower environmental impact. We value and wish to enhance natural areas by protecting existing trees and minimizing our development footprint.

Our group brings a diverse range of skills and backgrounds; we are engineers, small business owners, carpenters and geoscientists. As demonstrated by this project, we are action-oriented and tend to take on leadership roles. We are engaged citizens who are supportive of the SCRD's commitment to improve access to affordable housing for the betterment of our neighbourhood and broader community.

### **3.5 Proposed Infrastructure Services**

#### **3.5.1 Road Access and Parking**

The existing access to the property is via North Road and Parker Road. Our current plan is for new lots to be accessed via an internal road. We will work with the SCRD and MOTI to design an appropriate internal road that balances impacts to the environment (width, length, permeability of surfaces) and visual effects with safety and emergency access.

#### **3.5.2 Local Traffic Impacts**

The subdivision and development of eight additional single family dwellings would be expected to generate eight peak hour vehicle trips, or one per dwelling, as per the Institute of Traffic Engineers (ITE) trip generation manual (ITE 2018). Background traffic volumes in the area are generally dominated by ferry traffic along Highway 101, with the nearest publicly available traffic counts (SCRD 2011c; MOTI 2019) indicating between 760 and 1317 vehicles per hour during peak hour. The vehicle traffic generated by the subject property subdivision would account for 0.5-1% of existing background traffic and would be considered insignificant. The subdivision would not be expected to have a noticeable effect on traffic patterns along North Road, Highway 101, or Marine Drive.

Collectively and as individuals we are committed to active transportation initiatives - especially cycling - and as such the actual traffic generation from the development would be expected to be lower than ITE calculated values.

### **3.5.3 Water Supply and Distribution**

Water supply will be sized to provide peak hour demand and fireflow protection and based on connection to the municipal system. Future development will adhere to development requirements in the BC Building Code and SCRD Bylaw 320, Subdivision Servicing Bylaw (SCRD 2007).

### **3.5.4 Wastewater Treatment and Disposal**

Wastewater treatment and disposal will be addressed with an on-site community sewerage system (under the Health Act) based on providing individual service connections to all lots, and construction of gravity flow pipe network, manholes and appurtenances in accordance with SCRD Bylaw 320, Subdivision Servicing Bylaw (SCRD 2007) and the Sewerage System Regulation, under the Public Health Act (BC Reg. 326/2004). Due to tile field area requirements for Type 1: Treatment by a septic tank and dispersal field only, we plan on utilising Type 3: Treatment for wastewater treatment and disposal that produces an effluent consistently containing less than 10 mg/L of total suspended solids and having:

- A five-day biochemical oxygen demand of less than 10 mg/L; and,
- A median fecal coliform density of less than 400 Colony Forming Units per 100 mL.

We will consult with Vancouver Coastal Health Authority and seek out Professional Engineering services to design and build a wastewater treatment and disposal system that complies with the Sewerage System Regulation and SCRD's servicing bylaws.

### **3.5.5 Stormwater Management and Site Drainage**

Site drainage will consist of open swales and roadway stormwater collection (as needed), to comply with the SCRD Subdivision Servicing Bylaw 320 (SCRD 2007) and Development Permit Area #5. A Stormwater Management Plan will be completed at the subdivision detailed design phase. At this rezoning stage, it is anticipated that the subsurface materials are suitable for stormwater exfiltration.

### **3.5.6 Solid Waste Collection**

The property falls within the SCRD's residential solid waste collection area. As such, residential waste will be collected weekly on North Road in accordance with SCRD Bylaw 431, Waste Collection Bylaw 431 (SCRD n.d.)

### **3.5.7 Other Utilities**

The additional lots will be connected to existing underground power, gas, and cable services in the area. All infrastructure utilities will be supplied and constructed in accordance with SCRD Subdivision Servicing Bylaw 320 (SCRD 2007).

## **3.6 Environmental Considerations**

### **3.6.1 Energy and Emissions**

We are committed to supporting the SCRD's goal of reducing greenhouse gas (GHG) emissions. We intend to provide leadership in this area by supporting policies and goals of the SCRD Community Energy and Emissions Plan (CEEP) (SCRD 2010), which emphasizes reducing dependence on single-occupancy vehicles, energy-efficient building design, waste reduction, on-site renewable energy production and fostering a culture of conservation and environmental preservation.

#### **3.6.1.1 Vehicle Use and Active Transportation**

Energy and emissions inventories have repeatedly identified transportation as a significant (over 50%) contributor to GHG emissions on the Sunshine Coast, which is mostly attributed to the prevalence of personal, single-occupancy vehicles (M. Wilson and J Stroman, 2013). Our property is conveniently situated to take advantage of several alternative modes of transportation that can help reduce personal vehicle usage. It is serviced directly by a bus route along North Road that connects to Upper Gibsons and indirectly by a route along Marine Drive into Lower Gibsons. The West Howe Sound OCP describes an objective to increase bus service along North Road (SCRD 2011a), which, if implemented, would improve transit service to the property. The property is also located within walking distance of the Langdale ferry terminal, which enables travel to the mainland without a vehicle. Nearby recreational cycling and walking areas, including SprockKids Bike Park and Soames Park, promote healthy activity with minimal vehicle requirement. There is also a reasonable connection between the property and commercial areas of Upper Gibsons via current cycling infrastructure and planned improvements along the industrial portion of North Road that are described in the West Howe Sound OCP (SCRD 2011a).

To further support a reduction in vehicle usage, our proposal for clustered area development with a shared roadway and parking areas will provide reduced parking space and thereby promote efficient vehicle usage and resource sharing. While we expect there to be some ongoing reliance on personal vehicles in the long-term, we would consider including infrastructure for electric vehicle charging on the property, recognizing the growth in this area in the coming years and shift from fossil-fuel-burning vehicles.

#### **3.6.1.2 Land Use and Neighbourhood Design**

Energy efficient land use practices are another important means of minimizing emissions for residential developments such as ours. The clustered area development housing format (see Section 3.3, Neighbourhood Impacts) will:

- Allow preservation of existing green space;
- Reduce infrastructure requirements (e.g., roadways, individual septic fields);
- Promote sharing resources and amenities; and,
- Enhance social interaction.

Further, our proposed development could provide flexibility for potential multi-use space such as home-based business that could reduce travel requirements for occupants.



### 3.6.1.3 Building Design

We recognize that residential buildings are major contributors to overall GHG emissions and that small-footprint and energy-efficient structures are an important component of achieving GHG emissions targets for new construction. Thus, in addition to developing in accordance with the form and character guidelines described in Section 3.3.1, we will endeavour to build energy-efficient structures that are well insulated and air-sealed and that incorporate energy-efficient appliances and utilities (Figure 8). Other elements to support green building design will be considered where feasible, including the use of sustainable and low-impact building materials and finishes and consideration for passive heating and cooling elements in the structure design (e.g., orientation relative to the sun). We intend for new construction to use locally-sourced materials and labour where possible to support local businesses. We also embrace the opportunity for local, small-scale renewable energy production on the property to supplement our home energy needs and provide some energy security in the long term. In particular, we recognize the potential of solar energy through small-scale installation of photovoltaic cells or solar water heating systems.

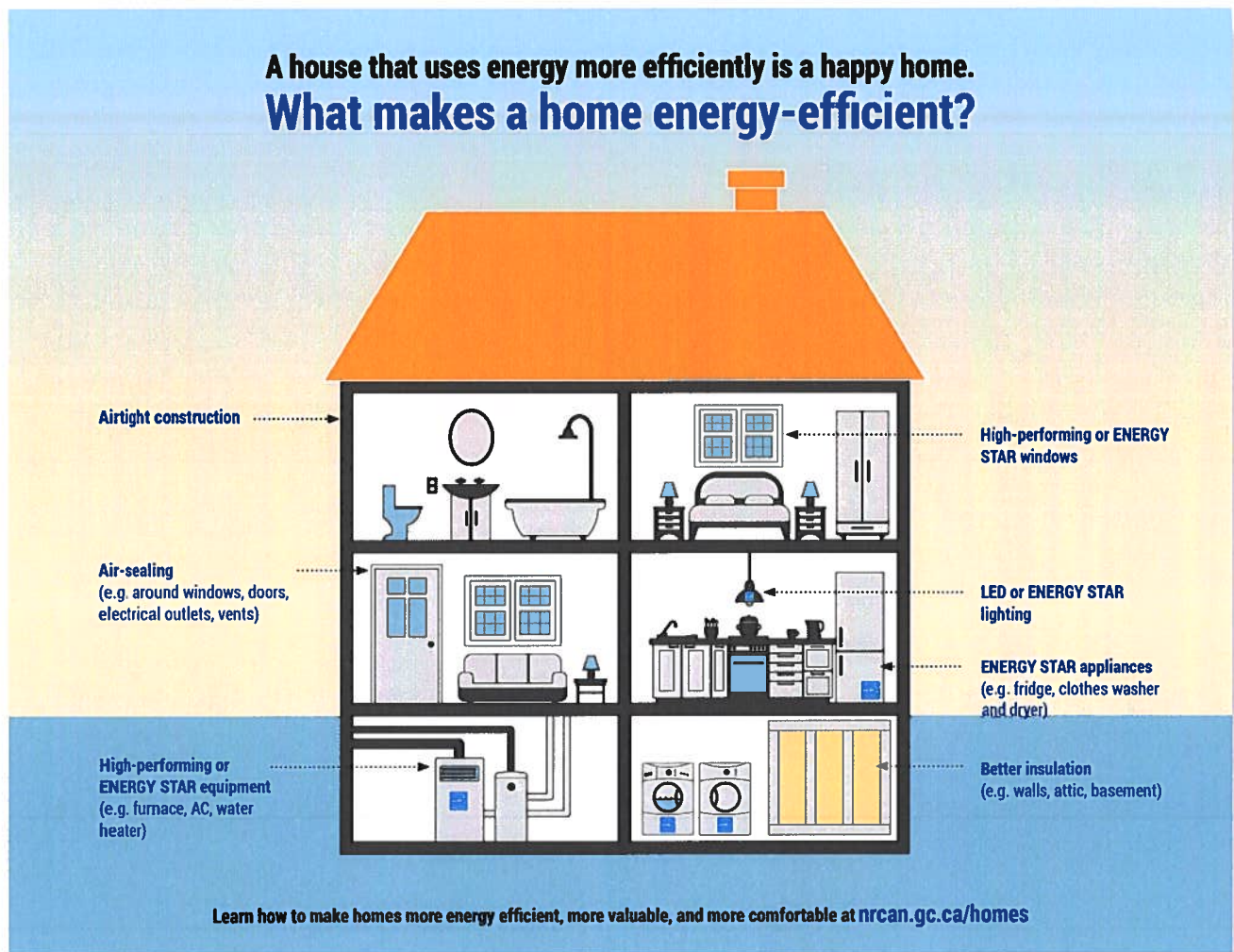


Figure 8. Considerations for energy-efficient building (Natural Resources Canada, 2018).

#### **3.6.1.4 Solid Waste Reduction**

Solid waste is another important contributor to GHG emissions and we support the SCRD's goal to transition to zero waste. We have demonstrated our commitment to reducing landfill waste through our renovation of the existing structure and property in 2018: to the extent that was reasonable, we separated the waste generated from our demolition and clean-up work into streams for appropriate disposal and potential recycle (e.g. scrap metal, clean wood, paper products, hazardous materials, construction waste, material donations); and we incorporated reused and second-hand materials and fixtures throughout the project. The values that guided our use of recycled and reused materials in that project will continue to guide our design of any new builds on the property.

#### **3.6.2 Water Conservation**

We recognize the importance of the community water supply and the increasing pressure that it has faced in recent years due to extended droughts. Water conservation is a critical component of long-term sustainability in the face of climate change. Thus, we will endeavour to minimize water consumption (e.g. through low-flow fixtures, xeriscaping) and reduce reliance on municipal water supply through rainwater harvesting and grey water reuse, where feasible. We support the water stewardship and conservation policies laid out in the We Envision Regional Sustainability Plan (SCRD 2012).

### **3.7 Affordable Housing**

Affordable housing is a priority across the province and especially within the SCRD. A 2014 study found that home ownership is generally unaffordable for families earning a median income and about one third of renters are in core housing need (M. Thomson, 2014). To address this issue within the SCRD, the West Howe Sound Official Community Plan was recently amended through Bylaw No. 640.2 with the addition of the following clause:

*7.3.2.ii - A contribution to affordable or special needs housing must be made in the form of housing unit, land, money or other types of provision and registered with a housing agreement in accordance with the Local Government Act and approved by the Regional District Board.*

Our group has explored various options through which we might reasonably contribute to affordable housing initiatives on the Sunshine Coast and satisfy Bylaw No. 640.2 as part of this development. We acknowledge the importance of supporting the Sunshine Coast community while also balancing our personal financial commitments. We met with the SCRD, Habitat for Humanity (HFH) and the Sunshine Coast Affordable Housing Society (SCAHS) to better understand the issues and to discuss potential opportunities for contribution and collaboration through this project.



Through these discussions, we learned that the lack of available development land is one of the key barriers to increasing affordable housing stock in the area. Given the limited scale of our development and available capital, we feel that donation of a bare lot aligns with our own affordability goals while providing a tangible contribution to a long-term solution. We understand that donation of a bare lot of a size that fits within our proposed site layout (approximately 0.12 acres) aligns well with HFH's development model. This provides HFH the autonomy of ownership and flexibility in development that would secure the provision of permanent, long-term affordable housing units. Thus, we propose to satisfy the affordable housing clause in Bylaw No. 640.2 through donation of a bare lot to HFH.

Through the process of planning for development of this lot, we would encourage HFH to consider the following recommendations from the OCP:

*Affordable or higher-density housing shall be developed in a way that integrates with rural communities and strengthens community identity and character. This can be achieved by creating developments that are complementary to the scale, layout, architectural design, landscaping and view of neighbouring properties and the surrounding natural environment.*

We look forward to the opportunity to work with the SCRD and HFH to support affordable housing initiatives on the Sunshine Coast through this project and we welcome further discussion about our proposed contribution.

### **3.8 Ownership Model**

We have investigated several potential ownership models and believe that a bare-land strata gives our group the most effective framework to manage group assets such as common property and amenities, while balancing individual ownership of lots. A bare-land strata structure is the same as other cohousing developments in the area such as Roberts Creek Cohousing. We will organize our strata in accordance with the BC Strata Property Act - Bare Land Strata Regulations (B.C. Reg. 75/78).





## 4.0 Conclusion

This Written Summary Report provides a detailed overview of the proposed subdivision development at 1457 North Road in the West Howe Sound Neighbourhood of the SCRD.

We are requesting an amendment to the Official Community Plan Bylaw 640, West Howe Sound, Section 3.4 Gateway - Neighbourhood Land Use. **Specifically, we are requesting that Comprehensive Development Cluster Housing Area be added as a new land use zone within the Gateway neighbourhood, and that the property at 1457 North Road be included in this zone on Map 1. Further, we request that the subdivision district be amended from E2 to CD1.**

We believe that 1457 North Road is a particularly good candidate property for clustered housing subdivision for the following reasons:

- It is well sized to accommodate individual lots while maintaining undeveloped green space and visual buffers.
- It is accessible by public transit and is well situated near the ferry terminal and the Town of Gibsons.
- It is located within walking distance of existing parks.
- Soil conditions on the property are not appropriate for farming, making it unique in this neighbourhood.
- Development trends in the area include densification (two lots away from Residential zoning and a mobile home community across the street).
- The project has been received positively by our neighbours.
- The topography and geometry of the property are well-suited to increased density.
- The development would be designed and built in-line with existing SCRD values and guidelines, including smaller homes, green building practices, and form and character that fit in with the existing character of the area.

Most importantly, this project represents a real and immediate step towards addressing housing affordability issues on the Sunshine Coast. We are presenting a model in which we intend to meet our own housing needs while supporting the needs of the broader community through partnership with Habitat for Humanity. If successful, this model is highly replicable by other groups wishing to create housing for themselves that is economically, socially, and environmentally sustainable.

We are engineers, small business owners, carpenters, and geoscientists. We are cyclists and artists and makers and adventurers. We are engaged citizens, collaborators, and doers.

We want to make the Sunshine Coast our home.



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## Public Information Meeting Notes



**MEETING DATE AND TIME:** March 2, 2020 - 7:00 pm PST

**LOCATION:** Eric Cardinal Hall, 930 Chamberlin Rd, Gibsons, BC

**RE:** PUBLIC INFORMATION MEETING  
Sunshine Coast Regional District  
1457 North Road (PID 013-285-149)  
Official Community Plan Amendment and Rezoning Application

**PRESENTERS:** Annelies Tjebbes, YLJV Partner  
Colleen O'Toole, YLJV Partner  
Yuli Siao, Senior Planner - SCRD (YS)

| Item | Discussion  |
|------|---|
| 1.0  | <b>Welcome, Land Acknowledgement and Introduction</b> (Annelies Tjebbes, YJLV)  |
| 2.0  | <b>Our Team and Values</b> (Annelies Tjebbes, YJLV)   |
| 3.0  | <b>Progress to Date</b> (Annelies Tjebbes, YJLV)  |
| 4.0  | <b>Planning Process</b> (Yuli Siao, SCRD)   |
| 5.0  | <b><i>Existing Land Use and Site Description</i></b>  |
| 5.1  | <b>Existing Land Use and Agricultural Land Reserve</b> (Yuli Siao, SCRD)  |
| Q001 | Do we know when that trailerpark went in? I've been asking around and my family has been around in that area since 1960 and a bunch of the old timers that have now passed away and I can't figure out when that went in. I'm pretty sure it predates any OCP or anything. It's an anomaly. |
| A001 | It is definitely grandfathered in. It's not the intention to densify to that level, as far as we know. The only other area that has seen significant residential density is along the St. Andrews Road area.  |
| Q002 | Is there any way to answer the question "what is the difference between the [class] seven, four, and three [soils]?"  |

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| A002 | The lower the number, the higher the quality of soil. We can walk through all the soil classifications after if you want to. All the information was obtained through Soil FinderSoil Information Finder Tool (SIFT). One, two three and four, are considered high quality soils and then class seven is considered not a very strong growing medium at all.   |
| Q003 | When was that information tallied?   |
| A003 | I think it was 2016. I'm not sure when the most recent update was done.  |
| 5.2  | <b>Current Zoning</b> (Colleen O'Toole, YLJV)  |
| 5.3  | <b>Property Overview</b> (Colleen O'Toole, YLJV)   |
| 6.0  | <b><i>Proposed Land Use and Infrastructure Development</i></b>   |
| 6.1  | <b>Ownership Model</b> (Colleen O'Toole, YLJV)   |
| Q004 | Are you actually talking about subdividing it into these different lots or is it all just part of the strata?  |
| A004 | So what we're proposing to do is have each the individual lots held by a person and then the common area being held by the strata.   |
| Q005 | So the individual people could sell off a lot? It could change hands. You could end up with significantly more people in there.  |
| A005 | Technically, yes. The strata will have its own bylaws and its own framework and structure. The intention is to continue to keep the strata as part of a community mindset and have goals and values that bind that community together through the strata. Right now, through the venture agreement that Annelies was speaking about, we have a first offer of sale to other partners within the group and then family and friends, and then if nobody in that group wants to purchase the property then we'll go external for folks to be able to participate in the strata. |
| Q006 | This value set, could you put that as a covenant on title? Could you enforce it?   |
| A006 | We could, but I think the intention would be to write it into the strata by-laws.  |
| Q007 | But then the strata bylaws could be changed. Whereas if you wrote it on the title, it wouldn't be changeable, ever.  |
| A007 | Fair feedback. We can certainly consider it. The hope is that the community can grow and evolve as a group and hopefully linked in with the values that were hoping to instil into the project.  |

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|      | I think we want to find a nice blend between keeping a nice tight knit community, we've all been friends for a long time, but we also don't want to be an exclusive gated community.  |
| Q008 | I was thinking your values could be linked to the property. You're doing this and then next year you all decide you all want to sell off to make a bunch of money off of it. Following on from that, how many of you are likely to be investors, I mean you are already investors, how many of you are planning on living here?   |
| A008 | I know there are a handful of us that want to live full time on the property and a bunch of us will slowly transition from Vancouver to being on the coast. We can't just all pick up immediately and relocate. It will be a process over time.   |
| 6.2  | <b>Official Community Plan Amendment</b> (Colleen O'Toole, YLJV)  |
| Q009 | I was just going to say, 1045 North Road has 8F zoning. So it is the same idea. They did it a little weird because everybody got their own circle and everything outside their radius was common property, so very similar. And they go on the market and they sell, but very rarely - it is usually somebody that knows somebody, to keep it, you know, smaller. It's not unusual.   |
| A009 | Yes.  |
| Q010 | Have you done this before?  |
| A010 | No, we have not. This is a passion project.<br>But I would say that we all bring different skill sets and Colleen has worked with wastewater systems. We all have strengths and abilities we bring to this project and we are also learning lots along the way.   |
| Q011 | Speaking of wastewater systems, if you are looking at doing a development, what I gather is the existing home plus an additional nine, eight plus a bare land donated to habitat, what kind of capacity are looking at being able to tolerate in your wastewater treatment because if these are potentially going to be subdivided and sold off, you're not going to be sure how many people are going to be in each unit. There might be ten of you involved now but if you get a family moved in to each of those you are talking about a lot of people in that area. |
| A011 | Fair. So I met with a wastewater engineer at my firm and we walked through the possible design for the wastewater systems on the property. Really that is kind of the limiting factor for any kind of subdivision development. It's not suitable for us to do individual septic tanks for the homes and it's not suitable for us to do a tile field; there isn't enough space. We'll need to do a small wastewater system.  |



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| Q012 | But with the understanding of how many people would be maxing that out. Everything's got its limitations. So again, there's ten of you involved at the moment. life changes, life evolves, families grow. What would you be planning for in-peak demand?  |
| A012 | Sure. So it will be driven by the square footage of the homes and number of bedrooms each home can handle. With a fifteen hundred square foot or less house and then design based on the number of fixtures that would be contributing to that, so we're probably looking at five people, tops, per home. So that would be the load you'd be seeing at the absolute peak of peak hours. |
| Q013 | So you're talking about having up to forty five people living within two acres if you are going to leave all of that green.   |
| A013 | And I don't think we would touch that load, but we have to design to it.  |
| Q014 | Well life evolves, you know. You guys might decide to go elsewhere. Families grow. You know? We're directly across the street from this we're at 1484 so we're going to be looking at a whole lot more lights than we expected. We bought rural for a reason. This is concerning.   |
| A014 | We'll design the wastewater treatment system to be able to support the capacity of the ultimate design buildout.  |
| 6.3  | <b>Community Growth and Development</b> (Colleen O'Toole, YLJV)   |
| Q015 | At Granthams, for instance, they said the smallest house you can build is 3,000 square feet. Now if you say the biggest you can build is 1,500 square feet, in five years, now I don't know the rules. This is just a question, can you then take that house and double the size?   |
| A015 | Perhaps Yuli can comment on that?<br>YS: Well it will all depend on how they want to design their development. They can put a limit on the floor area for each dwelling. It is open to design.  |
| Q016 | So they can, in conjunction with the gentleman back here, if you don't put that covenant in for a 1,500 square foot house then I come in there and put a 4,000 square foot suddenly your waste water system gets blown quite quickly.   |
| A016 | For sure. The group met and decided that was the footprint that we wanted to write in.<br>YS: I want to point out that from SCRD perspective, when a community wastewater treatment plant has a volume of 22.7 cubic meters we have to take over the system.  |

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|      | But the preference is to not take over the system, so we hope the total volume of the design of the sewage is under that 22.7 cubic meters.  |
| Q017 | Could all these restrictions be written onto the title so they can't change?   |
| A017 | So when they have a community system they will require a covenant on title.  |
| Q018 | How would you control smell? The treatment plant, a small treatment plant.   |
| A018 | You wouldn't have anything above ground. So all of the treatment processes would be underground, with maybe a kiosk that is above ground. We've only done preliminary designs so far. The wastewater treatment engineer I've been working with has been designing wastewater systems all up and down the coast for the past forty years. He knows how to design these kinds of wastewater systems. |
| Q019 | I have a wastewater treatment plant at my place. The field is very small. You wouldn't know it is there. And it is very old. Do you know where it would be?  |
| A019 | There are two proposed locations. One is up here (near to Parker Road - on eastern side of property) and the other is down next to the existing house. Once we design it we can position it. This is just a first kick at a rendering.   |
| Q020 | Where is the existing house?   |
| A020 | *points to existing house*   |
| Q021 | Beside "Parker road", what is that name up there?  |
| A021 | Proposed Ministry of Transportation right of way. Potentially we'll need to relinquish a right of way for the full width of the road. Right now it's quite narrow in there. We want to make sure we don't develop into a space that the MOTI might need to take back.  |
| Q022 | Will you be giving up that roadway? Right now we've taken 33 feet of our land. The neighbour next down has already taken it off.   |
| A022 | It is likely it will be taken. If you look at the actual legal plot, there is a little cutout in our property so I suspect on either side it has already been relinquished and so we'll need to do that too now.   |
| Q023 | Is that one of the criteria of the SCRD that you complete that road for them?  |
| A023 | We haven't had any conversations about the road at this point.   |
| Q024 | Are there any plans to exit out via that road?   |

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| A024 | This is just one road design we've looked at, this is a through road. We could also look at a hammerhead shape or a U-loop shape but it will need to be able to handle emergency vehicles. It will have to be designed so a firetruck can turn around or drive through.   |
| Q025 | Because Parker is not maintained: it is a "road allowance", it's not a road.  |
| A025 | If we were to do a "through" I expected we would need to upgrade at least until I expect the point where we would be driving a truck through so it could handle a firetruck traversing it.  |
| 6.4  | <b>Energy, Emissions and Water Conservation</b> (Colleen O'Toole, YLJV)   |
| Q026 | Are there any wells on the lot?   |
| A026 | No, no wells. We're on municipal water right now.   |
| 6.5  | <b>Affordable Housing</b> (Colleen O'Toole, YLJV)   |
| Q027 | I'm just curious how this is all going to be funded. So you're proposing that for this to be a model for other people to be able to use for affordable housing -- now we just built a house a couple years ago... and we know the cost of it. So in order to build a house you need to have funds to build a house up to lock before you can even start pulling for a mortgage. So you need to have a couple hundred thousand dollars to do it so if you have that money you don't need affordable housing.   |
| A027 | We actually needed a mortgage to be able to buy the property. The cool thing about being ten folks, and the really challenging thing about being a group of ten folks, is that when you go to a traditional bank and ask for a mortgage for ten people they often laugh at you. Fortunately we've developed a really great relationship with Vancity and with ten folks as part of our group and on title it gives us a lot of borrowing capacity that we wouldn't have as an individual or as a couple. We're able to access construction loans that we wouldn't be able to independently. |
| Q028 | So was that an option to do the Habitat for Humanity thing or was that something you guys really wanted to do?  |
| A028 | It's something that we'd really like to do as an opportunity to contribute to the community and affordable housing solutions.   |
| Q029 | Why can't you guys just stay within what's allowed? You can subdivide it into two two acre parcels each with two full size dwellings that each have suites in them probably, and that pretty much accommodates everybody or just, like have it as five.   |



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| A029 | <p>Definitely still on the table. As Annelies said, this would be a dream to be able to have a small home -- each of our partners have an individual home on the property -- but we're not closed to other ideas. I think what we're most interested in is keeping our community together and that might look like something different when we get down the road to development if this goes forward, but, right now, this is just kind of our first conversation starter.</p> <p>The current zoning allows for four homes, four individual dwellings. So although there is one home on the property now, the current zoning would allow for a subdivision that would have up to four homes.</p> |
| Q030 | Sorry, could you clarify that? It can be subdivided into two two acre parcels and they could each have two full sized dwellings on those parcels? Is this a five acre?   |
| A030 | Just over four.  |
| Q031 | So you could do two and two?   |
| A031 | That's our understanding, yes.   |
| 6.6  | <b>Community Involvement</b> (Annelies Tjebbes, YJLV)  |
| Q032 | Is that where the retail and commercial zoning requests and things were coming from? Is it for those types of events to happen across the street?  |
| A032 | No. We're talking about small, potentially small community things but also really going and engaging with community members.   |
| Q033 | As much as it feels very rural and forested, we are still neighbours and we do hear it all, right?   |
| A033 | Thank you for sharing really valuable considerations. We hope to include small things that include the community members -- we hope you might join us at some point -- but again being very respectful of the neighbors. We all live in shared homes in Vancouver and are really quite aware of the impact we can have with the friends that we live in our homes with but also our neighbours as well.  |
| Q034 | I want to follow up with all of that. Your request has been to amend the OCP and the zoning to what you're looking for but I don't feel like there is a consistent enough story to match what's kinda going on. I feel like you're talking about a daycare, you're talking about an event holding location, you're talking about you guys personally living there, but now I learn you guys are actually planning the place so you get first dibs on who gets to go there first. So I'm just confused.   |

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| A034 | <p>I can clarify a few things. We have seven partner groups. Some people are married so that's where we get the "ten" number from. We currently are all planning to live on the coast and so that's not -- if people sell ten years or twenty years down the line that's where we would be looking at, you know it would first be going to friends and family or people within the partner group so that's what we're talking about. Some people are thinking they would work remotely, keeping jobs in Vancouver, and so that is where we are talking about a coworking space. Today we had a coworking space where there were five of us sitting around a table all working on our laptops, working in jobs in Vancouver.</p> <p>We're hoping also to invest in local economic opportunities here as well. We do have someone who is an early childhood educator in training and so there's also considerations in ways that we could support the community in terms of childcare facilities and so we are not thinking of running anything big but small scale initiatives like small daycare facilities are things that we're exploring.</p> <p>We're not thinking of an event space, we're just, in the same way that we pulled up a picnic bench and had some folks out for a small outdoor concert, that's something we may have every few months with permission or buy-in from the neighbourhood.</p> <p>YS: I have a comment. Daycare is permitted use in any zone on any property for up to seven children. And those events, I understand it's only personal events, not promoted events?</p> <p>Absolutely.</p> <p>YS: If you have a property you can host a party or a wedding but mustn't get too loud.</p> |
| Q035 | I believe there was a retail clause in your request?   |
| A035 | Oh, I think that's part of the Elphinstone existing language. What we wanted to do was bring the existing language forward. It is not our intention to do retail. At all. It is very much intended to be clustered small houses.   |
| 6.7  | <b>Living our Values</b> (Annelies Tjebbes, YJLV)  |
| Q036 | Have any of you actually lived over here? How do you know you're actually going to like it? It's a pretty permanent change to the property and pretty permanent change to our whole community for people who've never even lived here. You could be here for a year and decide "no I hate catching the ferry, I hate it here, I can't go shopping, I can't" -- which a lot of people do.   |

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| A036 | That's fair. I grew up in a small town on a farm that was four kilometers from town. I really loved living in a small community and with a tight knit community in a rural setting. I know that's something that I -- I've lived in Vancouver for twelve years and I'm ready to live back in a small place. I know that we have really strong ties to this community and that the reason we purchased a property is that we wanted to live here. I know that people's life situation evolves over the course of their lives whether they choose to live in rural settings or urban settings and I know that, tied by our values, we are interested in living here. |
| Q037 | If you're trying to take a zoning wording from Area E and apply it to Area F, did you pursue any properties that had the appropriate zoning for what your targets were?  |
| A037 | We didn't pursue any in Elphinstone, no.   |
| Q038 | So was that an afterthought or was it the intention to purchase a piece and then try to mold it to what you needed?  |
| A038 | This was one of the first properties that came up that was the right size for what we were looking to try to do and in a location that was accessible for cycling, that was close to transit, and that had a mature existing forest, and a lot of the landscapes and things that we all loved. Elphinstone is the only area that has clustered community housing.  |
| Q039 | Were you aware of that ahead of time or was that not even a thought?   |
| A039 | We didn't know density clustered zoning existed in Elphinstone at the time we were looking at it. We were looking at "what opportunities are there to possibly create a community?" We didn't know that we could do "clustered development" at the time.   |
| Q040 | Now that you are aware, have you pursued any other opportunities that are out there that are already zoned.  |
| A040 | No, because we bought this property.   |
| Q041 | You could sell it though. You fixed up the house, you could probably make a buck off it.   |
| A041 | <p>We only know of one in Elphinstone that exists at this point. I don't know if it's been developed yet. Do you know Yuli?</p> <p>YS: I think what they are looking for is to borrow that land use model and apply it to West Howe Sound. West Howe Sound right now does not have this type of development but from the perspective of the location, being in the Gateway and very close to transit, and being in a transition zone from the lower density to the</p>   |



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|      | higher density, there is the possibility to have this kind of development blend in to the area.   |
| Q042 | When did you have your concert, because I didn't hear it? We live across the road!  |
| A042 | That's a good sign!<br>Last summer<br>At 3 pm<br>It was a couple of guitars in the middle of the afternoon.<br>It was definitely not amplified in any way.  |
| Q043 | Just remember to invite us.   |
| A043 | We did invite a few folks that we've gotten to know in the area, but we look forward to inviting all of you.  |
| Q044 | Putting aside the community building, so you have the nine separate lots, you have seven partnership groups: are you looking actively for two other participants?   |
| A044 | One is for Habitat for Humanity and one lot that we're holding at this point.<br>With this existing house, the hope is that it would be a bit more of our community space. So opportunities to connect there over shared meals, it's already got a setup where a big long table could fit for nice community dinners.                           |
| Q045 | How did you find one another?   |
| A045 | A decade of different friendships. Some folks through volunteer organisations, Some folks just kind of ran into one another. I don't remember all of our origin stories.<br><br>Mostly through volunteer organisations and outdoor adventuring.<br><br>Yeah, we'll go on a bike trip and invite forty people to go with us!                     |
| Q046 | How many of you are here now?   |
| A046 | There are seven of us. There are two that are travelling in southeast asia at the moment and one who got called away to a meeting on the east coast last minute, otherwise they would have loved to be here.  |
| Q047 | I got involved in Langdale creek. I'm a stream keeper from there, getting involved with the salmon and monitoring the creek for its activities. I don't know if you are aware of it, It's really a flood, so it goes all the way up the creek I guess. Two acres of land -- which blew my mind when you do the math -- we get 40 inches of rain |

|      |   |
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|      | <p>here. It basically equates to a hundred million liters of water a year lands on that two acres that is not lined-in greenspace. So my concern is trying to hold your water on this site so that it doesn't leave. Your synopsis says that you're going to give it to the SCRD, which I ask you not to do. Their record so far in the area here is not good. The actual water that runs on the land. We live down on the beach and every time there is a rain event the water is brown and we've got eel grass in front of us which is getting killed. Anyway, I'll leave that for the moment. My question or request of you is that you look after your rainwater.</p> <p>Keep it on your property. Do not ask somebody else to look after it, and you know what they say, who looked after it? It's really important because, go down to Langdale Creek tomorrow and you'll see it kind of plotting along. I'll show you some photos of how hard it's hit this year. It goes bank to bank and the creek is not salmon bearing anymore because we've destroyed it with the bypass and all this ignoring it. There is a lot of agricultural land around there which is great but, right now, I've walked every drainage in that area and I can see where everybody's ditched, and everybody is doing their bit to try to address the problem, which is all well, but when everybody adds it all up the creek gets flooded. If you stand by the creek in October you can hear boulders the size of chairs going down the river. Well, the salmon don't stand a chance.</p> |
| A047 | <p>We're fortunate that we have a whole bunch of water resources and storm water management engineers in our community. We can look at ponds, we can look at vegetated swales, a whole bunch of things to be able to contain that water and allow it to actually penetrate into the ground and hold that water capacity so you don't end up with flash flood of water running off impervious surfaces.</p> <p>A lot of the smart development practices that the SCRD and other communities and regional districts use a net zero development. If you are going to create impervious surfaces, concrete, asphalt, or anything like that, then you need to be able to retain that water in other ways on your property. We're definitely not a team of concrete and asphalt people. That's not what we're after. We definitely want to develop pervious surfaces that will allow the ground to do what it does so beautifully and continue to keep the water on the property.</p> <p>We will absolutely be designing with stormwater management practices on the property. That's part of any kind of development application process and managing rainwater, stormwater management, wastewater systems, water utilities are all part of the design process. Not part of this initial application, but potentially future applications down the line, should this proceed.</p>  |

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| Q048 | Are you building everything at the same time or are you doing one house then the next and the next?  |
| A048 | I think the intention would be to do the servicing of the lots and then I expect that it would be a staggered build. These things are all concepts, five or so years down the line, how we imagine it may roll out.  |
| Q049 | Given the design, the lane going through to Parker, how important is that back road development going to be for you? Right now that's not a serviceable road. That does change everything in terms of that back access. My back property which is right beside yours, I never see anyone back there. How important is that road to you guys?   |
| A049 | That's just an idea of a potential roadway. As I said, we could potentially do a hammerhead or a U-shape that both enter and exit onto North Road. That's a concept that we're open to having conversations about.   |
| Q050 | I just wanted to clarify, you said that the present lot could be subdivided into two acre lots with two houses on them so basically you're talking, if you made them large houses you could put a suite in them. The density would be similar to what you're proposing, with the distinction that you could be having mega houses on them that cleared the lot completely versus what looks like a community that's fairly well hidden from the road. Am I correct on that? And clear cutting the lot. |
| A050 | Yes.   |
| Q051 | One doesn't automatically mean the other, like you're not clearcutting?  |
| A051 | I think it's worth mentioning that under the current zoning you could do a whole bunch of things and that is one extreme of it. For sure.  |
| Q052 | If the zoning allowed you ten lots, you could actually, in the future, with a different set of people, do exactly that and put ten big houses on it.   |
| A052 | If it wasn't written into the title. It's possible.  |
| Q053 | Do you plan to use solar power?  |
| A053 | I think we are interested in exploring a bunch of renewable power options. We haven't dove into each of those individual things at this point but I know that Charlie at one point was looking at some solar as a possible avenue.<br>One of our partners operates a run-of-river hydro at a family lot so we have experience with remote power situations.  |



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| 7.0  | <b>Next Steps</b>   |
| 7.1  | <b>Open Q&amp;A</b> (Annelies Tjebbes and Colleen O'Toole, YLJV)  |
| Q054 | <p>If you had a community road running through there, are you planning for any lighting for communal spaces? That's one of my larger concerns being right across the road and slightly higher in elevation. We've only been there about three years and we sought a lot that was going to be rural.</p> <p>Light pollution is a concern. As it is right now from the front yard I see trees and the mountain. Even as it stands from your plan, I'm going to look at eight buildings, and then if there's street lights incorporates it changes our entire lifestyle there.</p> <p>Even that many homes are likely to emit some over right, beyond what it was currently zoned for. We went into the regional district before we signed on our deal to ask about what the potential was for higher density creeping into the area. We were assured that the OCP and land use plan usage was an indication of what the desired density would be. We're only talking three years. That's not a long time. It's going to be hard to swallow, to see it happen after the efforts we put into getting a piece of land that was zoned for what we wanted to do.</p> |
| A054 | <p>We're not planning to do any big exterior lighting. That's not our plan.</p> <p>The thing with lighting is that it is one of the most manageable things. We can just pull you into that part of the design and set up directional lighting so that it's not facing your property or any other neighbours. That's an extremely manageable concern.</p>  |
| Q055 | Well, being as you own the land, welcome to our community!  |
| 7.2  | <b>Closing - Thank you!</b> (Annelies Tjebbes, YJLV)  |

Prepared by:

Kaan Williams, YLJV Partner

**ATTN: [Yuli.siao@scrd.ca](mailto:Yuli.siao@scrd.ca)**  
**SCRD Planning Department**

March 15, 2020

To Whom It May Concern,

We are writing in full support of the proposed development at 1457 North Road.

With continued population pressure on the Sunshine Coast, we feel confident densification will occur. The project this group has outlined is, to us, the epitome of responsible development.

As neighbours two properties over (1395 North Road) we feel this development would not only enrich the community aspect of the neighbourhood, it would also maintain the area's rural feel.

The idea that the project would preserve so much nature on the property, with density focussed in certain parts of the strata is, in our view, a huge asset to the surrounding area.

At 1395 North Road, we see many migrating birds fly through, coyotes, bears and deer abound, and don't forget the frogs! The continued stewardship of natural areas on the property this group has outlined in their proposal, is the type of developer we need for that property. Their project clearly demonstrates that it will continue to support the diverse wildlife we cross paths with on a day-to-day basis.

We have watched this group bicycle up and down the hills and contribute friendly chatter and conversation to the area. We would like to see their project come to fruition, and will be happy to have them as neighbours!

Please do not hesitate to contact us for more information or questions.

Sincerely,

Angelina Theilmann & Dan Stein

**From:** [\(Dr.\) Penelope Connell, #11 - 765 School Rd, Gibsons](#)  
**To:** [Mark Hiltz](#)  
**Cc:** [Yuli Siao](#)  
**Subject:** Support for Yeah Life Joint Venture: amendment to OCP of Area F, West Howe Sound  
**Date:** Friday, March 6, 2020 8:48:18 AM

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Mark Hiltz,

West Howe Sound Director, SCRD,

1975 Field Road,

Sechelt BC V0N 3A1

I am writing in support of the Yeah Life Joint Venture's application to amend the Official Community Plan (OCP) of Area F, West Howe Sound.

I attended the presentation Yeah Life made to community members on Monday, March 2nd. Most members of the group were present to address questions and provide information, especially to their immediate neighbours, of whom several were present. Of those neighbours, the majority seemed to have attended simply to hear about the the proposal, which the group is aware could provide a model for other projects to follow. Those seated around me were very supportive; even a man beside me, at first rather negative, was involved in pleasant and animated conversation with the presenters at the end of the evening as I was leaving.

I found Yeah Life's plans commendable for several reasons. First, group members are experienced professionals, several of them engineers in fields relevant to the project they are engaged in. Also, they have a love for the Sunshine Coast that predates the land purchase and have all spent much of the two-plus years since they bought the property spending time there and renovating the existing building. They have educated themselves thoroughly concerning Area F and how their project can come to fruition.

They also demonstrated, both during the presentation and in conversation following, that they are committed to joining and enhancing the life of the neighbourhood, not imposing themselves in an inconsiderate way. They addressed the concerns raised by neighbours, emphasizing their desire to take neighbours' concerns into account in the design and completion of the project. They laid out their shared values and demonstrated them in action by their responses. They intend to follow up with one-on-one discussions with all their neighbours.

The amendment to the OCP of Area F, West Howe Sound to add a "Comprehensive Development Cluster Housing Area" clause has a precedent in Area E (Elphinstone) and other SCRD areas. The group is setting its own precedent by donating one of its ten lots to Habitat for Humanity, in proactive compliance with the new, unspecified, affordable housing component for all subdivision applications. Its members strike me as people I will be glad to have as neighbours. Their attitude to community is commendable; their attitude to the natural environment into which they are moving is formed both by their love of the place and by awareness of the necessity to respect the land.

Finally, the group clearly delineated its intentions regarding its life on the coast. Some intend to raise their children here, others to contribute by offering a variety of services and the economic power they sustain. Their aspect seems to me that of health, joy, and energy.

Thank you for your attention to this letter of support. I intend to follow the progress of this application and to attend further public hearings in support of it. Please call if you wish further input.



**From:** [Rob Bennie](#)  
**To:** [Mark Hiltz](#)  
**Cc:** [Yuli Siao](#)  
**Subject:** Area F proposed OCP amendment  
**Date:** Tuesday, March 3, 2020 3:28:27 PM

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We wish to go on record as being in support of the proposed Area F OCP amendment to allow “Comprehensive Development Cluster Housing Area” for the property on North Road, Gibsons, B.C. by the Yeah Life Joint Venture. We note that the request does not call for a significant increase in density as the present zoning would allow the present parcel to be subdivided into two 2 acre lots with 2 houses and suites in each for a total of 8 residences. The proposal allows for 10 residences, including one “low cost housing unit”; a valuable asset on an increasingly expensive Sunshine Coast, particularly if this proposal starts a trend toward including such units in future developments. The most significant advantage of the proposed subdivision is that the developers plan on keeping the house size to around 1500 sq. ft., set in a mainly wooded area with buffer zones on all sides. This will help to retain a small neighbourhood character to the area and minimize the impact on neighbouring property owners, in contrast to the megahome development we have seen in the nearby subdivision of St. Andrews as well as with some of the huge homes in Twin Isles Estates which are totally at odds with the flavour of the rest of the Hopkins area. In addition, the fact that the developers have expertise in water management will go along way to ensuring that the majority of water will be retained on site and runoff will not affect those of us who are downslope from the development, in contrast to the Twin Isle and St. Andrews developments where the land was stripped bare with no ground cover to retain the annual rainfall, which has meant that we have been left to deal with the increase water flowing across and through our properties and onto the Hopkins beach. It is worth noting that St. Andrews was required to retain its runoff on site but this has neither been done by that developer nor monitored by the SCRD or DOHI, whereas these North Road developers plan on living on site and so are committed to retaining the natural setting as much as possible.

The price of houses and properties has spiraled out of the reach of the majority of young people, the very people we need to attract to the coast to keep it viable and vibrant. If the Sunshine Coast is going to attract new young people to the area, we believe that local officials and residents alike will need to embrace innovative ideas such as this one. With all these commitments and considerations in mind, we urge you to accept this OCP change. Thank you for your consideration of this matter.

Yours truly,

Rob and Janet Bennie

**From:** [Cathy](#)  
**To:** [Mark Hiltz](#)  
**Subject:** 1457 N. Road application  
**Date:** Thursday, March 5, 2020 4:37:42 PM

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To All Concerned

As a resident of Hopkins Landing I attended the public hearing at Eric Cardinal Hall on Monday, Mar 1st for the Yeah Life Joint Venture group that is applying for development of their property on North Road.

I think this would be a real asset to our community. We need more of these young people who are very organized and motivated to make this area more liveable for all levels of affordability. This team of professionals are a dynamic group who are connected, hard working, committed, and are matching their goals with their values. They have done their research and are very knowledgeable about all the aspects of developing their property. Our community needs more vibrant, community-oriented residents like this to help grow in a positive, environmentally conscious way. They would definitely be an asset. I think the concept they are trying to achieve is very viable, and needs support from all levels.

Thank you.

Cathy Jennings  
1257 Point Road  
Gibsons BC.

519 Harvey Road  
Gibsons, BC  
V0N 1V1

March 20, 2020

Mr Mark Hiltz  
West Howe Sound Director, SCRCD  
1975 Field Road, Sechelt BC  
V0N 3A1

Dear Mr Hiltz:

My wife and I are writing with regard to a proposed amendment to the Official Community Plan (OCP) of Area F, West Howe Sound, to add a "Comprehensive Development Cluster Housing Area", and the community meeting held on March 2<sup>nd</sup>, 2020 to discuss this proposal. Thank you for attending this meeting to hear the feedback from the West Howe Sound attendees.

While we here in Grantham's Landing are not directly impacted by this proposal, we would like to voice our support for the proposed amendment to the OCP to permit a development such as that proposed by the applicant. The applicant(s), who presented as a group of bright young, energetic, enthusiastic individuals have drafted a proposal that is respectful of the land and also respectful of the impact of the development on their neighbours. The applicants seem very committed to making the Sunshine Coast their respective homes, and it would seem that the Sunshine Coast would be that much the better for their presence. They seem like the kind of young people we should welcome to live on the Sunshine Coast.

We were surprised to hear that the applicants propose to donate one of the proposed lots of this development to the Habitat for Humanity. If this is not a specified rezoning requirement in our regional zoning bylaws, this is an extremely generous act on their part.

We would also like to comment on a concern that was raised at the public meeting regarding the potential for this proposal to turn into a much larger proposal with many more inhabitants at some point in the future. Apparently the current zoning permits this property to be divided into a maximum of 2 two acre parcels, with two homes on each parcel. As was mentioned at the meeting, each of these four homes might eventually have suites included in them. A fear was expressed that if a 10 lot development was approved, then each of these 10 homes might also eventually be approved to include suites. At least two mitigating factors come to mind to ensure that the development remains at the scale proposed by the applicants. First, we would think that covenants on the properties could help ensure that the development remains as approved in its final stage. Secondly, once an on-site wastewater disposal system is approved and installed, the engineered capacity of that system determines exactly how many households of what size the system can handle. This would limit any further development beyond the capacity of the wastewater system.

Thank you for allowing us to comment on this proposal.

We hope that the Sunshine Coast Regional District will provide a positive review of this proposal.

Yours truly,

Greg and Janet Ritchey



**From:** [Yuli Siao](#)  
**To:** [Yuli Siao](#)  
**Subject:** Fwd: 1457 North Road  
**Date:** Friday, March 20, 2020 1:32:06 PM

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**From:** Deb Mowbray  
**Subject:** 1457 North Road  
**Date:** March 20, 2020 at 11:31:01 AM PDT  
**To:** [Mark Hiltz](#)

To whom it may concern:

I am writing this letter as a letter of support of the Yeah Life Joint Venture (YLJV) crew, after attending their information meeting at Eric Cardinal Hall on March 2nd I believe it was...

I think what this group is doing is not entirely unique as we do have other bare land stratas and clustered housing projects scattered throughout our community.

I think it is important to understand that this group is aware and conscious of the concerns of the public, mostly neighbours, with respect to preserving their property and lifestyle values.

I understand that this venture is applying for an amendment to the Official Community Plan (OCP) of Area F, West Howe Sound, to add a "Comprehensive Development Cluster Housing Area". I understand this zone has a precedent in Area E (Elphinstone) and other SCRD areas, so it's not coming out of left field. They are proposing 10 lots, each smaller than .25 acre (.1 hectare). One will be given to Habitat for Humanity (because they are all compassionate people and also to satisfy the new, unspecified, affordable housing component for all subdivision applications.)

Knowing many of these members personally, having sold them the land originally, I see their intentions are true. They just want to build an affordable community for themselves and are helping our community as a whole with their generous donation.

Please give them the utmost respect and consideration as I am sure they will for you.

Thanks for taking the time to read this letter of support.

Sincerely, Deb Mowbray

**From:** [Betty Masson](#)  
**To:** [Mark Hiltz](#)  
**Cc:** [Yuli Siao](#);  
**Subject:** Yeah Life Project  
**Date:** Friday, March 20, 2020 3:30:57 PM

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*I'd like to take this opportunity to lend my support for this unique project.*

*I was pleased to attend an information meeting and learn about some of the ideas put forth. It was a great pleasure to meet these young vibrant folks who have a passion to live in close proximity on a common space. We at Hopkins should be pleased that they have chosen this area to put down roots.*

*I was so very impressed with the plans and the detail that the group have submitted for our interest.*

*We would be delighted to welcome such a dedicated group of young professionals and will watch with interest as the plans take shape. We will feel so lucky to call them neighbours and just wish that more of us were dedicated to leaving a small footprint and sharing a common living space.*

*Good luck to the Yeah Life Project. I hope their plans go through without a hitch.*

*Sincerely, Betty Masson, 1077 Point road, Hopkins Landing.*

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**From:** [Kasey Cochrane](#)  
**To:** [Yuli Siao](#)  
**Cc:** [Mark Hiltz](#)  
**Subject:** Zoning Amendment Application: 1457 North Road, Gibsons, BC  
**Date:** Thursday, March 12, 2020 1:48:37 PM

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Dear Mr. Siao,

Re: Zoning Amendment to 1457 North Road, Gibsons, B.C.  
Subject Property Legal Description: Block 30 District Lot 695 Plan 2746

I am writing to express my concerns with the above Zoning Amendments. I am hoping that you can either consider my concerns or point me in the direction of someone who can. Please forgive my ignorance to the process as I have no experience with these matters.

My main concern is that this project is too dense and does not fit in with the current neighbourhood character. Yes, there is densification nearby but the majority of it has occurred as the properties were on slopes with views and therefore were not very useful/appropriate as larger properties. I have spoken with several of our close by neighbours and none of them are in support of this zoning amendment. Everyone I spoke with wants the SCRD to uphold the current zoning that is stated in the OCP. We all are single family homes, some of us have second homes on our property but all of us have lots of space between to uphold the rural ambience that we all strove for. The above application would have my house facing a cluster of eight houses (as we border their property on the North Road side) instead of the max of 4 appropriately spaced houses if they were to subdivide. It was stated at the public meeting that changing of the zoning to this property would not be used as a precedent to change other properties that are RU1 zoned but I find that hard to believe since this whole zoning application is based on zoning that was changed in Area "E" and therefore is being used as precedent for the above application. There are very few rural areas left in the Gibsons area and this zoning amendment will be sure to permanently change the density in our neighbourhood and other rural areas in the future.

The Yeah Life Joint Venture "YLJV" has stated in their plans that they will maintain a 6m buffer of trees on the north and east property boundaries but on the south (which borders North Road) they just state that a "This 6m minimum visual buffer may also be implemented". If it were 6m of undergrowth and cedar trees the visual buffer would be perhaps more adequate but the reality is that it's 6m of mainly alder with a few cedars sprinkled in. At the far edge of our property we have about 40-50 feet of the same type of forest, mainly alders with a few cedars sprinkled in, and in the summer it creates a decent barrier but in the winter you can completely see through it.

If the YLJV were to abide by the current zoning and subdivide into 2 separate 2 acre parcels then they could build up to 3 more homes of whatever size they wish. This is what all the neighboring properties that have been developed have already done. After meeting them, I feel it is unlikely that they would take all the trees out and build massive houses but if that's what they did then that is within their rights. If the SCRD is concerned with an increase of run off if an outcome like that occurred perhaps they should consider amending the OCP to have any new rural properties keep a natural buffer of trees to help suck up any added run off that may accumulate. I find it hard to believe that run off from 8 homes would be less than 4 even at a bigger size but I am not an engineer so this is just speculation. If the YLJV were to stick with the current zoning and then later on decides this isn't the place for them then the property



would be easily sellable and still would fit with the current form of the neighbourhood.

I understand that the SCRD is feeling the pressure to help create as much affordable housing as possible and that this proposal has used all of the key terms like “affordable housing” and “sustainability” that checks those boxes. I disagree that this is a form of affordable housing as the costs of each of these houses is most likely to be on par with the cost of a similar size condo/townhome, if not more. In my opinion with the proposed cluster housing, the end project would be very similar to a community of detached townhomes. I think there are some areas where this type of housing fits in very nicely. Perhaps in areas that already have more densification and only a few acreages. There is a great example of this in Roberts Creek next to the Elementary School.

As for creating more affordable housing on the Sunshine Coast, may I suggest that the SCRD consider relaxing the housing sizes for auxiliary dwellings to help create more family homes which in turn will help to create more affordable rentals (the more availability of rentals the more likely the rental prices will stop increasing as much). It also would increase the value of properties but make the property owner’s mortgages more easily handled. The current zoning has our property zoned for an auxiliary dwelling up to 560 square feet. This size of home is pretty much requiring us to create a vacation rental. The rental return on a 560 square foot home would hardly justify the cost of building, let alone take in account the reality of finding and keeping tenants for such a small house. If the auxiliary dwelling allowed were an appropriate size for a small family home then it would be encouraging long term rentals instead of vacation rentals. I see a need for both but as it stands people are choosing to do vacation rentals over long term as the finances make more sense at that size. As a busy young family we have no time to be running a side business as a vacation rental and would like to be able to benefit our community by creating more family homes available for long term rentals. Furthermore, perhaps considering some sort of tax break to property owners that have long term rentals instead of penalizing vacation rentals would also help to encourage property owners to have long term rentals.

I would like to add that as a long standing member of our community and co-owner of a small business in Gibsons landing, I am incredibly grateful that so many people are moving here and want to move here. Our business would most likely not have grown to the extent it has if it weren’t for the influx of new people we have had in the last 10 years and we need to continue to encourage that. I myself have lived here for over 25 years. I am only stating this to prove experience/knowledge of the area and not to in anyway discount others opinions who have not lived here as long. In that time, I have seen countless people relocate here from other places, some of them love it but lots of them do not for various reasons. We need to be careful not to change the coast to suite every new person that arrives otherwise we will lose the allure that attracted all these new people in the first place. To change the zoning on this property permanently changes our neighbourhood and to do it for a group of people that have never even tried to live here yet against the wishes of the neighbours seems incredibly absurd. At this point I am trusting that the SCRD will be giving ample consideration to the opinions of the people who currently live on the surrounding properties, as we will be the most affected. For the sake of my neighbourhood I sure hope that trust is warranted.

Thank you for your time,

Kasey Cochrane  
1484 North Road

**From:** [Jackson Wright](#)  
**To:** [Yuli Siao](#)  
**Subject:** RE: 1457 north road  
**Date:** Sunday, March 8, 2020 2:21:42 PM

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## Dear Yuli Siao

I am writing to you to voice my concerns regarding any zoning or OCP amendments that could result in the the densification of 1457 north road.

Roughly three years ago my wife, three children and I purchased 1484 North road after a long search for a piece of rural land near our hometown of Gibsons. It was our target to move to this neighborhood as my family has resided in the North Road area since 1960. Before committing to the purchase of our land we performed our due diligence and spoke to the planning department office regarding any potential for dense development creeping into the area. We were assured that the OCP and land usage zoning indicated the desired density in the area. With that information we began the enormous task of developing our family home. It is a concern for us that there is the potential for the very suburbs we chose to avoid may be showing up across the street despite current zoning and OCP suggesting this should not be possible.

At the information session held at Eric Cardinal Hall on Tuesday March 3, we heard from the “Yeah Life Joint Venture” that they are hoping to hold concerts, workshops, and other large gatherings. I feel that this has a very real potential for disturbing the peace and quiet that rural living is supposed to achieve.

Contained in the information package provided by the “Yeah Life Joint Venture” it is suggested that there would be minimal impact on traffic volume, this seems to be based on only the ten names on title residing on the property. When asked about the sizes of homes and number of bedrooms, it was answered that it was expected to be three bedroom units. Upon completion of the project this would result in thirty bedrooms. The proposed OCP amendments include wording that is to allow for “residential use with commercial, retail, service and office use”. This would suggest that there would be further increase to traffic than initially indicated. When asked about the various uses to be allowed under the proposed language, there was no clear answer and the woman giving the presentation seemed unaware of this portion of the project.

At the presentation on March 3 it was said that this project was an affordable housing initiative. With the exception of the potential lot donated to Habitat for Humanity, this does not check out. When questioned about the likelihood of any of these units being resold the answer given was that existing stake holders would be given priority to purchase available units, followed by family and friends. Considering none of these stake holders currently reside on the Sunshine Coast, this does nothing to address the

local affordable housing issues. This makes the proposed project seem more like a commune or a young professional summer camp.

in addition to the issues stated above I am concerned that a development of this size will result in a large amount of lights required for the homes, common areas and road way within the development. This will further degrade the rural area we live in.

The issues I have mentioned in this email are only a few of the concerns I have. I strongly urge you to stand behind the existing OCP and zoning for this area to preserve this region as rural.

Thank you for your time,  
Jackson Wright  
1484 north road



Yuli Siao, Senior Planner  
 Sunshine Coast Regional District  
 1975 Field Road  
 Sechelt, BC  
 V0N 3A1

March 5<sup>th</sup> 2020

**RE: VCH Referral – 1457 North Road Clustered Housing Development**

Dear Mr. Siao:

We have reviewed this proposal and can offer the following comments.

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 (the “Regulation”) under the Public Health Act. Systems over this size require application to the Ministry of Environment under the Municipal Wastewater Regulation.

If applicable, an Authorized Person as described in Section 7 of the Regulation must submit a Filing as per Section 8 of the Regulation to Vancouver Coastal Health and ultimately a Letter of Certification as per Section 9.

Healthy Built Environment

The proposal is innovative and forward thinking and encompasses many Smart Growth principles. Aspects of the proposed cluster housing development appeared to support health and equity:

- The development aims to increase availability of affordable housing on the Sunshine Coast and will donate one of the ten strata lots to Sunshine Coast Habitat for Humanity to build affordable housing. This can provide housing opportunities especially for those that are more vulnerable, including youth, single parents, older adults, and people living with lower incomes, and for the population to age in place as people move through their life cycle.
- The development is in close proximity to local green space, which provides residents more opportunity to be exposed to nature. Exposure to nature and access to green space can reduce stress, improve mental health, encourage more physical activity, and facilitate social connections.<sup>1</sup>
- Living within the clustered development can form communities that promote neighbourhood cohesion and increase social capital. Feeling connected to a community is often associated with lower stress, improved overall health status, and lower mortality rates.<sup>1</sup>
- The proposal outlines the potential to promote active transportation and reduced vehicle use for residents accessing their daily destinations and services (e.g. improved cycling infrastructure and public transportation service in the area as mentioned in the West Howe Sound – Gateway OCP and Sunshine Coast Transit Plan, reduced parking space minimum within the development). Use of active transportation is associated with a wide variety of health benefits (e.g. increased physical activity, decreased obesity, increased social connectivity), leading to improved physical, social, and mental well-being.<sup>1</sup>

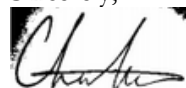
<sup>1</sup> BC Centre for Disease Control (2018). Healthy Built Environment Linkages Toolkit: making the links between design, planning and health, Version 2.0. Vancouver, BC: Provincial Health Services Authority.

The housing proposal may further promote health with the following considerations:

- Active transportation for all and independent mobility for children can be enhanced by building infrastructure around the development that facilitates these modes of transportation, including sidewalks and bike lanes. Any new infrastructure should complement existing infrastructure to enhance connectivity for efficiency and safety. Also, consider providing visual cues for all ages and abilities to walk to amenities located in the vicinity and/or placing bike lockers/storage in the development for convenience and ease of use.
- Incorporate universal design principles to design equitable, accessible, and adaptable housing that is comfortable, safe, and usable by everyone, including children, older adults, and people living with disabilities.
- Include a children's play area, which can support outdoor play. Play is essential to the cognitive, physical, social, and emotional well-being of children and youth.<sup>2</sup> Design the play area for active, unstructured play, where children can lead their own play and have room to be creative. Recommendations on how to design play spaces for unstructured play include the following<sup>3</sup>:
  - Incorporate universal design principles to provide inclusive play elements to children of all ages and abilities.
  - Incorporate natural elements and loose parts to the play space.
  - Include play elements that provide sensory and tactile experiences.
- Community gardens or other raised beds may provide opportunities to amplify local food growth in the area. Small-scale urban agriculture activities such as backyard or community gardens have the potential to build community and influence food knowledge and preferences, in addition to contributing to the local food supply.

If you have any questions regarding this referral, please contact the undersigned.

Sincerely,



Chris Morse, C.P.H.I.(C)  
Environmental Health Officer  
604-885-8701  
chris.morse@vch.ca

<sup>2</sup> Gomes, N & Maia, E & Varga, I (2018). The benefits of play for children's health: a systematic review. *Arquivos de Ciências da Saúde*. 25. 47-51. 10.17696/2318-3691.25.2.2018.867.

<sup>3</sup> Canadian Public Health Association (CPHA). Children's Unstructured Play Position Statement. March 2019. Available at <https://www.cpha.ca/childrens-unstructured-play>.

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

---

**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Yuli Siao, Senior Planner

**SUBJECT:** Zoning Amendment Bylaw 310.189 (7470 Redrooffs Road) Consideration for First, Second and Third Readings and Adoption

---

### RECOMMENDATIONS

1. THAT the report titled Zoning Amendment Bylaw 310.189 (7470 Redrooffs Road) Consideration for First, Second and Third Readings and Adoption be received;
  2. AND THAT a Public Hearing respecting Zoning Amendment Bylaw No. 310.189 be waived in accordance with Section 464(2) of the *Local Government Act*;
  3. AND THAT Zoning Amendment Bylaw No. 310.189 be forwarded to the Board for First, Second and Third Readings;
  4. AND FURTHER THAT prior to adoption of Zoning Amendment Bylaw No. 310.189, the following condition be met:  

Approval by the Ministry of Transportation and Infrastructure pursuant to Section 52 of the *Transportation Act*.
- 

### BACKGROUND

The SCRD received a Zoning Bylaw amendment application to permit an auxiliary dwelling on a parcel located at 7470 Redrooffs Road in Electoral Area B - Halfmoon Bay (Attachment A – Site Plan). Table 1 below provides a summary of the application.

Table 1: Application Summary

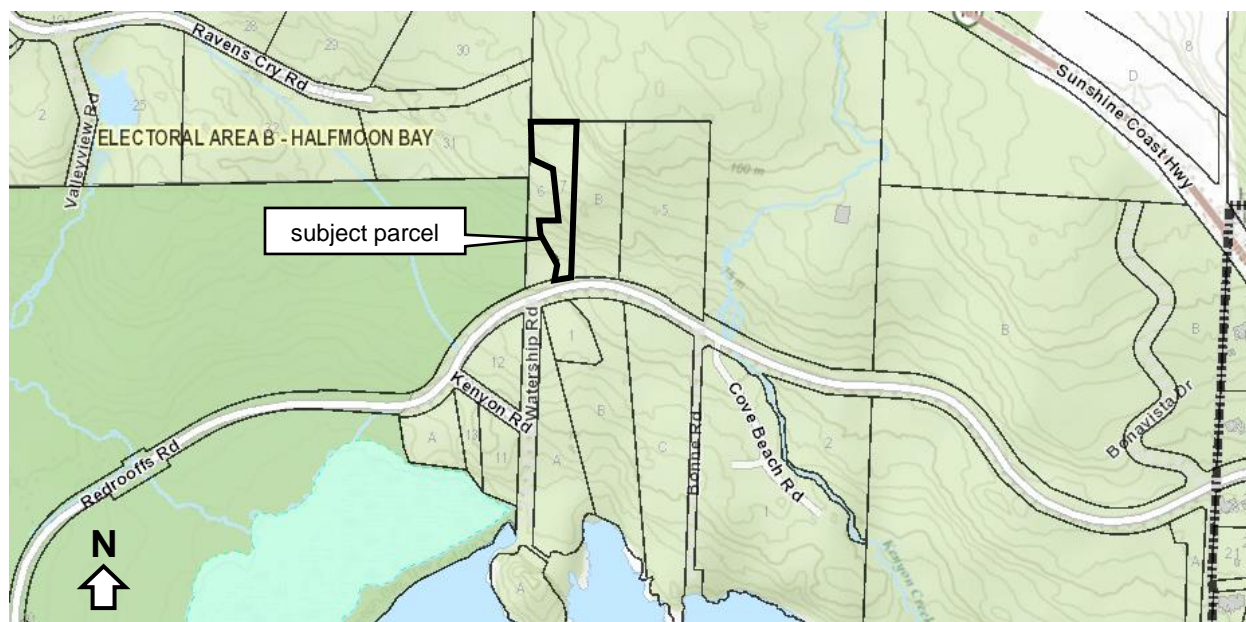
|   |  |
|---|--|
| <b>Owner/Applicant:</b>                   | Bryan Cramer   |
| <b>Legal Description:</b>                 | Lot 7 District Lot 1582 Group 1 New Westminster District Plan LMP22397 |
| <b>PID:</b>                               | 023-037-920  |
| <b>Electoral Area:</b>                    | Area B   |
| <b>Civic Address:</b>                     | 7470 Redrooffs Road  |
| <b>Parcel Area:</b>                       | 0.59 hectares (1.45 Acres)   |
| <b>Existing Land Use Zone:</b>            | RU2  |
| <b>Existing OCP Land Use:</b>             | Residential B  |
| <b>Proposed Use:</b>                      | One auxiliary dwelling   |
| <b>Proposed Land Use Zone:</b>            | RU2 site specific allowing an auxiliary dwelling                       |
| <b>Proposed OCP Land Use Designation:</b> | Unchanged  |



### *Site and Surrounding Uses*

The subject property (Figure 1) is located on Redrooffs Road near Sargeant Bay in Halfmoon Bay. There is an existing dwelling located on the north portion of the parcel. The property shares an access driveway with the adjacent property to the west. The property is surrounded by rural residential properties on all sides. Sargeant Bay Provincial Park is located to the west.

Figure 1 Location of subject parcel



### *Proposed Use*

The applicant proposes to construct an auxiliary dwelling in the mid-section of the parcel to provide housing for a retired family member.

## **DISCUSSION**

### *Halfmoon Bay Official Community Plan (OCP) and Zoning Bylaw No. 310*

The subject parcel is designated “Residential B” in the OCP. The Residential B designation includes many of the existing smaller properties located in Welcome Woods, Halfmoon Bay, Square Bay and the long arm of Secret Cove.

Section 9.19 of the OCP states that existing parcels with a size over 2000 m<sup>2</sup> may be permitted to have an auxiliary dwelling in addition to a principal dwelling.

The subject parcel has a size of 5900 m<sup>2</sup>, and therefore in accordance with this OCP policy, an auxiliary dwelling is permitted in addition to the existing principal dwelling on the parcel. However, the subject property is zoned Rural Two (RU2) and is permitted to have only one single family dwelling, as the size of the parcel is less than 8000 m<sup>2</sup>.

Section 478 of the *Local Government Act* states that:

*(2) All bylaws enacted or works undertaken by a council, board or greater board, or by the trustees of an improvement district, after the adoption of*

*(a) an official community plan, or ...*

*must be consistent with the relevant plan.*

In accordance with the above provision, a zoning bylaw or a zoning amendment bylaw must be consistent with an OCP after its adoption. Since the current Halfmoon Bay OCP was adopted in 2014, 25 years after the adoption of Zoning Bylaw No. 310 in 1989, the zoning bylaw must be made consistent with the OCP through subsequent amendments, which may include site specific amendments or a general update of the zoning bylaw currently underway. The intent of the proposed site specific zoning amendment bylaw to permit an auxiliary dwelling is to make zoning provisions for the subject property consistent with the OCP.

#### *Waiving of Public Hearing*

As discussed above, due to the minor and technical nature of this zoning amendment application, the public hearing respecting the proposed bylaw is recommended to be waived in accordance with Section 464(2) of the *Local Government Act*.

#### *Technical and Housing Affordability Consideration*

The applicant provided a letter from a professional engineer indicating that the existing septic field is capable of disposing sewage effluent from both the existing dwelling and the proposed auxiliary dwelling in accordance with Vancouver Coastal Health regulations.

If approved through adoption of the proposed bylaw, the auxiliary dwelling shall comply with other regulations of the zoning bylaw, such as building setback, parcel coverage, building height and floor area. The proposed location of the auxiliary dwelling is at least 65 m from existing dwellings on adjacent parcels to the east and west.

The proposed auxiliary dwelling can help to create an affordable housing opportunity. This is supported by the OCP.

#### *Agency and Public Referral*

The application was referred to SCRD departments and agencies. Notices of the application were sent to owners and occupants of properties within 100 m of the subject property. Comments received are summarized as follows:

|   |  |
|---|--|
| Halfmoon Bay Advisory Planning Commission | The APC supports the bylaw amendment.  |
| SCRD Infrastructure Division              | Regional water service is available to the property, additional water connection can be made to the proposed auxiliary dwelling through application to the SCRD. |
| SCRD Building Department                  | No concerns  |
| MOTI                                      | No objection   |
| VCH                                       | No comments  |
| Neighbouring residents                    | No comments received   |

|                 |  |
|-----------------|--|
| shíshálh nation | <ul style="list-style-type: none"><li>• It appears that construction of a second dwelling on the property would require tree clearing. As we are now within the nesting bird window under the <i>Migratory Birds Convention Act</i>, we will need information on how the proponent will ensure no impacts to nesting and migratory bird species. Ideally, clearing would be avoided during the nesting window (March 1 to Aug 31); if this is not feasible, a Qualified Environmental Professional (QEP) should conduct a survey for nests and provide recommendations for appropriate protective buffers if nests are found. The survey should be completed no more than 48 hrs prior to clearing.</li><li>• Given the proximity of the property to the coast, a nest survey should also include nesting raptors or herons.</li><li>• Our data indicates that the property potentially overlaps 2 sensitive plant communities listed under SARA. A Biologist should assess any proposed areas where clearing or ground disturbance may occur to ensure no impacts to sensitive plant species, or that appropriate mitigations are in place.</li><li>• Due to the high concentration of recorded and unrecorded archaeological sites in the area, the shíshálh Nation requires a Preliminary Archaeological Field Reconnaissance (PAFR) prior to ground disturbance. This is an initial site visit to assess the landscape for possible archaeological values. Please note there is a registered archaeological site approx. 400 m south of the subject property. Has the proponent commissioned a PAFR? If not, please have them contact the Nation to arrange for that work.</li></ul> |
|-----------------|--|

Comments of the shíshálh nation specifically pertain to the future construction of a building on the property, rather than the proposed land use change to be made to be consistent with the OCP. Due to the housekeeping intent and minor nature of the bylaw amendment, it is recommended that these comments be provided to the applicant and be addressed at the building permit application stage for the proposed auxiliary dwelling.

#### *Public Notification*

Notices about the proposed bylaw were sent to owners and occupants of properties within 100 m of the subject parcel. A sign regarding the application was posted on the property. A public information meeting was waived due to the minor nature of the application in accordance with the Planning and Development Fees and Procedures Bylaw No. 522. No comments from the public have been received to date.

Notice respecting the proposed bylaw and waiving of the public hearing will be conducted in accordance with Sections 467 and 468 of the *Local Government Act*, which will include newspaper advertising and notification to adjacent residents.

#### **CONCLUSION**

The proposed zoning amendment bylaw represents a minor amendment to Zoning Bylaw No. 310 to make zoning regulations for the subject site consistent with the Halfmoon Bay Official Community Plan. The proposal is technically feasible and supports the creation of affordable housing.

Staff recommend that the bylaw be presented to the Board for First, Second and Third Readings, and prior to adoption of the bylaw, approval from the Ministry of Transportation and Infrastructure be obtained with respect to a zoning bylaw affecting areas within 800 m of an

intersection with a controlled access highway (Sunshine Coast Highway), pursuant to Section 52 of the *Transportation Act*.

*Attachments*

Attachment A – Proposed Site Plan

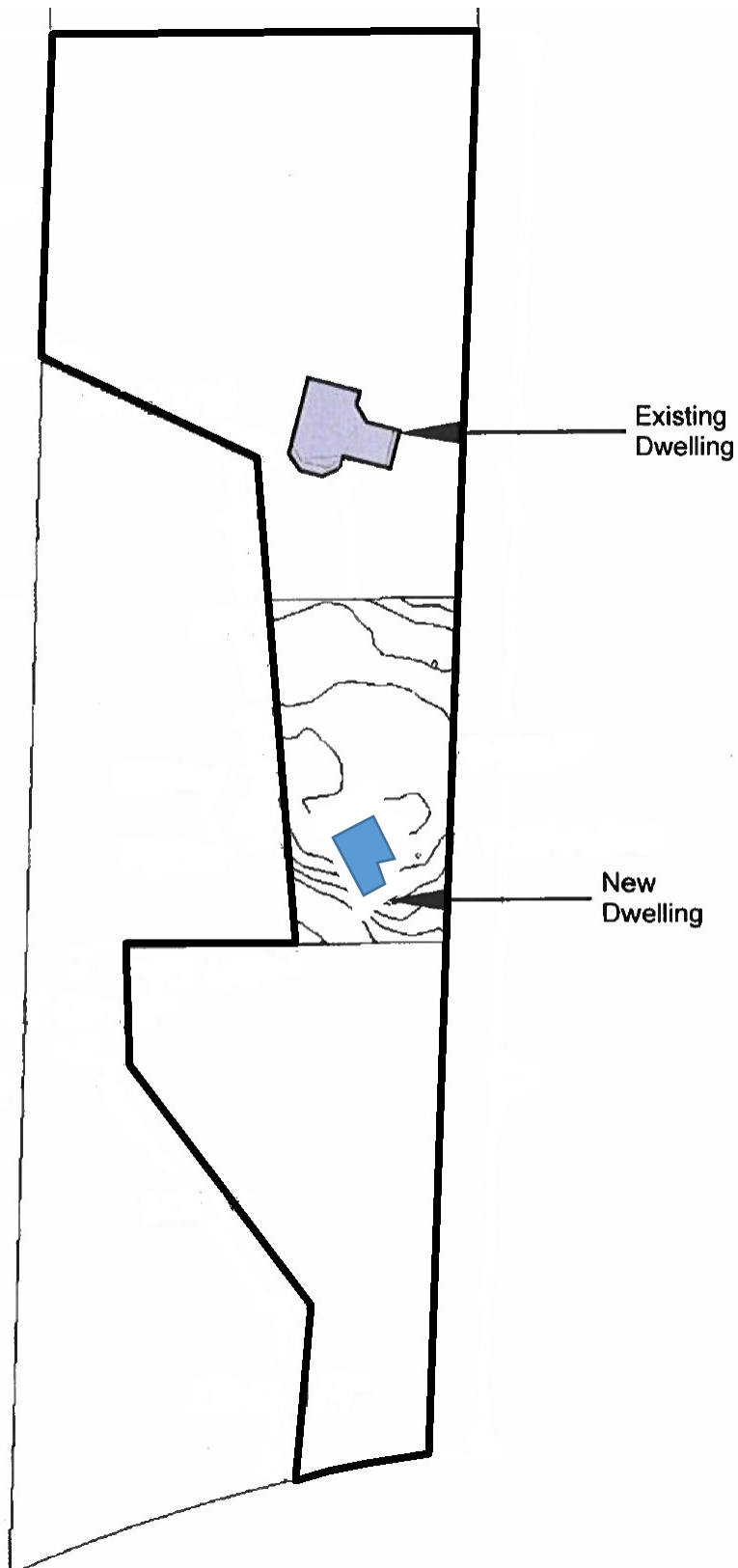
Attachment B – Zoning Amendment Bylaw 310.189

|              |                 |             |  |
|--------------|-----------------|-------------|--|
| Reviewed by: |                 |             |  |
| Manager      | X - D. Pady     | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Utilities   |  |



Attachment A

Proposed Site Plan



**Attachment B**

**SUNSHINE COAST REGIONAL DISTRICT**

**BYLAW NO. 310.189**

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

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

**PART A – CITATION**

1. This bylaw may be cited as *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.189, 2020*.

**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 1011.12:

1011.13 Notwithstanding Section 1011.1(a), an auxiliary dwelling is permitted on Lot 7 District Lot 1582 Group 1 New Westminster District Plan LMP22397.

**PART C – ADOPTION**

|  |        |       |      |
|--|--------|-------|------|
| READ A FIRST TIME this   | DAY OF | MONTH | YEAR |
| READ A SECOND TIME this  | DAY OF | MONTH | YEAR |
| READ A THIRD TIME this   | DAY OF | MONTH | YEAR |
| APPROVED PURSUANT TO SECTION 52<br>OF THE <i>TRANSPORTATION ACT</i> this | DAY OF | MONTH | YEAR |
| ADOPTED this   | DAY OF | MONTH | YEAR |

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Corporate Officer

---

Chair

---

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Yuli Siao, Senior Planner

**SUBJECT:** **Telus Telecommunication Tower at Cawley Point – Request for Local Government Concurrence**

---

### RECOMMENDATIONS

- 1. THAT the report titled Telus Telecommunication Tower at Cawley Point – Request for Local Government Concurrence be received;**
  - 2. AND THAT SCRD provide Telus and Innovation, Science and Economic Development Canada with the following statements respecting the proposed Telus Telecommunication Tower at Cawley Point:**
    - a. Telus has satisfactorily completed consultation with the SCRD; and**
    - b. The SCRD concurs with Telus’ proposal to construct the wireless telecommunications facility provided it is constructed substantially in accordance with the submitted plans and Telus completes an archaeological impact assessment and an environmental assessment prior to construction of the facility.**
- 

### BACKGROUND

The SCRD received a request from Telus Communications to provide local government land use concurrence on a proposed telecommunication tower located at Cawley Point within the Halfmoon Bay Electoral Area (Figure 1).

Telus Communications is proposing to construct a new telecommunication tower on a property near Cawley Point, west of Storm Bay in the Sechelt Inlet. While approval of telecommunication facilities rests exclusively within the jurisdiction of the federal agency of Innovation, Science and Economic Development Canada (ISED), the agency requires proponents of such facilities to consult with local governments and the general public.

The proposed facility is detailed in the proponent’s information package (Attachment A), and reviewed in accordance with SCRD’s policies for telecommunication facilities.

The subject location and surrounding areas are designated “Resource” in the Halfmoon Bay Official Community Plan (OCP), and zoned RU2 (Rural Two) in Zoning Bylaw No. 310. Telecommunication facilities are permitted in these land use designations.

The purpose of the new facility is to improve wireless communication and rural internet services to residents, marine traffic and tourists along the Sechelt Inlet. Telus has determined that there are no viable existing structures in the area suitable for co-utilization with the new facility and equipment. Telus considers the proposed location for the new tower appropriate because it is remote from residential properties, well set back from the waterfront and screened by forests. Photo simulation indicates that the tower can blend in with the surrounding landscape and is not expected to be visible from the sea level.

Although the subject site is not within a development permit area as identified and mapped by the Halfmoon Bay OCP, unmapped watercourses are subject to the BC *Riparian Areas Protection Regulation*. Telus indicates that prior to construction of the tower, an environmental assessment will be carried out to address potential impacts not only on watercourses, but also endangered species and migratory bird habitats. If a watercourse is identified to be possibly impacted by the development of the tower site, a riparian assessment development permit with the SCRDC would be required in accordance with policies of the OCP.

Prior to construction of the tower, Telus will also complete an archaeological impact assessment in accordance with the *Heritage Conservation Act*.

Telus has conducted consultation with the public, and feedback received is documented in Attachment A.

The proposal has been reviewed and is supported by the Halfmoon Bay Advisory Planning Commission.

Improved communications capacity in the area is a benefit to E911 service, Search and Rescue and other emergency response organizations.

Based on the above discussion, staff consider the proposed facility appropriate for the location and consistent with SCRDC policies, and recommend providing concurrence to ISED regarding this proposal.





*Attachments*

Attachment A – Telus Telecommunication Facility Proposal and Public Consultation Summary

|              |                 |                     |              |
|--------------|-----------------|---------------------|--------------|
| Reviewed by: |                 |                     |              |
| Manager      | X – D. Pady     | Finance             |              |
| GM           | X – I. Hall     | Legislative         |              |
| CAO          | X – D. McKinley | Protective Services | X – M. Treit |



April 1, 2020

Via Email: Yuli.Siao@scrd.ca

Yuli Siao  
Senior Planner  
Sunshine Coast Regional District  
1975 Field Road  
Sechelt, BC V0N 3A1

Dear Mr. Siao:

Subject: Request for Concurrence for a TELUS Wireless Communications Facility

|                    |   |
|--------------------|---|
| TELUS Site:        | BC106545  |
| Proposed Location: | Address: Storm Bay, Sechelt BC, Sunshine Coast Regional District<br>PID: 015-852-792      |
| Description:       | 51.0 metre lattice galvanized steel self-support tower / wireless communications facility |

Please be advised that TELUS has completed the public consultation process, following Innovation, Science and Economic Development Canada (ISED), formerly Industry Canada's, CPC Procedures as it relates the proposed wireless antenna installations in the above noted subject line. TELUS is respectfully requesting, from the Sunshine Coast Regional District Board, concurrence for the proposal to build a triangular lattice galvanized steel self-support tower structure telecommunication facility in an effort to provide improved TELUS wireless communications services to the area, marine traffic and tourists along Sechelt Inlet including a portion of Narrows Inlet, the Skookumchuck Narrows and adjacent lands. Enclosed please find evidence of the TELUS' efforts regarding this public consultation process.

On February 20, 2020, an Information Package was submitted to the Sunshine Coast Regional District formalizing the initiation of the consultation process with the Regional District. Please see **Appendix 1: Information Package**.

On February 25, 2020, notification packages were mailed to property owners within a radius of three times the tower height (approximately 153.0 metres) to advise them of the proposal. Please see **Appendix 2: Affidavit of Notification Package**.

On February 28, 2020 an advertisement ran in the Coast Reporter, please see **Appendix 3: Newspaper Tear Sheet**.

On March 30, 2020 the consultation period ended. During the consultation period, seven (7) inquiries were received. All inquiries were responded to with the exception of further information regarding the generator onsite. Once the project is approved, and over the coming weeks, design information regarding the generator will be determined and information related to this will be supplied to the public. Please see the attached **Appendix 4: Comments and Responses Table** for full details of comments from the public.

TELUS is committed to providing reliable wireless service to Sunshine Coast Regional District. If the Sunshine Coast Regional District concurs with the proposed wireless communications facility project, please find in **Appendix 5: Sample Resolution**, a sample resolution which may be used. Should you require any additional information, please do not hesitate to contact us 604-620-0877 or by e-mail at [tawny@cypresslandservices.com](mailto:tawny@cypresslandservices.com).

Tawny Verigin  
Manager of Government Affairs

A handwritten signature in blue ink, appearing to read 'Tawny Verigin', is positioned below the printed name and title.

Cypress Land Services  
Agents for TELUS



Cypress Land Services Inc.  
Suite 1051 – 409 Granville Street  
Vancouver, BC V6C 1T2

Telephone: 604.620.0877  
Facsimile: 604.620.0876  
Website : [www.cypresslandservices.com](http://www.cypresslandservices.com)

February 20, 2020

Via Email

Yuli Siao  
Senior Planner  
Sunshine Coast Regional District,  
1975 Field Road, Sechelt, BC V0N 3A1

Dear Mr. Siao,

**Subject:** TELUS Telecommunications Facility Proposal Information Package  
**PID:** 015-852-792  
**Legal:** DISTRICT LOT 4444, GROUP 1 NEW WESTMINSTER DISTRICT  
**Address:** Storm Bay, Sechelt BC, Sunshine Coast Regional District ("SCRD")  
**Coordinates:** Lat. 49.65644 / Long. -123.83287  
**TELUS Site:** BC106545

---

## Overview

Cypress Land Services Inc., in our capacity as agents to TELUS, is submitting this information package to formalize the consultation process related to the installation and operation of a telecommunications facility located on a hill to the west of Storm Bay. The proposed facility will improve wireless services to residents, marine traffic and tourists along Sechelt Inlet including a portion of Narrows Inlet, the Skookumchuck Narrows and adjacent lands.

## Proposed Site

The subject property is located along the eastern side of the Sechelt Inlet within Electoral Area B – Halfmoon Bay and is comprised of a mixture of densely forested and cleared areas. The land is primarily undeveloped. TELUS proposes to construct at 51 metre triangular lattice galvanized steel self-support tower. The proposed installation is located at the highest elevation on the property necessary to ensure the facility provides the greatest possible range and wireless coverage to the area. Please see **Schedule A: Tower Site Location**.



In addition to new cellular service, TELUS plans to enable this site for wireless high-speed Internet access through our Smart Hub product. This service provides download speeds up to 25 Mbps at a maximum monthly data allowance of up to one terabyte at prices that are in-line with what TELUS offers for wireline based internet services <https://www.telus.com/en/bc/internet/smart-hub>.

### **Rationale for Site Selection**

The proposed site is a result of many considerations. Existing structures, including towers and BC Hydro structures were initially reviewed during the site selection process. After careful examination, TELUS determined there are no viable existing structures in the area of adequate height that would be suitable for the operations of TELUS' network equipment. The proposed location is considered to be appropriate given the installation will be located a large distance from any residential properties, the tower is well setback from the waterfront and the tower structure will be screened by forested areas surrounding the tower. From a radio frequency perspective, a site at this central location in Sechelt Inlet allows TELUS to expand its wireless services throughout Sechelt Inlet and surrounding areas.

### **Tower Proposal Details**

TELUS is proposing to construct a 51-metre-high triangular lattice galvanized steel self-support tower with a 6' microwave, three panel antennas and a 2 metre lightning rod installed at the top of the tower. Solar panels to supplement the primary power source will be mounted at the base of the tower. The fenced equipment compound will enclose a 20,000 litre diesel fuel tank, two generators and a fuel pump.

TELUS has completed preliminary design plans and a photo-simulation, please see **Schedule B: Preliminary Plans and Schedule C: Photo-Simulation**. These preliminary design plans are subject to final engineered design, land survey and approval of Transport Canada. Transport Canada approval may require tower lighting and/or marking. We do not expect the tower to be visible in any significant way from sea level – which is why the rendering provided is from the air.

### **Consultation Process and Concurrence Requirements**

Innovation, Science and Economic Development Canada (ISED), formerly Industry Canada, requires all proponents to consult with the local land use authority and public, notwithstanding that ISED has exclusive jurisdiction in the licensing of telecommunication sites, such as the proposed tower.

The SCRD has developed a Telecommunication Facility Review Procedure where community consultation is required. TELUS will send out notification packages to all properties located within three times the height of the proposed tower and place an advertisement in the local newspaper,

The Coast Reporter, which will run on February 28<sup>th</sup>, 2020. The public will be given 30 days to provide comment.

At the conclusion of the consultation process, TELUS will prepare a summary of comments received from the community as well as the replies provided by TELUS and will share this consultation log with the SCRD and ISED. TELUS will then request that the Planning and Development Division prepare a report for the Planning and Development Committee and the SCRD Board regarding the application and consultation process, ultimately requesting land use concurrence from the Board for this proposal. TELUS will be notified of the SCRD Board resolution regarding the application.

### **Health and Safety**

Health Canada's Safety Code 6 regulations are applicable to this, and all, telecommunications sites. Safety Code 6 seeks to limit the public's exposure to radiofrequency electromagnetic fields and ensures public safety. Additional information on health and safety may be found on-line at: Health Canada: [http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio\\_guide-lignes\\_direct-eng.php](http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php).

### **Conclusion**

Please consider this information package as the official commencement of consultation with the Regional District. TELUS is committed to working with the Regional District and the community throughout the consultation process.

We look forward to working together during this process. Please do not hesitate to contact us by phone at 604-620-0877 or by email at [tawny@cypresslandservices.com](mailto:tawny@cypresslandservices.com). Similarly, if you would like to speak directly with a TELUS representative at any point during this process, please feel free to reach out to Kate Pelsoci at 604-328-0087 or [Kate.Pelsoci@telus.com](mailto:Kate.Pelsoci@telus.com).

Thank you in advance for your assistance and consideration.

Sincerely,  
**CYPRESS LAND SERVICES**  
Agents for TELUS



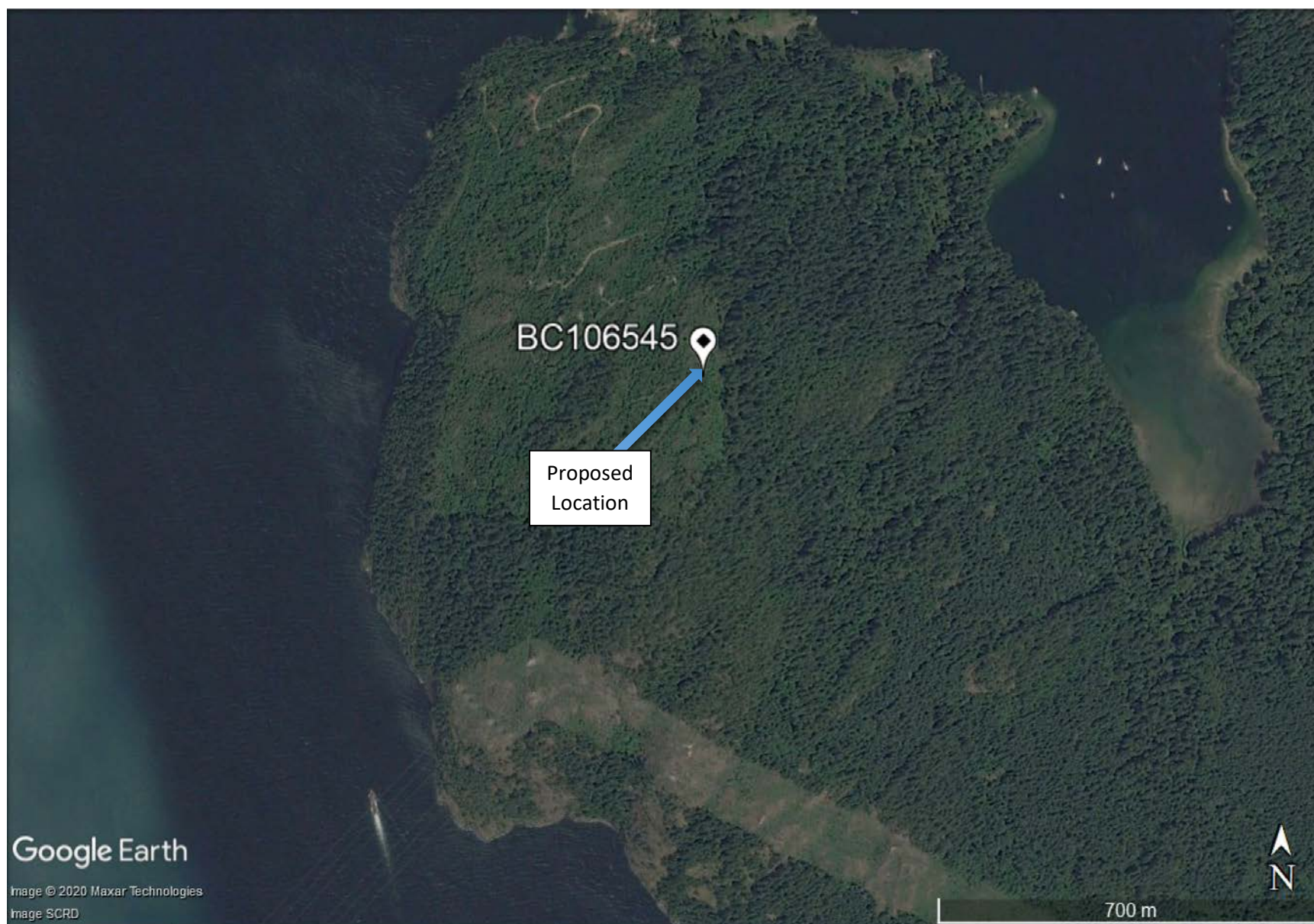
Tawny Verigin  
Manager of Government Affairs

cc: Kate Pelsoci, Real Estate Manager, TELUS

**SCHEDULE A  
TOWER SITE LOCATION**



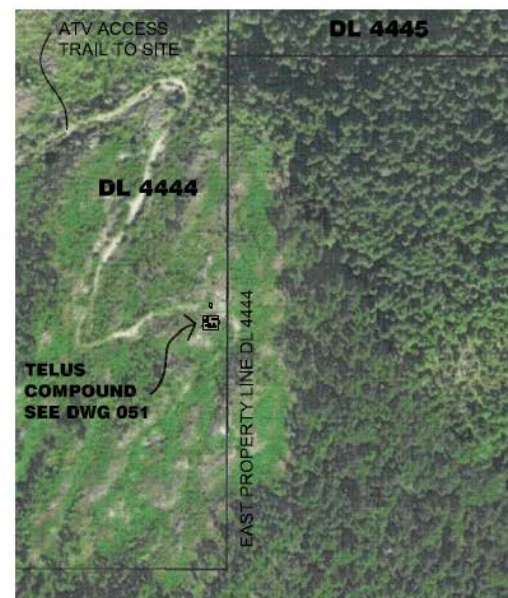






A topographic map of the Telus site area. The map shows several land parcels outlined in black. Key features include:

- TELUS SITE:** A large parcel on the left side of the map, labeled with the number 015-832-782 and 444.
- ATV ACCESS TRAIL TO SITE:** A dashed line indicating a trail leading to the Telus site.
- CRAWLEY POINT:** A point on the northern shore of the map.
- STORM BAY:** A body of water on the right side of the map.
- Other parcels:** Several other parcels are shown, including one labeled 013-983-938 and 4443, and another labeled 015-861-430 and 4285.
- Topographic features:** Contour lines are shown, indicating elevation. A green triangle marks a specific point on the map.
- Statutory Boundary:** A dashed red line labeled "Statutory Boundary" runs diagonally across the map.
- Other labels:** "015-062-562 4442" and "Statutory Boundary VAP 17107" are also visible on the map.



TELUS SITE AERIAL  
1:5000



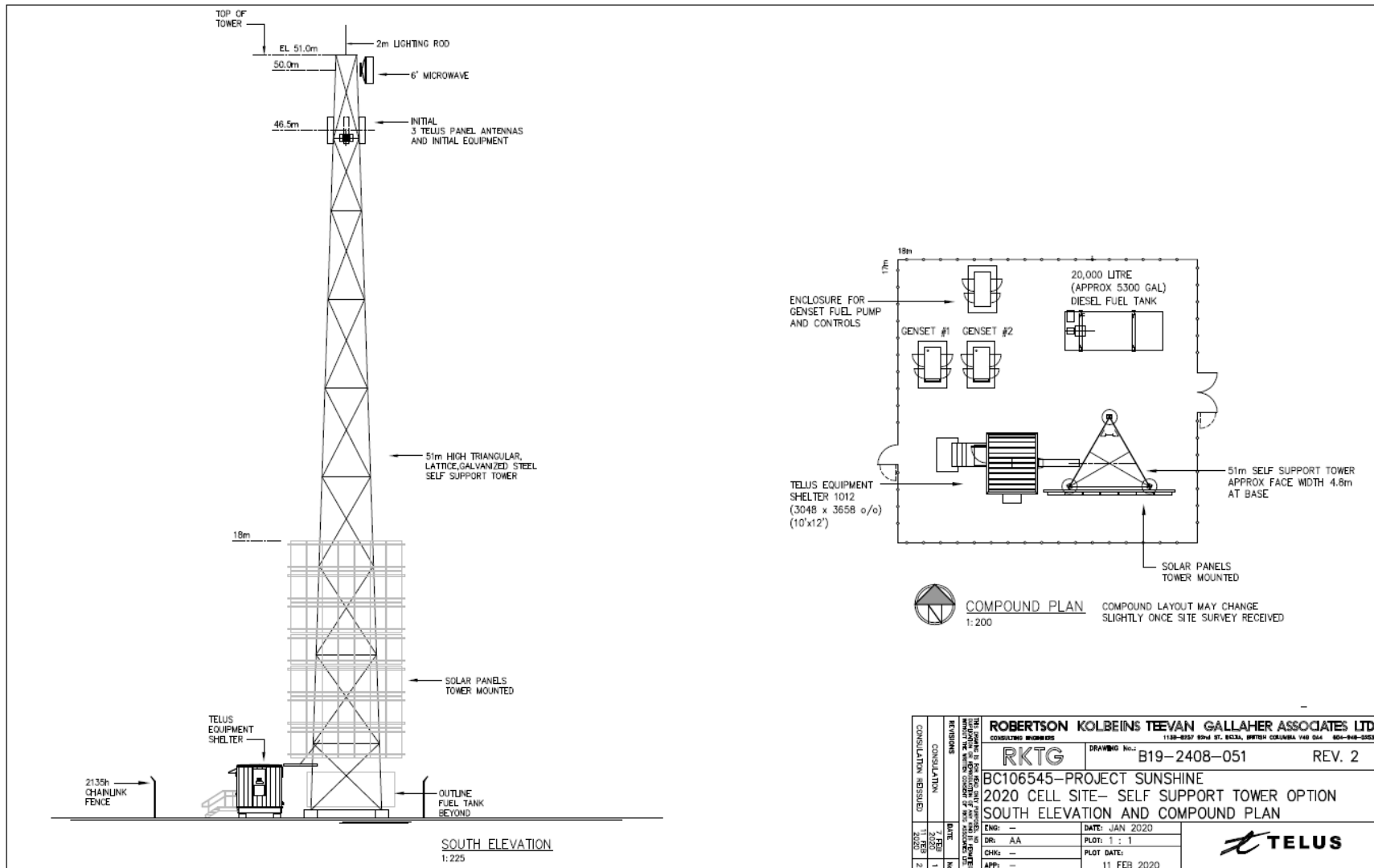
OVERALL SITE PLAN  
1:40000



| NAD 83      ZONE 10         |          |         |                 |                  |         |
|-----------------------------|----------|---------|-----------------|------------------|---------|
| DESCRIPTION                 | NORTHING | EASTING | LAT.            | LONG.            | GRD EL. |
| APPROX CENTRE OF TELUS SITE | 5500766  | 439887  | N49° 38' 23.18" | W125° 49' 58.33" | 245m    |

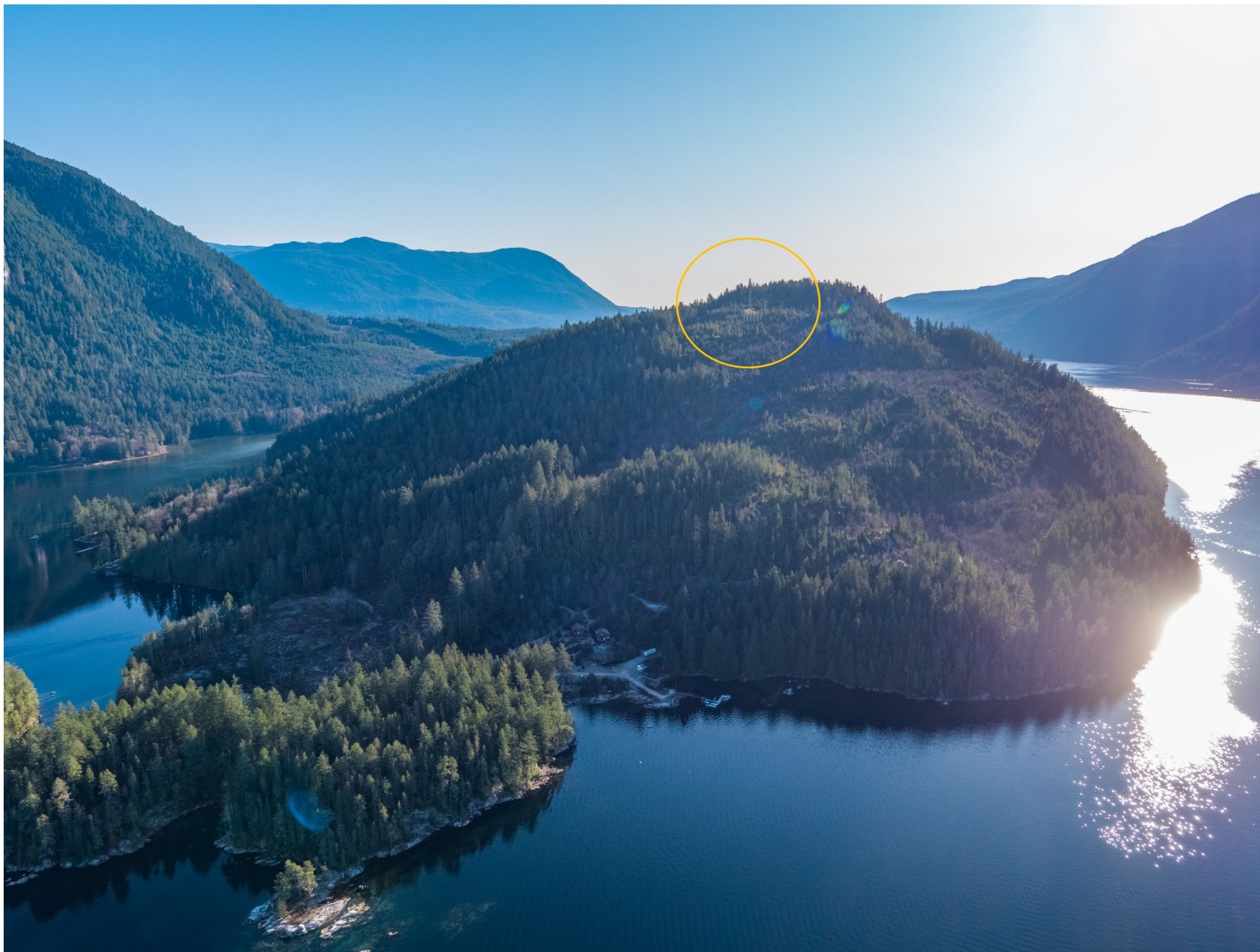
|  |  |  |   |
|--|--|--|---|
| THIS DRAWING IS THE PROPERTY OF THE AECOM COMPANY, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE AECOM COMPANY, INC. |  | <b>ROBERTSON KOLBEINS TEEVAN GALLAHER ASSOCIATES LTD.</b><br>CONSULTING ENGINEERS<br>1188-2828 ST. JEAN, MONTREAL, QUEBEC H3A 2M4 504-949-5130 |   |
|  |  | <b>RTGT</b>  | DRAWING No. <b>B19-2408-050</b>   |
| FOR DISCUSSION<br>CONSULTATION<br>CONSULTATION REQUIRED<br>FOR REVIEW<br>FOR APPROVAL  | REV. 3   | <b>BC106545—PROJECT SUNSHINE</b><br><b>2020 CELL SITE— SELF SUPPORT TOWER OPTION</b><br><b>OVERALL SITE PLAN AND TELUS SITE AERIAL</b>         |   |
| DATE<br>24 OCT 2020<br>BY<br>2020<br>CHECKED<br>2020<br>APPROVED<br>2020   | ENG: —<br>DES: AA<br>CHG: —<br>APP: —<br>DATE: 11 FEB 2020 | DATE: JAN 2020<br>PLOT: 1<br>PLOT DATE:  |  |

## SCHEDULE B PRELIMINARY DESIGN PLANS – ELEVATION & COMPOUND PLAN






**SCHEDULE C**  
**PHOTO-SIMULATION (Looking South)**



**Affidavit of Cypress Land Services**

I, Tawny Verigin, Manager of Government Affairs, in the City of Vancouver in the Province of B.C., make an Oath and say:


1. THAT I caused to be sent by regular mail, a notification letter, as included in Appendix A, to property owners, occupants and other recipients, as listed in Appendix B, on February 25, 2020.



---

Tawny Verigin, Manager of Government Affairs  
Cypress Land Services

Sworn/Affirmed/Declared before me at the City of Vancouver, in the Province of B.C., this 25<sup>th</sup> day of February 2020.



---

(Commissioner's Signature)

A Commissioner for Taking Affidavits for the Province of B.C.

**Brent Philip Laoun**  
**A Commissioner for Taking Affidavits**  
**For British Columbia**  
**Cypress Land Services Inc.**  
**1051 – 409 Granville Street**  
**Vancouver, BC V6C 1T2**  
**Tel: 604.620.0877**  
**Expires on: May 31, 2022**

---

(Commissioner's stamp or printed name and expiry date)



Dear Owner/Occupant,

February 25, 2020

**Please accept this notification regarding proposed TELUS Communications Inc. ("TELUS") wireless service improvements in your community.**

**Subject:** TELUS Telecommunications Facility Proposal  
**PID:** 015-852-792  
**Legal:** DISTRICT LOT 4444, GROUP 1 NEW WESTMINSTER DISTRICT  
**Address:** Storm Bay, Sechelt BC, Sunshine Coast Regional District ("SCRD")  
**Coordinates:** 49.65644° N, 123.83287° W  
**TELUS Site:** BC106545

**What is TELUS Proposing?**

TELUS seeks to continue to provide high quality wireless telecommunications services to communities throughout British Columbia. Increasingly, communities depend on wireless voice, data and internet communications for business, personal enjoyment and personal security reasons. TELUS is proposing the installation and operation of a telecommunications facility located on a hill to the west of Storm Bay. The proposed facility will improve wireless services to residents, marine traffic and tourists along Sechelt Inlet including a portion of Narrows Inlet, the Skookumchuck Narrows and adjacent lands.

The subject property is located along the eastern side of the Sechelt Inlet within Electoral Area B – Halfmoon Bay and is comprised of a mixture of densely forested and cleared areas. The land is primarily undeveloped. TELUS proposes to construct at 51 metre triangular lattice galvanized steel self-support tower. The proposed installation is located at the highest elevation on the property necessary to ensure the facility provides the greatest possible range and wireless coverage to the area.

The support tower includes a 6' microwave, three panel antennas and a 2m lightning rod installed at the top of the tower. Solar panels to supplement the primary power source will be mounted at the base of the tower. The fenced equipment compound will enclose a diesel fuel tank, two generators and a fuel pump. We do not expect the tower to be visible in any significant way from sea level – which is why the rendering provided is from the air.

**Regulatory Authority**

Telecommunication is required by Innovation, Science, and Economic Development Canada ("ISED"), formerly Industry Canada, to consult with the local municipality and the general public regarding new installations. ISED does have exclusive jurisdiction over the approval and placement of telecommunications installations.

The consultation process will provide an opportunity for residents, stakeholders and landowners to obtain detailed information regarding the proposal and to provide comments for consideration. Any inquiries that are received as a result of this notification will be logged and submitted to the Sunshine Coast Regional District ("SCRD") and ISED as part of our application for concurrence.

**Local Municipality**

The SCRD has developed a Telecommunication Facility Review Procedure where community consultation is required. This process requires all properties within three times the structure height be notified and an advertisement in the February 28<sup>th</sup> edition of the local newspaper, The Coast Reporter. This notification is to provide the opportunity to obtain information regarding the proposal, ask questions and provide comments. The public is offered 30 days to provide comment. The closing period for comments to be received by TELUS is **March 30, 2020**.



At the conclusion of the consultation process, TELUS will provide a summary of comments received from the community as well as the replies provided by TELUS to ISED and the SCRD Board to consider at an upcoming Board meeting.

#### *Location*

The new facility is proposed to be located on a hill to the west of Storm Bay in Sechelt, BC within the SCRD at the coordinates 49.65644 ° N, 123.83287° W. To confirm, there are no existing structures in the vicinity of the proposed tower to collocate antennas on.

#### *Safety Code 6*

ISED requires all wireless carriers to operate in accordance with Health Canada's safety standards. TELUS attests that the installation described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time.

#### *Site Access*

Access will be obtained via ATV from an existing trail to the site. Construction is expected to take approximately one to two months.

#### *Environment*

TELUS confirms that the installation is excluded from environmental assessment under the *Canadian Environmental Assessment Act*. Any municipal environmental regulations will be followed.

#### *Transport Canada*

The tower will be constructed to include aeronautical markings or lighting required by Transport Canada. Comments are pending.

#### *Structural Considerations*

TELUS confirms that the antenna structure described in this notification package will apply good engineering practices including, structural adequacy during construction.

#### *General Information*

General information relating to antenna systems is available on ISED's Spectrum Management and Telecommunications website: <http://www.ic.gc.ca/eic/site/ic-gc.nsf/eng/07422.html>

#### *Contacts:*

**TELUS** c/o Tawny Verigin of Cypress Land Services, Agents for TELUS  
Suite 1051, 409 Granville Street, Vancouver, BC V6C 1T2  
Phone: 1-855-301-1520, Fax: 604-620-0876  
Email: [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)

**ISED** – Lower Mainland District Office  
13401 – 108 Avenue, Suite 1700, Surrey BC V3T 5V6  
Phone: 604-586-2521, Fax: 604-586-2528  
Email: [ic.spectrumsurrey-surreyspectre.ic@canada.ca](mailto:ic.spectrumsurrey-surreyspectre.ic@canada.ca)

**Local Government Contact** - Sunshine Coast Regional District, Yuli Siao, Senior Planner  
1975 Field Road, Sechelt, BC V0N 3A1  
Phone: 6604-885-6804 ext. 3  
Email: [yuli.siao@scrd.ca](mailto:yuli.siao@scrd.ca)

If you have any specific questions regarding the proposal, please feel welcome to contact the above.



**COMMENT SHEET**  
**TELUS TELECOMMUNICATIONS FACILITY PROPOSAL**  
**PID: 015-852-792**  
**Legal: DISTRICT LOT 4444, GROUP 1 NEW WESTMINSTER DISTRICT**  
**Address: Storm Bay, Sechelt BC, SCRD**  
**Coordinates: 49.65644° N, 123.83287° W**  
**TELUS Site: BC106545**

1. Do you feel this is an appropriate location for the proposed facility?

- ☐ Yes  
☐ No

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☐ Yes  
☐ No

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Additional Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will only be used by TELUS in satisfying the SCRD's consultation requirements. The closing period for comments to be received by TELUS is **March 30, 2020**.

Name \_\_\_\_\_  
(Please print clearly)  
Email Address \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TELUS c/o Cypress Land Services Inc.  
Suite 1051, 409 Granville Street, Vancouver, BC V6C 1T2  
Attention: Tawny Verigin, Manager of Government Affairs  
*Thank you for your input.*

Appendix B: List of Property Owners, Occupants and Other Recipients

FRONTCOUNTER BC SQUAMISH  
SUITE 101-42000 LOGGERS LANE  
SQUAMISH, BC V8B 0H3

TELUS COMMUNICATIONS INC.  
7TH FLOOR, 510 WEST GEORGIA STREET  
VANCOUVER, BC V6B 0M3

SUNSHINE COAST REGIONAL DISTRICT  
YULI SIAO, SENIOR PLANNER  
1975 FIELD ROAD  
SECHLT, BC V0N 3A1

CYPRESS LAND SERVICES,  
AGENTS FOR TELUS  
SUITE 1051, 409 GRANVILLE STREET,  
VANCOUVER, BC V6C 1T2

ISED  
LOWER MAINLAND DISTRICT OFFICE  
13401 – 108 AVENUE, SUITE 1700,  
SURREY BC V3T 5V6

TELUS  
4535 CANADA WAY, 3RD FLOOR  
BURNABY, BC V5G 1J9

BC106545  
TOTAL = 6





**3580 Pets**

**The BC SPCA Sunshine Coast Branch** has the following cats available for adoption:  
**Charmaine** - DSH, black & white, female, 2 years.  
**Mr. Meowgy** - DMH, grey & white, male, one year.  
 If you are interested in adopting a cat, please call the SPCA at **604-740-0301** or visit the shelter at **4376 Solar Road, Wilson Creek**. Adoption hours are Noon-4pm Wed.-Sunday). Closed statutory holidays. For pictures and bios on the animals please visit the website:  
<http://sPCA.bc.ca/adopt>  
 then select Sunshine Coast. **All of our animals are spayed or neutered prior to adoption.**

**The BC SPCA Sunshine Coast Branch** has the following small animal(s) available for adoption:  
**Babs** - Californian Rabbit, pointed white / Himi, female, 3 years  
**Goblin** - Mouse, orange & white, male, 3 months.  
**Coco & Nuts** - Lovebirds, green / yellow & white, females, 2 years.  
 If you are interested in adopting, please call the SPCA at **604-740-0301** or visit the shelter at **4376 Solar Road, Wilson Creek**. Adoption hours are Noon-4pm Wed.-Sunday). Closed statutory holidays. Please visit the website:  
<http://sPCA.bc.ca/adopt>  
 then select Sunshine Coast. **All of our animals are spayed or neutered prior to adoption.**

**The BC SPCA Sunshine Coast Branch** has the following dog(s) available for adoption:  
**Sitka** - Husky X, sable and white, female, 7 months.  
**Muddy** - Great Pyrenees, white & black, male, 3 yrs.  
 If you are interested in adopting a dog, please call the SPCA at **604-740-0301** or visit the shelter at **4376 Solar Road, Wilson Creek**. Adoption hours are Noon-4pm Wed.-Sunday). Closed statutory holidays. For pictures and bios on the animals please visit the website:  
<http://bcspcapets.shelterbud-dy.com>  
 and then select Sunshine Coast). **All of our animals are spayed or neutered prior to adoption.**

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**5050 Legal Services**

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[www.coastreporter.net](http://www.coastreporter.net)

**5520 Legal/Public Notices**

**5520 Legal/Public Notices**

**Popeye's Storage and Lockers**  
**FINAL NOTICE TO: STEVEN DISTEFANO LOCKER #318**  
 Household goods will go up for auction Monday, Mar. 9, 2020 at 11am at Popeye's Lockers and Storage 5880 Sechelt Inlet Road, Sechelt, due to unpaid rent in the amount of \$2,890.08.

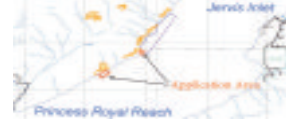
**5520 Legal/Public Notices**

**Popeye's Storage and Lockers**  
**FINAL NOTICE TO: MICKEY WILSON LOCKER #U11**  
 1988 Ford Econoline VIN # 1FDKE30G1JHA31880 will go up for auction Monday, Mar. 9, 2020 at 11am at Popeye's Lockers and Storage 5880 Sechelt Inlet Road, Sechelt, due to unpaid rent in the amount of \$996.59.

**5520 Legal/Public Notices**

**5520 Legal/Public Notices**

**LAND ACT: NOTICE OF INTENTION TO APPLY FOR A DISPOSITION OF CROWN LAND**



Take notice that Black Mount Logging Inc. from Squamish, BC, has applied to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNROD), Surrey for a Log Handling/Storage Area (Heli Drop Zone / Barge Tie Up) situated on Provincial Crown land located at **UNSURVEYED CROWN FORESHORE OR LAND COVERED BY WATER BEING PART OF THE BED OF JERVIS INLET, GROUP 1, NEW WESTMINSTER DISTRICT**.  
 The Lands File Number for this application is 2412234. Comments on this application may be submitted in two ways:  
 1) Online via the Applications and Reasons for Decision Database website at: <https://comment.nrs.gov.bc.ca/applications>.  
 2) By mail to the Senior Land Officer at 200 - 10428 153rd Street, Surrey, BC V3R 1E1.  
 Comments will be received by the Ministry of Forests Lands and Natural Resource Operations until March 26, 2020. Comments received after this date may not be considered.  
 Be advised that any response to this advertisement will be considered part of the public record.  
 For information, contact:  
 Information Access Operations at the Ministry of Technology, Innovation and Citizens' Services in Victoria at: [www.gov.bc.ca/citz/iao/](http://www.gov.bc.ca/citz/iao/).

**TELUS®**  
**Notice of Proposed TELUS Communication Inc. Telecommunications Facility**

**Description:** As part of the public consultation process required by Innovation, Science and Economic Development Canada and the Sunshine Coast Regional District, TELUS Communications Inc. is inviting the public to comment on a proposed telecommunications facility consisting of 51.0 metre self-support tower and ancillary radio equipment in order to provide dependable wireless data and voice communication services to residents, marine traffic and tourists along Sechelt Inlet and adjacent lands.

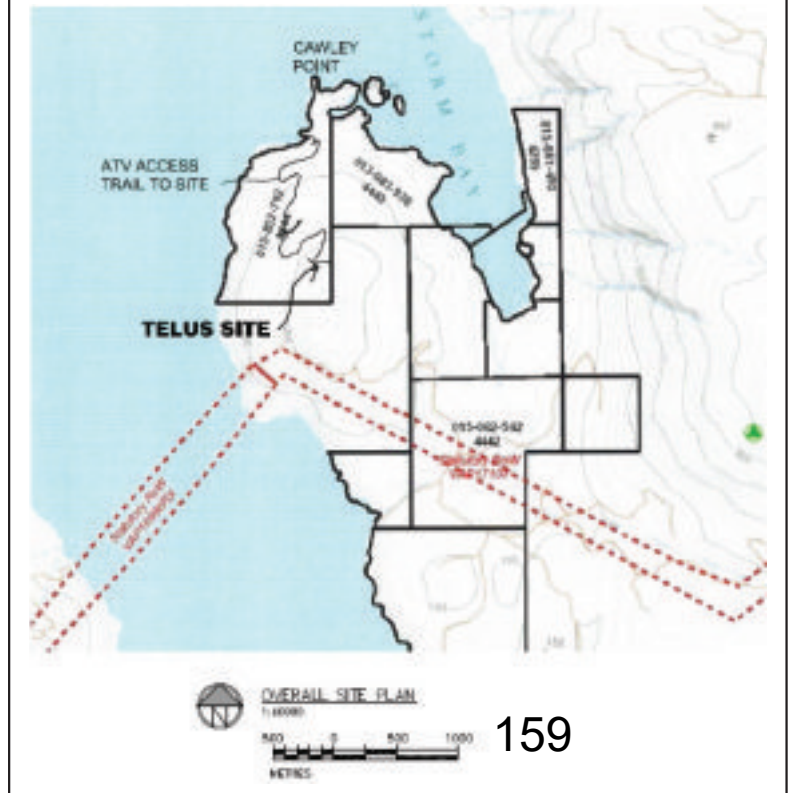
**Tower Location:** Storm Bay, Sechelt BC (PID: 015-852-792)  
**Coordinates:** LATITUDE: 49.65644° N, LONGITUDE: 123.83287° W

**For More Information:**  
 Contact TELUS Communications Inc. at:  
 Tawny Verigin  
 c/o Cypress Land Services  
 Agents to TELUS Communications Inc.  
 Suite 1051, 409 Granville Street  
 Vancouver, BC V6C 1T2  
 Tel: 1.855.301.1520  
 Email: [publicconsultation@cypresslandservices.com](mailto:publicconsultation@cypresslandservices.com)

**The public is welcome to comment on the proposal by the end of the day on March 30, 2020 respect to this matter.**

TELUS File: BC106545

**Location Map**



**Canadian Navigable Waters Act**

Emerald Sea Farms Ltd. hereby gives notice that an application has been made to the Minister of Transport, pursuant to the Canadian Navigable Waters Act for approval of the work described herein and its site and plans.

Pursuant to paragraph 7(2) of the said Act, Emerald Sea Farms Ltd. has deposited with the Minister of Transport, on the on-line Navigable Waters Registry (<http://cps.canada.ca/>) and under registry number 429, a description of the following work, its site and plans:  
 Sub-tidal shellfish aquaculture farm with predator netting on the bottom in the sand, below the surface located in Malaspina Strait at approximately -124.17222 -49.66528 and located in front of unsurveyed foreshore on South Nelson Island, New Westminster District, British Columbia

Comments regarding the effect of this work on marine navigation can be sent through the Common Project Search site mentioned above under the Comment section (search by the above referenced number) or, by sending your comments directly to: Transport Canada 820-800 Burrard St, Vancouver BC V6Z 2J8 if you do not have access to the internet

However, comments will be considered only if they are in writing (electronic means preferable) and are received not later than 30 days after the publication of the last notice. Although all comments conforming to the above will be considered, no individual response will be sent.

Signed at Nanaimo, BC this 20th day of February, 2020

*[Signature]*  
**President, Emerald Sea Farms Ltd**

**BE KIND TO THE EARTH**  
 DO YOUR PART...✓ REDUCE ✓ REUSE ✓ RECYCLE

Appendix 4: Comments and Responses Table

| Comments & Responses Tracker        |         |  |   |                       |   |  |   |                    |
|-------------------------------------|---------|--|---|-----------------------|---|--|---|--------------------|
| BC106545                            |         |  |   |                       |   |  |   |                    |
| Name of Resident                    | Address | Email  | Phone                                     | Date Message Received | Email, Letter, Comment Sheet or Voice Message | Comment or Question  | Response to Comment or Question   | Date Response Sent |
| Scott                               |         | <a href="mailto:S_C_&lt;worldmover@outlook.com&gt;">S_C_&lt;worldmover@outlook.com&gt;</a>                 |   | 29-Feb                | email   | Please let me know if this tower will be submitting 5G frequencies on the citizens of SECHELT, Thanks. Scott   | No it is a 4GLTE site and will not be servicing Seschelt.   | 2-Mar              |
| Peter                               |         | <a href="mailto:Peter.Schober@dccnet.com">Peter Schober&lt;pschober@dccnet.com&gt;</a>                     |   | 2-Mar                 | email   | Tawny Verigin<br><br>Is it possible to get some more information on this cell tower? Do you have any maps and information on how far the cell reception would extend?<br><br>Any info would be appreciated.<br><br>Peter   | Hi Peter,<br><br>Thanks for your email. The proposed facility will improve wireless services to residents, marine traffic and tourists along Sechelt Inlet including a portion of Narrows Inlet, the Skookumchuck Narrows and adjacent lands. I've attached a notification package with additional details about the project.<br><br>We appreciate your feedback and will share your comments with Sunshine Coast Regional District for consideration. Should you have additional comments, please respond within the next 21 days.<br><br>Sincerely,<br><br>Tawny Verigin<br>Cypress Land Services Inc.<br>Agents for TELUS  | 3-Mar              |
| Tyson Cooper                        |         | <a href="mailto:tysoncooper99@gmail.com">tysoncooper99@gmail.com</a>                                       | 1269 Pacific Drive, Tswwassen, BC V4M 2K2 | 4-Mar                 | comment sheet                                 | 1. Do you feel this is an appropriate location for the proposed facility?<br>X Yes<br>O No<br>Comments<br>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?<br>X Yes<br>O No<br>Comments<br>3. Additional Comments<br>=<br>As a property owner in Narrows Inlet, I have a keen interest in this project and the possibility of mobile service extending up the inlet to cover my location. If you are able to make any technical adjustments to the service to increase the chances of service coverage to the following location, this would be greatly appreciated! My property is located here: 49°45'20.64"N, 123°43'12.74"W | Hi Tyson,<br><br>Thank you for providing us your comments of support regarding the proposed wireless communications facility at Storm Bay.<br><br>The proposed facility will improve wireless services to residents, marine traffic and tourists along Sechelt Inlet including a portion of Narrows Inlet, the Skookumchuck Narrows and adjacent lands. Unfortunately, this site will not provide coverage to the coordinates you provided 49°45'20.64"N, 123°43'12.74"W as the area is not part of the coverage requirement for the particular site. I have shared the information with TELUS to consider for the future.<br><br>We appreciate your feedback and will share your comments with Sunshine Coast Regional District for consideration. Should you have additional comments, please respond within the next 21 days.<br><br>Sincerely,<br><br>Tawny Verigin<br>Cypress Land Services Inc.<br>Agents for TELUS |                    |
| Melanie O'Brian and Wayne Arsenault |         | <a href="mailto:Melanie.O'brian.&lt;mpobrian@gmail.com&gt;">Melanie O'brian.&lt;mpobrian@gmail.com&gt;</a> | 604-360-1177                              | 19-Mar                | email   | Hi Kate, Matt and Jill,<br><br>I hope you are all keeping well during this time.<br><br>Thank you Kate for forwarding the ad for the proposed cell tower. We were alerted to it by someone who saw it in the local paper.<br><br>As your neighbours, could you please send us the same package you sent to the Crown and Sechelt Nation. We have water rights to Marilyn Creek that begins up the hill close to the property line and we need to ensure that your plans do not jeopardize this water source.<br><br>Sincerely,<br><br>Melanie O'Brian and Wayne Arsenault<br><br>-----<br>Melanie O'Brian<br>604.360.1177  | Hi Melanie,<br><br>Hope you and Wayne are well. Have you taken refuge at Storm Bay?<br><br>I will certainly look into this with my colleagues tomorrow and circle back with the information.<br><br>Take Care<br><br>Warm Regards<br><br>Kate<br><br>Hi Melanie<br><br>Please see attached the wireless information I believe you are looking for. Apologies, this is the first time I am seeing it and recognize this is not ideal while we are trying to move forward with an open and transparent relationship.<br><br>On that note, we will not be on site for the foreseeable future as Dakota Ridge builders have requested we refrain from coming over as potentially bringing germs unless absolutely necessary. The maintenance work will continue for now. If you need anything, they do have satellite phones, AED device and full first aid supplies.<br><br>Keep safe,<br><br>Warm Regards                   | 20-Mar             |

| Comments & Responses Tracker |         |  |              |                       |   |  |  |                    |
|------------------------------|---------|--|--------------|-----------------------|---|--|--|--------------------|
| BC106545                     |         |  |              |                       |   |  |  |                    |
| Name of Resident             | Address | Email  | Phone        | Date Message Received | Email, Letter, Comment Sheet or Voice Message | Comment or Question  | Response to Comment or Question  | Date Response Sent |
|                              |         |  |              |                       |   | <p>Attached are our comments on the proposed tower – written into the form.</p> <p>Bests,</p> <p>Melanie and Wayne</p> <p>-----</p> <p>Melanie O'Brian<br/>604.360.1177</p> <p>1. Do you feel this is an appropriate location for the proposed facility?<br/>O Yes<br/>O No</p> <p>Comments: As direct neighbours to the east, we are concerned that this facility presents a danger to our clean water from Marilyn Creek. And we are concerned how this will affect local wildlife. In particular, the 20,000 litre diesel tank poses a threat if it leaks. What are the measures in place to monitor the tank? How will it be supplied (by ATV?) and how often will it be refilled? Who is responsible for the ongoing monitoring of the diesel tank?</p> <p>2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?<br/>O Yes<br/>O No</p> <p>Comments</p> <p>3. Additional Comments</p> <p>Will the generators for the facility be audible to residents and wildlife of Storm Bay? As you know,</p> | <p>Thanks Melanie</p> <p>We have shared your response with the parties whom are collecting this information. I will let you know if we hear anything back but they will likely contact you directly.</p> <p>On another note the survey has still not been received back but we will share with you as requested once we do.</p> <p>Hope you are Wayne are staying safe and well,</p> <p>Warm Regards</p> <p>Kate</p>   | 23-Mar             |
|                              |         |  |              |                       |   |  | <p>Hi Melanie,</p> <p>I work for TELUS in the part of the organization that builds-out the wireless network. I understand that you have several questions related to the wireless communications site that will provide cell service and home-based high-speed Internet access to the area, namely the diesel generator that would be installed on-site.</p> <p>Please note that further work on this site is on-hold for the time being due to travel restrictions, so it would be best for us to wait to respond to your questions until we proceed with further assessment and planning. For now, please note that TELUS is already planning an environmental assessment that will include the generator in its scope.</p> <p>In the meantime, please feel free to give me a call if you would like to discuss the project further.</p> <p>Sincerely,<br/>Doug</p> <p>Doug Anastos<br/>Senior Real Estate and Government Affairs Manager<br/>TELUS   Wireless Network – BC<br/>3-4535 Canada Way, Burnaby, BC V5G 1J9<br/>Office: 604-453-2694<br/>Mobile: 778-874-5479</p> |                    |
| Hank Bull                    |         | <a href="mailto:hank_bull&lt;hank@hankbull.ca&gt;">hank_bull&lt;hank@hankbull.ca&gt;</a>                                 | 604-788-5280 | 24-Mar                | email   | <p>Dear Tawny,</p> <p>Responding to the request for input regarding the telecommunications tower proposed for the hilltop just west of Storm Bay in the Sechelt Inlet, please find attached the comment form.</p> <p>I represent the Storm Bay Art and Conservation Society. As your immediate neighbours, we approve this initiative in principle. We have one concern and that is the sound of the diesel generator. We are nevertheless confident that it will be possible to mitigate any adverse effects through proper containment and insulation of the generator. We thank you for considering and addressing this concern.</p> <p>The potential for improved cel phone communication makes us optimistic and grateful to Telus.</p> <p>With best greetings,</p> <p>Hank Bull<br/>cel: 604-788-5280</p>  | <p>Hi Hank,</p> <p>Thank you for providing us your comments of support regarding the proposed wireless communications facility near Storm Bay.</p> <p>The specifications of the generator state that the sound pressure level shall average 65 dBA at 23' in a free field condition. TELUS plans to install a sound dampener on the generator exhaust as well as sound-dampening material inside the generator enclosure. Further, our design includes solar panels on the tower as well as batteries which will reduce reliance on the generator as the primary source of power, thereby reducing the amount of time that the generator will need to run.</p> <p>Your feedback will be shared with the Sunshine Coast Regional District for consideration. Should you have additional comments, please respond within the next 21 days.</p> <p>Sincerely,</p> <p>Tawny Verigin<br/>Cypress Land Services Inc.<br/>Agents for TELUS</p>  | 1-Apr              |
| Stephanie Doyon              |         | <a href="mailto:Stephanie.Doyon&lt;stephaniedoyon26@gmail.com&gt;">Stephanie Doyon&lt;stephaniedoyon26@gmail.com&gt;</a> |              | 26-Mar                | email   | <p>We are contacting you to say we are absolutely AGAINST any 5g tower anywhere near us or our coastlines! I have read so much on the negative effects to himan health and no doubt animals as well. NO TO 5G!!</p> <p>We do not want or need this here.</p> <p>Stephanie Doyon</p>  | <p>Stephanie,</p> <p>Please know that this tower is not 5G.</p> <p>Thanks,<br/>Tawny</p>   | 1-Apr              |

| Comments & Responses Tracker |         |  |       |                       |   |   |  |                    |
|------------------------------|---------|--|-------|-----------------------|---|---|--|--------------------|
| BC106545                     |         |  |       |                       |   |   |  |                    |
| Name of Resident             | Address | Email  | Phone | Date Message Received | Email, Letter, Comment Sheet or Voice Message | Comment or Question                                       | Response to Comment or Question                          | Date Response Sent |
| Lisa                         |         | <a href="mailto:L.M.Clements@lundcottage@gmail.com">L.M. Clements&lt;lundcottage@gmail.com&gt;</a> |       | 27-Mar                | phone call                                    | Lisa called asking for a copy of the notificaiton package | Lisa – attached is the notification package.<br><br>Chad |                    |
|                              |         |  |       |                       |   |   |  |                    |



## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

---

**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Yuli Siao, Senior Planner

**SUBJECT:** District of Sechelt Official Community Plan and Zoning Bylaw Amendment Referral 3360-2019-06 (Trellis Seniors Services)

---

### RECOMMENDATIONS

**THAT** the report titled District of Sechelt Official Community Plan and Zoning Bylaw Amendment Referral 3360-2019-06 (Trellis Seniors Services) be received;

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

1. The proposal has no negative impacts on SCRD's land use policies;
2. A Development Cost Charge of \$201,300 is required prior to development approval as per Sunshine Coast Regional District Development Cost Charges Bylaw No. 693;
3. The developer will need to pay for water modelling for calculating fire-flows and to determine the impact of the building on the water distribution system which will be completed by SCRD's consultant;
4. SCRD encourages all developments to consider Low Impact Development landscaping principles, xeriscaping, and rainwater harvesting to mitigate demand for irrigation water;
5. Site design to accommodate a bus pull-out in consultation with SCRD Transit Division is required;
6. The following features should be considered for inclusion in the design and operation of the development:
  - a. ensure adequate space for containers or receptacles for separating recycling (mixed recycling, cardboard, food waste) and garbage, and the containers or receptacles are accessible to building occupants and collection service providers;
  - b. ensure medical waste, including medication, is disposed or recycled appropriately; and
  - c. during construction, the applicant is encouraged to review the materials accepted at the Sechelt Landfill and sort accordingly to maximize diversion and ensure compliance with recyclable materials and controlled waste, including, ensuring adequate space during construction for receptacles for separating recyclables and controlled waste from garbage (e.g. cardboard, metal, wood, drywall).

**AND FURTHER THAT** this recommendation be forwarded to the May 14, 2020 Regular Board meeting for adoption.

## BACKGROUND

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

The District of Sechelt referred a proposal submitted by Trellis Seniors Services to amend the District's Official Community Plan and zoning bylaw to accommodate the Silverstone Residential Care Centre. The proposal is to provide seniors housing in a residential care facility which will provide 132 beds with daily care and nursing services. It will replace Vancouver Coastal Health facilities provided at Shorncliffe and Totem Lodge.

The applicant provided information about the proposal. A project summary is provided in Attachment A.

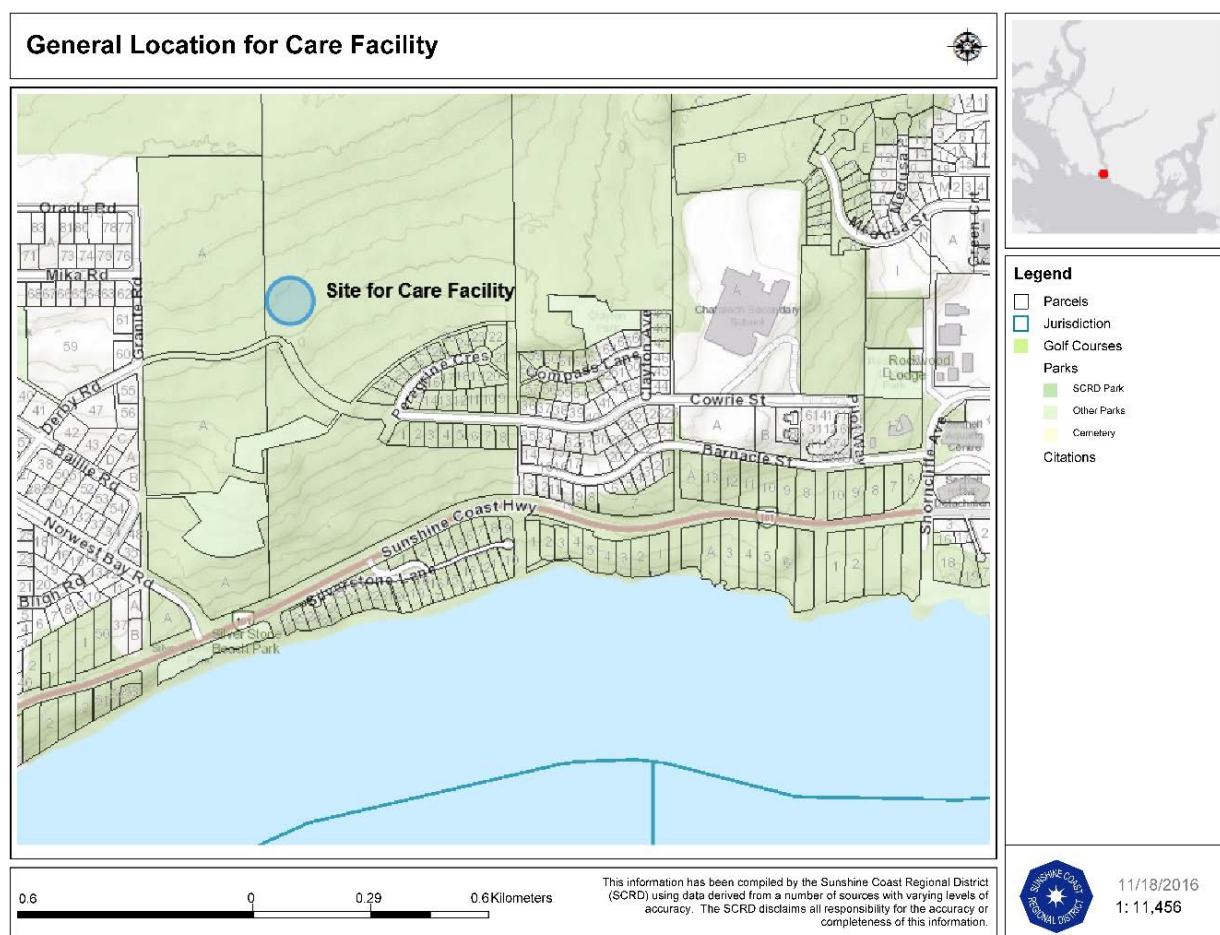


Figure 1 – General Location

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

Table 1 - Application Summary

## DISCUSSION

### Analysis

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

SCRD Infrastructure Services – Utility Services: A copy of the comments are included in Attachment B. The key points are that: Development Cost Charge of \$201,300 is required at building permit stage. Water modeling is required and water conservation is encouraged.

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

- a. ensure adequate space for containers or receptacles for separating recycling (mixed recycling, cardboard, food waste) and garbage, and the containers or receptacles are accessible to building occupants and collection service providers;
- b. ensure medical waste, including medication, is disposed or recycled appropriately; and
- c. during construction, the applicant is encouraged to review the materials accepted at the Sechelt Landfill and sort accordingly to maximize diversion and ensure compliance with recyclable materials and controlled waste. Including, ensuring adequate space during construction for receptacles for separating recyclables and controlled waste from garbage (e.g. cardboard, metal, wood, drywall).

SCRD Transit: Transit service is planned to travel down Cowrie Rd to Derby Rd and then north on Norwest Bay Rd. This would place the location on a transit route. In residential areas, transit stops are generally spaced at 400-600 metres. Stops have been tentatively planned at Peregrine Rd and Granite Rd, and this development divides the distance between these two locations.

If the location is approved for such a development, it would be more effective to remove the stops at Granite Rd and Peregrine Rd and require a more extensive stop at Derby in front of this facility. Given the nature of the facility, delays might occur with loading and unloading mobility-challenged passengers. Depending on the width of the road and traffic volumes, delays to traffic may occur if a bus pullout was not provided.

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

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

The referral response process is in line with the SCR D's strategy for regional collaboration and partnership.

### **CONCLUSION**

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

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

To meet the deadline set by the District of Sechelt, the recommendations need to be forwarded to the Board meeting of May 14, 2020 for consideration.

### *Attachments*

Attachment A – Referral Package and Project Summary

| Reviewed by: |                 |             |  |
|--------------|-----------------|-------------|--|
| Manager      | X – D. Pady     | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Other       |  |



|                    |  |  |          |                  |  |   |                                     |
|--------------------|--|--|----------|------------------|--|---|-------------------------------------|
| APPLICATION NO:    | 3360-2019-06   |  | DATE:    | March 5, 2020    |  | X | OCP                                 |
| FILE MANAGER:      | Ian Holl, Development Planning Manager   |  | EMAIL:   | iholl@sechelt.ca |  | X | Zoning                              |
| APPLICANT:         | Trellis Seniors Services Ltd.  |  |          |                  |  |   | Subdivision                         |
| APPLICANT ADDRESS: | 4315 Skyline Drive, North Vancouver, BC, V7R 3G9   |  |          |                  |  |   | Dev. Variance                       |
| SITE ADDRESS:      | Derby Road at Cowrie Street  |  |          |                  |  |   | Dev. Permit                         |
| LEGAL:             | District Lot 1384, Group 1, NWD, Except Part on Plan 14180, Plan BCP31726, PID 015-861-660<br>Lot A, District Lot 4295A, Group 1, NWD, Plan LMP43915 Except Plans BCP31726, EPP31745, EPP75215, and EPP75917 |  |          |                  |  |   | OTHER:<br>Agricultural Land Reserve |
| ZONING:            | EXISTING   | RR-1   | PROPOSED | IN1              |  |   |                                     |
| OCP DESIGNATION:   | EXISTING   | Residential,<br>Multifamily Mixed<br>Residential | PROPOSED | Institutional    |  |   |                                     |

Please comment on the attached referral for potential effect on your agency's interest. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

**PLEASE RESPOND TO THIS REFERRAL BY MAY 1, 2020**

**PURPOSE OF APPLICATION:**

To rezone a property to allow for the establishment of the Silverstone Long Term Care Home operated by Trellis under contract with the Vancouver Coastal Health Authority. The OCP and Zoning amendment bylaws were given first reading on March 4, 2020.

**GENERAL LOCATION:**

**OTHER INFORMATION:**

If your agency's interests are "Unaffected" no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this bylaw.

**ATTACHMENTS:**

Application  
Staff Reports  
Bylaws

**This referral has also been sent to the following agencies:**

|   |   |   |   |
|---|---|---|---|
| X | Sunshine Coast Regional District            | X | Sechelt Volunteer Fire Department         |
| X | Sechelt Indian Government District          | X | FortisBC Energy / Energy Services Advisor |
| X | Vancouver Coastal Health Authority          | X | Telus                                     |
| X | Ministry of Transportation & Infrastructure | X | B.C. Hydro / BC Transmission Co           |
|   | Agriculture Land Commission                 |   | Coast Cable -Eastlink                     |
|   | Archaeology Branch of SIB & BC              | X | Canada Post                               |
| X | School District #46                         |   | Transportation Choices Sunshine Coast     |
|   | Council                                     |   | Other:                                    |

**Community Associations and Groups:**

|  |                                   |  |                     |   |              |  |          |
|--|-----------------------------------|--|---------------------|---|--------------|--|----------|
|  | East Porpoise Bay                 |  | Downtown Village    | X | West Sechelt |  | Tuwanek  |
|  | Selma Park/Davis Bay/Wilson Creek |  | Sandy Hook          |   | S.H.O.R.A.   |  | S.D.B.A. |
|  | Advisory Planning Commission      |  | Chamber of Commerce |   |              |  |          |



## DISTRICT OF SECHELT

### DEVELOPMENT SERVICES DEPARTMENT—DEVELOPMENT APPLICATION

CHECK APPLICABLE:

REZONING YES

OCP YES

SUBDIVISION

DP

DVP

OTHER

#### PROPERTY OWNER INFORMATION (PLEASE PRINT)

Property Owner(s) SAWARNE LUMBER CO

Mailing Address 300-1785 WEST 4TH AVENUE

City, Province, Postal Code VANCOUVER BC V6J 1M2

Day Phone 604-235-1755 ext 204 dsangara@sawarne.com

As registered owner of the property (or properties) listed below, I hereby authorize this application.

SEE SEPARATE OWNERS AUTHORIZATION FORM

Signature of Owner(s)

Date

Signature of Owner(s)

Date

#### OFFICE USE ONLY

Application No: \_\_\_\_\_

Date Application Complete: \_\_\_\_\_

#### AUTHORIZED AGENT INFORMATION (PLEASE PRINT)

Authorized Agent Derek Crawford Architect AIBC

Mailing Address PO BOX 385 GANGES

City, Province, Postal Code SALT SPRING ISLAND BC V8K 2W1

Day Phone 6046888370

derek@dc-arch.ca

#### DESCRIPTION OF PROPERTY REFERRED TO IN THIS APPLICATION

| Lot | Block | District Lot | Plan | PID |
|-----|-------|--------------|------|-----|
| Lot | Block | District Lot | Plan | PID |

Civic Address or General Location SEE SITE PLAN AND TITLE SEARCH FOR LOCATION

#### REGISTERED PROFESSIONAL CONTACT INFORMATION:

##### Engineer:

Name:

email:

phone:

##### Architect:

Name: DEREK CRAWFORD ARCHITECT AIBC

derek@dc-arch.ca

phone: 604 688 8370

##### Other:

Name

email:

phone:

PLEASE PROVIDE A DESCRIPTION OF THE PURPOSE OF THE APPLICATION.

APPLICATION FOR REZONING AND OCP AMENDMENT FOR A LONG TERM CARE HOME AND HOSPICE

AMOUNT \$10,000.00

|  |                  |   |  |
|--|------------------|---|--|
| Existing Zoning RR-1   | Proposed CD ZONE | Existing OCP Designation  | Proposed OCP Designation<br>Change INSTITUTIONAL |
| <b>Development Permit Area #</b><br>1 to 5 Natural Hazard & Environmental Protection |                  | <b>Development Permit Area #</b><br>6 to 10 Form & Character of Development |  |

#### APPLICATION SUBMISSION REQUIREMENTS

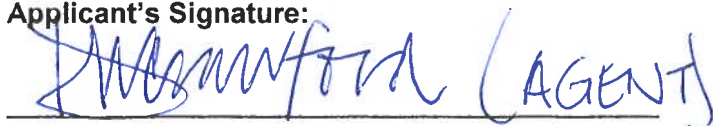
| APPLICATION TYPE   | ZONING | OCP   | S/D | DP | DVP | OTHER |
|--|--------|-------|-----|----|-----|-------|
| Completed Application Form   | Y      | Y     | Y   | Y  | Y   | Y     |
| Title Search Certificate dated no more that <b>30 days</b> prior to date of application.   | Y      | Y     | Y   | Y  | Y   | Y     |
| Scaled Site Plan Survey indicating: lot size, lot dimensions, location of all buildings (existing and proposed), setbacks to all property lines, north arrow, contours in 1 m intervals, existing and proposed driveways, septic fields, street names, drainage, tree survey, archaeological sites, natural hazards, topographical features and proposed parking layout in accordance with Zoning Bylaw. | Y      | Y     | Y   | Y  | Y   | Y     |
| Four elevations of each building, existing and proposed. Elevations must include details regarding finishing materials, roofing materials, and colours. (Multi-family, commercial, industrial and institutional.)  | Y      | Y     |     | D  | D   | D     |
| Landscaping plan including location, sizes and species of plants and trees with cost estimate.   | later  | later | Y   | D  | D   | D     |
| Architectural renderings &/or model.   | D      | D     |     | D  | D   | D     |
| Infrastructure Service Plan—roads, sewer, stormwater, water, utilities, traffic impact study, lot grading plan   | later  |       | Y   | D  | D   | D     |
| Sustainability checklist (attached)  | Y      | Y     | Y   | D  | D   | D     |
| All drawings should be submitted on full size paper, 11" x 17" paper (1 set) and as PDFs (electronic).   | Y      | Y     | Y   | Y  | Y   | Y     |
| Geotechnical and/or Environmental Report   | later  | later | D   | D  | D   | D     |

**Key:** Y = Yes; D = Depends on nature of application; see Zoning Bylaw No. 25, 1987; Subdivision and Development Control Bylaw No. 430, 2003; and Official Community Plan Bylaw 492, 2010.

#### Applicant's Declaration:

- I/We acknowledge that the District of Sechelt, and its officers and employees, have not made any representation as to the future property uses permitted if this application is successful.
- I/We are aware that payment of the application fee does not guarantee or constitute approval of the proposal and that the application may not proceed for a variety of reasons.
- I/We declare that all statements made in support of this application are true.
- I/We agree to comply with all provisions of the respective zoning bylaw, official community plan, development servicing bylaws and any other applicable municipal, provincial and federal legislation.

**Applicant's Signature:**

 (AGENT)

Dated NOV 25 2019

**Application Fee:** As per Bylaw 333 and Amendments

\$ 10,000.00

## REQUEST FOR DECISION

**TO:** Mayor and Council **MEETING DATE:** February 5, 2020

**FROM:** Development Planning Manager

**SUBJECT:** Trellis Rezoning Application – Silverstone Long Term Care Home  
Permission to Proceed  
West Sechelt – Derby Road at Cowrie Street

**FILE NO:** 3360-20 2019-06

---

### RECOMMENDATION(S)

1. **THAT the report from the Development Planning Manager regarding the application for an Official Community Plan Bylaw Amendment and Zoning Bylaw Amendment for the Silverstone Long Term Care Home be received.**
  2. **THAT Council direct staff to proceed with developing bylaw amendments associated with the Trellis rezoning application.**
- 

### PURPOSE

The purpose of this report is to seek permission to proceed from Council regarding the Trellis rezoning application for the Silverstone Long Term Care Home. The rezoning application process deals with land use issues and not issues of health care provision that are regulated by Provincial law.

Direction from Council is requested regarding proceeding with development of bylaw amendments for both the OCP and Zoning Bylaw. The two bylaws can be developed and placed upon a subsequent Council agenda for consideration of First Reading, which will initiate the formal review and referral process. The review process will focus on evaluating the proposed land uses with respect to the OCP, Zoning Bylaw, and surrounding area as well as considering site/building design and neighbourhood integration. Consideration should be given to issues of employee housing, site access and community amenity contributions (CACs) as key parts of the rezoning.

### OPTIONS

1. That Council adopt the recommendations as presented above and grant permission to proceed.
2. That Council defer the application pending additional information as directed.
3. That Council reject the application.



## DISCUSSION

### Context/Background

| Table 1: Site Data                             |  |
|--|--|
| Applicant's Agent                              | Derek Crawford, Architect AIBC   |
| Applicant and Seniors Health Services Provider | Trellis Seniors Services Ltd.  |
| Land Owner                                     | Sawarne Lumber Co.   |
| Civic Address                                  | N/A - Derby Road at Cowrie Street  |
| Legal Address                                  | District Lot 1384, Group 1, NWD, Except Part on Plan 14180, Plan BCP31726, PID 015-861-660<br>Lot A, District Lot 4295A, Group 1, NWD, Plan LMP43915 Except Plans BCP31726, EPP31745, EPP75215, and EPP75917 |
| Size of Property                               | TBD – subdivision and lot creation required<br>Approx. 1.21 ha (3 acres)   |
| DP Areas                                       | No environmental or hazard development permit areas / None for form and character for Institutional use<br>Form and Character and site design issues to be addressed through rezoning process                |
| Zoning Designation                             | RR-1   |
| OCP Designation                                | Split Designations – Residential & Multifamily Mixed Residential   |

| Table 2: Surrounding Land Uses |        |             |   |
|--------------------------------|--------|-------------|---|
|                                | Zoning | Use         | OCP Designation                               |
| Northwest                      | RR-1   | Undeveloped | Residential                                   |
| Northeast                      | RR-1   | Undeveloped | Multifamily Mixed Residential & Institutional |
| Southwest                      | RR-1   | Undeveloped | Residential                                   |
| Southeast                      | R-1    | Residential | Residential                                   |

### Location & Site Characteristics:

The property fronts the newly created portion of Derby Road extending east from the intersection with Cowrie Street. The development site would be located near the Cowrie Street intersection, and likely not extend further than Kingbird Avenue that runs southeast from Derby Road. A site location map is attached to this report.

Trellis is proposing a 132 bedroom seniors housing project as part of the Silverstone Long Term Care Home. The proposed facility would provide daily care and nursing services and operates under the *Community Care and Assisted Living Act* and in accordance with the Residential Care Regulation and the Home and Community Care Policy Manual.

The facility would be comprised of 128 bedrooms in eight secure housing units, each with 16 bedrooms located in four wings that are linked through a central core structure. There would be a four bedroom hospice attached to one wing with potential expansion to it for an additional four bedrooms. Please see Attachment 2 for the project summary supplied by the applicant.

Trellis has been contracted by the Vancouver Coastal Health Authority to build and operate a long term care home for seniors (Silverstone) that includes 24-hour professional care and nursing for residents, an adult day program, and a hospice.

The Silverstone facility is a stand-alone institutional operation for seniors who can no longer live independently in their own homes. It is proposed as a three storey structure (maximum of 12.6 m in height at its highest point). In addition to the 132-136 bedrooms there would be the adult day centre and building support services and kitchen and laundry facilities. There are also shared amenity spaces and common areas for all residents including indoor and outdoor space.

No staff housing has been proposed as part of the initial application. There are significant challenges with affordable housing on the coast, and known issues finding accommodation for new staff. This would be an important issue to address and for the District, and applicant, to consider incorporating staff housing units into the development.

The proposed site parameters include the following, to be refined through the rezoning process:

- Lot Area – 12,064 m<sup>2</sup>
- Lot Width – 143.95 m
- Lot Depth – 83.82 m
- Lot Coverage of buildings – approx. 32.2%
- Lot coverage of buildings, driveways, and parking – approx. 50% or larger
- Gross Floor Area (GFA) of all buildings and structures – 8,375.5 m<sup>2</sup>
- Floor Area Ratio (FAR)/Floor Space Ratio (FSR) – 0.69
  - Ratio of the GFA of all buildings and structures to the area of the lot.
- Height:
  - Centre of building at front entry (3 storey's) from grade to top of gable roof = 12.6 m
  - Left and right wings (2 storey's) from grade to top of gable roof = 9.9 m
- Setbacks – 18 m front (Derby Road), 6 m east side (undeveloped), 6 m west side (undeveloped), 6 m rear (undeveloped)
- Parking spaces – 45 stalls

## Strategic Plan

Goal 3 – Enhancing community livability and Goal 4 – Managing growth effectively have relevance to this application.

Goal 3 includes the following actions:

- 3.1 Planning neighbourhoods to enable all residents to meet their daily needs easily, safely and conveniently by linking neighbourhoods with pathways, sidewalks, bicycle lanes and transit routes.
- 3.2 Providing a mix of housing types throughout the District that provide options for a range of needs and incomes.

Goal 4 includes the following actions:

- 4.3 Updating the density bonusing policy and the amenity contribution policy to better define and incentivise community liveability and sustainability.

## Policy Implications

Official Community Plan (OCP) Bylaw No. 492, 2010 policies 5.13.1 – 5.13.4 speak to continuum of care issues, policies 10.11 – 10.12 speak to childcare issues, policies 10.12.1 – 10.12.2 speak to seniors care facilities (see Attachment 3).

Policies in the West Sechelt Neighbourhood plan speak to protection of natural site features and design that is suited to the site conditions; connectivity of roads and trails to surrounding areas and the downtown; and design, layout, and housing types that complement, and are integrated with, surrounding areas.

In the plan, Part 6 Plan Implementation and Monitoring includes criteria for evaluating OCP amendments as follows:

- The use is in the best long term interests of the community as a whole
- The community has been consulted and the proposed use has a high level of support in the community
- The proposed use is consistent with the overall vision for the community and local neighbourhood
- There is a demonstrated need for the use in light of projected population and employment trends and other available sites in the community
- The proposed use is suitable for the site and compatible with adjacent land uses
- Water and sewer, transportation and other community services are available and are not negatively affected
- The proposal puts forward creative, sustainable, and innovative design approaches

## ANALYSIS

Trellis has made a new application for the Silverstone facility in substantially the same form as the previous application proposal. There is no question that such land uses and services are needed on the coast given the existing demographics and aging population. As part of reviewing the application and developing bylaws moving forward, there are a number of larger key issues and questions to be addressed as part of the approval analysis.

In accordance with OCP policy, new institutional care facilities must provide a comprehensive development approach that demonstrates a high standard of urban design and accessibility, is in keeping with the form, character, and scale of the neighbourhood, and provides appropriate amenities.

Key considerations include:

- How will this institutional use integrate into the existing and future neighbourhood?
- How will residents and members of the public move around and adjacent to the site?
- How will the type of traffic (emergency vehicles, ambulances, etc.) generated by the site interact with the neighbourhood?

The surrounding area is predominantly designated as residential with a large component of single family residential and a lesser component of future multifamily residential. There are existing subdivisions and housings being completed just south of Derby across the street. The proposed institutional use would not automatically serve as an effective focal point for a neighbourhood centre due to the isolated and inward focused nature of the land use and facility operations.

To this end questions to be considered are:

- How will this development positively or negatively affect the existing and future residential neighbourhood?
- What can be done to soften the building, landscape the site, and provide buffering from the street and adjacent residential areas?

Although the Multifamily Development Permit Area designation does not directly apply to the proposed development, the proposal will be reviewed against the OCP design guidelines for multifamily housing to ensure that the project has a residential feel. As part of the rezoning process it will still be important to review the form and character, landscaping, and site design. Staff will work with the applicants to agree upon a suitable design.

As stated in the OCP and guided by policy, each rezoning application is to be evaluated with respect to affordable housing requirements and community amenity contributions.

### Official Community Plan Amendment Bylaw

Should Council grant permission to proceed then staff will draft the OCP amendment bylaw. Staff would consider relocating the existing Institutional land use designation on the subject lot to conform with the current proposal. The amendment would likely require shifting the Residential and Multifamily Mixed Residential land use designations around the lot in accordance with the proposed Institutional development site.



### Zoning Amendment Bylaw

In coordination with the OCP amendment bylaw, staff will also draft the zoning amendment bylaw. Staff would potentially consider a new zone that may be an institutional site specific zone rather than a comprehensive development zone. Comprehensive development zones would be better applied to mixed use developments that would require greater differentiation between uses and particular areas on a parcel of land.

Through the new zone, staff would also consider incorporating siting, landscaping, and buffering regulations as necessary using OCP form and character guidelines as benchmarks.

### Affordable Housing Requirements

As mentioned there is an opportunity to consider incorporating staff/employee housing into the proposed development. There is a need for affordable housing on the Coast, and in particular for employee housing. It would make sense to target the specific needs of the proposed institutional land use with an associated staff housing residential use on the site. The District could consider the rezoning affordable housing requirement as being met by the provision of a certain number of units of staff housing provided on site.

### Community Amenity Contributions (CACs)

Council may wish to consider if the Silverstone facility is a community amenity in and of itself when considering CACs or if additional components should be negotiated. The proposal includes both beds in contract with VCHA and those not restricted by contract. For similar proposals, other local governments have considered VCHA contracted beds differently than those beds outside of the VCHA contract.

Beyond the issues of affordable housing and staff housing, there is an opportunity to address other critical issues exacerbated by growth and development. In alignment with the childcare action plan that is being developed, there is a significant shortage of daycare spaces on the Coast. There is an opportunity to provide a certain number of spaces and/or contribute cash in lieu to support acquisition and development of childcare facilities.

In considering the potential for child care spaces on site, there is research that supports the social integration of old and young together or within close proximity of each other. This and other amenity contributions can be discussed with the applicant and property owner as a starting point for negotiation and in accordance with OCP policies and the current active Implementation Policy for Affordable Housing and Community Amenities (Policy 3.5.6).

### **Financial Implications**

The project will be required to pay Development Cost Charges (DCCs) as per Bylaw No. 554, 2016. Affordable housing contributions and CACs will be assessed as part of the rezoning review moving forward and based on negotiations with the applicants.

## Communications

If permission to proceed is given, then staff will develop bylaw amendments that would be brought back to council and subject to the regular bylaw amendment process generally following the format below:

- Permission to Proceed
- 1<sup>st</sup> Reading
- Referrals
- Public Information Meeting
- 2<sup>nd</sup> reading
- Public Hearing
- 3<sup>rd</sup> Reading
- Ministry of Transportation & Infrastructure approval as per *Transportation Act*
- Final Adoption

## CONCLUSION

Given the large scale of the project and public interest in this project staff are seeking permission to proceed from Council regarding this application. This will provide an indication to the applicant and the public that Council is ready to consider bylaw amendments associated with the proposed development. Staff would then begin drafting bylaws and work with the applicants to refine the proposal, review affordable housing/staff housing issues, and start negotiations around community amenity contributions to support the costs of growth that must be absorbed by the District.

Respectfully submitted,

Ian Holl, MCIP, RPP

Development Planning Manager

## Attachments:

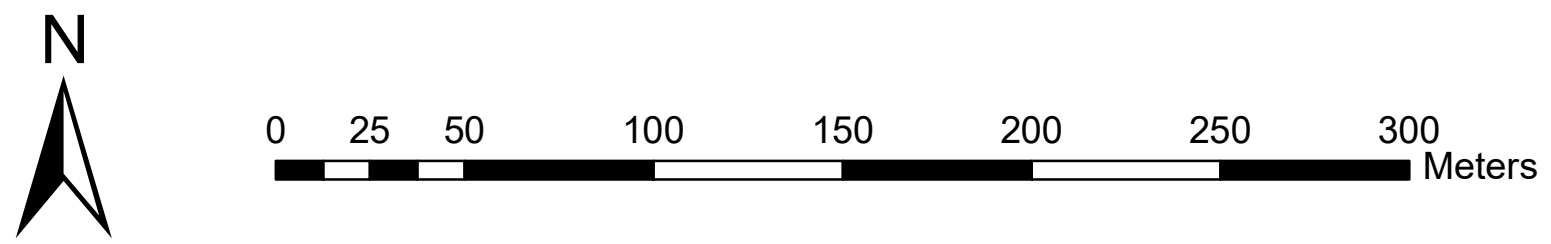
- 1 - Site Location Map
- 2 - Applicant Project Submission
- 3 - OCP Policies Extract

**REVIEWED**  
By Andrew Allen (andrew.allen@sechelt.ca) at 9:09 am, Jan 29, 2020

**REVIEWED**  
By Julie Rogers (jrogers@sechelt.ca) at 9:02 am, Jan 29, 2020

**REVIEWED**  
By Andrew Yeates (ayeates@sechelt.ca) at 12:28 pm, Jan 29, 2020





PROPERTY LINES ARE SHOWN FOR INFORMATION ONLY.  
The District of Sechelt makes no representation or warranty  
expressed or implied, in fact or in law, with respect to the accuracy,  
completeness or appropriateness of the data contained or referenced herein.





## Silverstone Long Term Care Home



**Submission to District of Sechelt Planning Department  
November 26, 2019**



Derek Crawford Architect Inc.



**TRELLIS**  
SENIORS



# **Silverstone Long Term Care Home**

## **Contents**

- 1. Executive Summary**
- 2. Project Overview**
- 3. Project Rationale**
- 4. Building Design Features**
- 5. The Location on Derby Road**
- 6. Land Use and Zoning Information**
- 7. Zoning Precedents and Sample Projects**

**Appendix 1: Sechelt Official Community Plan (as related to Silverstone Long Term Care Home)**

## 1. Executive Summary

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

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

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

## 2. Project Overview

Silverstone Long Term Care Home ("Silverstone") is a Seniors Housing project which will provide 128 seniors with daily care and nursing services. The care home will operate under the *Community Care and Assisted Living Act* and in accordance with *Residential Care Regulation* as well as the *Home and Community Care Policy Manual*.

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

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

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

As a housing project, Silverstone will provide on-going accommodation and services to the many seniors who are unable to remain living in a traditional home, due to their frailty and aging health needs. The residents have chronic conditions of living/aging that require long term support and care and Silverstone will be their home until they pass away. They do not require treatment nor do they have acute or emergent care needs which require hospitalization. The chronic conditions include moderate to advanced dementia and/or complex physical conditions as well as special needs including mental illness and socially challenged behaviours.

## 3. Project Rationale

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

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

Silverstone/Trellis responded to this identified need and has been contracted by VCH to build and operate a modern state-of-the-art long term care home with 24hr professional care and nursing for 128 residents. A second requirement by VCH was an adult day program (i.e. seniors club) to support seniors in the community who require social and health programs but are still able to live at home. A Hospice is also proposed as part of the project with an initial capacity of 4 beds and expansion capability to 8 beds. However, the details for the Hospice have not been confirmed and remain tentative at this time.

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

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



#### 4. Building Design Features

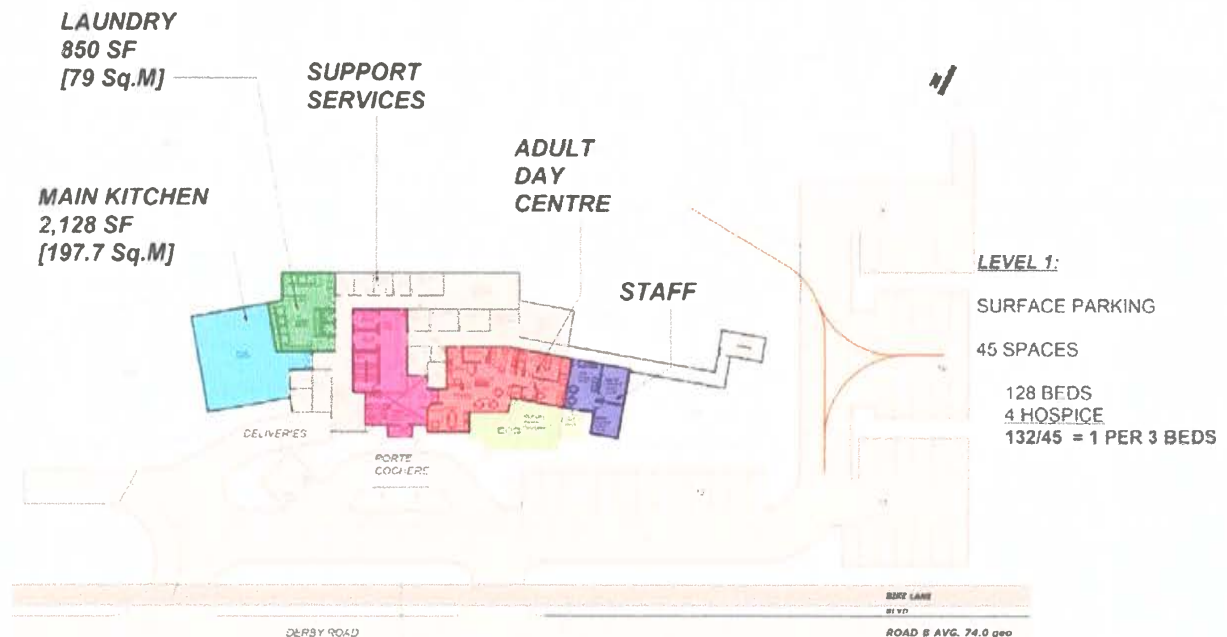
The design of Silverstone is focused on providing a home environment for seniors who can no longer remain in their own homes. The objective is to create housing for seniors which provides all the features found in a single family or multi-family context, with the added security of support from professional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

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

Silverstone has four 16 bed houses per floor, forming two neighbourhoods. There are two residential floors comprising eight houses and four neighbourhoods for a total of 128 residents. The building is three storeys, similar in scale to mid-rise multi-family apartment design. The three floors are organized as follows:

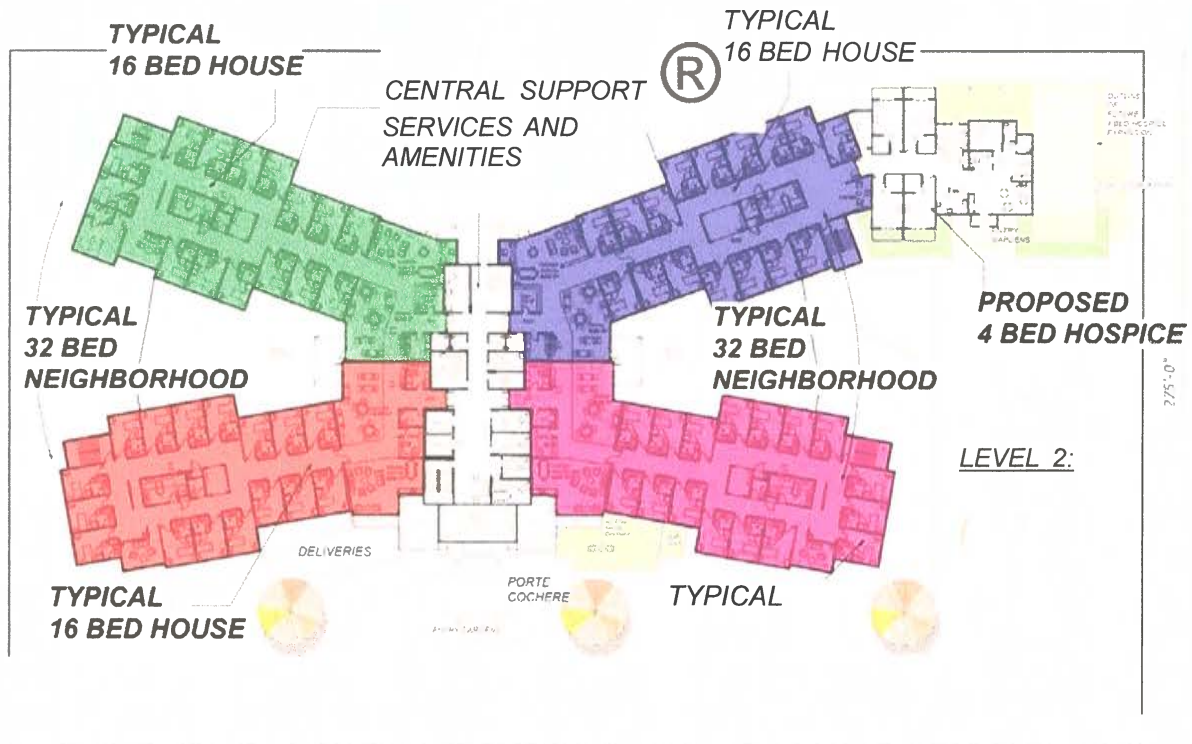
##### Level 1

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



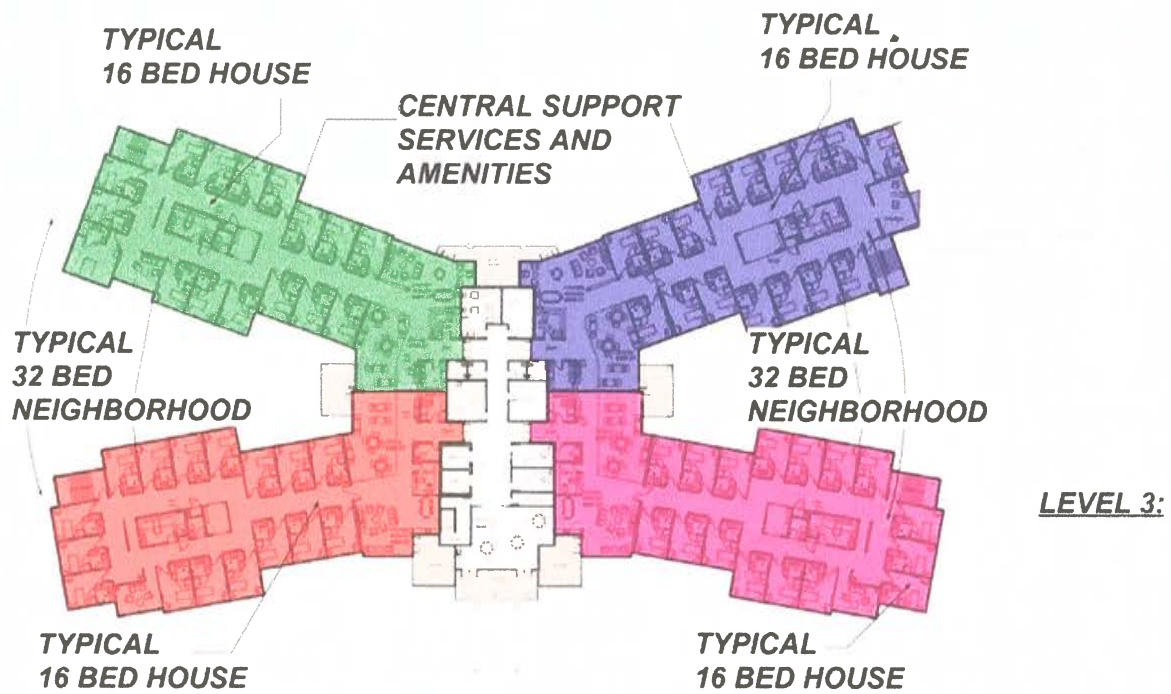
## Level 2

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

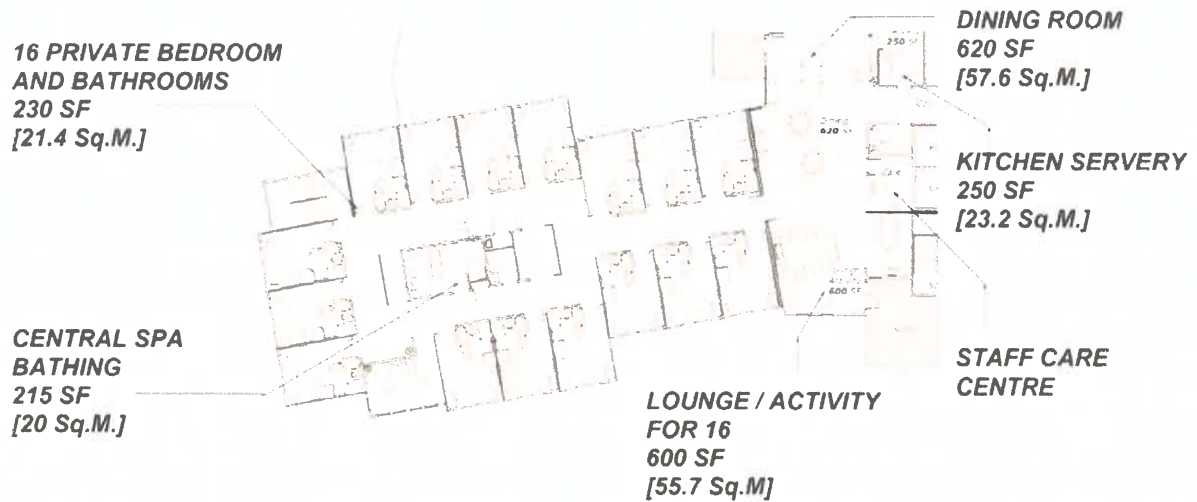


### Level 3

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



### Typical Silverstone House Concept



### Shared Amenities and Common Areas

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

- Secure exterior courtyards
  - North courtyard - 8900 SF (826 m<sup>2</sup>)
  - East courtyard - 3800 SF (350 m<sup>2</sup>)
  - West courtyard - 3800 SF (350 m<sup>2</sup>)
  - Adult day centre courtyard - 855 SF (79 m<sup>2</sup>)
- Occupational and physiotherapy room - 200 SF (18.5 m<sup>2</sup>)
- Hair salon - 280 SF (26 m<sup>2</sup>)
- Multi-purpose "Bistro" room - 900 SF (83.6 m<sup>2</sup>)
- Covered outdoor terraces (level 3), 6 terraces - total area 1887 SF (175.3 m<sup>2</sup>)



## **5. The Location on Derby Road**

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

For best practice, a location in a residential setting best supports a housing and living model rather than near a hospital or acute care setting or in a downtown core. Given the behavioural and social conditions, a quieter, more peaceful setting is preferred for residents. It is important to have access to amenities and to be supported with adequate parking and transit (for staff and visitors).

For Sechelt, the Derby Road site falls within the Urban Containment Boundary and is approximately 900m from the existing Shorncliffe centre. It is in close proximity to the existing amenities of downtown (i.e. within 2km) and very close to the proposed Neighbourhood Centre identified in the OCP. The project also aligns with a number of the guiding principles and policies of the OCP (Refer to Appendix 1 for a summary of the OCP and Silverstone).

And for VCH, the site selected on Derby Road aligns with their design guidelines established for Long Term Care Homes and for these reasons, VCH selected the Silverstone/Trellis bid proposal for the contract award.

## **6. Land Use and Zoning Information**

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

According to the recent amendment to the OCP (Bylaw No. 492-21, 2018, amendment to Bylaw 492, 2010), policies were adopted that create opportunities for continuum of care options within the community. Specifically, where new community care facilities are proposed, Council may consider them through a comprehensive development zone, providing the development demonstrates need, high standards of urban design, and accessibility. Refer to Appendix 1 for an evaluation of the proposed Silverstone development with the original and amended OCP. There is a high degree of alignment and fit with the community goals and priorities.

Silverstone/Trellis is currently in discussions with the District of Sechelt Planning Department to conclude details of the appropriate zoning designation (i.e. a comprehensive development zone) and amendments required to the OCP to permit the proposed Long Term Care Home to be situated on the current designated site.

## 7. Zoning Precedents and Sample Projects

Long Term Care Homes are for seniors who can no longer provide for themselves in their own home, but still want and need to be part of their community. The facility planned for Sechelt is publicly funded (through VCH) subsidized housing for seniors with access to care dependent on their needs. It is important for seniors at this stage in their lives to be part of their community and to continue to live in a residential setting, not an institutional one.

The form and character of the building reflects contemporary residential styling consistent with multi-family apartment developments, and is designed to fit with other residential forms that will occur in this area.

### Zoning Precedents

There are provincial precedents that support both a residential (i.e. housing) as well as care (i.e. institutional) approach to (re)zoning. However, the consistent result is that Long Term Care Homes are physically situated in residential areas for the health and social reasons stated above. In support of assessing long term care homes to fit within multi-family zones, below are examples of projects completed in 4 different communities in BC. These communities have recognized that long term care is appropriate in multi-family areas and we note that many communities are now reflecting this direction in their official community plans.

| Project                       | Address                                  | Zoning  |
|-------------------------------|--|---|
| Rosemary Heights              | 15240 34 Avenue,<br>Surrey BC            | Comprehensive Development Zone (CD)<br>/ Multiple Residential OCP Designation |
| Nanaimo Seniors Village       | 6089 Uplands Drive,<br>Nanaimo BC        | Medium Density Residential (R8)   |
| Williams Lake Seniors Village | 1455 Western Avenue,<br>Williams Lake BC | Comprehensive Development (CD) -<br>Multi Family Residential OCP Designation  |
| Casa Loma                     | 4646 Headquarters Road,<br>Courtenay BC  | Residential Three Zone (R3)   |

### Sample projects

The following projects are examples of long term care homes and campus of care developments that were designed by Derek Crawford Architects Inc. ("DCA"). This list is provided for reference on the type and nature of project and the fit within residential settings.

1. *Residence at Clayton Heights* - Surrey BC
  - Pinnacle Care Group (Todd Simmons - 604-209-3053).
  - 94 Long Term Care Beds, 15 Acquired Brain Injury Beds, 2 Storey Wood frame.
2. *Nanaimo Seniors Village* - Nanaimo BC
  - Retirement Concepts Devpmts. (Joe Moosa - 604-514-6688).
  - Full Campus of Care/Age in Place, 150 Long Term Care, Assisted Living, Independent Living.
3. *Brocklehurst Gemstone* - Kamloops BC
  - Trellis Group (Mary McDougall - 778-928- 1182).
  - 130 Long Term Care Beds, 3 Storey Wood frame.

### Local project (not designed by DCA)

Gibsons: *Good Sams/Christenson Village* offers 50 Long Term Care, 60 Assisted Living, and 3 Dementia Cottages. Go to <https://gss.org/locations/christenson-village/>

## **APPENDIX 1: Sechelt Official Community Plan (OCP)**

**Purpose:** The purpose of this report is to evaluate the proposed Silverstone Long Term Care Home (“Silverstone”) with Sechelt’s Official Community Plan (Bylaw 492, 2010, and Bylaw No. 492-21, 2018, amendment to Bylaw 492, 2010) (“OCP”) to assess the degree of alignment and fit for the project with community goals and priorities.

**Summary:** Overall, there is significant alignment of this proposed project, Silverstone Long Term Care Home, with the Sechelt community’s goals and priorities. As a seniors’ housing project, it addresses both the needs of a significantly growing segment of the population (i.e. seniors) and it addresses multiple housing goals (affordable, accessible and special needs). As a LEED-gold building, there is a fit with a number of the environmental priorities in support of sustainable development. The project supports Sechelt’s priority growth area by being located in the Special Infill Area No.1 of the Urban Containment Boundary and it will serve to expedite other important priorities associated with transit, bike ways and pedestrian links. The greatest benefit will be the improvement to seniors care in Sechelt achieved by creating a modern state-of-the-art care home while providing the opportunity for expanded health services in the previous VCH sites.

Note: The words used in the following report are taken from the OCP with direct reference to specific policies. The reader is encouraged to read this report in tandem with the OCP.

### **COMMUNITY BACKGROUND (Part 3 of OCP)**

**Silverstone meets the overall needs** within Sechelt in many ways by responding to the following issues. i.e. ‘substantially older population’, ‘double the percentage of seniors...compared to BC’, increasingly older population is a significant and immediate issue for Sechelt’, ‘increased demand for all forms of health care’, ‘need to increase employment/business’, (OCP pg 8.)

### **LAND USE POLICIES (Part 4 of OCP)**

**Silverstone fits with the preferred location for development** (per section 1.0 Growth Management)

- Silverstone is located within the Urban Containment Boundary – OCP 1.1
- Silverstone is in close proximity to Downtown (i.e. less than 1.5km and only 900m from Shorncliffe) – OCP 1.3
- Silverstone supports a designated (new) neighbourhood centre with a mix of housing



and community uses – OCP 1.4; and

- Silverstone is in the Priority Growth Area and specifically in designated Special Infill Area N.1 – OCP 1.6.

**Silverstone meets the 3 ‘pillars’ of sustainability including environmental, economic and social** (per section 2.0 Sustainable Land Use)

- Silverstone is a green and sustainable building (LEED gold) – OCP 2.4
- Silverstone is mandated by the VCH RFP to ensure green construction processes (natural building materials, reuse of materials and minimal waste) – OCP 2.5; and
- Silverstone could be considered eligible for density incentives, for priority processing of applications and for reduced permit fees as a result of meeting Sechelt’s energy efficiency and compact community goals. Factors for such consideration that are part of the Silverstone project include projects that (a) increase density in the UCB/neighbourhood centres and (b) achieve Built Green standard – OCP 2.12.

**Silverstone meets the goals of affordable and special needs housing** (per section 5.1 Residential and Special Infill Areas)

- Silverstone provides a variety of housing types (affordable, accessible, special needs) – OCP 5.1
- Silverstone is a Seniors Housing project that offers housing options that address the needs, safety, well-being, and independence of older adults that are in keeping with the form, character and scale of the proposed neighbourhood, including the designated Neighbourhood Centre. – OCP 5.13.1
- Silverstone addresses a significant need for long term care beds in the community, provides affordable housing to seniors, demonstrates high standards of urban design, and is accessible. – OCP 5.13.4
- As per OCP 5.15, the planning details for this special infill area will be established at time of rezoning. The OCP indicates that Special Infill Area No. 1 is a major future development area that will accommodate much of the new growth in Sechelt. More specifically, within this area, there must be provision of a mix of housing types to meet future needs of residents of many income levels and housing needs. The Land Use Plan in the OCP allows for Seniors Housing (including care beds and/or complex care units) to be designated as Multi-Family Mixed Residential or as a community facility within the Civic, Institutional, Utilities designation.
- The health services of Silverstone are a community amenity which aligns with the direction of Council who encourages all new developments to include community amenities. Silverstone also provides additional community spaces (meeting rooms) and is planning to offer a hospice service - OCP 5.17
- Silverstone meets the priorities listed in Part 5 (Neighbourhood Priorities) including

affordable housing, specialized needs housing, family-oriented amenities, community meeting spaces, and seniors/eldercare services – OCP 5.20

- Silverstone achieves accessible and adaptable housing (entire building is accessible). It accommodates aging in place through onsite services as well as the Adult day program (Seniors Club) – OCP 5.21
- Silverstone responds to long-term affordability because 125 units of the total 128 units are fully funded by VCH. Costs are indexed to income levels by the government which matches the affordability criteria - OCP 5.23
- Of note is that there is a density bonus framework outlined in exchange for community amenities (care) and affordability. This seems to suggest that providing amenities and affordability is valuable to Sechelt and well aligned to Sechelt priorities. OCP 5.24-5.27

**Silverstone is not suitable in the Downtown** (per section 6.0 Downtown Sechelt)

- Silverstone is not appropriate for the Downtown as it is not aligned with creating a “vibrant” mix for people living in Downtown. Residents do not leave the building and if they do, very short term and they are attended – OCP 6.1
- Silverstone is not suited to Downtown as it does not fit with “upper storey residential uses” as Silverstone residents have need for directly accessible secured green space (i.e. a secure main floor access to go outdoors unassisted) – OCP 7.8

**Silverstone location aligns with Economic policies** (per section 7.0 Business & Industry: Economic Development)

- Silverstone supports the Neighbourhood Centre concept which is to have services that complement but do not compete with services in Downtown. Specifically, commercial space is less than 500 SqM as required. – OCP 7.17
- Silverstone fits with the Neighbourhood Centre intention to offer multifamily residential uses and increased housing opportunities – OCP 7.18

**Silverstone provides multiple Social and Community benefits** (per section 10.0 Social Well Being; Community Services)

- Silverstone fits the intention that community services (like care) are encouraged to locate in neighbourhood centres (and is only 900m from Downtown) – OCP 10.2
- The proposed Silverstone location is accessible, appropriate, and respects existing neighbourhood character and good planning principles – OCP 10.2.1
- Sechelt supports intergenerational understanding and interaction which is also a significant priority and programming area for Silverstone – OCP 10.5
- DOS supports residential developments, like Silverstone, that provide community amenities to encourage intergenerational community (Some examples of Trellis

intergenerational programs at other sites include Mother Goose program, Pre-school programs, High School volunteer program, etc.) – OCP 10.6

- DOS supports a range of care facilities and programs for those requiring social supports, programs, and amenities, to enable them to age-in place to the greatest extent possible – OCP 10.6.1
- Silverstone is offering accessible housing which would warrant consideration of a density bonus and suggests it is ‘valuable’ to Sechelt – OCP 10.9
- DOS encourages the development of seniors care facilities and supports a broad range of care options for seniors through provisions in the Zoning Bylaw to permit services and facilities ranging from small-scale, home-based personal care services to large-scale, institutional facilities in appropriate locations. – OCP 10.12.1 and 10.12.2
- Silverstone is offering smaller multi-purpose meeting facilities which is an OCP priority. Part of our service includes offering, at no charge, the use of meeting facilities including the after-hours booking for the adult day program. – OCP 10.20
- Silverstone is governed by strict regulations and licensing requires extensive fire response equipment and training (code red monthly on all shifts). This fits with Sechelt’s priority for adequate fire protection, sprinklering and fire smart principles. – OCP 10.23

**Silverstone supports the connection between Sechelt & West Sechelt** (per section

12.1 Transportation and Mobility)

- Silverstone supports the extension of Cowrie to Derby and Derby to the West Sechelt connector. It is set as a ‘near term’ priority. - OCP 12.30

**SECHELT NEIGHBOURHOOD POLICIES (Part 5 of OCP)**

**Special Policies for West Sechelt (Pg118-119)**

- Silverstone addresses a number of key issues including (a) providing a mix of housing (d) supporting connectivity of roads to Downtown and (e) design and housing type that compliments and integrates with surrounding areas (Pg 118 #5)
- Silverstone will serve to support the identified Neighbourhood Centre (i.e. economically) and also by providing an important community amenity (i.e. care) (Pg 119 #6)

## **PLAN IMPLEMENTATION AND MONITORING (Part 6 of OCP)**

### **Silverstone achieves specific OCP targets and indicators (per Section 3) as follows:**

- Increased percent of compact housing forms (multi-family)
- Increased number of adaptable and/or accessible housing units
- Increased number of affordable housing units
- Increase in number of LEED certified or Build Green rated buildings
- Increase in the number of business licenses
- Increase in the percent of labour force working locally
- Increase in the percent of tax base from business and industry

### **Silverstone adheres to the criteria for evaluation OCP amendments contained in Part Six, Section 1 as follows:**

- ✓ a long term care home is in the best long term interests of the community as a whole;
- ✓ the community has been consulted and a long term care home has a high level of support in the community;
- ✓ a long term care home is consistent with the overall vision for the community and local neighbourhood;
- ✓ there is a demonstrated need for a long term care home in light of projected population and employment trends and other available sites in the community;
- ✓ the long term care home is suitable for the site and compatible with adjacent land uses;
- ✓ water and sewer, transportation and other community services are available and are not negatively effected;
- ✓ Silverstone puts forward creative, sustainable and innovative design approaches.

**Conclusion:** Silverstone Long Term Care Home aligns with the Sechelt Official Community Plan by providing environmental improvements, economic benefits and enhanced social services.



## Connectivity

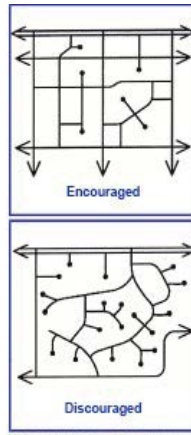
- 5.10 All subdivision and residential developments should be designed to ensure mobility and connectivity to surrounding areas through road design and pedestrian routes. Multiple family development sites may also be required to provide public pathways to facilitate pedestrian connections.

## Higher Density Housing

- 5.11 **Multifamily/Mixed Residential** areas provide for attached and detached housing forms, but at a higher density than Residential areas. Housing forms include intensive residential uses, as well as apartments and stacked townhouses, within the density range described in Fig.17. New multiple family uses should generally be located near transit, commercial and community services and major roads.
- 5.12 Manufactured home developments are supported in the Multiple Family/Mixed Residential and Low Density Residential designations in appropriate locations, as a viable and important source of affordable housing. New locations will be considered where compatible with surrounding uses, subject to rezoning and the Intensive Residential Development Permit Area guidelines in Part Eight.

## Continuum of Care

- 5.13.1 The District of Sechelt supports a continuum of care and housing options that address the needs, safety, well-being, and independence of older adults. Developments shall consider opportunities to facilitate age-in-place opportunities that are in keeping with the form, character and scale of the neighbourhood, and that provide appropriate access and amenities.
- 5.13.2 Independent living facilities, including assisted living, and community care facilities, may be accommodated in all designations and zones that accommodate multi-



unit development and mixed use development. The District will develop provisions in the zoning bylaw to calculate density and parking standards that reflect the different unit sizes and use intensities associated with these facilities.

- 5.13.3 Institutional facilities such as complex-care and large-scale community care facilities may be accommodated in all designations and zones that accommodate high-density residential, regional commercial, and institutional uses. The District supports developments that are well served by transit, medical facilities, recreational opportunities and commercial amenities.
- 5.13.4 Where new care facilities are proposed for areas that were not contemplated by the OCP or Zoning bylaw, Council may consider them through a comprehensive development zone, providing the development demonstrates need, high standards of urban design, and accessibility. The development would need to adhere to the criteria for evaluating OCP amendments contained in Part Six of this OCP.

## Village Residential Infill

- 5.14 Properties designated on Schedule C as **Village Residential Infill** have rear lane access and are suitable for incremental redevelopment over time to housing forms such as small lot subdivisions, duplex, triplex or carriage homes/rear laneway cottages. This area is intended to provide “gentle infill” with modest increases in density, allowing for two to three smaller units as an alternative to large single-family homes. Development that is compatible in scale, form and appearance with the existing Village character is a priority. Apartment structures are not supported, and consolidation of more than three single lots is not supported. A new zone will be developed to regulate the building forms, maximum density, height, building coverage, access and other standards for the Village Residential infill area.

## Childcare

- 10.11 Major new developments, particularly large comprehensive developments or major employers, are encouraged to include childcare as part of the development plans. The District may identify childcare as a preferred community amenity.
- 10.12 The District of Sechelt supports childcare services through flexibility in the zoning bylaw to permit small childcare facilities as home occupations throughout neighbourhoods.

## Seniors Care Facilities

- 10.12.1 Major new developments and comprehensive development plans are encouraged to include a range of care facilities, residential opportunities, and amenities geared to seniors.
- 10.12.2 The District of Sechelt supports a broad range of care options for seniors through provisions in the Zoning Bylaw to permit services and facilities ranging from small-scale, home-based personal care services to large-scale, institutional facilities in appropriate locations. Home-support services will be supported in all residential designations.

## Civic Involvement and Partnerships

- 10.13 Initiatives of local non-profit health and service agencies to meet the social needs of the population are supported by Council, including making space available at District owned sites, and advocating to senior levels of government for establishment of needed services and programs.
- 10.14 The District of Sechelt will work with Neighbourhood Associations, service organizations, sports groups, business and other stakeholders to support and strengthen the community.

## Education

- 10.15 The location of existing school sites is shown on Map Schedule C. New school sites are not anticipated in Sechelt based on current population projections and low enrolments at several existing schools. Should any major rezoning result in additional density that results in the need

for a new school, a school site appropriate to the School District shall be provided as an amenity under Section 904 of the *Local Government Act*.

- 10.16 Rezoning of school sites for uses other than community purposes is not supported. The District will work with the School District to examine potential alternative public uses for any school sites that may be surplus to school needs. If no suitable public use is found, rezoning will only be considered where a significant portion of the site is retained for public open space or other significant public amenities are provided.
- 10.17 Joint use of schools is supported in principle, and may support formal joint use agreements where such agreements are financially viable for the District and deliver necessary services or facilities to the community.
- 10.18 Expanded adult education is supported in Sechelt. Expansion of the Capilano University campus or relocation to a new site may be supported. Any new location should be readily accessible to transit, not create major impacts to adjacent areas, and be generally compatible with adjacent uses. Educational programs that are linked to employment outcomes are particularly supported.

## Recreation

- 10.19 Provision of recreation services through a regional service model is supported provided such services can be delivered in a cost-effective manner.
- 10.20 Construction of major new recreation facilities is not anticipated during the term of this plan. Smaller multi-purpose meeting facilities in each neighbourhood are a priority, particularly to provide a community focal point in East Porpoise Bay and Sandy Hook/Tuwanek.

## REQUEST FOR DECISION

**TO:** Mayor and Council **MEETING DATE:** March 4, 2020

**FROM:** Development Planning Manager

**SUBJECT:** Trellis Rezoning Application – Silverstone Long Term Care Home  
OCP Amendment Bylaw No. 492-26, 2020 & Zoning Amendment Bylaw No. 25-303, 2020  
West Sechelt – Derby Road at Cowrie Street

**FILE NO:** 3360-20 2019-06

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### RECOMMENDATIONS

1. THAT the report from the Development Planning Manager regarding the application for an Official Community Plan Bylaw Amendment and Zoning Bylaw Amendment for the Silverstone Long Term Care Home be received.
  2. THAT Council give First reading to Official Community Plan Amendment Bylaw No. 492-26, 2020 (Silverstone).
  3. THAT Council give First reading to Zoning Amendment Bylaw No. 25-303, 2020 (Silverstone).
  4. THAT staff refer the application to relevant stakeholders, agencies, and the Advisory Planning Commission for comment.
  5. THAT Council endorse further discussion with the applicants respecting:
    - (a) Site buffering and landscaping.
    - (b) Amendment or discharge to the restrictive covenant presently registered on title of the subject properties.
    - (c) Community amenity contributions (CACs).
- 

### PURPOSE

The purpose of this report is to present OCP and Zoning amendment bylaws for First Reading regarding the Trellis rezoning application for the Silverstone Long Term Care Home “Silverstone”. As previously noted in the permission to proceed report, the review process will focus on evaluating the proposed land uses with respect to the OCP, Zoning Bylaw, and surrounding area as well as considering site/building design and neighbourhood integration.

## OPTIONS

1. That Council adopt the recommendations as presented above and give the bylaws First Reading.
2. That Council defer the application pending additional information as directed.
3. That Council reject the application.

## DISCUSSION

The property fronts the newly created portion of Derby Road extending east from the intersection with Cowrie Street. Trellis is proposing a 128 bedroom facility with an eight bedroom hospice as part of the Silverstone Long Term Care Home project. The proposed facility would provide daily care and nursing services and operates under the *Community Care and Assisted Living Act* and in accordance with the Residential Care Regulation and the Home and Community Care Policy Manual.

As the development is proposed to be located within an existing and future residential area, staff are primarily concerned with ensuring that the proposed development fits in and does not detract from or impose on the neighbourhood. In accordance with OCP policy, new institutional care facilities must provide a comprehensive development approach that demonstrates a high standard of urban design and accessibility, is in keeping with the form, character, and scale of the neighbourhood, and provides appropriate amenities.

As noted in the permission to proceed report, key considerations include:

- How will this institutional use integrate into the existing and future neighbourhood?
- How will residents and members of the public move around and adjacent to the site?
- How will the type of traffic (emergency vehicles, ambulances, etc.) generated by the site interact with the neighbourhood?
- How will this development positively or negatively affect the existing and future residential neighbourhood?
- What can be done to soften the building, landscape the site, and provide buffering from the street and adjacent residential areas?

From the perspective of the applicant and the surrounding property owner, the Silverstone development is viewed as the catalyst for the neighbourhood and that it will lead to further development opportunities in the emerging neighbourhood, including staff housing, affordable housing, neighbourhood commercial and day care facilities. These items will be addressed in a separate process as part of the on-going planning of the larger area Sawarne properties.

The applicant notes the following:

- The design is a Craftsman style development meant to be compatible with a similar theme for the future phases of the surrounding Sawarne properties.
- Employees responsible for 108 beds within Totem Lodge and Shorncliffe will come to the Silverstone facility under Trellis operations, which proposes up to 128 beds. There will be some present demand for staff housing, but it is presumed that many of the employees already have housing in place. Opportunities for additional staff housing will be considered as further site planning and development occurs on the surrounding Sawarne properties.



The applicant also notes the following:

- The business model for Silverstone includes adult day services plus hospice. This includes programming services which do include inter-generational activities but the focus is on the adult residents of the facility. It is not part of the business model or programming to provide permanent on-site day care for children.
- The larger surrounding property owner - Sawarne has expressed interest in day care facilities at the end Derby close to the proposed future neighbourhood commercial area as designated in the OCP.
- That commercial area could include pharmacy, coffee shop, day care, affordable housing, all of which, from the owner's perspective, would potentially benefit the Silverstone facility in the future.
- Traffic impact would not be considerable as the residents themselves do not drive.
- Many residents are near end of life and emergency response and sirens are not as prevalent as might be presumed.
- The housing model is based on affordability as Vancouver Coastal Health manages the rent payment based on the resident income. Vancouver Coastal Health also manages the wait list for future residents.
- Community integration can be accommodated in the form of meeting space and room availability. This is intended to support non-profit health-related groups who can use space within the building for meetings or gathering.
  - Staff note that if the applicant intends to make meeting room space available to the public that this could be considered as part of a community amenity contribution. However, it is necessary then to include it within the draft zoning amendment and/or covenants to ensure public access in perpetuity.

Silverstone is the first step in the evolution and establishment of mixed uses in this neighbourhood, but not itself the sole driver of the area. In addition to the Silverstone development and the applicants – Trellis, staff are also working separately with the owners of the larger surrounding parcel – Sawarne to consider phase 3 of the residential development as well as consideration of future phases. Phase 3 includes the proposal of single family dwellings along Derby and Granite Roads. Future phases may also include commercial and multi-family residential uses that may include affordable housing and other uses yet to be determined.

The future neighbourhood commercial area on Derby would be that hub of vitality, interaction, and commercial services that would support and be supported by the surrounding residential areas, which includes Silverstone. The balance at this time is to consider an approval for Silverstone and determine how it fits into both the existing and future neighbourhood.

## **ANALYSIS**

### **Site Planning**

Staff proposed to incorporate vegetated buffer areas around each side of the development to resolve the potential issues and conflicts. The buffers would have required expanding the lot area and shifting the site back or up to the north away from Derby Road. Each buffer area would have been at least 10 m wide and would serve to screen the development visually. There is a need to consider the visual impacts of the development on the immediate neighbourhood as well as from further away, for example from Davis Bay.

In terms of the extensive parking area, the District would be seeking to require permeable surfacing of some kind to allow for rainwater infiltration and to reduce the impervious surfacing of the development.

This will have positive benefits for rainwater management as more of this area is converted from forest to human settlement. The originally proposed buffer areas plus potential changes to the parking areas would have increased the site area from approx. 12,000 m<sup>2</sup> to likely 16,000 – 18,000 m<sup>2</sup>.

### **Site Boundaries**

Staff have reviewed the proposal in further detail since the initial permission to proceed report to consider neighbourhood fit and buffering. Thought was given to request an increase in the site area to allow for additional landscape buffering. The site size and dimensions previously identified in the permission to proceed report have been confirmed by the applicant to be fixed and agreed upon in a future contract of sale. This does create a limiting factor for the development.

The applicant has noted that shifting the site back by 10 m to incorporate a 10 m front (south) buffer area would raise the building up as the land slopes up and/or require significant blasting. That said, they recognize the need to consider more landscaping and the applicant is working on a revised plan, which will include berms and increased landscaping. While that revised plan is not yet complete, the bylaws can be given first reading as the District and the applicant work together to seek resolutions to these issues. The applicants have noted that a landscape plan will be prepared.

### **Onsite Buffer Areas**

It is recommended that the applicant supply further information respecting landscaping and buffering on the four sides of the development. Their plan is to primarily focus on the south and west side of the development. This may involve:

- South side – 4 m wide landscaped area raised on berms.
- West side – potentially a similar 4 m wide buffer on the subject property that would be enhanced by further buffering on the adjacent lands as part of the Sawarne development phase 3 (future rezoning, development permit, and subdivision applications).

As a development permit is not applicable to the property staff would recommend that landscaping requirements be included in the draft zoning amendment bylaw. Details can be refined at second reading as more details are agreed upon. Additionally, a covenant can be registered on title of the subject properties in order to establish buffer areas on west and south sides on development site. This would be in accordance with the above parameters, and secure the areas from future encroachment and outline maintenance obligations. If the bylaw amendment is approved and a subsequent subdivision plan is registered, this covenant will be transferred to the future title of the Silverstone property.

#### Offsite Buffer Areas

Staff note that the north, east, and west sides can still be protected by covenants that would create buffer areas outside of the development property and still provide a protected area from future development. One available tool includes a Section 219 covenant that could be applied to create a 10 m wide buffer around each of the north, east, and west sides that would prevent any building or land alteration. Another available tool could be an arrangement to be made through a broader development agreement of the remainder of the larger property with Sawarne. This forms a focus of discussion with Sawarne and will occur concurrently with review of the Silverstone application. Solutions will be identified and presented in the future second reading report.

#### Official Community Plan Amendment Bylaw

The OCP amendment bylaw has been drafted that would relocate the existing Institutional land use designation on the subject lot to conform to the current proposal. The amendment would shift the Residential and Multifamily Mixed Residential land use designations around the lot in accordance with the proposed Institutional development site. Existing policies, such as the Continuum of Care support the proposed development and have been reviewed as part of the proposal. The OCP amendment applies to the mapping component.

#### Zoning Amendment Bylaw

The zoning amendment bylaw has been drafted that would create a new Institutional zone that specifically applies to this site rather than a comprehensive development zone. Comprehensive development zones would be better applied to mixed use developments that would require greater differentiation between uses and particular areas on a parcel of land. This particular zone would apply specifically to this property and matches the proposed uses.

#### Existing Covenant

A Section 219 Covenant (CA6309342) is currently registered on the title of both subject properties. This covenant prevents any subdivision, rezoning, use, occupancy, or building on the lands until certain works are completed. The covenant will need to be amended to exempt the Silverstone application to proceed. An amendment will identify when the road works will be complete and who will be responsible for conducting the road works – Trellis or Sawarne. This will need to be addressed prior to consideration of Second Reading so that it is clear to Council and the community ahead of a public hearing.

## Financial Implications

The project will be required to pay Development Cost Charges (DCCs) as per Bylaw No. 554, 2016. Affordable housing contributions and CACs will be assessed as part of the rezoning review moving forward and based on negotiations with the applicants.

## Communications

Once first reading has been given, the official referral process will be initiated. Consideration can also be given to scheduling a public information meeting for the application as organized by the applicant.

## CONCLUSION

Bylaws have been drafted and are presented for First Reading. Further work with the applicants will be required to refine the landscaping and buffering issues, and continue negotiations around community amenity contributions to support the costs of growth that must be absorbed by the District.

Respectfully submitted,

Ian Holl, MCIP, RPP

Development Planning Manager

Associated Bylaws:

- 1 - OCP Amendment Bylaw No. 492-26, 2020
- 2 - Zoning Amendment Bylaw No. 25-303, 2020

**REVIEWED**

By Andrew Allen (andrew.allen@sechelt.ca) at 10:37 am, Feb 27, 2020

**REVIEWED**

By Darwyn Kutney (dkutney@sechelt.ca) at 11:21 am, Feb 27, 2020

**REVIEWED**

By Julie Rogers (jrogers@sechelt.ca) at 12:27 pm, Feb 27, 2020

**REVIEWED**

By David Douglas (ddouglas@sechelt.ca) at 11:24 am, Feb 27, 2020

**REVIEWED**

By Jo-Anne (jfrank@sechelt.ca) at 12:06 pm, Feb 27, 2020



DISTRICT OF SECHELT

Bylaw No. 492-26, 2020  
(Silverstone)

Being a bylaw to amend District of Sechelt Official Community Plan Bylaw No. 492, 2010

---

**WHEREAS** the Council of the District of Sechelt deems it necessary to amend the District of Sechelt Official Community Plan Bylaw No. 492, 2010, to provide for the re-designation of a portion of two properties for the Silverstone Long Term Care Home.

**NOW THEREFORE** the Council of the District of Sechelt in open meeting assembled, enacts as follows:

**Title**

1. This Bylaw may be cited for all purposes as “District of Sechelt Official Community Plan Bylaw Amendment Bylaw No. 492-26, 2020 (Silverstone)”.

**Provisions**

2. That the portions of **District Lot 1384, Group 1, NWD, Except Part on Plan 14180, Plan BCP31726, PID 015-861-660 and Lot A, District Lot 4295A, Group 1, NWD, Plan LMP43915 Except Plans BCP31726, EPP31745, EPP75215, and EPP75917** identified in bold dashed lines as shown on the plan attached to and forming part of this bylaw as Schedule A be re-designated from Residential and Multifamily Mixed Residential to Institutional.
3. That the portion of **District Lot 1384, Group 1, NWD, Except Part on Plan 14180, Plan BCP31726, PID 015-861-660** identified in bold dotted lines as shown on the plan attached to and forming part of this bylaw as Schedule A be re-designated from Institutional to Multifamily Mixed Residential.
4. That Schedule A of Official Community Plan Bylaw No. 492, 2010 (Official Maps) be amended to reflect the designations brought into force by this bylaw.

|                          |        |      |
|--------------------------|--------|------|
| READ A FIRST TIME THIS   | DAY OF | 2020 |
| READ A SECOND TIME THIS  | DAY OF | 2020 |
| PUBLIC HEARING HELD THIS | DAY OF | 2020 |
| READ A THIRD TIME THIS   | DAY OF | 2020 |
| ADOPTED THIS             | DAY OF | 2020 |

---

Mayor

---

Corporate Officer







DISTRICT OF SECHELT

Bylaw No. 25-303, 2020  
(Silverstone)

Being a bylaw to amend District of Sechelt Zoning Bylaw No. 25, 1987

---

**WHEREAS** the Council of the District of Sechelt deems it necessary to amend the District of Sechelt Zoning Bylaw No. 25, 1987, to provide for the rezoning of a portion of two properties for the Silverstone Long Term Care Home.

**NOW THEREFORE** the Council of the District of Sechelt in open meeting assembled, enacts as follows:

**Title**

1. This Bylaw may be cited for all purposes as “District of Sechelt Zoning Bylaw No. 25, 1987, Amendment Bylaw No. 25-303, 2020 (Silverstone)”.

**Provisions**

2. That the new zone, Institutional 1 Zone (IN1), as attached to and forming part of this bylaw as Schedule A, is added to District of Sechelt Zoning Bylaw No. 25, 1987, by creating a new PART 10B-INSTITUTIONAL ZONES, in numerical order.
3. That the portions of **District Lot 1384, Group 1, NWD, Except Part on Plan 14180, Plan BCP31726, PID 015-861-660 and Lot A, District Lot 4295A, Group 1, NWD, Plan LMP43915 Except Plans BCP31726, EPP31745, EPP75215, and EPP75917** identified in bold dashed lines as shown on the plan attached to and forming part of this bylaw as Schedule B be rezoned from RR-1 (Rural 1) to IN1 (Institutional 1).
4. That Schedule A of Zoning Bylaw No. 25, 1987 (Official Zoning Maps) be amended to reflect the zoning designation and boundaries brought into force by this bylaw.



|   |        |      |
|---|--------|------|
| READ A FIRST TIME THIS  | DAY OF | 2020 |
| READ A SECOND TIME THIS   | DAY OF | 2020 |
| PUBLIC HEARING HELD THIS  | DAY OF | 2020 |
| READ A THIRD TIME THIS  | DAY OF | 2020 |
| APPROVED BY THE MINISTRY OF TRANSPORTATION<br>AND INFRASTRUCTURE THIS | DAY OF | 2020 |
| ADOPTED THIS  | DAY OF | 2020 |

---

Mayor

---

Corporate Officer

**Schedule A to Bylaw No. 25-303, 2020 (Silverstone)**

**10B.1 - IN1 – INSTITUTIONAL 1 ZONE**

**10B.1.1      INTENT**

This zone provides for a private community care facility for long term care that is licensed and operated in accordance with the *Community Care and Assisted Living Act*, the Residential Care Regulation, and the Home and Community Care Policy Manual.

**10B.1.2      PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **IN1**:

**Principal Uses**

- a) community care facility for long term care

**Accessory Uses**

- b) hospice
- c) adult day centre
- d) kitchen and dining facilities
- e) laundry facilities
- f) indoor and outdoor recreation facilities
- g) office and therapy facilities
- d) accessory buildings and uses customarily incidental to the principal use

**10B.1.3      MINIMUM LOT AREA, LOT WIDTH, AND LOT DEPTH FOR NEW SUBDIVISIONS**

- a) The minimum lot area required is 12,000 m<sup>2</sup> (1.2 ha).
- b) The minimum lot width is 144 m.
- c) The minimum lot depth is 84 m.

**10B.1.4      CARE BEDROOMS PER LOT**

- a) The maximum combined number of care bedrooms is 136
- b) The maximum number of long term care bedrooms is 128
- c) The minimum number of hospice bedrooms is 4
- d) The maximum number of hospice bedrooms is 8

10B.1.5      **GROSS FLOOR AREA, BUILDING FOOTPRINT, AND FLOOR SPACE RATIO**

- a) The maximum gross floor area of all buildings and structures is 8,400 m<sup>2</sup>.
- b) The maximum horizontal footprint of all buildings and structures is 3,900 m<sup>2</sup>.
- c) The maximum floor space ratio is 0.70.

10B.1.6      **LOT COVERAGE**

- a) All buildings and structures shall not cover more than 33% of the lot area.
- b) Impervious surfaces shall not cover more than 40% of the lot area.

10B.1.7      **SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within:

- a) 18 m of the front lot line.
- b) 6 m of any other lot line.

10B.1.8      **HEIGHT OF BUILDINGS**

- a) The maximum height of the long term care facility is 13 m.
- b) The maximum height of the hospice facility is 8 m.
- c) The maximum height of an accessory building is 4 m.

10B.1.9      **LANDSCAPING & SCREENING**

- a) The minimum width of the front (south) landscaped buffer area is 4 m.
- b) The minimum width of the side (west) landscaped buffer area is 4 m.
- c) The minimum height of landscaped buffer area plantings is 2 m.

10B.1.10     **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.





Rezoned from  
RR-1 (Rural 1) to  
IN1 (Institutional 1)



Schedule B - Zoning Amendment Bylaw No. 25-303, 2020



PROPERTY LINES ARE SHOWN FOR INFORMATION ONLY.  
The District of Sechelt makes no representation or warranty  
expressed or implied, in fact or in law, with respect to the accuracy,  
completeness or appropriateness of the data contained or referenced herein.





# Silverstone

## Care Centre

S e c h e l t B C



A1-----CONTEXT MAP

A2-----SITE PLAN + PROJECT DATA

A3-----SITE GRADING PLAN

A4-----LEVEL 1

A5-----LEVEL 2

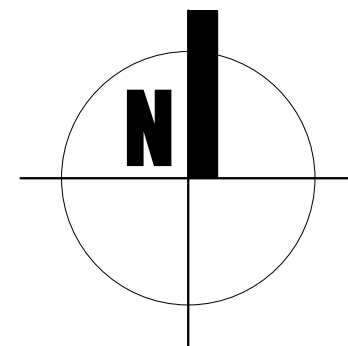
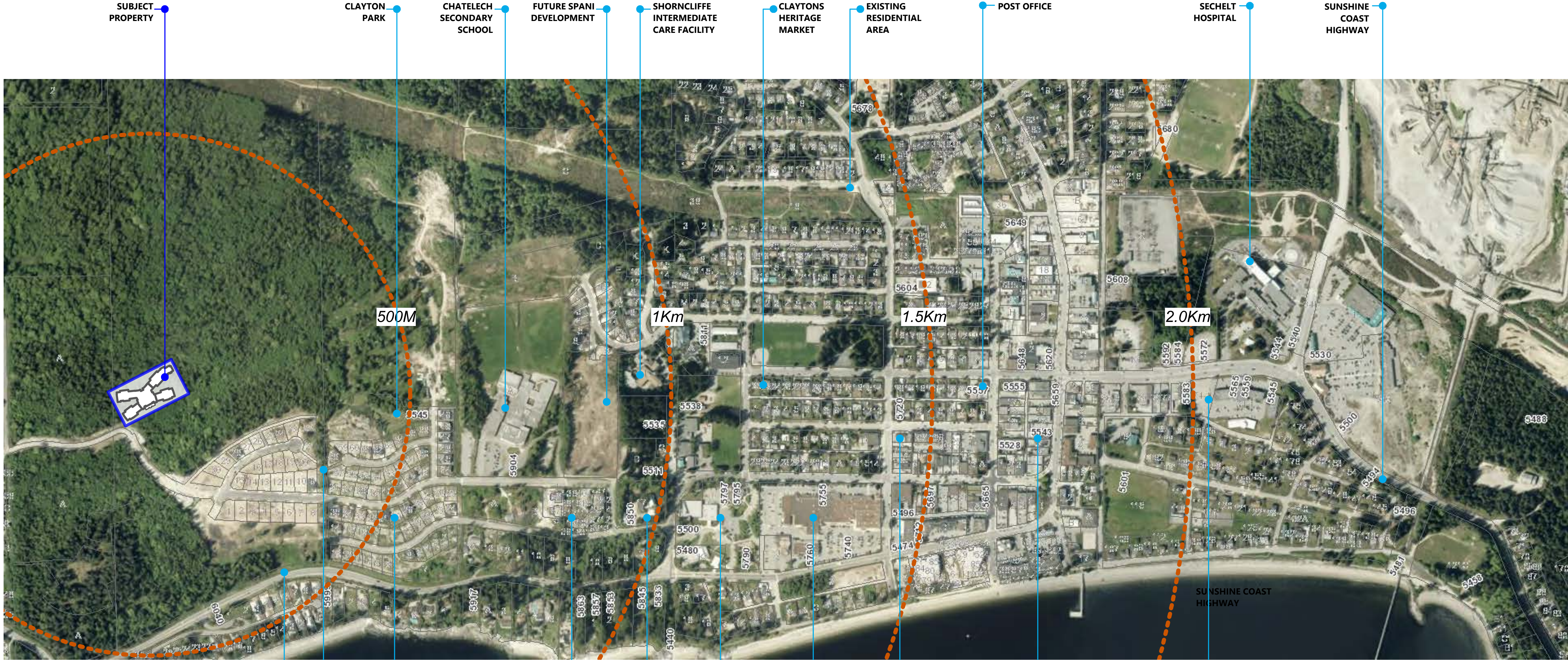
A6-----LEVEL 3

A7-----PRECEDENCE PHOTOS

A8-----MATERIALS BOARD + ELEVATION

A9-----SECTION





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|     | 11.08.2016 | ISSUED FOR RE-ZONING |
| NO. | DATE       | REVISION             |

**PROJECT:**  
**'SILVERSTONE' - Residential Care & Hospice Facility**

**CLIENT:**

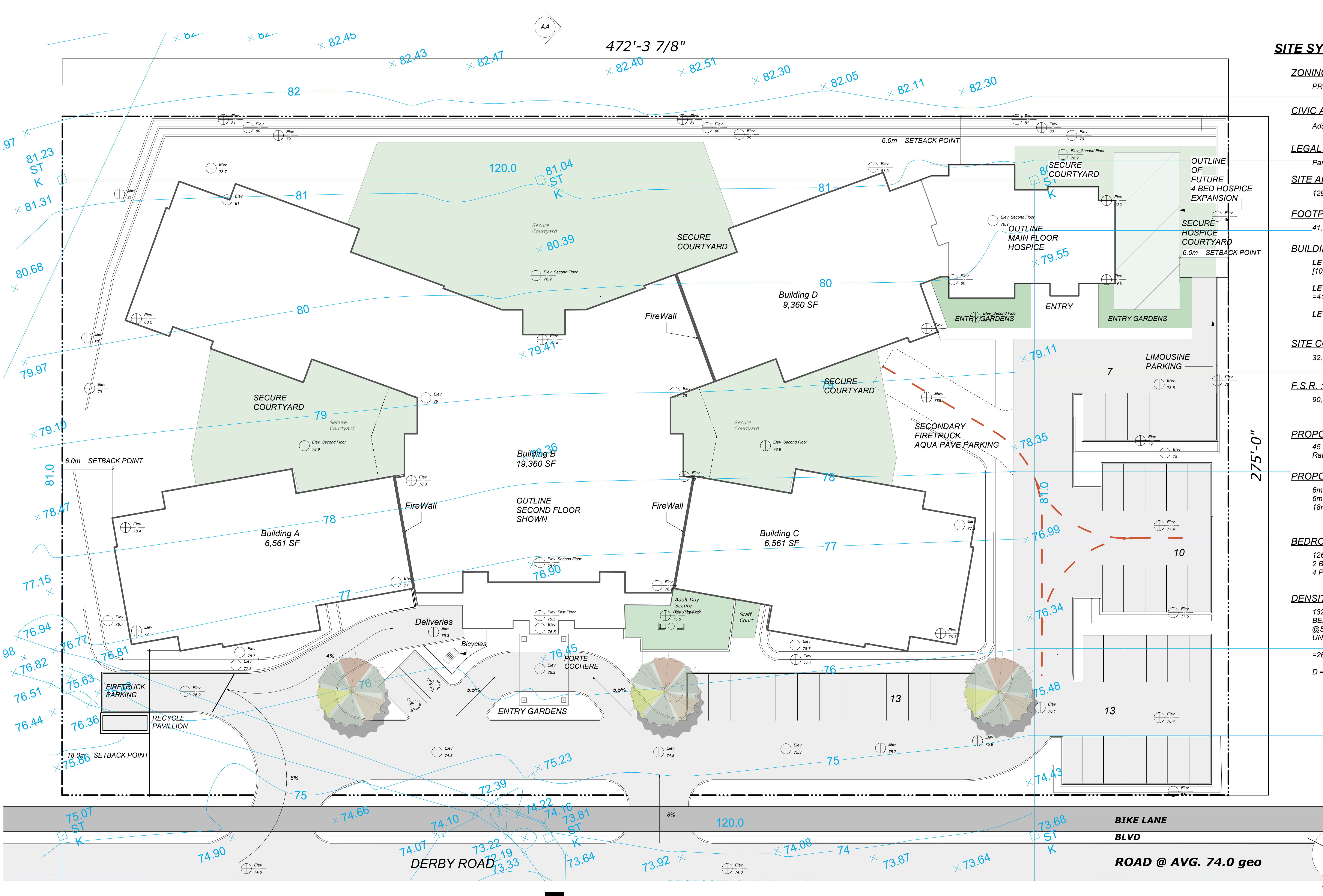
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**CONTEXT MAP 1:4000**

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**A1**





**SITE SYNOPSIS:**

**ZONING:**  
PROPOSED CD ZONE

**CIVIC ADDRESS:**  
Address to Follow

**LEGAL DESCRIPTION:**  
Parcel Identifier: Survey and Legal to Follow

**SITE AREA:**  
129,869 SF [12,064 Sq.M]

**FOOTPRINT AREA:**  
41,844 SF [ 3,887 Sq.M ]

**BUILDING AREAS:**  
**LEVEL 1**\_\_12,562 SF  
[10,815 + 1,747 ADC]  
**LEVEL 2**\_\_38,644 + 3,200(HOSPICE)  
=41,844 SF  
**LEVEL 3**\_\_38,950 SF

**SITE COVERAGE:**  
32.2%

**F.S.R.:**  
 $90,156 / 129,869 = 0.69$

**PROPOSED PARKING**  
45 STALLS  
Ratio:0.34 Stalls / Bedroom

**PROPOSED SETBACKS**  
6m Side  
6m Rear  
18m Front

**BEDROOM COUNT**  
126 RESIDENTIAL CARE  
2 BARIATRIC CARE  
4 PALLIATIVE CARE

**DENSITY:**  
132 SLEEPING  
BEDROOMS(S.L.)  
@5 (S.L.) = 1 DWELLING  
UNIT(D.U.)  
=26.4 D.U  
D = 21.89 D.U./Hectare

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| NO. | DATE       | REVISION             |

**PROJECT:**  
**'SILVERSTONE' - Residential Care & Hospice Facility**

**CLIENT:**

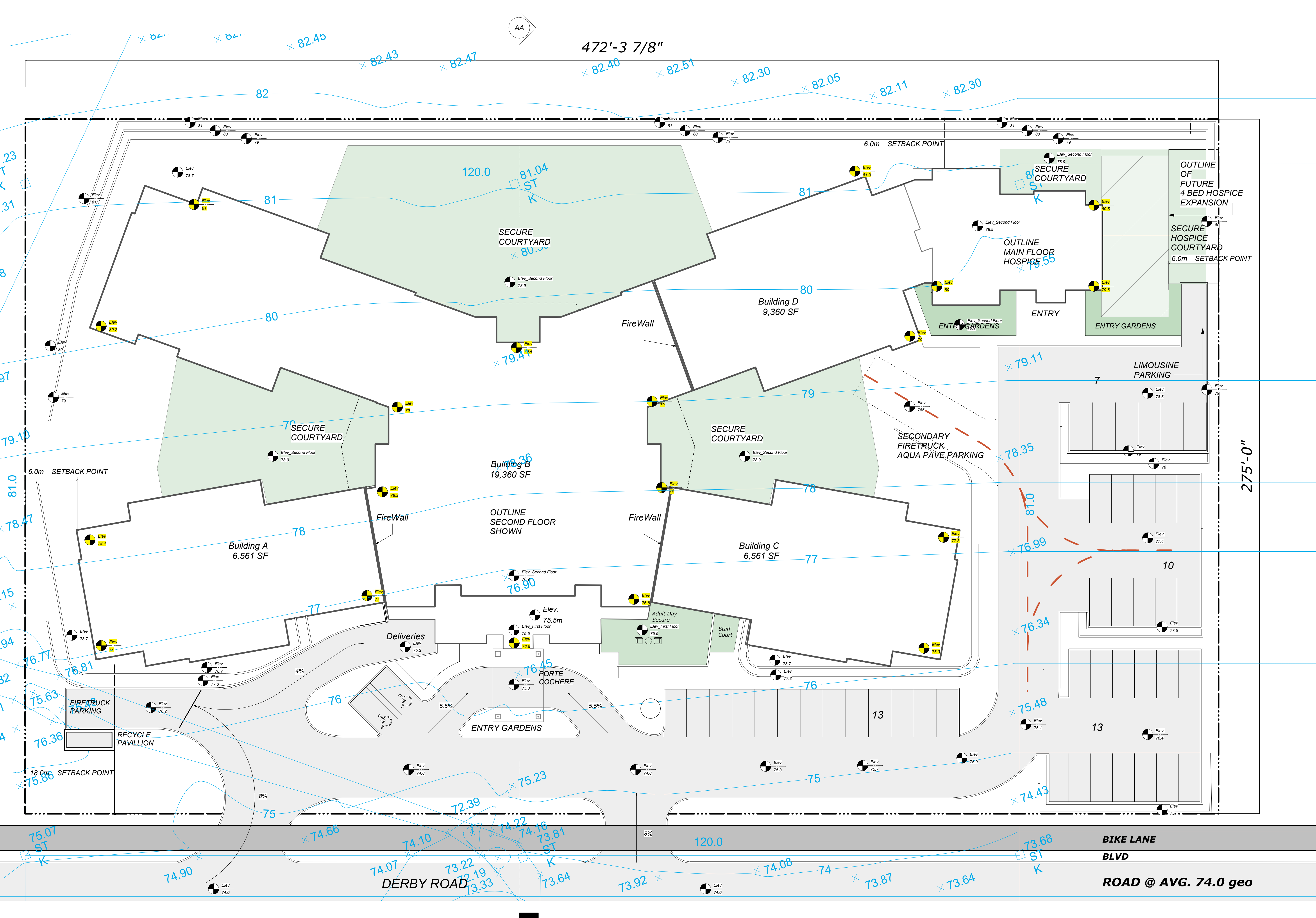
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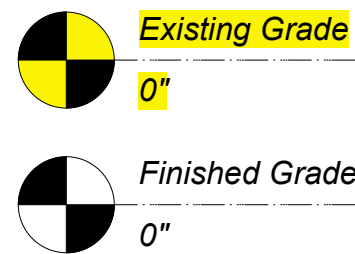
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**A2**





SITE COVERAGE:



AVERAGE EXISTING GRADE:

1494.6/19

78.66M GEODETIC.

CONSULTANT

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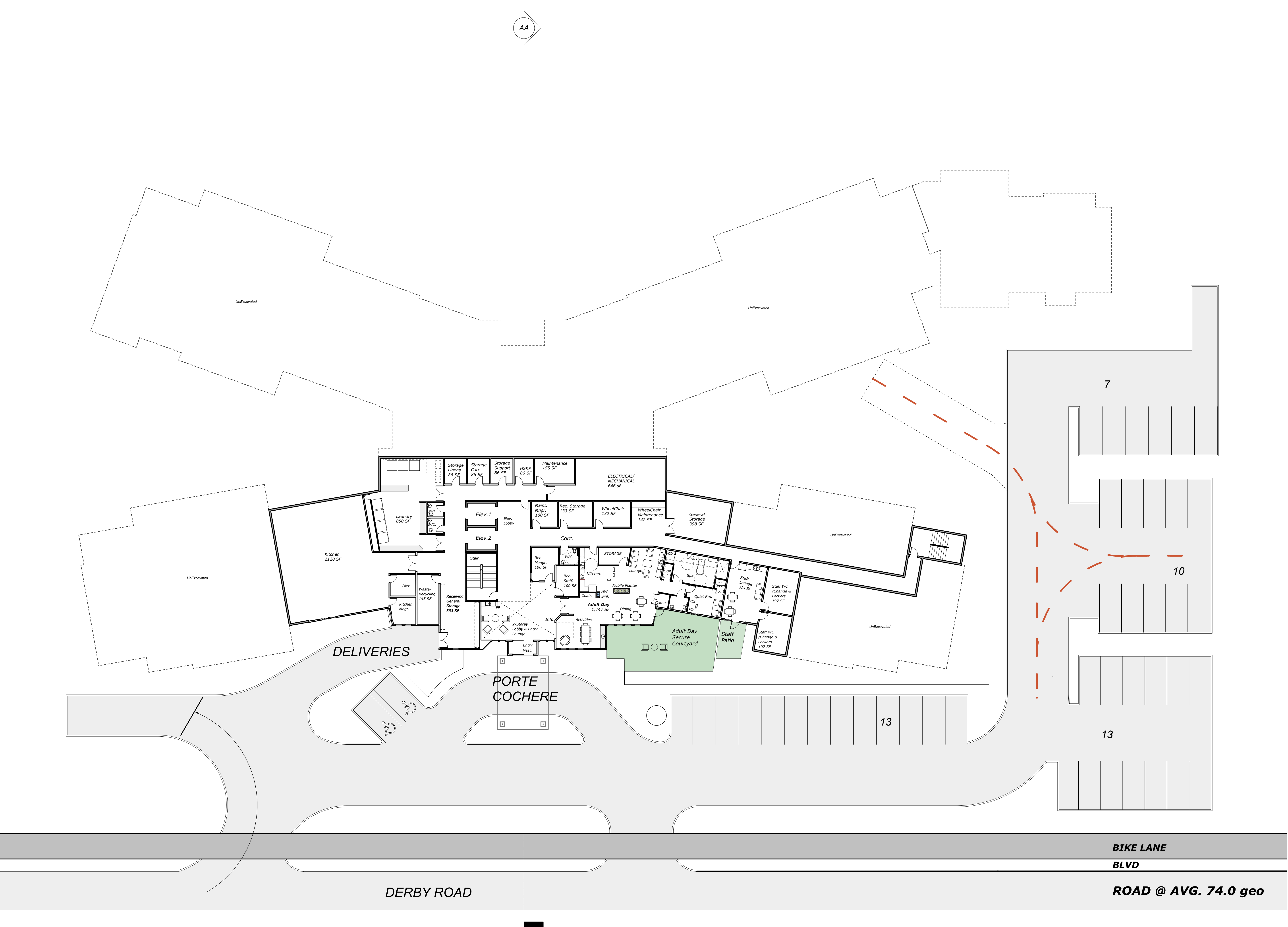
PROJECT:  
**'SILVERSTONE' - Residential Care & Hospice Facility**

CLIENT:

DRAWING TITLE:  
**GRADING PLAN  
1:200**

A3





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| <b>NO.</b> | <b>DATE.</b> | <b>REVISION.</b>     |

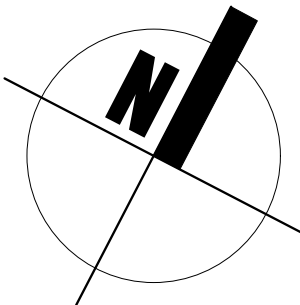
**PROJECT:**  
**'SILVERSTONE' - Residential Care & Hospice Facility**

**CLIENT:**

**DRAWING TITLE:**  
**LEVEL 1**  
**1:200**

**A4**

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**CONSULTANT**



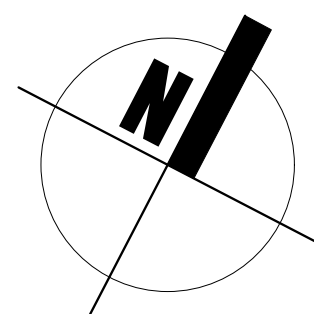
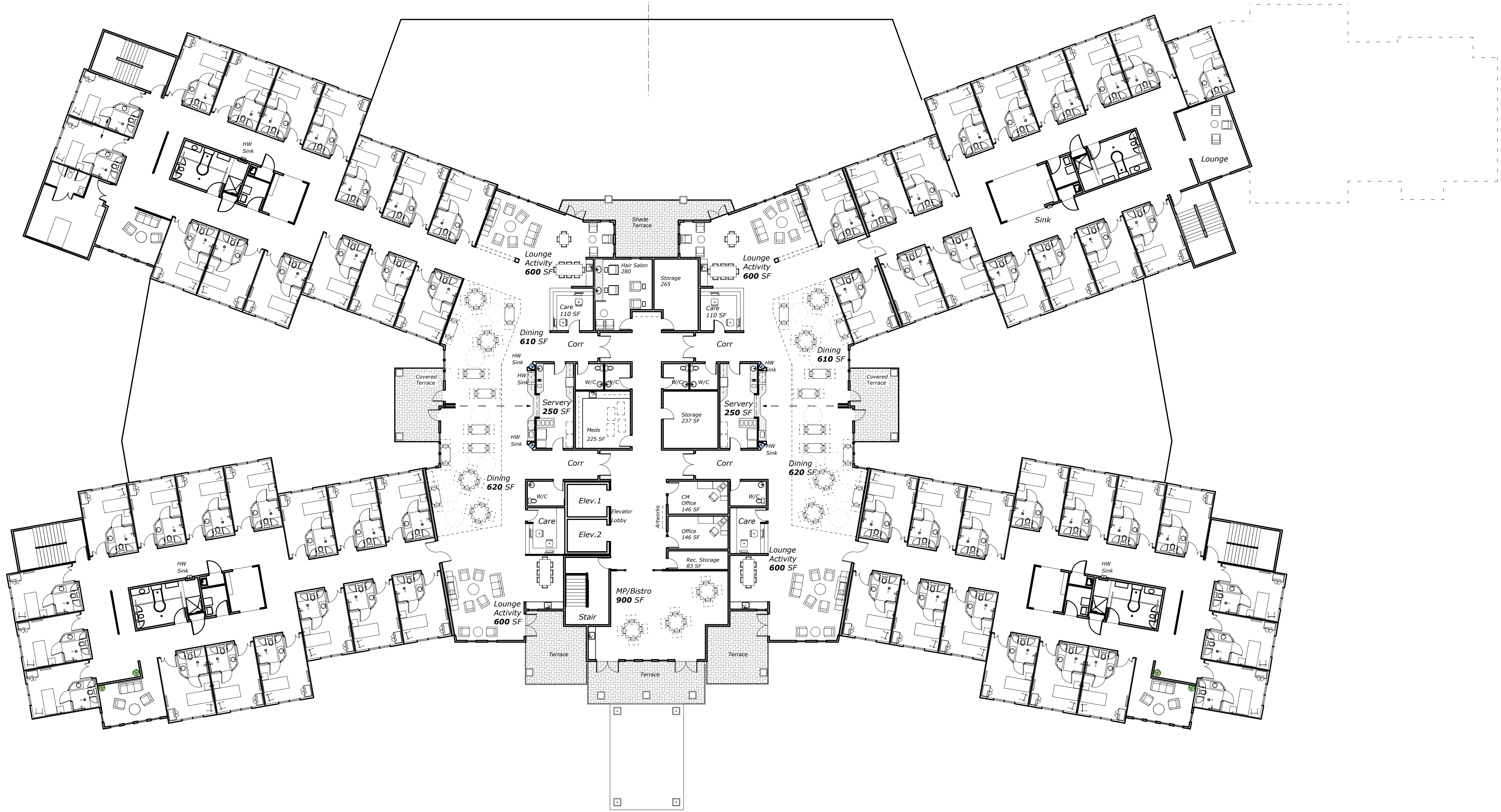


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216



AA



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|     |            |                      |
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| NO. | DATE       | REVISION             |

**PROJECT:**  
**'SILVERSTONE' - Residential Care & Hospice Facility**

**CLIENT:**

**DRAWING TITLE:**  
**LEVEL 3**  
**1:200**

CONSULTANT

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**A6**



Residential Typology | Modern Chalet



Residential Typology | Contemporary Craftsman



Residential Typology | West Coast Modern



Residential Vernacular | Sechelt Existing Architecture



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| NO. | DATE       | REVISION             |

**PROJECT:**  
**'SILVERSTONE' - Residential Care & Hospice Facility**

**CLIENT:**

**DRAWING TITLE:**  
**PRECEDENCE**

dc a

DEREK CRAWFORD ARCHITECT INC.

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T: 604.688.8370 F: 604.688.8371 E: info@dc-arch.ca W: www.dc-arch.ca

CONSULTANT

A7





1:125

Materials Examples



Exposed Post, Beam, and Purlin Structure-



Engineered Cedar Siding



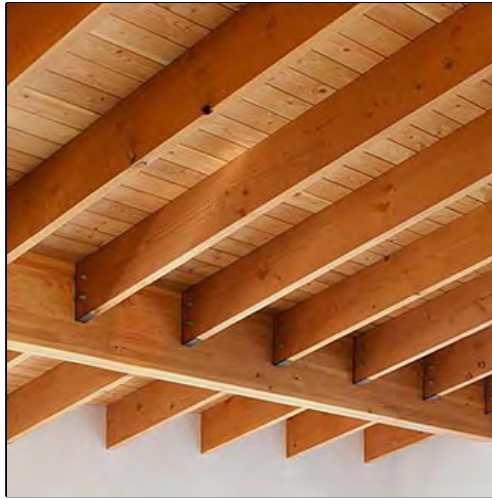
Blue Board & Batten



Windows and Trim



Ledge Stone



Exposed Cedar Dekking Soffit



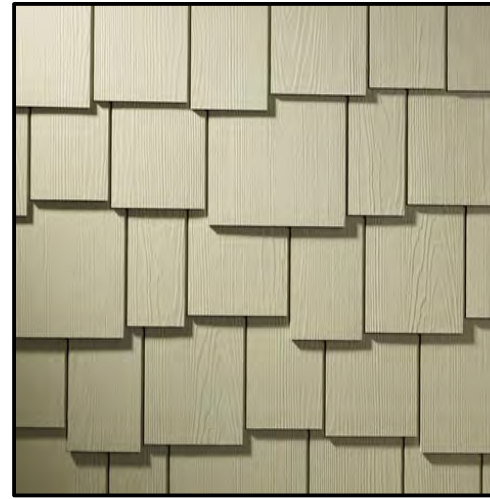
Ledgestone Planters



Hardie Siding



Glulam Porte - Cochere

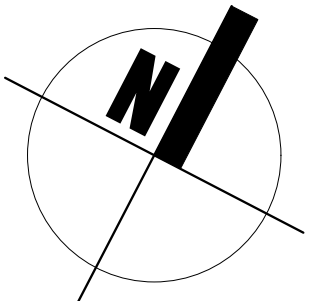


Hardie Shingle



- U.S TRUSS 84.80
- Level 3 82.00
- Level 2 78.90
- Level 1 75.50

1:200



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| NO. | DATE       | REVISION             |
|-----|------------|----------------------|
|     | 11.08.2016 | ISSUED FOR RE-ZONING |

PROJECT:  
**'SILVERSTONE' - Residential Care & Hospice Facility**

CLIENT:

DRAWING TITLE:  
**CONTEXT MAP 1:200**

CONSULTANT

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49

**DRAWING TITLE:**  
**SECTION**  
**1:200**

**SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT**

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Julie Clark, Planner 1/ Senior Planner

**SUBJECT:** Provincial Referral CRN000105 for a Private Moorage 2412248 (Watton) – Electoral Area A

---

**RECOMMENDATIONS**

1. **THAT the report titled Provincial Referral CRN000105 for a Private Moorage 2412248 (Watton) – Electoral Area A be received;**
2. **AND THAT the following comments be forwarded to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development:**

**Subject to the following conditions, SCRD has no objections to the proposed residential private moorage fronting District Lot 1390, PID 011-641-223 New Westminster District, Provincial Referral Number 2412248:**

- a) **SCRD will require a building permit and/or a development variance permit if any structures are constructed to access the moorage facility;**
    - b) **That the Province work with the applicant to consider whether a shared moorage facility is appropriate**
  3. **AND THAT comments from the Egmont / Pender Harbour Advisory Planning Commission be provided to the Ministry;**
-



## BACKGROUND

SCRD has received a Provincial referral from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) for specific permission for a private residential moorage fronting District Lot 1390, Plan 4276, Block 57, PID 011-641-223 in Gerrans Bay. The referral package can be found in Attachment A. A location map and a plan of the moorage (Figures 1 & 2) and an application summary (Table 1) are provided below.

The purpose of this report is to provide an analysis of the proposal and recommend a response to FLNRORD.

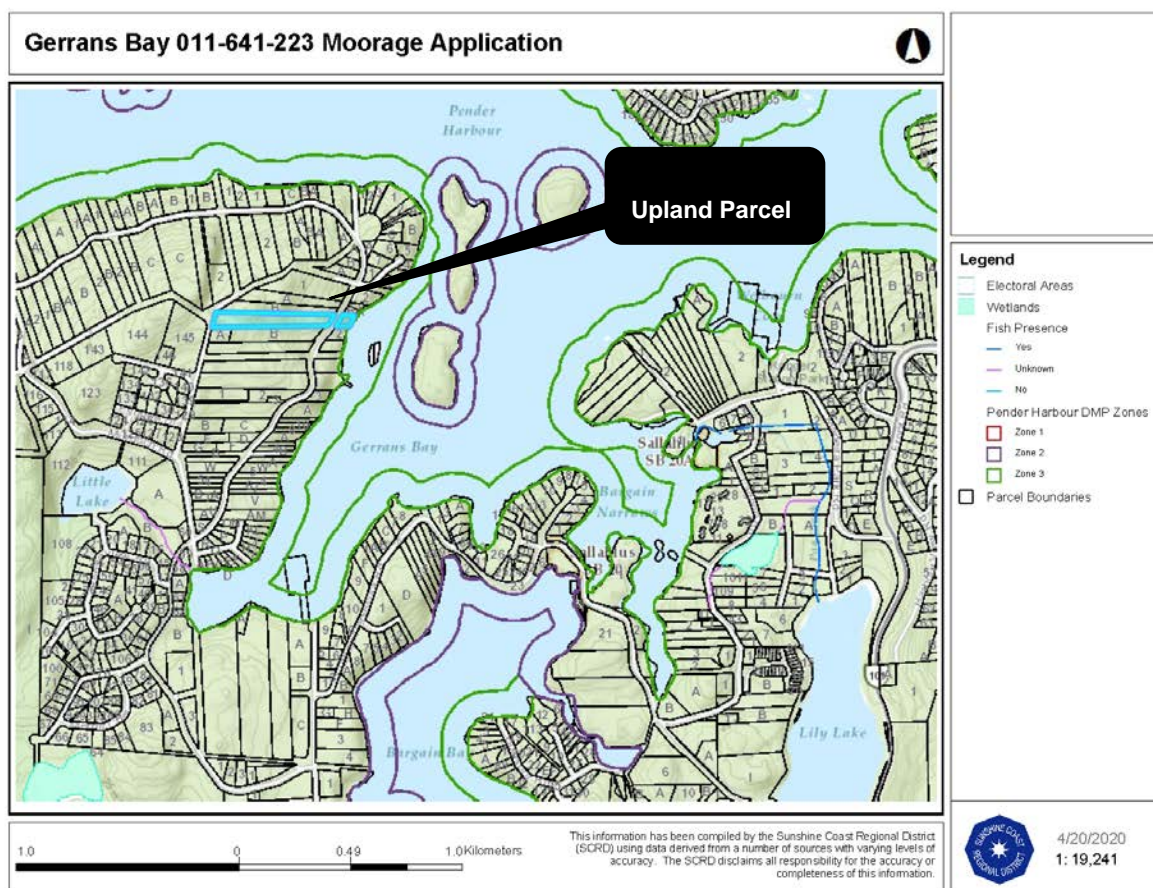


Figure 1 – Location Map upland parcel PID 011-641-223, Gerrans Bay, with DMP zones

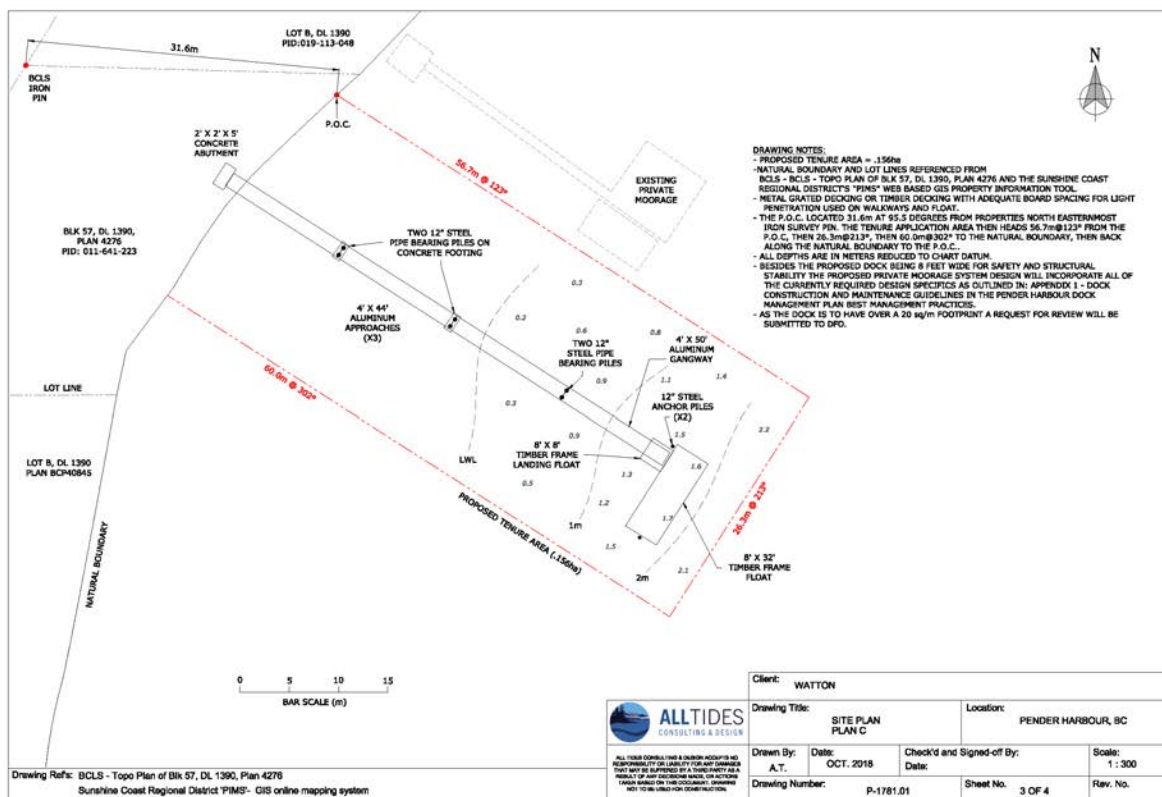


Figure 2 – Moorage facility

|                            |  |
|----------------------------|--|
| Owner / Applicant:         | Ron Watton   |
| Purpose:                   | Private residential moorage  |
| Tenure Type:               | Specific Permission  |
| Tenure Length:             | More than 30 years   |
| Size:                      | 0.156 ha ( m2)   |
| Location:                  | Madeira Park   |
| Legal Description:         | (upland parcel) District Lot 1390, Plan 4276, Block 57, PID 011-641-223            |
| Electoral Area:            | A – Egmont / Pender Harbour  |
| OCP Land Use:              | Residential  |
| Land Use Zone:             | R2 (Single and Two Family Residential) for upland parcel, no zoning over the water |
| Dock Management Plan zone: | 3  |
| Comment deadline:          | May 31, 2020   |

Table 1 - Application Summary

## **DISCUSSION**

The applicant wishes to secure a private moorage tenure from the Province.

The tenure application area is for 1560m<sup>2</sup> to accommodate a 53.6m gangway and a 29.7m<sup>2</sup> float. The intent is to moor private vessels.

The application area is within the Pender Harbour Dock Management Plan (DMP) area, in the green zone (zone 3) which allows new dock applications provided they are consistent with the DMP and the dock footprint does not impact or influence Critical Habitat or cultural resources.

### *SCRD Official Community Plan and Zoning Analysis*

The subject area is within the boundaries of SCRD Electoral Area A, and within the boundaries of the Area A Official Community Plan.

The 3.48 acres (1.41 ha) upland parcel fronting the moorage is zoned R2 which permits residential use on the property. The proposed private dock use is consistent with the residential use of the upland property.

The applicant proposes a float area that is a combined total of 29.7m (97.4 sq ft), with a gangway approach that is 53.6m. SCRD does not have zoning over the water in Bylaw No. 337 with which to evaluate this proposal.

If the Province approves the application, and if future structures are considered to access the private moorage, permit processes would be required by the Regional District (Building Permit, Development Permit and/or a Development Variance Permit.)

### *Ecological and Cultural Impact Scan*

The proposed tenure area is within the Pender Harbour Dock Management Plan area. Applications within the DMP area include the Provincial requirement of professional on-site analysis for to assess potential ecological and cultural impacts. A biophysical dive survey was submitted with this application. A Preliminary Field Reconnaissance was organized with shíshálh Nation.

The proposed dock exceeds the 20m<sup>2</sup> which may trigger a review by Department of Fisheries and Oceans, under the *Fisheries Act*.

Staff note that in the general area of Gerrans Bay, there are many docks (Figure 2). Looking at the parcels immediately south and north of the applicant's there appear to be still undeveloped parcels with no docks (figure 3). This may be an area in the DMP green zone where shared moorages should be considered as a means to lessening the marine impacts in the long term. Staff recommend that the Province work with the applicant to consider whether shared moorage facility is appropriate in this case.



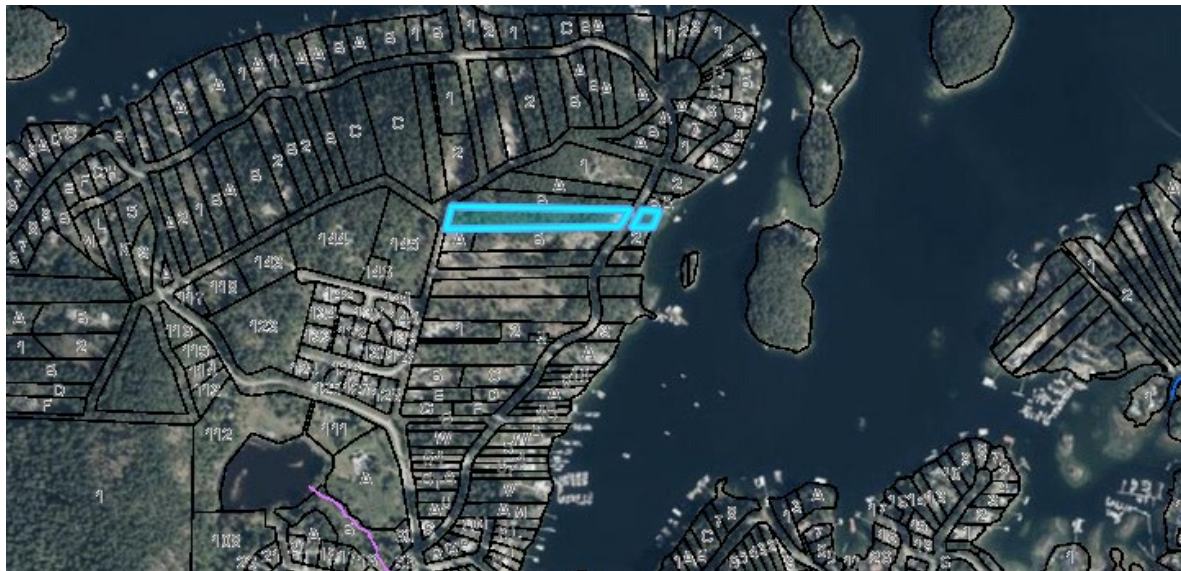


Figure 3. Docks in Gerrans Bay, North



Figure 4. Docks near applicant property

### *Options*

The Province requests SCRD to decide on one of the following options in response to the referral:

1. Interests unaffected
2. No objection to approval of project
3. No objection to approval of project subject to conditions
4. Recommend refusal of project due to reasons

Staff recommend Option 3, subject to comments outlined in the Recommendations.

### *Consultation*

The Provincial webpage: [Applications, Comments and Reasons for Decision](#) provides an interactive online platform open to the public to review and comment. The applicant is responsible for advertising the application in a local paper to enable comments from the public.

The proposal was referred to the Egmont / Pender Harbour Advisory Planning Commission for review in April 2020. The APC recommended support for the application.

### *Timeline for Next Steps*

The Province extended the deadline to comment on this application to May 31, 2020 in order to obtain a Board Resolution. The Province has been made aware of the committee date of May 14, 2020. The Resolution, once adopted by the Board, will be forwarded to FLNRORD and final decision will be made by the Province.

## **STRATEGIC PLAN AND RELATED POLICIES**

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

- Advocacy: Foreshore and marine environments are regulated by the Provincial and Federal governments. SCRD provides referral comments to the Province to acknowledge and confirm regulations are adhered to with the long-term interests of the community in mind.

## **CONCLUSION**

The SCRD was provided an opportunity to comment on a Provincial referral to permit a private residential moorage in Gerrans bay, fronting PID 011-641-223 on Francis Peninsula. The proposal was analyzed in light of applicable SCRD policies, bylaws and regulations, as well as Best Management Practices for (marine) Moorage Facilities. Staff recommend responding to the Province with the option that the SCRD has no objection to the project subject to conditions identified in this report.

## **ATTACHMENTS**

Attachment A – Referral Package

|              |                 |             |  |
|--------------|-----------------|-------------|--|
| Reviewed by: |                 |             |  |
| Manager      | X – D. Pady     | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Other       |  |



# Attachment A

## Crown Land Tenure Application

Tracking Number: 100291536

File: 2412248  
vSUS863

### Applicant Information

If approved, will the authorization be issued to an Individual or Company/Organization? Individual

Are you the Individual this application will be issued to? No

What is your relationship to the individual? Agent

ATS. 495396

### APPLICANT CONTACT INFORMATION

Applicant is an Individual or an Organization to whom this authorization Permit/Tenure/Licence will be issued, if approved.

Name: Ronald Joseph Sidney Watton  
Phone: 604-512-2159  
Daytime Phone:  
Fax:  
Email:  
Mailing Address: 3890 Emerald Drive  
North Vancouver BC V7R 3B8

### AGENT INFORMATION

Please enter the contact information of the Individual/Organization who is acting on behalf of the applicant.

Name: Adam Mark Thomsen  
Doing Business As: All Tides Consulting & Design Inc.  
Phone: 604-885-8465  
Fax:  
Email: alltidesconsulting@gmail.com  
BC Incorporation Number:  
Extra Provincial Inc. No:  
Society Number:  
GST Registration Number:  
Contact Name: Adam Thomsen  
Mailing Address: 5431 Carnaby Place  
Sechelt BC V0N3A7  
Letter(s) Attached: Yes (Letter of Agency.JPG)

### CORRESPONDENCE E-MAIL ADDRESS

If you would like to receive correspondence at a different email address than shown above, please provide the correspondence email address here. If left blank, all correspondence will be sent to the above given email address.

Email: alltidesconsulting@gmail.com  
Contact Name: Adam Thomsen

### ELIGIBILITY

| Question | Answer | Warning |
|----------|--------|---------|
|----------|--------|---------|

|   |     |  |
|---|-----|--|
| Do all applicants and co-applicants meet the eligibility criteria for the appropriate category as listed below? | Yes |  |
|---|-----|--|

Applicants and/or co-applicants who are Individuals must:

1. be 19 years of age or older and
2. must be Canadian citizens or permanent residents of Canada. (Except if you are applying for a Private Moorage)

Applicants and/or co-applicants who are Organizations must either:

1. be incorporated or registered in British Columbia (Corporations also include registered partnerships,



- cooperatives, and non-profit societies which are formed under the relevant Provincial statutes) or
2. First Nations who can apply through Band corporations or Indian Band and Tribal Councils (Band or Tribal Councils require a Band Council Resolution).

## TECHNICAL INFORMATION

Please provide us with the following general information about you and your application:

### EXISTING TENURE DETAILS

Do you hold another Crown Land Tenure? No

### ALL SEASONS RESORTS

The All Seasons Resorts Program serves to support the development of Alpine Ski and non-ski resorts on Crown land. For more detailed information on this program please see the operational policy and if you have further questions please contact FrontCounter BC.

Are you applying within an alpine ski resort? No

### WHAT IS YOUR INTENDED USE OF CROWN LAND?

Use the "Add Purpose" button to select a proposed land use from the drop down menu.

If you wish to use Crown land for a short term, low impact activity you may not need to apply for tenure, you may be authorized under the Permissions policy or Private Moorage policy.

To determine if your use is permissible under the Land Act please refer to either the Land Use Policy - Permissions or Land Use Policy - Private Moorage located here.

| Purpose  | Tenure              | Period                 |
|--|---------------------|------------------------|
| <b>Private Moorage</b><br>Residential Private moorage for the use of the upland owner and their guests | Specific Permission | More than thirty years |

### ACCESS TO CROWN LAND

Please describe how you plan to access your proposed crown land from the closest public road: via the water and the proponents upland property

### PRIVATE MOORAGE

Private Moorage is the allocation of aquatic Crown land (inland and coastal) for private moorage facilities such as a dock or float. Moorage facilities for group or strata title/ condominium developments of over three berths are administered under the provisions of the Residential program where they have no related commercial facilities (e.g. gas bars) and are intended for private use of tenants. Group moorage with commercial activities are administered under the Marina program.

**Specific Purpose:** Residential Private moorage for the use of the upland owner and their guests  
**Period:** More than thirty years  
**Tenure:** Specific Permission

### MOORING BUOY

Is this only for a mooring buoy for private moorage? No

### TOTAL APPLICATION AREA

Please give us some information on the size of the area you are applying for.

Please specify the area: .156 hectares

### PROJECT DETAILS

Please provide us with further details on your dock.

**Is the water freshwater or marine?** Marine  
**Are you proposing 4 or more slips?** No  
**Are you applying on behalf of a Strata** No

corporation?

Are you the waterfront upland owner? Yes

Are you planning to sell gas at the proposed marina? No

### IMPORTANT CONSIDERATIONS

Selecting yes to any of the following questions may indicate that you will require further or additional authorizations under the Land Act or other legislation.

Is your proposed activity within the Kootenay Region? No

Is your proposed activity within the Okanagan, Kalamalka and Wood Lakes, Skaha Lake, Vaseux Lake, or Christina Lake areas? No

Is your proposed activity within the Shuswap, Mara, Mable, or Little Shuswap Lake areas? No

### ADDITIONAL QUESTIONS

In many cases you might require other authorizations or permits in order to complete your project. In order to make that determination and point you in the right direction please answer the questions below. In addition, your application may be referred to other agencies for comments.

Is the Applicant or any Co-Applicant or their Spouse(s) an employee of the Provincial Government of British Columbia? No

Are you planning to cut timber on the Crown Land you are applying for? No

Are you planning to use an open fire to burn timber or other materials? No

Do you want to transport heavy equipment or materials on an existing forest road? No

Are you planning to work in or around water? Yes

1. If you will be working in or around fresh water, you will require a Water Sustainability Act Change Approval or Notification from the Province. 2. The federal Department of Fisheries and Oceans might need to review your project. 3. Review the Transport Canada website if the Navigation Protection Act applies.

Does your operation fall within a park area? No

### LOCATION INFORMATION

### LAND DETAILS

### DRAWINGS

Please provide information on the location and shape of your Crown land application area. You can use one or more of the tools provided.

☒ I will upload a PDF, JPG or other digital file(s)

### MAP FILES

Your PDF, JPG or other digital file must show your application area in relation to nearby communities, highways, railways or other land marks.

| Description   | Filename                       | Purpose         |
|---|--------------------------------|-----------------|
| Plans A-D. Metes and Bounds provided for Shape file | Watton . Crown Land Tenure ... | Private Moorage |

#### ATTACHED DOCUMENTS

| Document Type        | Description                     | Filename                       |
|----------------------|---------------------------------|--------------------------------|
| General Location Map | Plans A-D                       | Watton . Crown Land Tenure ... |
| Management Plan      | MP                              | WATTON . Crown Land Tenure ... |
| Other                | Environmental Impact Assessment | I-4629-07-01-EIA-Feb19.pdf     |
| Other                | Land Title                      | title-495745 (1).pdf           |
| Other                | PFR                             | PFR Report - SNR18501.01 - ... |
| Side Profile         | Plans A-D                       | Watton . Crown Land Tenure ... |
| Site Photographs     | Photo1                          | Screen Shot 2019-06-14 at 1... |
| Site Photographs     | photo2                          | Screen Shot 2019-06-14 at 1... |
| Site Photographs     | photo3                          | Screen Shot 2019-06-14 at 1... |
| Site Plan            | Plans A-D                       | Watton . Crown Land Tenure ... |

#### PRIVACY DECLARATION

☒ Check here to indicate that you have read and agree to the privacy declaration stated above.

#### REFERRAL INFORMATION

Some applications may also be passed on to other agencies, ministries or other affected parties for referral or consultation purposes. A referral or notification is necessary when the approval of your application might affect someone else's rights or resources or those of the citizens of BC. An example of someone who could receive your application for referral purposes is a habitat officer who looks after the fish and wildlife in the area of your application. This does not apply to all applications and is done only when required.

Please enter contact information below for the person who would best answer questions about your application that may arise from anyone who received a referral or notification.

**Company / Organization:** All Tides Consulting Inc.  
**Contact Name:** Adam Thomsen  
**Contact Address:** 5431 Carnaby Place  
 Sechelt, BC  
 V0N 3A7  
**Contact Phone:** 604-885-8465  
**Contact Email:** alltidesconsulting@gmail.com



☒ I hereby consent to the disclosure of the information contained in this application to other agencies, government ministries or other affected parties for referral or First Nation consultation purposes.

#### IMPORTANT NOTICES

- Once you click 'Next' the application will be locked down and you will NOT be able to edit it any more.

#### DECLARATION

☒ By submitting this application form, I, declare that the information contained on this form is complete and accurate.

#### OTHER INFORMATION

Is there any other information you would like us to know?

For any matters concerning this application please contact Adam Thomsen with All Tides Consulting. Thank you.

#### APPLICATION AND ASSOCIATED FEES

| Item                              | Amount   | Taxes             | Total    | Outstanding Balance |
|-----------------------------------|----------|-------------------|----------|---------------------|
| Crown Land Tenure Application Fee | \$250.00 | GST @ 5%: \$12.50 | \$262.50 | \$0.00              |

#### OFFICE

Office to submit application to:

Surrey

#### PROJECT INFORMATION

Is this application for an activity or project which requires more than one natural resource authorization from the Province of BC?

No

#### APPLICANT SIGNATURE

Applicant Signature

Date

#### OFFICE USE ONLY

|                  |                |         |                |        |
|------------------|----------------|---------|----------------|--------|
| Office<br>Surrey | File Number    | 2412248 | Project Number | 495396 |
|                  | Disposition ID | 936731  | Client Number  | 298364 |

# Crown Land Tenure Application for Private Moorage Management Plan

Proponent – Ron Watton

January 11, 2019

## **1. Please confirm the following information:**

### **Application Requirements:**

Indicate the management zone your application falls in:

3

I have engaged a Registered Professional Archeologist to carry out a Preliminary Field Reconnaissance Assessment of the application area.

Yes

I have engaged a Registered Professional Biologist to carry out an assessment of any critical habitat in/or near the area I am applying for

Yes

### **General Dock Design and Tenure Requirements**

Structures will not unduly block access along the foreshore for public access, or for First Nations harvesting of marine resources for food, social and ceremonial purposes

Correct

The upland design of the Dock, including anchor points, avoids as much as feasible, disturbing riparian vegetation adjacent to the Project Footprint due to its role in bank stabilization and erosion control.

Correct

Structures will not unduly block the free movement of water along the shoreline

Correct

All improvements are a minimum of 5.0 meters from the side property line (6.0 meters if adjacent to a dedicated public beach access or park) and at least 10 meters from any existing dock or structures, consistent with Federal requirements

under Transport Canada's Navigable Waters Protection Act.

Correct

Dock construction will not include the use of native beach materials (e.g. boulders, cobble, gravel, sand, logs)

Correct

Filling, dredging, or blasting will not be undertaken within the Project Footprint

Correct

Dock floats will be 1.5 meters above the sea bed during the lowest tide

Correct

Access ramp/walkway is 1 meter above highest water mark of the tide

Correct

The Dock and Dock Footprint will be kept in a safe, clean and sanitary condition

Correct

All work, including dock construction, dock use, refueling of machinery and washing of buckets and hand tools, will be conducted in a manner that will not result in the deposit of toxic or deleterious substances (e.g. sediment, un-cured concrete, fuel, lubricants, paints, stains)

Correct

The proposed dock allows for a light penetration and proposed decking materials allow a minimum of 43% open space.

Correct

Styrofoam is not used in the dock construction

Correct

The design and/or layout of the all structures mitigates any potential impacts to Riparian vegetation along the shoreline

Correct

## **2. Specific Dock Design and Layout**

### **Impacts to Environmental Values:**

As per the Critical Habitat Assessment, will your proposed dock overlap with critical habitat?



No

How will the design and/or layout of structures mitigate any potential impacts to Riparian vegetation along the shoreline? Please describe below:

As seen in the Project Site Plans B-D the system approach extends over the natural boundary to a concrete abutment. No riparian vegetation will be impacted.

Will your proposed dock exceed a maximum width of 1.5 m?

Yes

If yes, please describe why your proposed dock needs to be wider than 1.5 m:

A 1.5m wide dock is unsafe and is not a satisfactory width to support pedestrian traffic loading and unloading a vessel. For example, two people passing each other on the dock each unloading cargo from a vessel run the risk of bumping into each other on the narrow walkway and falling in the water causing a potential emergency situation. Rails for boat tie-ups must be installed on either side of the deck surface potentially allowing for only 4' of walking space.

Secondly, a 1.5m wide dock is not a stable platform. Forces exerted down on the edge of the narrow float by an individual or multiple people could cause the float to tip and list become an unstable and unsuitable platform for safe walking and transport of supplies. If the Province and the Sechelt First Nations require individuals to have a maximum width of only 1.5m I foresee unsafe and potentially life-threatening structures being installed throughout Pender Harbour.

We have engaged a Registered Professional Naval Architect to comment on the above as well as to add any other additional comments and we plan to present it to the Province for further evidence that a 1.5m wide dock is unstable and unsafe.

Does your access ramp or walkway exceed a maximum width of 1.2 m?

No, however we would like to respectfully request that the maximum width of the ramp be increased to at least 1350 mm for practical and construction cost reasons. The present 1200 mm limit precludes using 4'x8' material for decking.

How many boats does this dock provide moorage for?

One personal boat is generally moored at the location with additional boats owned by guests of Mr. Watton. Guest's boats could potentially get up to 35'.

Is your dock aligned in an approximate North-South direction?

Yes.

Is this a single owner or multi-owner facility?

Single owner.

What is the length and draft of all boats generally moored at this facility?

24' in length with approximately a 2' draft.

Are the boats for commercial or pleasure use?

Pleasure

#### **4. Improvements**

Describe all proposed structures on the site:

The proposed moorage structure fronts Block 57, DL 1390, Plan 4276, PID: 011-641-223 in Madeira Park, BC. Three 4' x 44' aluminum approaches with light penetrating metal grate decking will bear at one end on a 2' x 2' x 5' concrete abutment (situated above the natural boundary), and at the other end of each approach land on steel pipe piles on concrete footings or driven into the seabed (see site plans). A 4' x 50' gangway will extend from the end of the approach and land on an 8' x 32' floating private moorage timber framed dock with an 8' x 8' timber framed landing float necessary for safe gangway travel during tide cycles. The float is anchored using two driven anchor piles. Besides the proposed dock being 8 feet wide for safety and structural stability the proposed private moorage system design will incorporate all of the currently required design specifics as outlined in: Appendix 1 - Dock Construction and Maintenance Guidelines in the Pender Harbour Dock Management Plan's Best Management Practices. The float is for private moorage use only, there will be no income generated by the moorage facility. As the dock is to have over a 20 sq/m footprint, a request for project review will be submitted to DFO. A point form list of the private moorage structure components is included below.

Proposed Private Moorage Structure Components:

- One 2' x 2' x 5' concrete abutment
- Three 4' x 44' welded aluminum approaches with metal grate light penetrating decking
- One 4' x 50' welded aluminum gangway with metal grate light penetrating decking
- One 8' x 8' timber framed landing float necessary for safe gangway travel
- One 8' x 32' timber framed float. Besides the proposed dock being 8 feet wide for safety and structural stability the proposed dock design will incorporate all of the currently required design specifics as outlined in: Appendix 1 - Dock Construction and Maintenance Guidelines in the Pender Harbour Dock Management Plan's Best Management Practices.
- Two steel pipe anchor piles.

## **5. Maintenance**

Please describe any planned maintenance for the proposed improvements.

Note: that any new construction requires FLNRORD prior approval, construction and/or maintenance must adhere to the Best Management Practices in the Pender Harbour Dock Management Plan.

Besides routine upkeep and housekeeping of the proposed structure there is no planned maintenance scheduled at this time.

## **6. Please complete the following components and attach to your application**

(a) Site Plans A, B and C of the entire application area, drawn to scale with a North arrow, identifying the location of all improvement (buildings, structures, roads, powerlines, fences, etc.) in relation to the boundaries of the tenure area the delineation of riparian rights and other legal boundaries.

Attached

(b) A side profile plan D must be provided for any improvements (i.e. docks, stiff-legs, anchor lines, pilings, log booms, floating storage sheds, fish pens, submarine cables) in the water or crossing the foreshore. The side profile drawing must illustrate the improvements, the average high and low water marks, the profile of the ocean underneath the improvements.

Attached

(c) At least five recent photographs of the site and the existing structures.

Attached

(d) Proof of adjoining upland ownership or leasehold tenancy must be provided, such as a State of Title Certificate or a copy of Land Title System title search displaying the full legal description of the adjoining upland parcel and the full legal name(s) of the registered owner. In the case of upland tenancy, a copy the Lease page(s) displaying lessee name and description of the land must be submitted. In cases where the applicant is not the registered owner(s) as shown on the document provided, a Letter of Consent from the registered owner must also be submitted.

Attached

(e) Statement by the applicant describing any contact they may have had,



including the name of the First Nation(s) and individuals contacted.

Kyle Hilsendager with The Sechelt First Nation was engaged to facilitate and organize the required Preliminary Field Reconnaissance archeological survey of the foreshore.

*Kyle Hilsendager, Ph.D.*

*Environmental Resource Technician*

*shíshálh Nation; Stewardship and Territorial Land Management Division*

### **Appendix 1 – Dock Construction and Maintenance Guidelines – Best Management Practices**

Source: Pender Harbour Dock Management Plan, Section 8.0, April 4, 2018.

Applicants are asked to review the entire Pender Harbour Dock Management Plan, which can be found at:

<https://arfd.gov.bc.ca/ApplicationPosting/getfile.jsp?PostID=43285&FileID=66583&action=view>

8.1 Critical Habitats should be avoided within the Dock Footprint. New Docks must not be installed over these habitats unless the design mitigates for potential impacts and does not result in losses to these habitats. Boathouses must not be built over Critical Habitat.

8.2 Design of a Dock or Boathouse should not include components that block the free movement of water along the shoreline. Crib foundations or solid core structures made of cement or steel sheeting should be avoided as these types of structures result in large areas of vegetation removal and erosion in Riparian areas.

8.3 The bottom of all floats must be a minimum of 1.5 metres above the sea bed during the lowest tide. Dock height above lowest water level must be increased if deep draft vessels are to be moored at the Dock. The Dock and the vessel to be moored at the Dock must not come to rest on the foreshore sea bed during the lowest tide of the year.

8.4 The size of all docks should be minimized. Access ramps, walkways or docks should be a minimum of 1.0 metre above the highest high water mark of the tide. Access ramps and walkways should not exceed a maximum width of 1.2 metres. Docks should not exceed a maximum width of 1.5 metres.

8.5 All improvements should be a minimum of 5.0 meters from the side property line (6.0 meters if adjacent to a dedicated public beach access or park) and at least 10 meters from any existing dock or structures, consistent with Federal requirements under Transport Canada's Navigable Waters Protection Act.

8.6 Docks must be constructed to allow light penetration under the structure and used decking materials must allow for minimum of 43% open space allowing for light penetration to the

water surface. Light transmitting materials may be made of various materials shaped in the form of grids, grates, and lattices to allow for light passage.

8.7 Docks should be aligned in a north-south direction to the maximum extent that is practicable.

8.8 Concrete, steel, treated, or recycled timber piles are acceptable construction materials although steel is preferred. Detailed information on treated wood options can be obtained online from the Fisheries and Oceans Canada website (Guidelines to Protect Fish and Fish Habitat from Treated Wood Used in the Aquatic Environment in the Pacific Region).

8.9 Access to the Foreshore for construction purposes should be from the adjacent upland property wherever possible. If heavy equipment is required to work on the Foreshore or access is required along the Foreshore then the advice of a Qualified Professional or Fisheries and Oceans Canada should be obtained.

8.10 Works along the Foreshore should be conducted when the site is not wetted by the tide.

8.11 Applicants for Docks that exceeds 20 square meters, or such other dimensions as may trigger a review under the Fisheries Act from time to time, must contact Fisheries and Oceans Canada and submit a Request for Review or other required documents to ensure proposed activities, and the scheduling of those activities, complies with Fisheries and Oceans Canada requirements including the fisheries works window.

8.12 The upland design of the Dock, including anchor points, should avoid disturbing riparian vegetation adjacent to the Project Footprint due to its role in bank stabilization and erosion control.

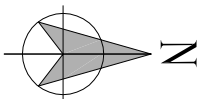
8.13 Pile driving is the preferred method of pile installation. All pile driving must meet current Fisheries and Oceans regulations.

8.14 The use of Styrofoam to keep docks afloat is prohibited for new construction and repairs. Styrofoam floats on existing docks that are showing evidence of breakdown should be replaced using an alternative material.

8.15 Docks must be constructed in accordance with requirements under Navigation Protection Act as may be amended or replaced from time to time.

Name: Ron Watton

Signature: \_\_\_\_\_



**Legend**

-  Jurisdiction
-  Golf Courses
- 

APPLICATION LOCATION FRONTING:  
BLOCK 57, DISTRICT LOT 1390,  
PLAN 4276, PID: 011-641-223  
4289 FRANCIS PENINSULA RD.  
PENDER HARBOUR, B.C.



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



8/15/2018  
1 : 39,304

Client: WATTON

Drawing Title:

LOCATION MAP  
PLAN A

Location:

PENDER HARBOUR, BC

Drawn By:

A.T.

Date:  
OCT. 2018

Check'd and Signed-off By:

Date:

Scale:

1 : 39,304

Drawing Number:

P-1781.01

Sheet No.

1 OF 4

Rev. No.

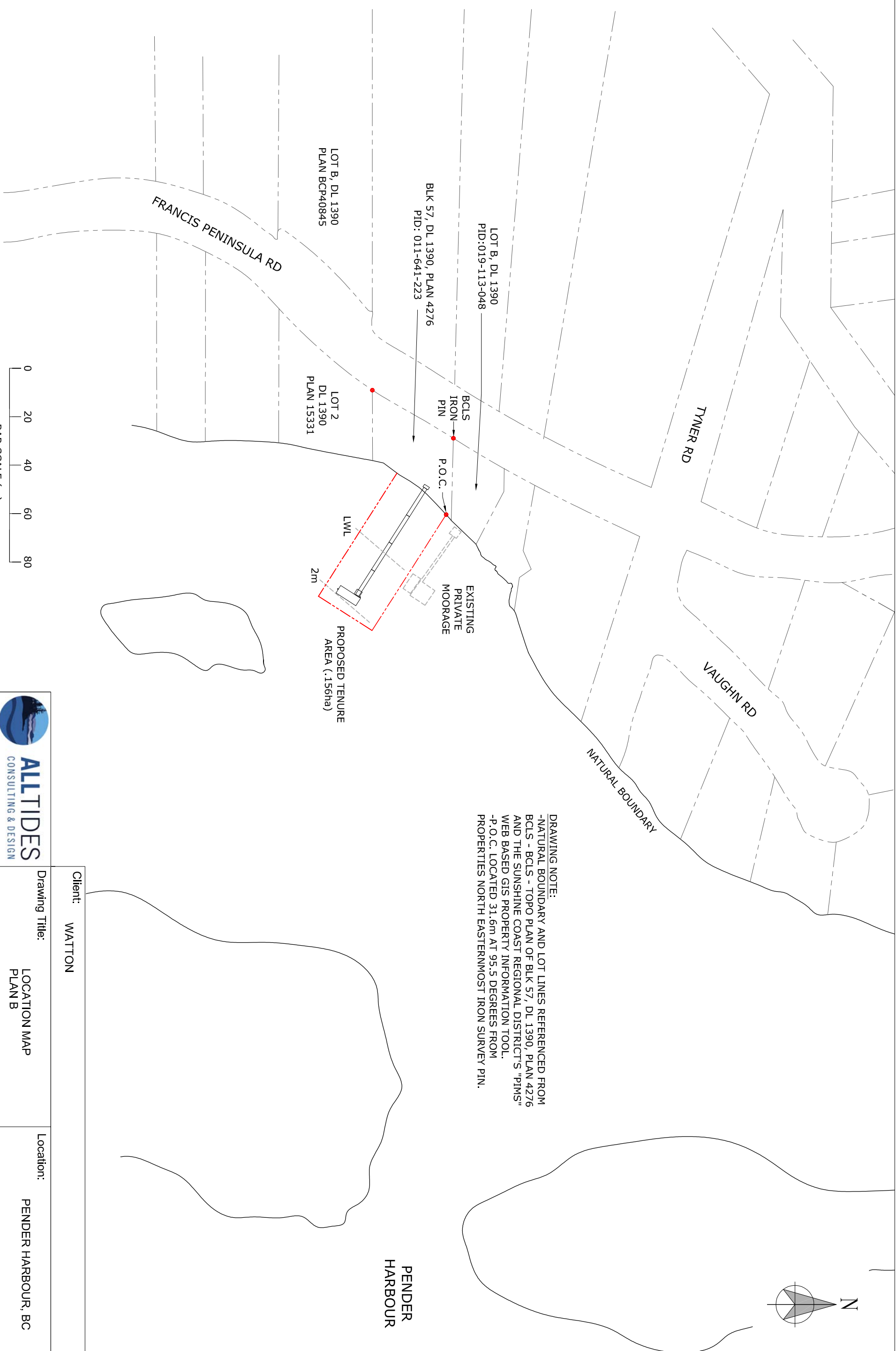
Drawing Refs: BCLS - Topo Plan of Blk 57, DL 1390, Plan 4276

Sunshine Coast Regional District "PIMS" - GIS online mapping system

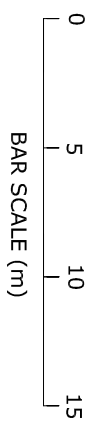


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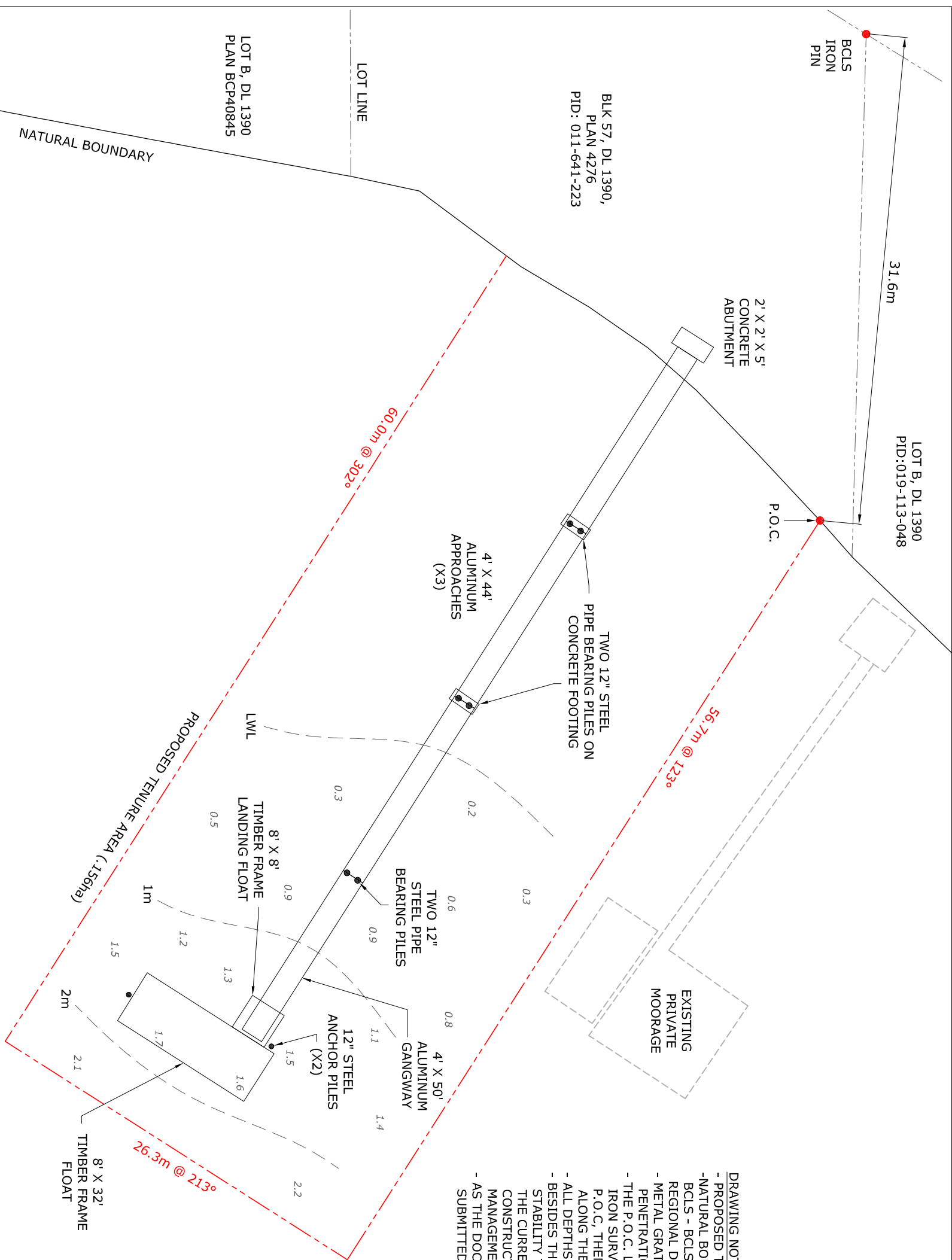




|   |                                      |  |   |                        |
|---|--------------------------------------|--|---|------------------------|
| <p><b>Client:</b> WATTON</p>                                |                                      |  |   |                        |
| <p><b>Drawing Title:</b></p> <p>LOCATION MAP<br/>PLAN B</p> |                                      |  | <p><b>Location:</b></p> <p>PENDER HARBOUR, BC</p> |                        |
| <p><b>Drawn By:</b></p> <p>A.T.</p>                         | <p><b>Date:</b></p> <p>OCT. 2018</p> | <p><b>Check'd and Signed-off By:</b></p> | <p><b>Scale:</b></p> <p>1 : 1,500</p>             |                        |
| <p><b>Drawing Number:</b></p> <p>P-1781.01</p>              |                                      |  | <p><b>Sheet No.</b></p> <p>2 OF 4</p>             | <p><b>Rev. No.</b></p> |

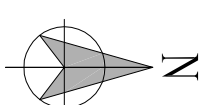


Drawing Refs: BCLS - Topo Plan of Blk 57, DL 1390, Plan 4276  
Sunshine Coast Regional District PIMS- GIS on



**DRAWING NOTES:**

- PROPOSED TENURE AREA = .156ha
- NATURAL BOUNDARY AND LOT LINES REFERENCED FROM BCLS - BCLS - TOPO PLAN OF BLK 57, DL 1390, PLAN 4276 AND THE SUNSHINE COAST REGIONAL DISTRICT'S "PIMS" WEB BASED GIS PROPERTY INFORMATION TOOL.
- METAL GRATED DECKING OR TIMBER DECKING WITH ADEQUATE BOARD SPACING FOR LIGHT PENETRATION USED ON WALKWAYS AND FLOAT.
- THE P.O.C. LOCATED 31.6m AT 95.5 DEGREES FROM PROPERTIES NORTH EASTERNMOST IRON SURVEY PIN. THE TENURE APPLICATION AREA THEN HEADS 56.7m@123° FROM THE P.O.C, THEN 26.3m@213°, THEN 60.0m@302° TO THE NATURAL BOUNDARY, THEN BACK ALONG THE NATURAL BOUNDARY TO THE P.O.C..
- ALL DEPTHS ARE IN METERS REDUCED TO CHART DATUM.
- BESIDES THE PROPOSED DOCK BEING 8 FEET WIDE FOR SAFETY AND STRUCTURAL STABILITY THE PROPOSED PRIVATE MOORAGE SYSTEM DESIGN WILL INCORPORATE ALL OF THE CURRENTLY REQUIRED DESIGN SPECIFICS AS OUTLINED IN: APPENDIX 1 - DOCK CONSTRUCTION AND MAINTENANCE GUIDELINES IN THE PENDER HARBOUR DOCK MANAGEMENT PLAN BEST MANAGEMENT PRACTICES.
- AS THE DOCK IS TO HAVE OVER A 20 sq/m FOOTPRINT A REQUEST FOR REVIEW WILL BE SUBMITTED TO DFO.



Client: WATTON

Drawing Title:



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CONSULTING & DESIGN

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Location:

## SITE PLAN

Drawn By:

A.T.

Check'd and Signed-off By:  
Date:

+

Drawing Number:

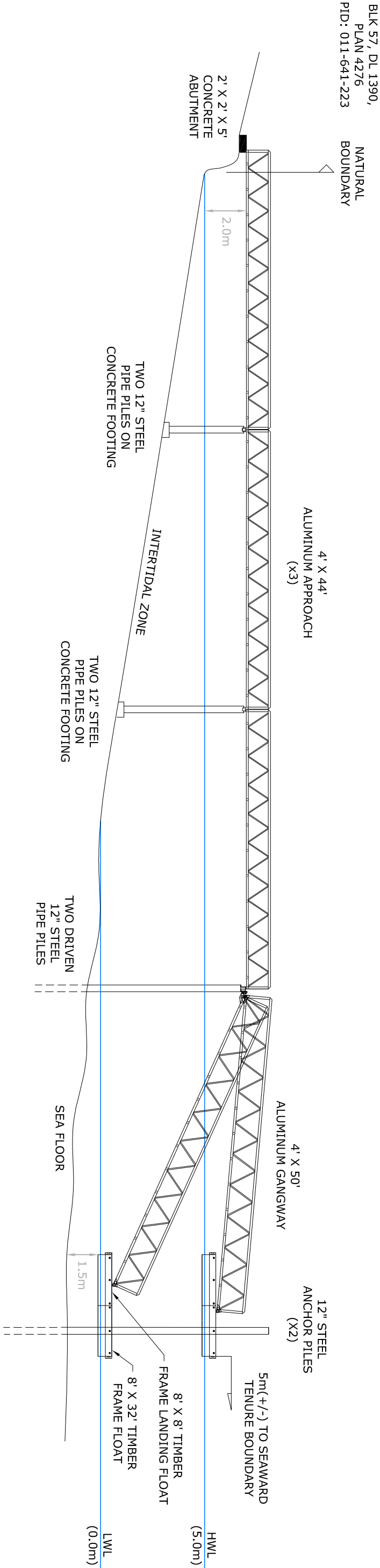
P-1781.01


Sheet No

3 OF 4

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1 : 300

av. No.



|  |                 |                              |          |                |
|--|-----------------|------------------------------|----------|----------------|
| Drawing Refs: BCLS - Topo Plan of Blk 57, DL 1390, Plan 4276<br>Sunshine Coast Regional District 'PIMS'- GIS online mapping system   |                 |                              |          |                |
| <div><div><div><div><div><div></div><div><div>ALTIDES</div><div>CONSULTING &amp; DESIGN</div></div></div></div><div><div>ALL TIDES CONSULTING &amp; DESIGN ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE OR ACTIONS TAKEN BASED ON THIS DOCUMENT. DRAWING NOT TO BE USED FOR CONSTRUCTION.</div></div></div></div></div> |                 |                              |          |                |
| Client: WATTON   |                 | Location: PENDER HARBOUR, BC |          |                |
| Drawing Title: ELEVATION PLAND   |                 | Drawing Number: P-1781.01    |          |                |
| Drawn By: A.T.   | Date: OCT. 2018 | Check'd and Signed-off By:   |          | Scale: 1 : 200 |
| Drawing Number: P-1781.01  |                 | Sheet No. 4 OF 4             | Rev. No. |                |















**SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT**

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Julie Clark, Planner 1/ Senior Planner

**SUBJECT:** Provincial Referral CRN000107 for a Strata Moorage 2412342 (Sunaccess William Island Investment Inc) – Electoral Area A

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**RECOMMENDATIONS**

1. **THAT** the report titled Provincial Referral CRN000107 for a Strata Moorage 2412342 (Sunaccess William Island Investment Inc) – Electoral Area A be received;
2. **AND THAT** the following comments be forwarded to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development:

Subject to the following conditions, SCRD has no objections to the proposed residential private moorage fronting District Lot 5711, PID 015-788-679 New Westminster District, Provincial Referral Number 2412342:

- a) SCRD will require a building permit and/or a development variance permit if any structures are constructed to access the moorage facility;
  3. **AND THAT** comments from the Egmont / Pender Harbour Advisory Planning Commission be provided to the Ministry.
-

## BACKGROUND

SCRD has received a Provincial referral from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) for specific permission for a private residential moorage fronting District Lot 5711, PID 015-788-679 at the mouth of Pender Harbour, north of Francis Peninsula and south of Irvines Landing. The referral package can be found in Attachment A. A location map and a plan of the moorage (Figures 1 & 2) and an application summary (Table 1) are provided below.

The purpose of this report is to provide an analysis of the proposal and recommend a response to FLNRORD.

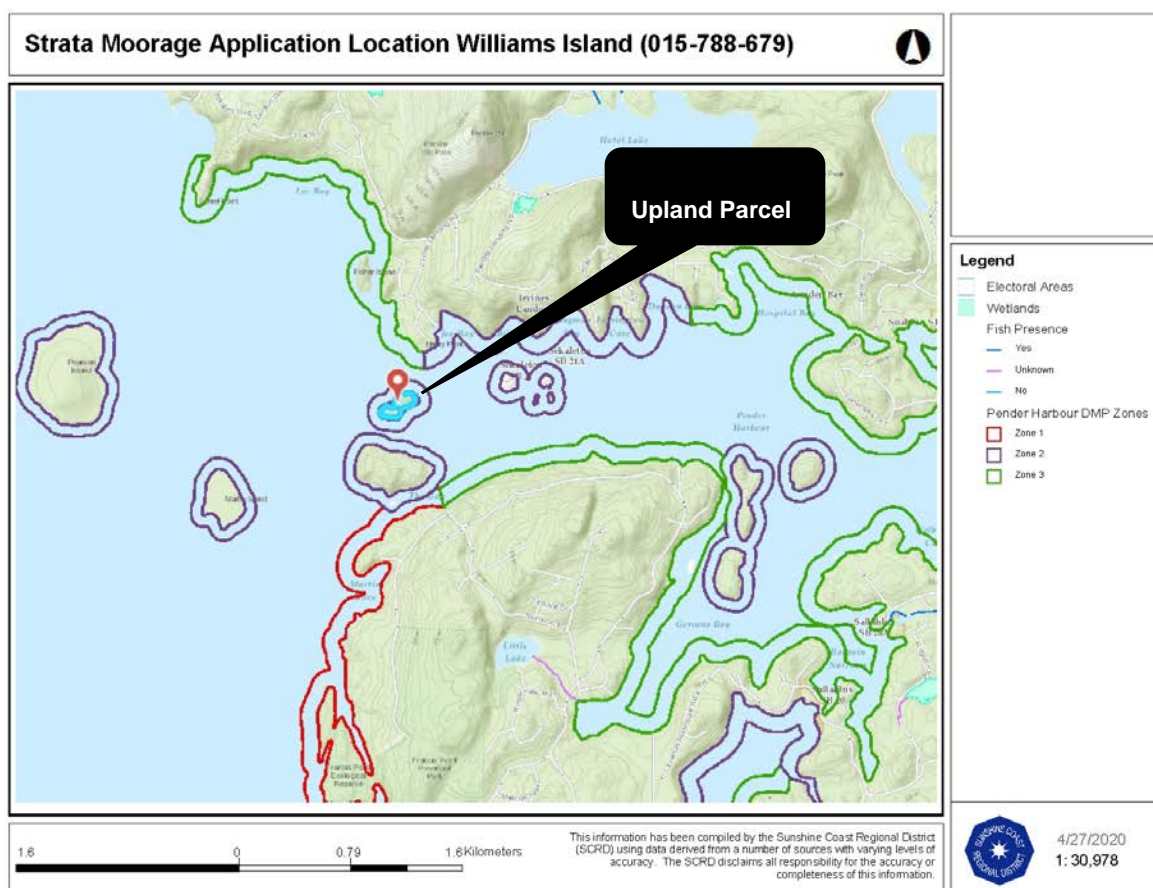
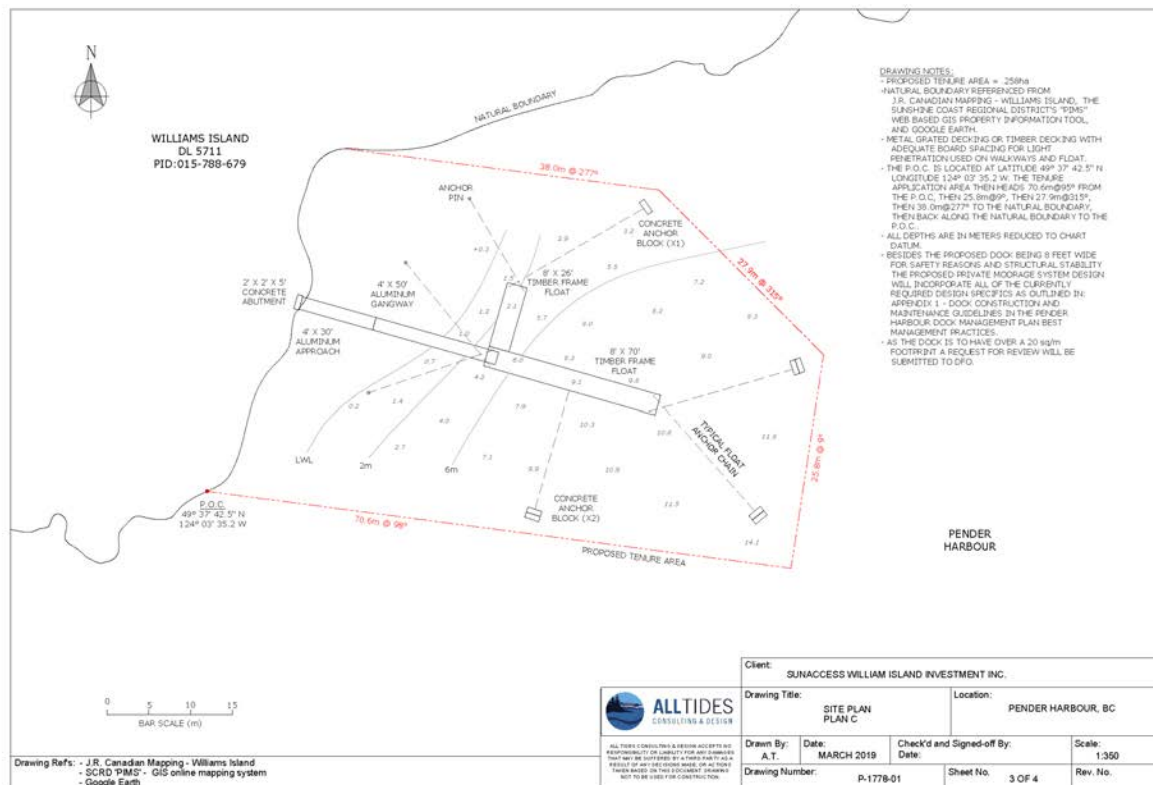


Figure 1 – Location Map upland parcel PID 015-788-679, Pender Harbour, with DMP zones



*Figure 2 – Moorage facility*

|                               |   |
|-------------------------------|---|
| Owner / Applicant:            | Sunaccess William Island Investment Inc                                 |
| Purpose:                      | Strata moorage  |
| Tenure Type:                  | Specific Permission   |
| Tenure Length:                | More than 30 years  |
| Size:                         | 0.258 ha (2580m2)   |
| Location:                     | Madeira Park  |
| Legal Description:            | (upland parcel) District Lot 5711, PID 015-788-679                      |
| Electoral Area:               | A – Egmont / Pender Harbour   |
| OCP Land Use:                 | Rural Residential B   |
| Land Use Zone:                | RU-1B (Rural Residential B) for upland parcel, no zoning over the water |
| Dock Management<br>Plan zone: | 2   |
| Comment deadline:             | May 31, 2020  |

*Table 1 - Application Summary*



## DISCUSSION

The applicant wishes to secure a strata moorage tenure from the Province.

The tenure application area is for 2580m<sup>2</sup> to accommodate a 24.4m gangway and two floats: 19.3 m<sup>2</sup> and 52 m<sup>2</sup>. The intent is to moor private vessels belonging to the two upland owners.

The application area is within the Pender Harbour Dock Management Plan (DMP) area, in Zone 2 (purple) which allows new dock and boathouse applications provided they are shared by multiple parties and the dock footprint does not impact or influence Critical Habitat or cultural resources.

### *SCRD Official Community Plan and Zoning Analysis*

The subject area is within the boundaries of SCRD Electoral Area A, and within the boundaries of the Area A Official Community Plan.

The 2.55 acres (1.03ha or 10, 319.5 m<sup>2</sup>) upland parcel fronting the moorage is zoned RU-1B which permits residential use on the property. The proposed private dock use is consistent with the residential use of the upland property.

The applicant proposes a float area that is a combined total of 71.3 m<sup>2</sup> (767.5 ft<sup>2</sup>), with a gangway approach that is 24.4m. SCRD does not have zoning over the water in Bylaw No. 337 with which to evaluate this proposal.

If the Province approves the application, and if future structures are considered to access the private moorage, permit processes would be required by the Regional District (Building Permit, Development Permit and/or a Development Variance Permit.)

### *Ecological and Cultural Impact Scan*

The proposed tenure area is within the Pender Harbour Dock Management Plan area. Applications within the DMP area include the Provincial requirement of professional on-site analysis to assess potential ecological and cultural impacts. A biophysical dive survey was submitted with this application. A Preliminary Field Reconnaissance was organized with shíshálh Nation.

The proposed dock exceeds the 20m<sup>2</sup> which may trigger a review by Department of Fisheries and Oceans, under the *Fisheries Act*.

### *Options*

The Province requests SCRD to decide on one of the following options in response to the referral:

1. Interests unaffected
2. No objection to approval of project
3. No objection to approval of project subject to conditions
4. Recommend refusal of project due to reasons

Staff recommend Option 3, subject to comments outlined in the Recommendations.

### *Consultation*

The Provincial webpage: [Applications, Comments and Reasons for Decision](#) provides an interactive online platform open to the public to review and comment. The applicant is responsible for advertising the application in a local paper to enable comments from the public.

The proposal is referred to the Egmont / Pender Harbour Advisory Planning Commission for review in late May 2020. Comments will be forwarded to the Province with Board resolutions.

### *Timeline for Next Steps*

The Province extended the deadline to comment on this application to May 31, 2020 in order to obtain a Board Resolution. The Province has been made aware of the committee date of May 14, 2020. The Resolution, once adopted by the Board, will be forwarded to FLNRORD and final decision will be made by the Province.

## **STRATEGIC PLAN AND RELATED POLICIES**

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

- Advocacy: Foreshore and marine environments are regulated by the Provincial and Federal governments. SCRD provides referral comments to the Province to acknowledge and confirm regulations are adhered to with the long-term interests of the community in mind.

## **CONCLUSION**

The SCRD was provided an opportunity to comment on a Provincial referral to permit a strata moorage in Pender Harbour, fronting PID 015-788-679 north of Francis Peninsula and south of Irvines Landing. The proposal was analyzed in light of applicable SCRD policies, bylaws and regulations, as well as Best Management Practices for (marine) Moorage Facilities. Staff recommend responding to the Province with the option that the SCRD has no objection to the project subject to conditions identified in this report.

## **ATTACHMENTS**

Attachment A – Referral Package

|              |                 |             |  |
|--------------|-----------------|-------------|--|
| Reviewed by: |                 |             |  |
| Manager      | X – D. Pady     | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Other       |  |



# Crown Land Tenure Application

Tracking Number: 100304376

Attachment A

VSUS933

ATS. 556476

FILE 2412342

## Applicant Information

If approved, will the authorization be issued to an Individual or Company/Organization? Company/Organization  
What is your relationship to the company/organization? Agent

## APPLICANT COMPANY/ORGANIZATION CONTACT INFORMATION

Applicant is an Individual or an Organization to whom this authorization Permit/Tenure/Licence will be issued, if approved.

Name: Sunaccess William Island Investment Inc. Inc.NO. BC1131673  
Doing Business As: Sunaccess Ph.No. 011 49 172 8747290  
Phone: 604-885-8465  
Fax:  
Email: cwiconsulting@aol.com  
BC Incorporation Number:  
Extra Provincial Inc. No:  
Society Number:  
GST Registration Number:  
Contact Name: Christoph Wendl  
Mailing Address: 2700-700 W Georgia Street  
Vancouver BC V7Y 1K8

## AGENT INFORMATION

Please enter the contact information of the Individual/Organization who is acting on behalf of the applicant.

Name: Adam Mark Thomsen  
Doing Business As: All Tides Consulting & Design Inc.  
Phone: 604-885-8465  
Fax:  
Email: alltidesconsulting@gmail.com  
BC Incorporation Number:  
Extra Provincial Inc. No:  
Society Number:  
GST Registration Number:  
Contact Name: Adam Thomsen  
Mailing Address: 5431 Carnaby Place  
Sechelt BC V0N3A7  
Letter(s) Attached: Yes (2019-05-29 Letter of agency from Sunaccess William Island.pdf)

## CORRESPONDENCE E-MAIL ADDRESS

If you would like to receive correspondence at a different email address than shown above, please provide the correspondence email address here. If left blank, all correspondence will be sent to the above given email address.

Email: alltidesconsulting@gmail.com  
Contact Name: Adam Thomsen

## ELIGIBILITY

| Question  | Answer | Warning |
|---|--------|---------|
| Do all applicants and co-applicants meet the eligibility criteria for the appropriate category as listed below? | Yes    |         |

Applicants and/or co-applicants who are Individuals must:

1. be 19 years of age or older and
2. must be Canadian citizens or permanent residents of Canada. (Except if you are applying for a Private Moorage)



Applicants and/or co-applicants who are Organizations must either:

1. be incorporated or registered in British Columbia (Corporations also include registered partnerships, cooperatives, and non-profit societies which are formed under the relevant Provincial statutes) or
2. First Nations who can apply through Band corporations or Indian Band and Tribal Councils (Band or Tribal Councils require a Band Council Resolution).

## TECHNICAL INFORMATION

Please provide us with the following general information about you and your application:

### EXISTING TENURE DETAILS

Do you hold another Crown Land Tenure? No

### ALL SEASONS RESORTS

The All Seasons Resorts Program serves to support the development of Alpine Ski and non-ski resorts on Crown land. For more detailed information on this program please see the operational policy and if you have further questions please contact FrontCounter BC.

Are you applying within an alpine ski resort? No

### WHAT IS YOUR INTENDED USE OF CROWN LAND?

Use the "Add Purpose" button to select a proposed land use from the drop down menu.

If you wish to use Crown land for a short term, low impact activity you may not need to apply for tenure, you may be authorized under the Permissions policy or Private Moorage policy.

To determine if your use is permissible under the Land Act please refer to either the Land Use Policy - Permissions or Land Use Policy - Private Moorage located here.

| Purpose                       | Tenure                | Period                 |
|-------------------------------|-----------------------|------------------------|
| Residential<br>Strata Moorage | Licence of Occupation | More than thirty years |

### ACCESS TO CROWN LAND

Please describe how you plan to access your proposed crown land from the closest public road: We are applying for a group moorage facility. This property is a water access only island, it will be accessed via water.

### RESIDENTIAL

Please contact FrontCounter BC before you apply as Crown land for residential use is limited.

Specific Purpose: Strata Moorage  
Period: More than thirty years  
Tenure: Licence of Occupation

### TOTAL APPLICATION AREA

Please give us some information on the size of the area you are applying for.

Please specify the area: .258 hectares

### PROJECT DETAILS

Are you applying to purchase your existing lease or licence? No  
Are you applying for a parcel of land so that you can construct a Thermal Loop (part of a system for heating or cooling a residence)? No  
Are you applying to build a seawall, retaining wall, or similar structure? No

## IMPORTANT CONSIDERATIONS

|  |    |
|--|----|
| Do you, or someone you live with hold an existing Residential Tenure?  | No |
| Are you applying to purchase a tenured residential lot (a lot for which your immediate family presently pay a rental fee to the government)? | No |
| Are you applying for a parcel of land on a small island (less than 64.75 Ha in size)?  | No |
| Are you applying for a parcel of land in a remote area, which you intend to use as residence?  | No |
| Are you applying for a parcel of land, at least partially covered by water, where you intend to place a Float Home?                          | No |
| Are you applying to build a septic field?  | No |

## ADDITIONAL QUESTIONS

In many cases you might require other authorizations or permits in order to complete your project. In order to make that determination and point you in the right direction please answer the questions below. In addition, your application may be referred to other agencies for comments.

|  |     |
|--|-----|
| Is the Applicant or any Co-Applicant or their Spouse(s) an employee of the Provincial Government of British Columbia?  | No  |
| Are you planning to cut timber on the Crown Land you are applying for?   | No  |
| Are you planning to use an open fire to burn timber or other materials?  | No  |
| Do you want to transport heavy equipment or materials on an existing forest road?  | No  |
| Are you planning to work in or around water?   | Yes |
| 1. If you will be working in or around fresh water, you will require a Water Sustainability Act Change Approval or Notification from the Province. 2. The federal Department of Fisheries and Oceans might need to review your project. 3. Review the Transport Canada website if the Navigation Protection Act applies. |     |
| Does your operation fall within a park area?   | No  |

## LOCATION INFORMATION

## LAND DETAILS

## DRAWINGS

Please provide information on the location and shape of your Crown land application area. You can use one or more of the tools provided.

☒ I will upload a PDF, JPG or other digital file(s)

## MAP FILES

Your PDF, JPG or other digital file must show your application area in relation to nearby communities, highways, railways or other land marks.

| Description | Filename                       | Purpose     |
|-------------|--------------------------------|-------------|
| Plans A-D   | Sunaccess Williams Island I... | Residential |

## ATTACHED DOCUMENTS

| Document Type        | Description                     | Filename                       |
|----------------------|---------------------------------|--------------------------------|
| General Location Map | Site Plans A-D                  | Sunaccess Williams Island I... |
| Management Plan      | Project Management Plan         | Sunaccess Williams Island I... |
| Other                | Environmental Impact Assessment | I-4629-11-01-EIA-v1.pdf        |
| Other                | Land Title                      | title-578153.pdf               |
| Other                | LoA                             | 2019-05-29 Letter of agency... |
| Other                | PFR                             | SNR19128.01_PFR Report_Suna... |
| Site Plan            | Site Plans A-D                  | Sunaccess Williams Island I... |

## PRIVACY DECLARATION

☒ Check here to indicate that you have read and agree to the privacy declaration stated above.

## REFERRAL INFORMATION

Some applications may also be passed on to other agencies, ministries or other affected parties for referral or consultation purposes. A referral or notification is necessary when the approval of your application might affect someone else's rights or resources or those of the citizens of BC. An example of someone who could receive your application for referral purposes is a habitat officer who looks after the fish and wildlife in the area of your application. This does not apply to all applications and is done only when required.

Please enter contact information below for the person who would best answer questions about your application that may arise from anyone who received a referral or notification.

**Company / Organization:** Sunaccess William Island Investment Inc. Inc.NO. BC1131673  
**Contact Name:** Christoph Wendl  
**Contact Address:** 2700-700 W Georgia Street  
Vancouver BC V7Y 1K8  
**Contact Phone:** 604-885-8465  
**Contact Email:** cwiconsulting@aol.com

☒ I hereby consent to the disclosure of the information contained in this application to other agencies, government ministries or other affected parties for referral or First Nation consultation purposes.

## IMPORTANT NOTICES

- Once you click 'Next' the application will be locked down and you will NOT be able to edit it any more.

## DECLARATION



☒ By submitting this application form, I, declare that the information contained on this form is complete and accurate.

#### OTHER INFORMATION

Is there any other information you would like us to know?

There will be two residences for two families built on the island. We require the dock to be approved and built for safe transport of building crew and materials.

#### APPLICATION AND ASSOCIATED FEES

| Item                              | Amount   | Taxes             | Total    | Outstanding Balance |
|-----------------------------------|----------|-------------------|----------|---------------------|
| Crown Land Tenure Application Fee | \$250.00 | GST @ 5%: \$12.50 | \$262.50 | \$0.00              |

#### OFFICE

Office to submit application to:

Surrey

#### PROJECT INFORMATION

Is this application for an activity or project which requires more than one natural resource authorization from the Province of BC?

No

#### APPLICANT SIGNATURE

Applicant Signature

Date

#### OFFICE USE ONLY

|                  |                     |                |
|------------------|---------------------|----------------|
| Office<br>Surrey | File Number 2412342 | Project Number |
|                  | Disposition ID      | Client Number  |

# Crown Land Tenure Application for Private Moorage Management Plan

Proponent – Sunaccess Williams Island Investment Inc.

April 2019

## **1. Please confirm the following information:**

### **Application Requirements:**

Indicate the management zone your application falls in:

2

I have engaged a Registered Professional Archeologist to carry out a Preliminary Field Reconnaissance Assessment of the application area.

Yes

I have engaged a Registered Professional Biologist to carry out an assessment of any critical habitat in/or near the area I am applying for

Yes

### **General Dock Design and Tenure Requirements**

Structures will not unduly block access along the foreshore for public access, or for First Nations harvesting of marine resources for food, social and ceremonial purposes

Correct

The upland design of the Dock, including anchor points, avoids as much as feasible, disturbing riparian vegetation adjacent to the Project Footprint due to its role in bank stabilization and erosion control.

Correct

Structures will not unduly block the free movement of water along the shoreline

Correct

All improvements are a minimum of 5.0 meters from the side property line (6.0 meters if adjacent to a dedicated public beach access or park) and at least 10 meters from any existing dock or structures, consistent with Federal requirements under Transport Canada's Navigable Waters Protection Act.

Correct (Private Island)

Dock construction will not include the use of native beach materials (e.g. boulders, cobble, gravel, sand, logs)

Correct

Filling, dredging, or blasting will not be undertaken within the Project Footprint

Correct

Dock floats will be 1.5 meters above the sea bed during the lowest tide

Correct

Access ramp/walkway is 1 meter above highest water mark of the tide

Correct

The Dock and Dock Footprint will be kept in a safe, clean and sanitary condition

Correct

All work, including dock construction, dock use, refueling of machinery and washing of buckets and hand tools, will be conducted in a manner that will not result in the deposit of toxic or deleterious substances (e.g. sediment, un-cured concrete, fuel, lubricants, paints, stains)

Correct

The proposed dock allows for a light penetration and proposed decking materials allow a minimum of 43% open space.

Correct

Styrofoam is not used in the dock construction

Correct



The design and/or layout of the all structures mitigates any potential impacts to Riparian vegetation along the shoreline

Correct

## 2. Specific Dock Design and Layout

### **Impacts to Environmental Values:**

As per the Critical Habitat Assessment, will your proposed dock overlap with critical habitat?

No

How will the design and/or layout of structures mitigate any potential impacts to Riparian vegetation along the shoreline? Please describe below:

Please refer to the Environmental Impact Assessment Report for riparian mitigation techniques (if necessary).

Will your proposed dock exceed a maximum width of 1.5 m?

Yes

If yes, please describe why your proposed dock needs to be wider than 1.5 m:

A 1.5m wide dock is unsafe and is not a satisfactory width to support pedestrian traffic loading and unloading a vessel. For example, two people passing each other on the dock each unloading cargo from a vessel run the risk of bumping into each other on the narrow walkway and falling in the water causing a potential emergency situation. Rails for boat tie-ups must be installed on either side of the deck surface potentially allowing for only 4' of walking space.

Secondly, a 1.5m wide dock is not a stable platform. Forces exerted down on the edge of the narrow float by an individual or multiple people could cause the float to tip and list become an unstable and unsuitable platform for safe walking and transport of supplies. If the Province and the Sechelt First Nations require individuals to have a maximum width of only 1.5m I foresee unsafe and potentially life-threatening structures being installed throughout Pender Harbour.

**Does your access ramp or walkway exceed a maximum width of 1.2 m?**

No, however we would like to respectfully request that the maximum width of the ramp be increased to at least 1350 mm for practical and construction cost reasons. The present 1200 mm limit precludes using 4'x8' material for decking.

**How many boats does this dock provide moorage for?**

We anticipate up to 3 or 4 boats will be moored at the location.

**Is your dock aligned in an approximate North-South direction?**

Do to exposures (prevailing winds from the East) the float has been designed in a East-West direction to provide a safer environment and to avoid property damage.

**Is this a single owner or multi-owner facility?**

Two residences will be built on the island and the moorage will be used by both resident occupants as a group/shared moorage facility.

**What is the length and draft of all boats generally moored at this facility?**

60'-70' in length with approximately a 5' draft.

**Are the boats for commercial or pleasure use?**

Pleasure / The moorage is required for safe transportation to and from the water access only island.

#### **4. Improvements**

**Describe all proposed structures on the site:**

The proposed moorage structure fronts Williams Island, DL 5711, PID:015-788-679 in Pender Harbour, BC. One 4' x 30' aluminum approach with light penetrating metal grate decking will bear at one end on a 2' x 2' x 5' concrete abutment (situated above the natural boundary), and at the other end on two steel pipe piles on a concrete footing. A 4' x 50' aluminum gangway with light penetrating metal grate decking will bear at one end on the same two piles and extend to a group moorage float structure which includes one 8' x 70'

timber framed float, and one 8' x 26' timber framed float. The float system is anchored using seven lengths of typical anchor chains, seven concrete anchor blocks, and three anchor pins. Besides the proposed dock being 8 feet wide for safety and structural stability the proposed private moorage system design will incorporate all of the currently required design specifics as outlined in: Appendix 1 - Dock Construction and Maintenance Guidelines in the Pender Harbour Dock Management Plan's Best Management Practices. The float is for group moorage use only, there will be no income generated by the moorage facility. As the dock is to have over a 20 sq/m footprint, a request for project review will be submitted to DFO. A point form list of the private moorage structure components is included below.

Proposed Private Moorage Structure Components:

- One 2' x 2' x 5' concrete abutment
- One 4' x 30' welded aluminum approach with metal grate light penetrating decking
- One 4' x 50' welded aluminum gangway with metal grate light penetrating decking
- One 8' x 26' timber framed float.
- One 8' x 70' timber framed float.
- Seven lengths of typical anchor chain
- Seven concrete anchor blocks
- Three anchor pins

## **5. Maintenance**

Please describe any planned maintenance for the proposed improvements.

Note: that any new construction requires FLNRORD prior approval, construction and/or maintenance must adhere to the Best Management Practices in the Pender Harbour Dock Management Plan.

Besides routine upkeep and housekeeping of the proposed structure there is no planned maintenance scheduled at this time.

## **6. Please complete the following components and attach to your application**

(a) Site Plans A, B and C of the entire application area, drawn to scale with a North arrow, identifying the location of all improvement (buildings, structures, roads, powerlines, fences, etc.) in relation to the boundaries



of the tenure area the delineation of riparian rights and other legal boundaries.

[Attached](#)

(b) A side profile plan D must be provided for any improvements (i.e. docks, stiff-legs, anchor lines, pilings, log booms, floating storage sheds, fish pens, submarine cables) in the water or crossing the foreshore. The side profile drawing must illustrate the improvements, the average high and low water marks, the profile of the ocean underneath the improvements.

[Attached](#)

(c) At least five recent photographs of the site and the existing structures.

[Attached](#)

(d) Proof of adjoining upland ownership or leasehold tenancy must be provided, such as a State of Title Certificate or a copy of Land Title System title search displaying the full legal description of the adjoining upland parcel and the full legal name(s) of the registered owner. In the case of upland tenancy, a copy the Lease page(s) displaying lessee name and description of the land must be submitted. In cases where the applicant is not the registered owner(s) as shown on the document provided, a Letter of Consent from the registered owner must also be submitted.

[Attached](#)

(e) Statement by the applicant describing any contact they may have had, including the name of the First Nation(s) and individuals contacted.

Alexandra Lloyd, M.A.

Implementation Coordinator

*shíshálh* Nation, Rights and Title Department

## **Appendix 1 – Dock Construction and Maintenance Guidelines – Best Management Practices**

Source: Pender Harbour Dock Management Plan, Section 8.0, April 4, 2018.

Applicants are asked to review the entire Pender Harbour Dock Management Plan, which can be found at:

<https://arfd.gov.bc.ca/ApplicationPosting/getfile.jsp?PostID=43285&FileID=66583&action=view>

8.1 Critical Habitats should be avoided within the Dock Footprint. New Docks must not be installed over these habitats unless the design mitigates for potential impacts and does not result in losses to these habitats. Boathouses must not be built over Critical Habitat.

8.2 Design of a Dock or Boathouse should not include components that block the free movement of water along the shoreline. Crib foundations or solid core structures made of cement or steel sheeting should be avoided as these types of structures result in large areas of vegetation removal and erosion in Riparian areas.

8.3 The bottom of all floats must be a minimum of 1.5 metres above the sea bed during the lowest tide. Dock height above lowest water level must be increased if deep draft vessels are to be moored at the Dock. The Dock and the vessel to be moored at the Dock must not come to rest on the foreshore sea bed during the lowest tide of the year.

8.4 The size of all docks should be minimized. Access ramps, walkways or docks should be a minimum of 1.0 metre above the highest high water mark of the tide. Access ramps and walkways should not exceed a maximum width of 1.2 metres. Docks should not exceed a maximum width of 1.5 metres.

8.5 All improvements should be a minimum of 5.0 meters from the side property line (6.0 meters if adjacent to a dedicated public beach access or park) and at least 10 meters from any existing dock or structures, consistent with Federal requirements under Transport Canada's Navigable Waters Protection Act.

8.6 Docks must be constructed to allow light penetration under the structure and used decking materials must allow for minimum of 43% open space allowing for light penetration to the water surface. Light transmitting materials may be made of various materials shaped in the form of grids, grates, and lattices to allow for light passage.

8.7 Docks should be aligned in a north-south direction to the maximum extent that is practicable.

8.8 Concrete, steel, treated, or recycled timber piles are acceptable construction materials although steel is preferred. Detailed information on treated wood options can be obtained online from the Fisheries and Oceans Canada website (Guidelines to Protect Fish and Fish Habitat from Treated Wood Used in the Aquatic Environment in the Pacific Region).

8.9 Access to the Foreshore for construction purposes should be from the adjacent upland property wherever possible. If heavy equipment is required to work on the Foreshore or access is required along the Foreshore then the advice of a Qualified Professional or Fisheries and Oceans Canada should be obtained.

8.10 Works along the Foreshore should be conducted when the site is not wetted by the tide.

8.11 Applicants for Docks that exceeds 20 square meters, or such other dimensions as may trigger a review under the Fisheries Act from time to time, must contact Fisheries and Oceans Canada and submit a Request for Review or other required documents to ensure proposed activities, and the scheduling of those activities, complies with Fisheries and Oceans Canada requirements including the fisheries works window.

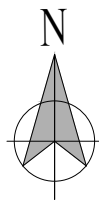
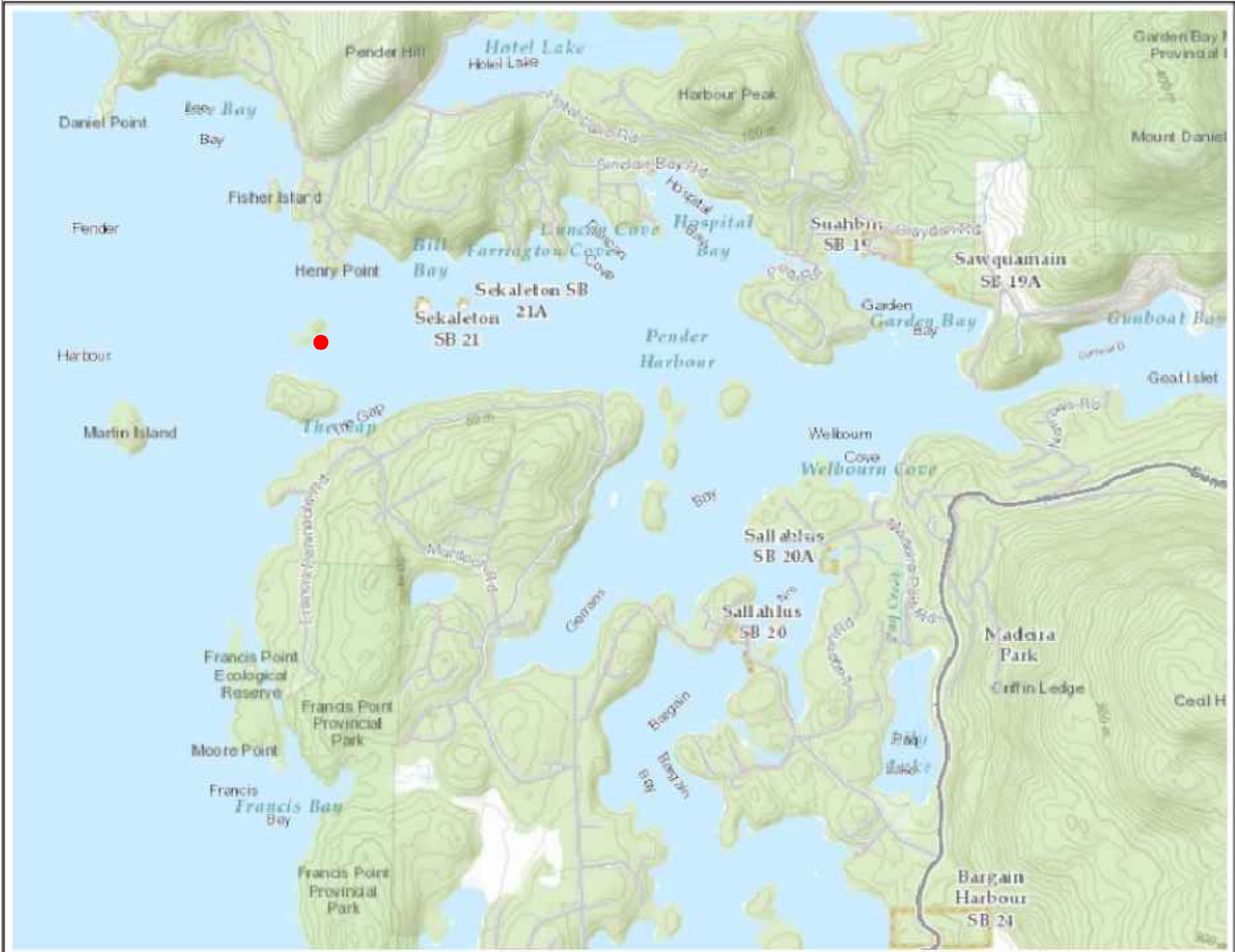
8.12 The upland design of the Dock, including anchor points, should avoid disturbing riparian vegetation adjacent to the Project Footprint due to its role in bank stabilization and erosion control.

8.13 Pile driving is the preferred method of pile installation. All pile driving must meet current Fisheries and Oceans regulations.

8.14 The use of Styrofoam to keep docks afloat is prohibited for new construction and repairs. Styrofoam floats on existing docks that are showing evidence of breakdown should be replaced using an alternative material.

8.15 Docks must be constructed in accordance with requirements under Navigation Protection Act as may be amended or replaced from time to time.

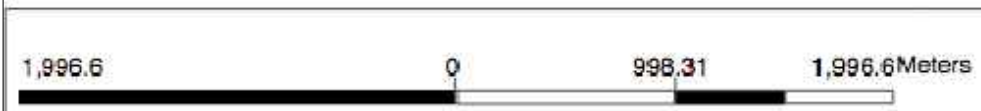




**Legend**

□ Jurisdiction  
■ Golf Courses

● APPLICATION LOCATION FRONTING:  
WILLIAMS ISLAND  
DL 5711, PID:015-788-679  
PENDER HARBOUR, B.C.



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



8/15/2018  
1:39,304

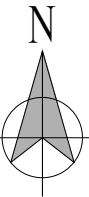
Drawing Ref's: - J.R. Canadian Mapping - Williams Island  
- SCRD 'PIMS' - GIS online mapping system  
- Google Earth



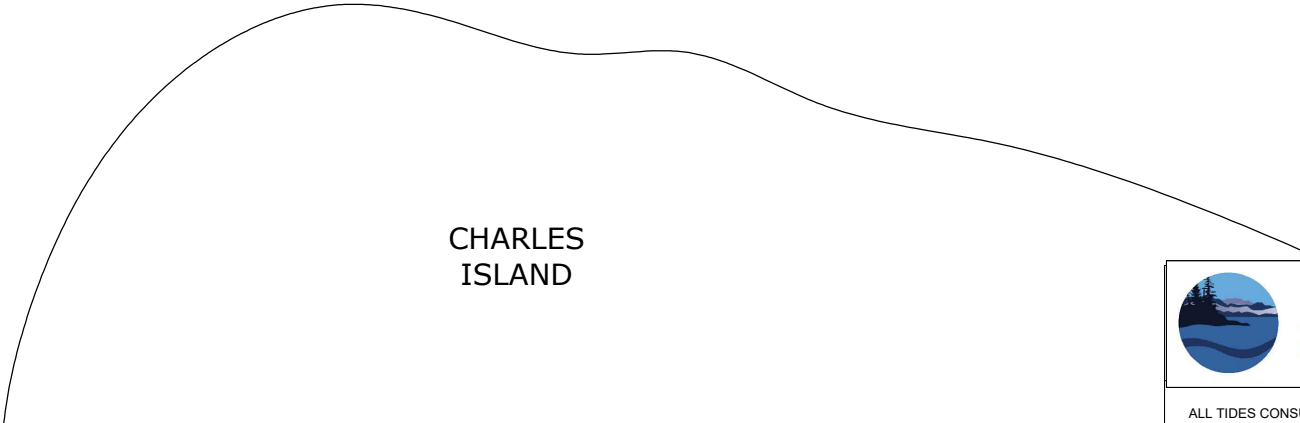
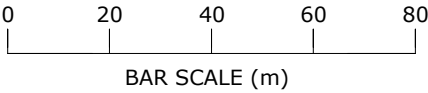
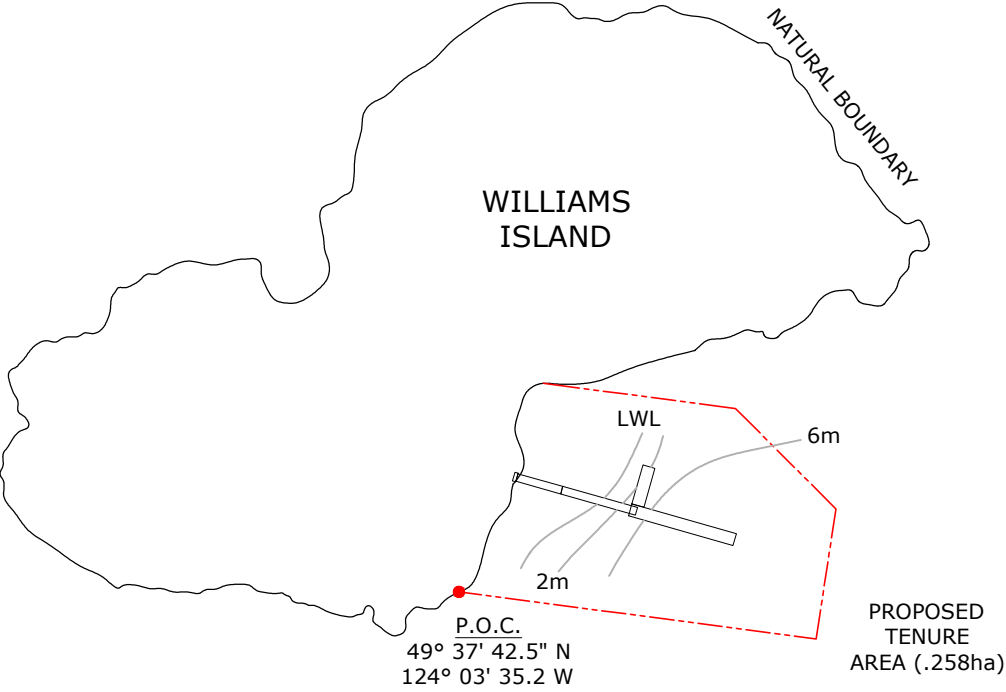
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|   |                     |                                     |                    |
|---|---------------------|-------------------------------------|--------------------|
| Client:<br>SUNACCESS WILLIAM ISLAND INVESTMENT INC. |                     |                                     |                    |
| Drawing Title:<br>LOCATION MAP<br>PLAN A            |                     | Location:<br>PENDER HARBOUR, BC     |                    |
| Drawn By:<br>A.T.                                   | Date:<br>MARCH 2019 | Check'd and Signed-off By:<br>Date: | Scale:<br>AS NOTED |
| Drawing Number:<br>P-1778-01                        |                     | Sheet No.<br>1 OF 4                 | Rev. No.           |



- DRAWING NOTE:
- NATURAL BOUNDARY REFERENCED FROM J.R. CANADIAN MAPPING - WILLIAMS ISLAND, THE SUNSHINE COAST REGIONAL DISTRICT'S "PIMS" WEB BASED GIS PROPERTY INFORMATION TOOL, AND GOOGLE EARTH.
  - THE P.O.C. IS LOCATED AT LATITUDE 49° 37' 42.5" N LONGITUDE 124° 03' 35.2 W.



Drawing Ref's: - J.R. Canadian Mapping - Williams Island  
- SCRD 'PIMS' - GIS online mapping system  
- Google Earth

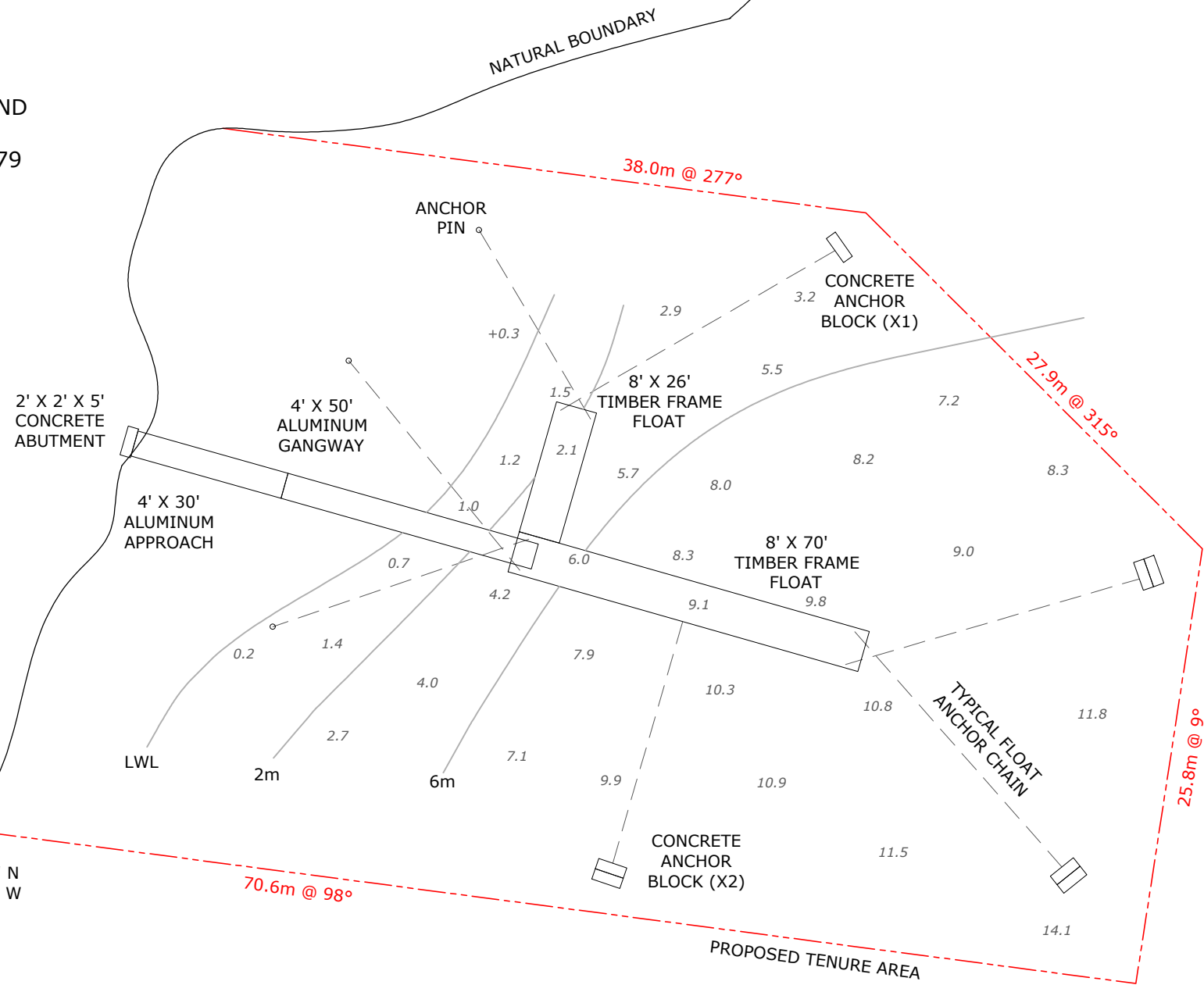


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|   |                     |                                     |                  |
|---|---------------------|-------------------------------------|------------------|
| Client:<br>SUNACCESS WILLIAM ISLAND INVESTMENT INC. |                     |                                     |                  |
| Drawing Title:<br>SITE PLAN<br>PLAN B               |                     | Location:<br>PENDER HARBOUR, BC     |                  |
| Drawn By:<br>A.T.                                   | Date:<br>MARCH 2019 | Check'd and Signed-off By:<br>Date: | Scale:<br>1:1500 |
| Drawing Number:<br>P-1778-01                        |                     | Sheet No.<br>2 OF 4                 | Rev. No.         |



WILLIAMS ISLAND  
DL 5711  
PID:015-788-679



- DRAWING NOTES:**
- PROPOSED TENURE AREA = .258ha
  - NATURAL BOUNDARY REFERENCED FROM J.R. CANADIAN MAPPING - WILLIAMS ISLAND, THE SUNSHINE COAST REGIONAL DISTRICT'S "PIMS" WEB BASED GIS PROPERTY INFORMATION TOOL, AND GOOGLE EARTH.
  - METAL GRATED DECKING OR TIMBER DECKING WITH ADEQUATE BOARD SPACING FOR LIGHT PENETRATION USED ON WALKWAYS AND FLOAT.
  - THE P.O.C. IS LOCATED AT LATITUDE 49° 37' 42.5" N LONGITUDE 124° 03' 35.2 W. THE TENURE APPLICATION AREA THEN HEADS 70.6m@95° FROM THE P.O.C, THEN 25.8m@9°, THEN 27.9m@315°, THEN 38.0m@277° TO THE NATURAL BOUNDARY, THEN BACK ALONG THE NATURAL BOUNDARY TO THE P.O.C..
  - ALL DEPTHS ARE IN METERS REDUCED TO CHART DATUM.
  - BESIDES THE PROPOSED DOCK BEING 8 FEET WIDE FOR SAFETY REASONS AND STRUCTURAL STABILITY THE PROPOSED PRIVATE MOORAGE SYSTEM DESIGN WILL INCORPORATE ALL OF THE CURRENTLY REQUIRED DESIGN SPECIFICS AS OUTLINED IN: APPENDIX 1 - DOCK CONSTRUCTION AND MAINTENANCE GUIDELINES IN THE PENDER HARBOUR DOCK MANAGEMENT PLAN BEST MANAGEMENT PRACTICES.
  - AS THE DOCK IS TO HAVE OVER A 20 sq/m FOOTPRINT A REQUEST FOR REVIEW WILL BE SUBMITTED TO DFO.

PENDER  
HARBOUR



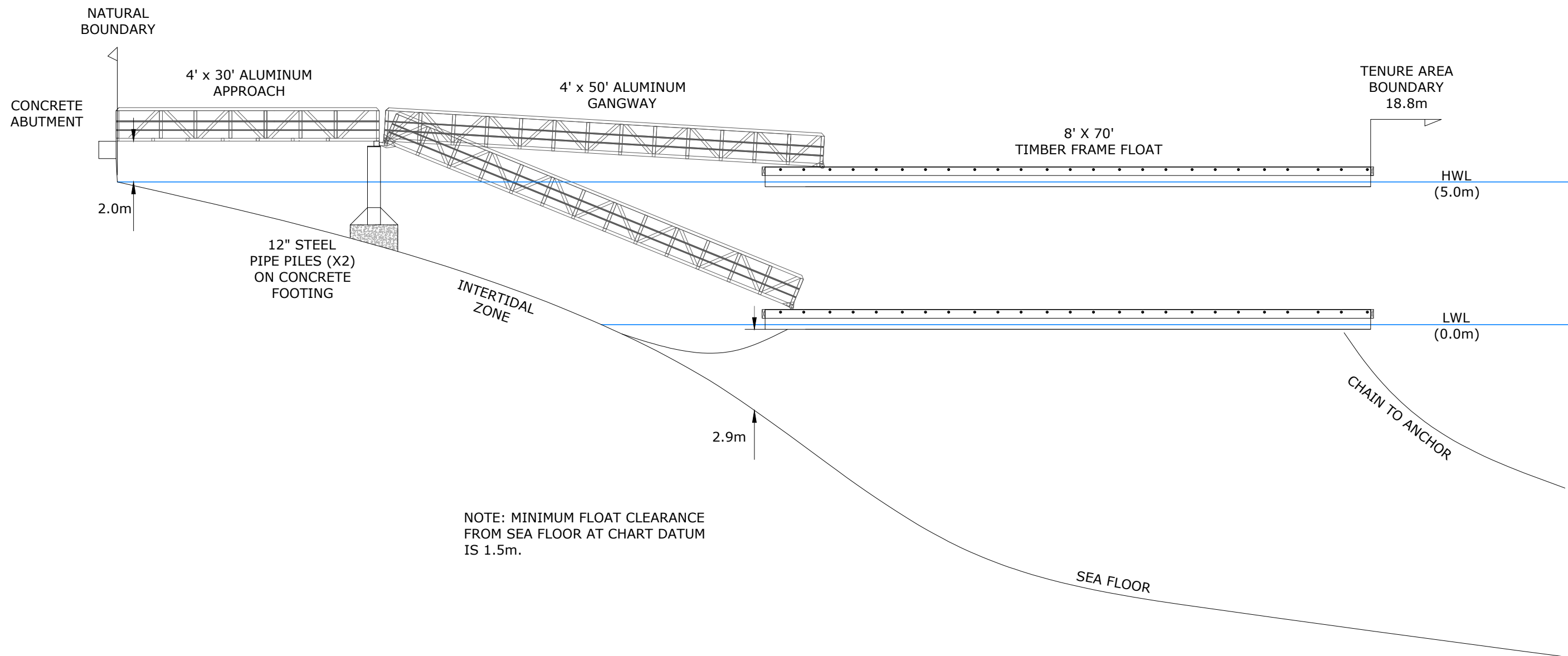
Drawing Ref's: - J.R. Canadian Mapping - Williams Island  
- SCRDL 'PIMS' - GIS online mapping system  
- Google Earth



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|   |                     |                                     |                 |
|---|---------------------|-------------------------------------|-----------------|
| Client:<br>SUNACCESS WILLIAM ISLAND INVESTMENT INC. |                     |                                     |                 |
| Drawing Title:<br>SITE PLAN<br>PLAN C               |                     | Location:<br>PENDER HARBOUR, BC     |                 |
| Drawn By:<br>A.T.                                   | Date:<br>MARCH 2019 | Check'd and Signed-off By:<br>Date: | Scale:<br>1:350 |
| Drawing Number:<br>P-1778-01                        |                     | Sheet No.<br>3 OF 4                 | Rev. No.        |





Drawing Ref's: - J.R. Canadian Mapping - Williams Island  
- SCRDP 'PIMS' - GIS online mapping system  
- Google Earth

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|   |                     |                                     |                 |
|---|---------------------|-------------------------------------|-----------------|
| Client:<br>SUNACCESS WILLIAM ISLAND INVESTMENT INC. |                     |                                     |                 |
| Drawing Title:<br>ELEVATION<br>PLAN D               |                     | Location:<br>PENDER HARBOUR, BC     |                 |
| Drawn By:<br>A.T.                                   | Date:<br>MARCH 2019 | Check'd and Signed-off By:<br>Date: | Scale:<br>1:150 |
| Drawing Number:<br>P-1778-01                        |                     | Sheet No.<br>4 OF 4                 | Rev. No.        |

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Kasha Janota-Bzowska, Planning Technician I

**SUBJECT:** Development Variance Permit Application DVP00053 (Plows)

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### RECOMMENDATION(S)

1. **THAT the report titled Development Variance Permit Application DVP00053 (Plows) be received;**
  2. **AND THAT Development Variance Permit Application DVP00053 (Plows) to vary Zoning Bylaw No. 310 Section 504 (1) to increase the maximum permitted gross floor area in the R1 zone on parcels under 1500 square metres in area from 30% (156 square metres) to 47% (243.63 square metres) be issued.**
- 

### BACKGROUND

The SCRD has received a Development Variance Permit application for a proposed new single family dwelling located at 816 Fisher Road in West Howe Sound (see Figure 1 below).

Lots with an area less than 1500 square metres within the R1 zone are permitted a maximum gross floor area of 30% of the total lot area. As the subject property has an area of 520 square metres, the maximum gross floor area is 156 square metres.

The applicant proposes to increase the maximum permitted gross floor area from 30% (156 square metres) to 47% (243.63 square metres) in order to permit the construction of a new single family dwelling.

This will result in an increased gross floor area of 17% (87.63 square metres).

*Table 1 – Application Summary*

|                              |  |
|------------------------------|--|
| <b>Owner / Applicant:</b>    | Dan and Linda Plows  |
| <b>Legal Description:</b>    | Lot 1 Block 4 District Lot 687 Plan 2075   |
| <b>P.I.D.:</b>               | 014-050-617  |
| <b>Electoral Area:</b>       | Area F – West Howe Sound   |
| <b>Civic Address:</b>        | 816 Fisher Road  |
| <b>Zoning Bylaw No. 310:</b> | R1 Zone (Residential One)  |
| <b>OCP Land Use:</b>         | Residential  |
| <b>Parcel Area:</b>          | 520 m <sup>2</sup>   |
| <b>Proposed Variance:</b>    | To vary section 504 (1) of Zoning Bylaw No. 310 from 30% (156 square metres) to 47% (243.63 square metres) to permit the construction of a new single family dwelling. |

Figure 1 – Location of Subject Property



### Planning and Community Development Committee

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 applicant is requesting a variance for parcel under 1500 square metres in the R1 zone from the maximum permitted gross floor area from 30% (156 square metres) to 47% (243.63 square metres) in order to permit the construction of a new single family dwelling.

This represents a gross floor area increase of 17% (87.63 square metres).

### Floor Area of Buildings

Zoning Bylaw No. 310 defines *floor area* as:

*“The total area of all floors within a building having a clear ceiling height of 1.8 metres or more... but excluding unenclosed auxiliary parking, carports, unenclosed balconies, decks and other building projections permitted by this bylaw, elevators, and areas devoted exclusively to electrical or mechanical equipment servicing the building.”*



Section 504.1 and 504.2 of Zoning Bylaw No. 310 states that:

*“On a parcel less than 1500 square metres in the R1, R2, CR1, RU1, RU2, and AG zones, the maximum floor area of all buildings on a parcel shall be the parcel area multiplied by 0.30. In addition to the floor area in (1) up to 45 square metres is allowed for enclosed parking.”*

Proposed Gross Floor Area Variance:

The proposed and maximum permitted floor areas are as follows:

|   |   |
|---|---|
| Basement                                  | 57 square metres  |
| Main Floor                                | 90.3 square metres<br>(does not include 2.3 square metre mechanical equipment area and 9.4 square metre balcony area) |
| Top Floor                                 | 96.33 square metres<br>(does not include 9.4 square metres balcony area)  |
| <b>Total Proposed Gross Floor Area</b>    | <b>47% (243.63 square metres) of parcel area</b>  |
| <b>Maximum Permitted Gross Floor Area</b> | <b>30% (156 square metres) of parcel area</b>   |
| <b>Requested Variance</b>                 | <b>17% (87.63 square metres) of parcel area</b>   |

The proposed covered balconies are not considered to be floor area as they are not enclosed.

Building Permit BP002021

To proceed with current construction on site, the applicant has provided amended application drawings to the Building Inspection division which comply with the maximum gross floor area restriction of 156 square metres by removing the top floor of the proposed single family dwelling.

If the proposed Development Variance Permit is issued by the Board, the applicant will proceed with construction of the new single family dwelling as originally designed.

Neighbourhood Impact

The proposed new single family dwelling is consistent with other new residential developments within the Grantham's Landing neighbourhood in West Howe Sound. Impacts to views as well as use and enjoyment of the adjacent property are not anticipated.

*Consultation*

The application has been referred to the following groups and agencies for comment.

Table 2 – Consultation Summary

| Group / Agency | Comments |
|----------------|----------|
|----------------|----------|

|  |  |
|--|--|
| Sᑭwxwú7mesh Nation                           | A referral was sent to the Sᑭwxwú7mesh Nation on February 7, 2020.<br>No comments were received.   |
| Building Division                            | The Building Division have no concerns.  |
| Infrastructure Services Department           | The Infrastructure Services Department have no concerns.   |
| Gibsons & District Volunteer Fire Department | The Gibsons & District Volunteer Fire Department have no concerns.   |
| Advisory Planning Commission                 | The West Howe Sound Advisory Planning Commission met on April 28, 2020<br>The Advisory Planning Commission recommended that Development Variance Permit Application DVP00053 (Plows) be supported on the condition that there are no objections from the neighbours, for the following reasons: <ul style="list-style-type: none"> <li>• No known objections from the neighbours;</li> <li>• It is within setbacks; and</li> <li>• Staff support.</li> </ul> |
| Neighbouring Property Owners / Occupiers     | Notifications were sent on April 27, 2020.<br>A complaint was received by the SCRD Planning division on May 8, 2020.<br>The concern expressed in the complaint is about how the applicant's proposed new single family dwelling with a requested size of 243.63 square metres in gross floor area would create a building that is contrary to the character of the Grantham's Landing neighbourhood with smaller homes and garden space on small lots.       |

Notification to surrounding properties was provided in accordance with Section 499 of the *Local Government Act* and Sunshine Coast Regional District Bylaw no. 522.

The applicant is responsible for ensuring all work undertaken complies with the *Heritage Conservation Act*.

#### *Options / Staff Recommendation*

The proposed variance will result in construction of a new single family dwelling as originally designed.

The proposed increase of gross floor area to 47% will yield a building that is in keeping with the general form and character and scale of residential development in the surrounding neighbourhood. Impacts to views, use and enjoyment of the adjacent property are not anticipated.

Possible options to consider:

**Option 1: Issue the permit.**

This would allow for the maximum permitted gross floor area in the R1 zone on parcels under 1500 square metres in area to be varied from 30% of the parcel area (156 square metres) to 47% (243.63 square metres).

The proposed new gross floor area will accommodate the construction of a new single family dwelling on the subject property as originally designed.

Planning staff recommend this option.

**Option 2: Deny the permit.**

Zoning Bylaw No. 310 requirements for 30% maximum permitted gross floor area in the R1 zone on parcels under 1500 square metres in area would apply.

The applicant would be required to redesign the proposed new single family dwelling to a maximum gross floor area of 156 square metres (30%)

*Organizational and Intergovernmental Implications*

This application was referred to the SCRD Building Division, SCRD Infrastructure Services Department, Gibsons & District Volunteer Fire Department, and Sḵwxwú7mesh Nation.

*Financial Implications*

None at this time.

*Timeline for next steps or estimated complete date*

Should this application be approved, the applicant can proceed with the construction of a new single family dwelling as originally designed under BP002021.

*Communication Strategy*

Notification to surrounding properties was provided in accordance with Section 499 of the *Local Government Act* and Sunshine Coast Regional District Bylaw no. 522.

SCRD Planning staff received a complaint regarding the applicant's proposed gross floor area for the new single family dwelling and how the requested Variance to increase the maximum allowable gross floor area would create a building that is contrary to the character of the Grantham's Landing neighbourhood of smaller homes and garden space on small lots.



The proposed new single family dwelling with a maximum gross floor area of 243.63 square metres may impact immediate neighbours, but is consistent with new development within the surrounding neighbourhood.

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

Review of the application for the development variance permit supports the SCRD's strategy for engagement and collaboration.

### **CONCLUSION**

The applicant is requesting a variance to the maximum permitted gross floor area of a building in the R1 zone on parcels under 1500 square metres in area from 30% (156 square metres) to 47% of parcel area (243.63 square metres) to permit the construction of a new single family dwelling.

This represents a maximum permitted gross floor area variance of 17% of parcel area (87.63 square metres).

The proposed development is consistent with other residential development in the surrounding neighbourhood. Staff do not anticipate impacts to views or enjoyment of surrounding properties.

Planning staff support this application.

### **ATTACHMENTS**

Attachment A – BCLS Site Survey

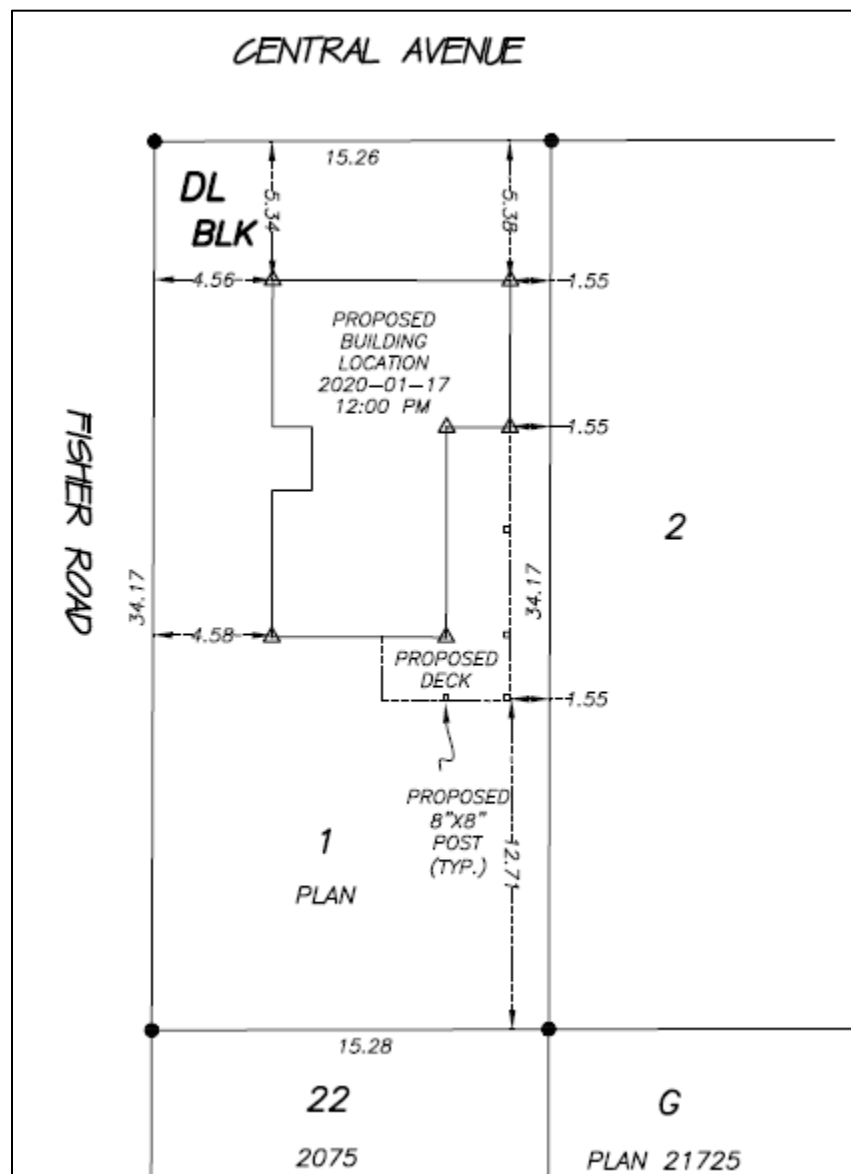
Attachment B – Site Photo

Attachment C – Proposed Construction Drawings

Attachment D – Applicant's Rationale Letter

|              |                 |             |  |
|--------------|-----------------|-------------|--|
| Reviewed by: |                 |             |  |
| Manager      | X – D. Pady     | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Other       |  |

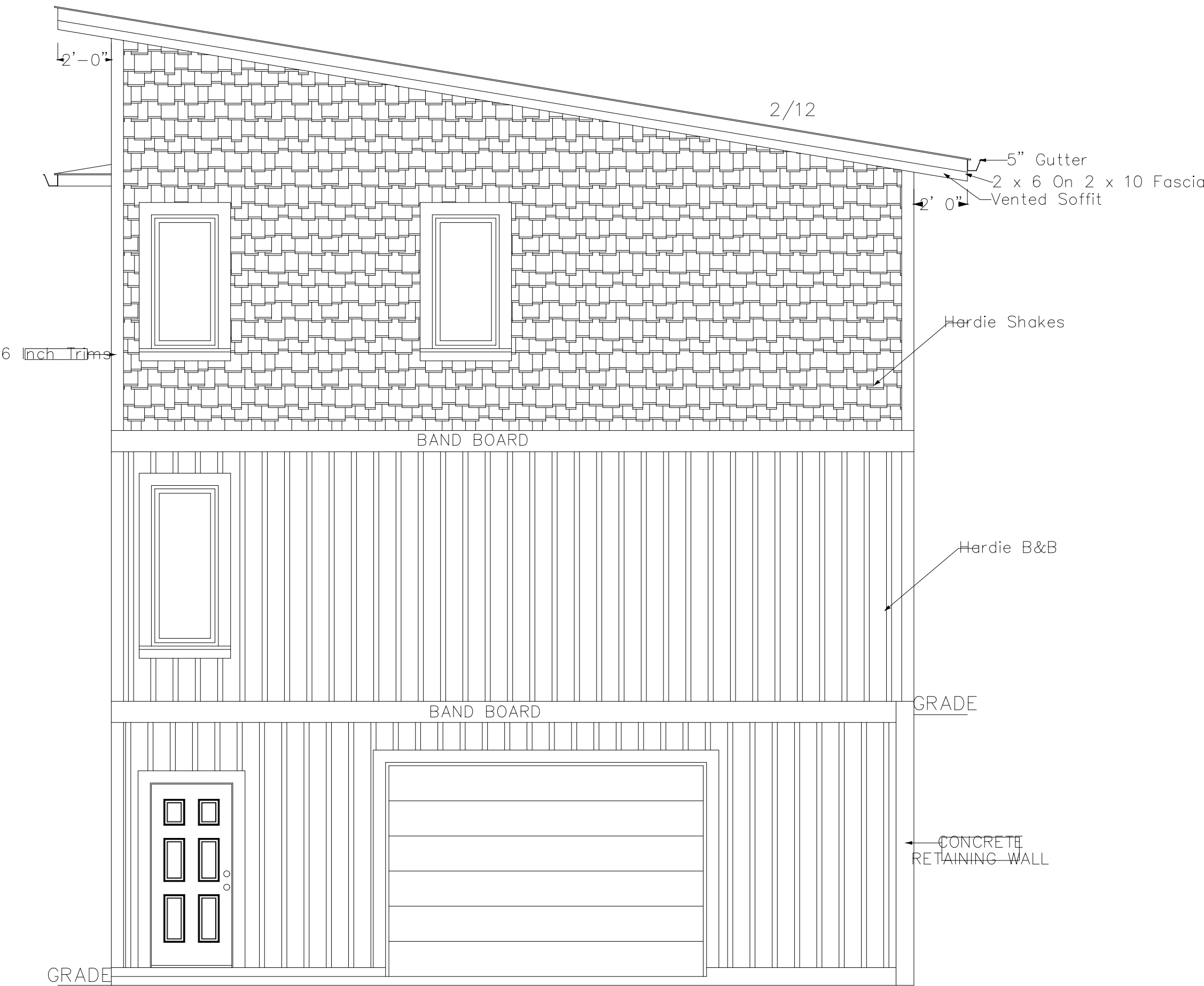
Attachment A – BCLS Site Survey



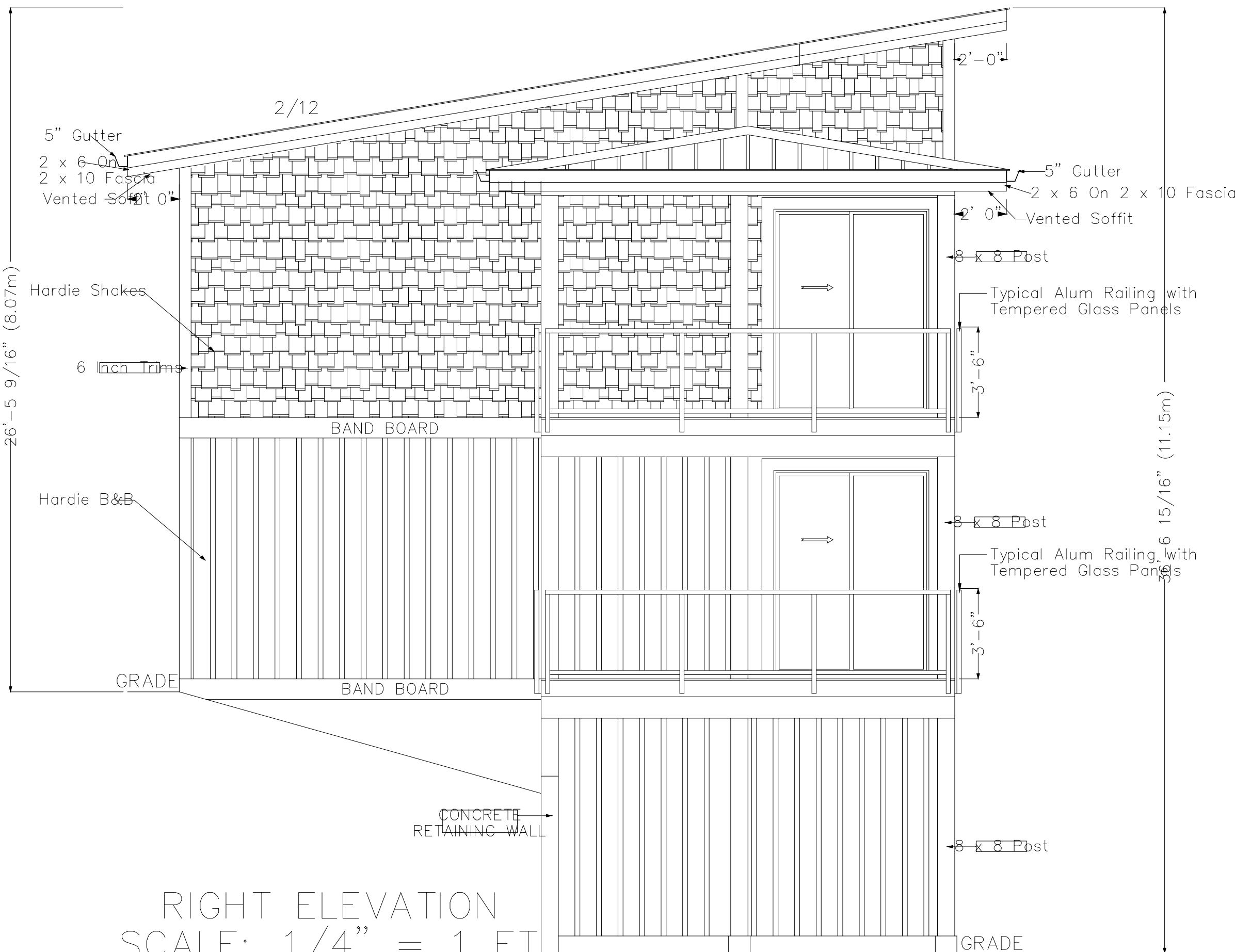
**Attachment B – Site Photo**



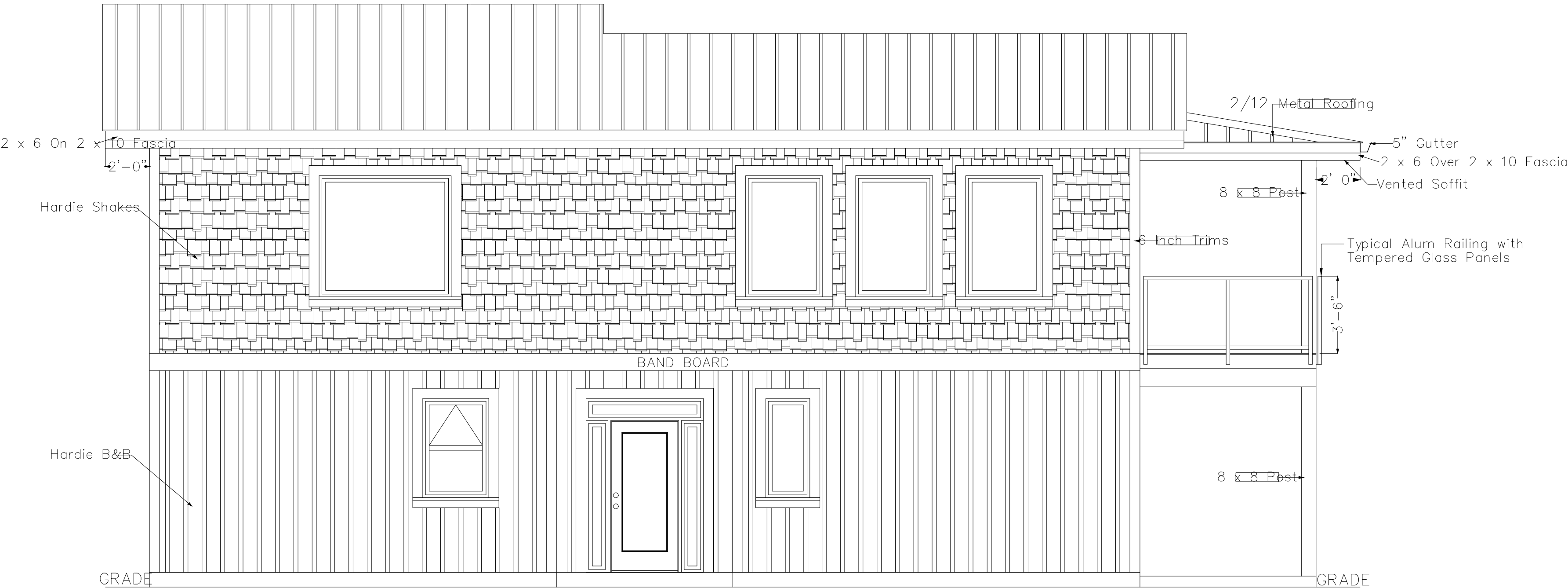




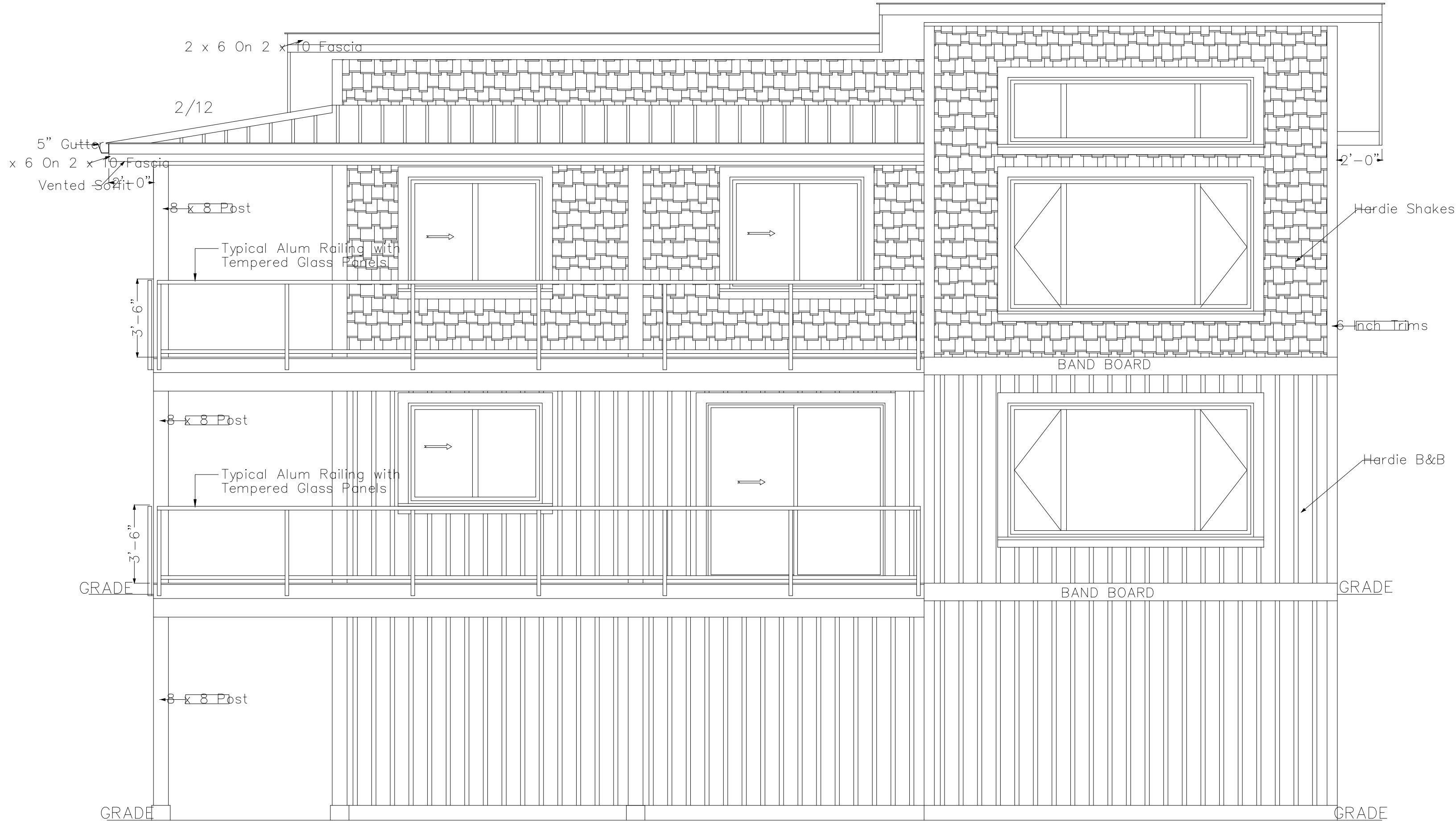
LEFT (CENTRAL) ELEVATION  
SCALE: 1/4" = 1 FT




RIGHT ELEVATION  
SCALE: 1/4" = 1 FT



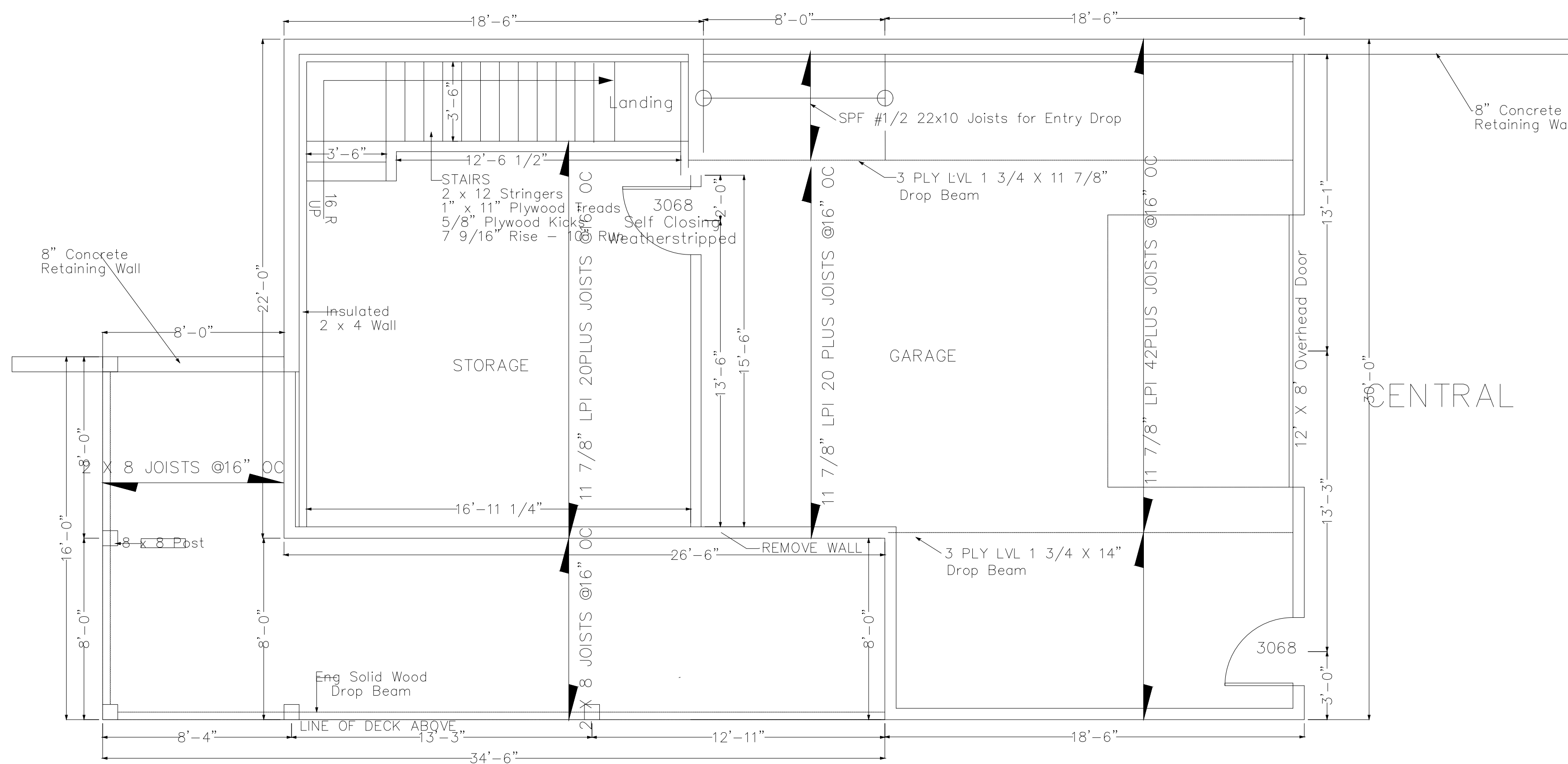
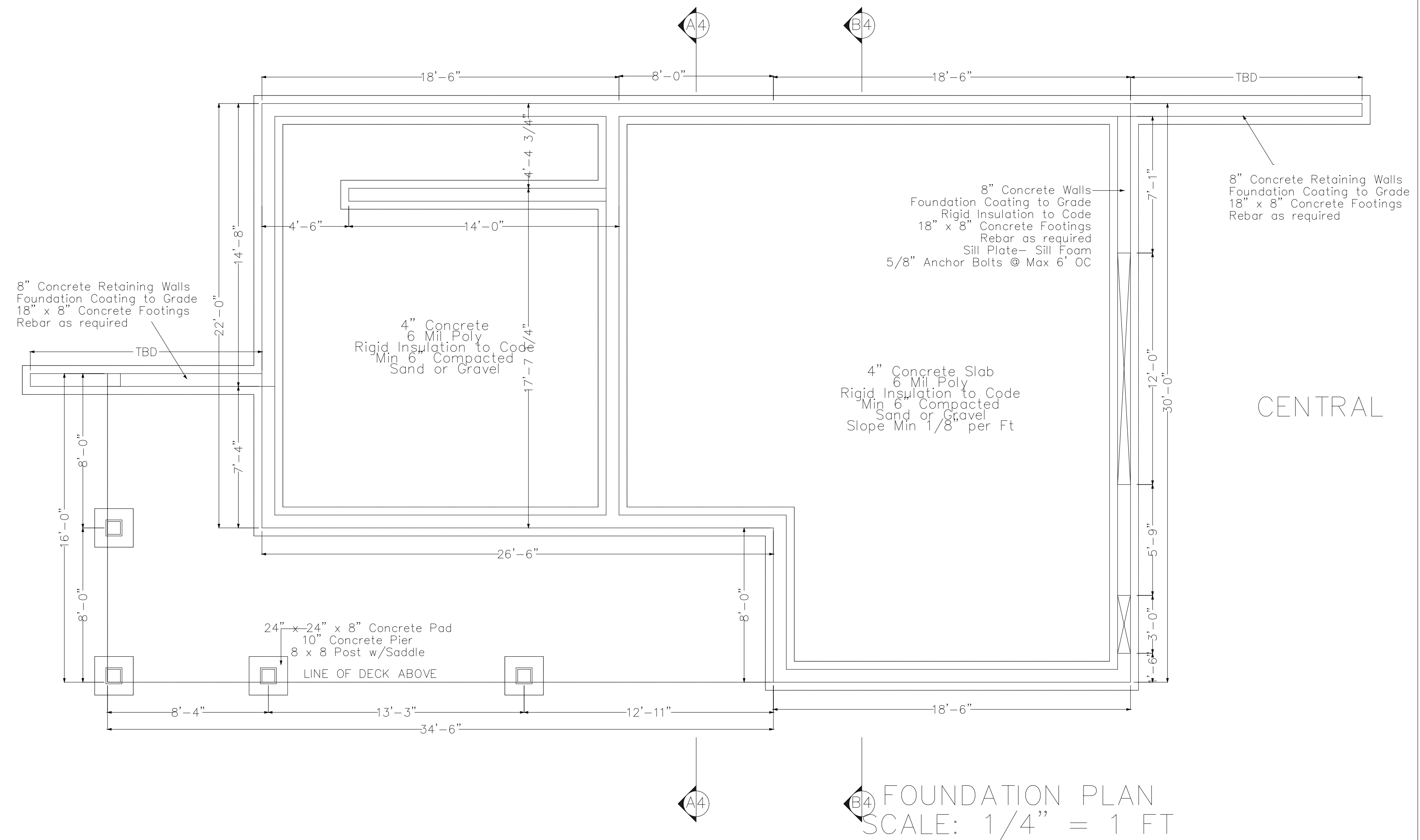
FRONT (FISHER) ELEVATION  
SCALE: 1/4" = 1 FT



REAR ELEVATION  
SCALE: 1/4" = 1 FT

|   |                            |  |  |            |                 |   |
|---|----------------------------|--|--|------------|-----------------|---|
| <br><b>OCEAN VIEW DRAFTING</b><br>email: bruce@oceanviewdrafting.com<br>#306 - 5710 Teredo St, Sechelt<br>604-885-5686 | Builder/ Owner Information |  | Legal Description  | Date Drawn | PAGE 1          | Table of Contents   |
|   | Customer Name/s:           |  |  |            |                 |   |
|   | Dan & Linda Plows          |  |  |            |                 |   |
|   | Lot Address:               |  |  |            |                 |   |
|   | 816 Fisher Rd, Gibsons, BC |  |  |            |                 |   |
| Bruce & Shirley Giesbrecht<br>www.oceanviewdrafting.com<br>email: bruce@oceanviewdrafting.com<br>#306 - 5710 Teredo St, Sechelt<br>604-885-5686   |                            |  | Lot: 1<br>Block: 4<br>DL: 687<br>Plan: VAP2075<br>Group: 1 | OCT 2019   | NEW HOME DESIGN | Page 1 - Elevation Views<br>Page 2 - Foundation & Basement<br>Page 3 - Main & Upper Floors<br>Page 4 - Sections<br>Page 5 - Site Layout |

NOTE: INTERIOR DIMENSIONS ARE FROM BARE STUD TO BARE STUD  
EXTERIOR DIMENSIONS INCLUDE 1/2" PLYWOOD

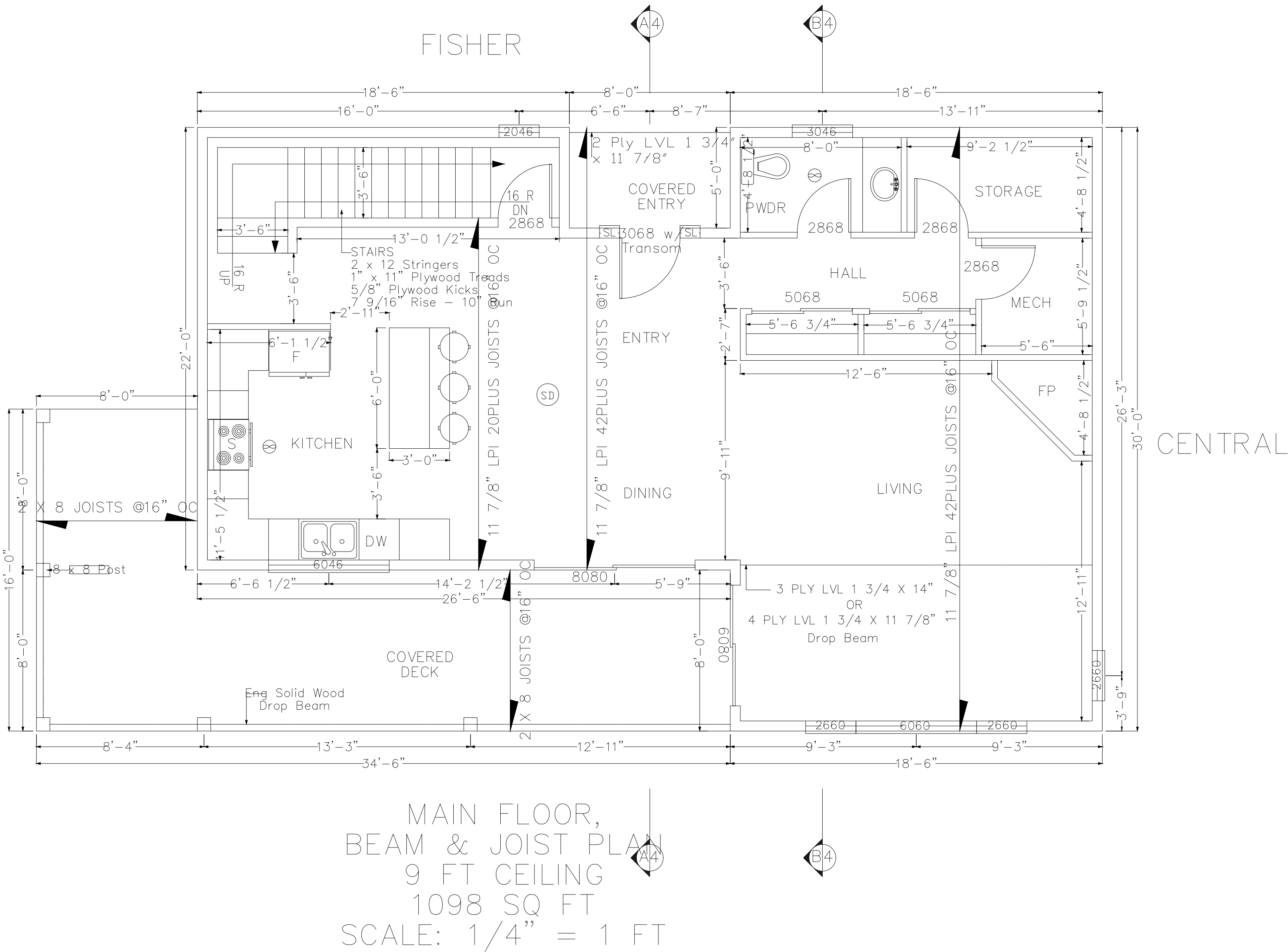
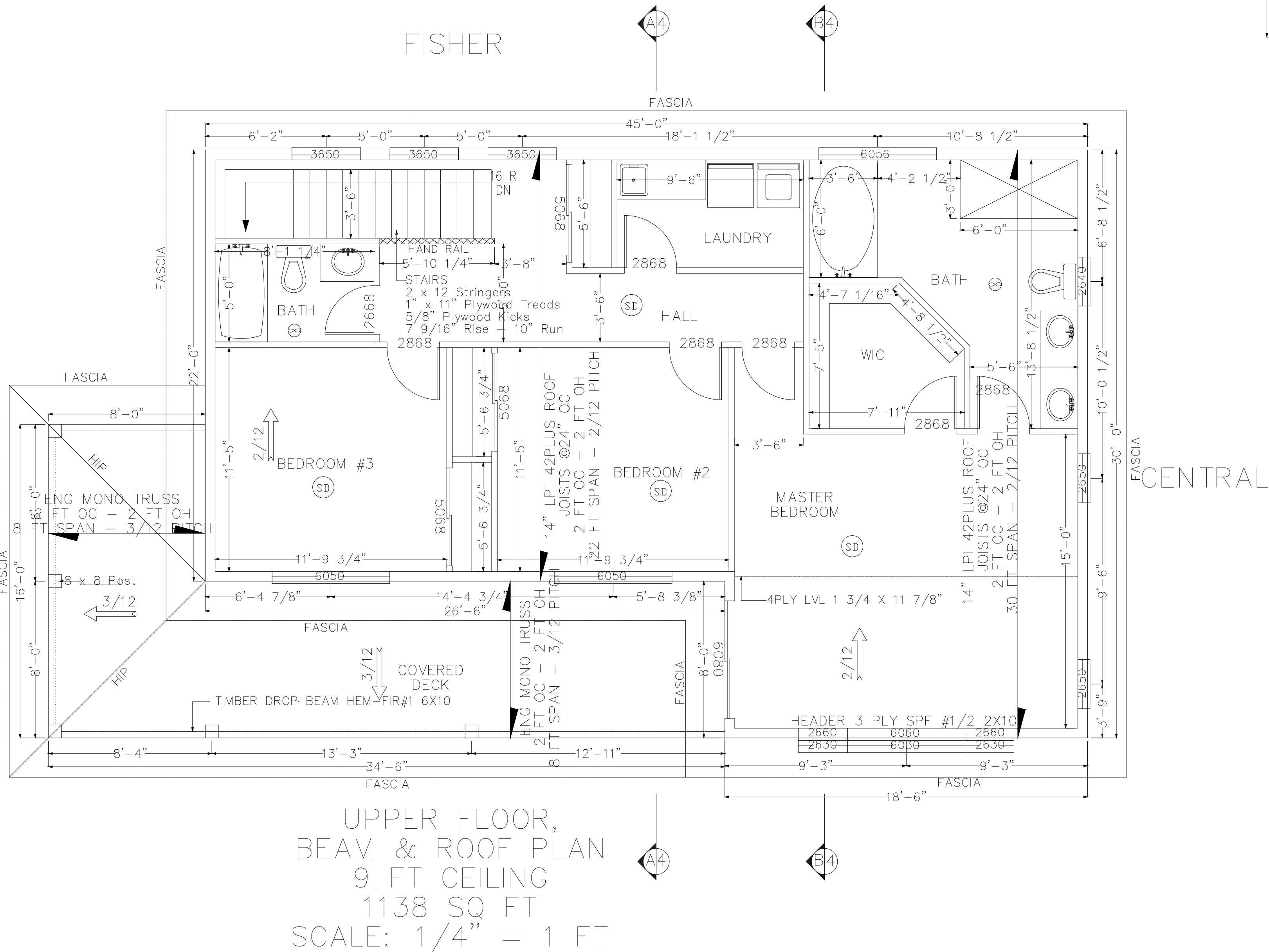



BASEMENT FLOOR,  
BEAM & JOIST PLAN  
9 FT CEILING  
1098 SQ FT  
SCALE: 1/4" = 1 FT

NOTE: INTERIOR DIMENSIONS ARE FROM BARE STUD TO BARE STUD  
EXTERIOR DIMENSIONS INCLUDE 1/2" PLYWOOD

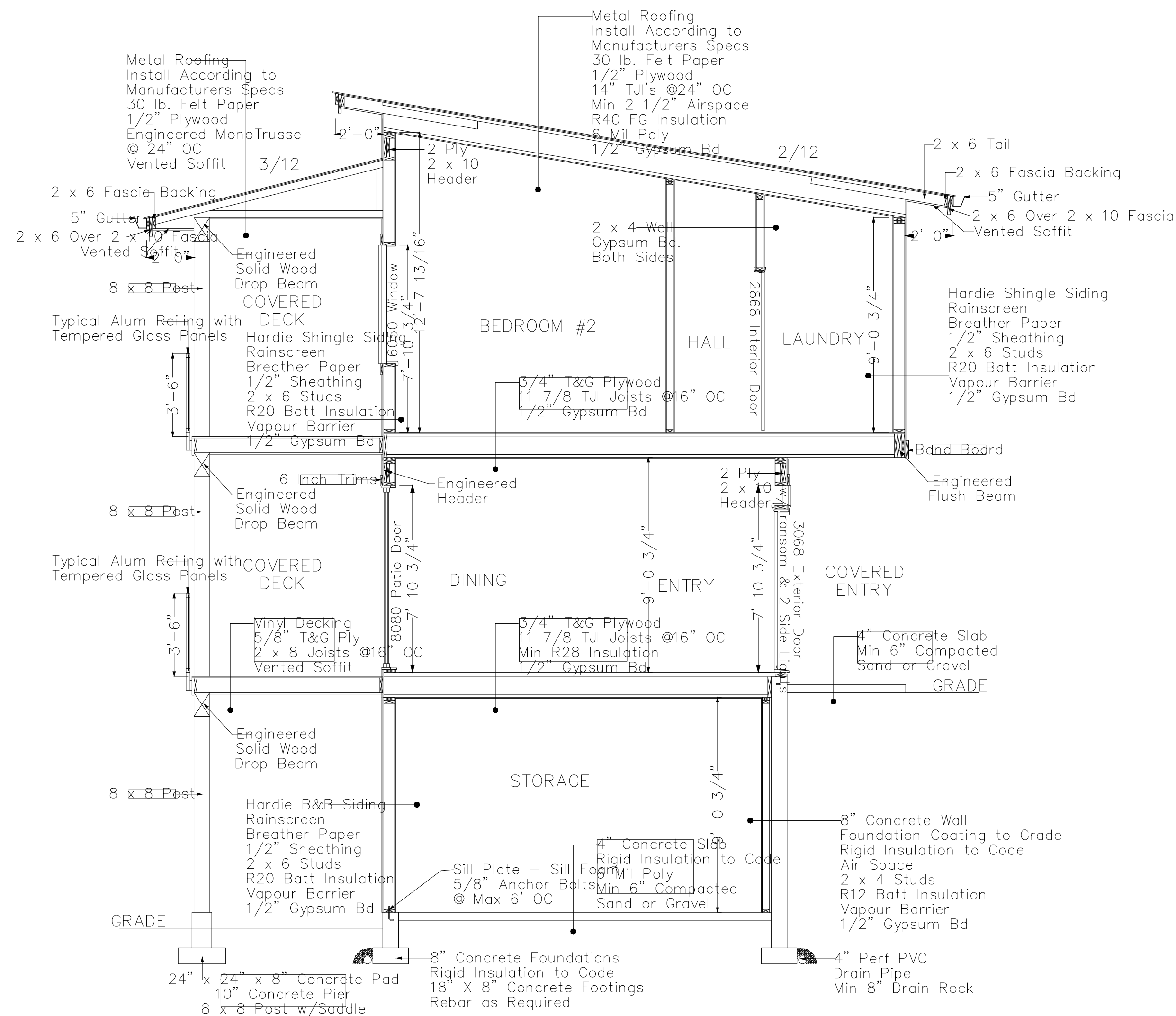
NOTE: ALL HEADERS TO BE 3 PLY SPF #1/2 2 X 10

NOTE: Shearwalls to be as per Attached Sheet  
All Walls to be considered as Shearwalls

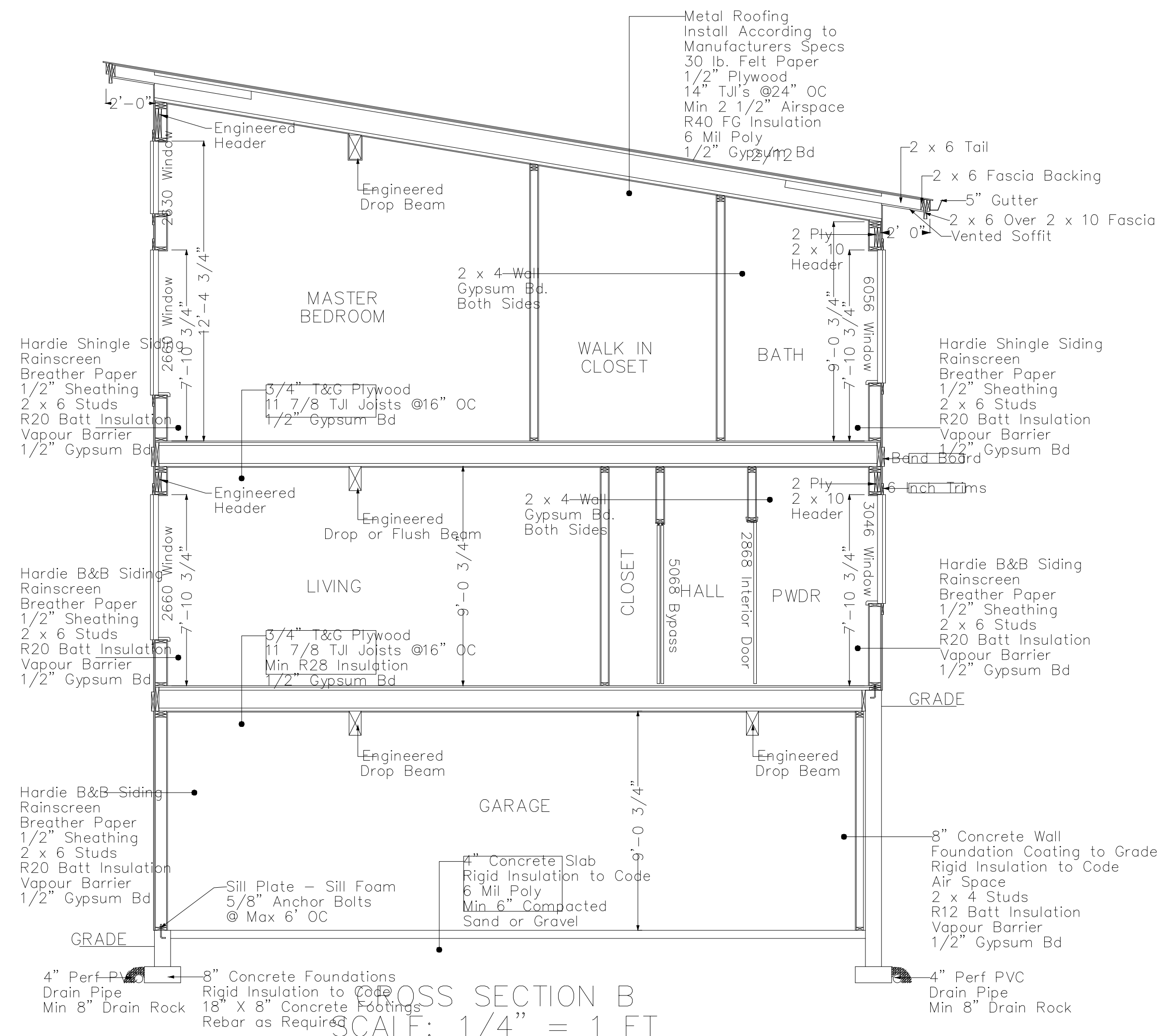


|   |   |                            |                   |            |        |                                |
|---|---|----------------------------|-------------------|------------|--------|--------------------------------|
|  | Bruce & Shirley Giesbrecht<br>www.oceanviewdrafting.com<br>Email: bruce@oceanviewdrafting.com<br>#306 - 5710 Teredo St, Sechelt<br>604-885-5686 | Builder/ Owner Information | Legal Description | Date Drawn | PAGE 3 | Table of Contents              |
|   |   | Customer Name/s:           | Lot: 1            |            |        | Page 1 - Elevation Views       |
|   |   | Dan & Linda Plows          | Block: 4          | OCT        | NEW    | Page 2 - Foundation & Basement |
|   |   | Lot Address:               | DL: 687           | 2019       | HOME   | Page 3 - Main & Upper Floors   |
|   |   | 816 Fisher Rd, Gibsons,BC  | Plan: VAP2075     |            | DESIGN | Page 4 - Sections              |
|   |   |                            | Group: 1          |            |        | Page 5 - Site Layout           |





CROSS SECTION A  
SCALE: 1/4" = 1 FT



CROSS SECTION B  
SCALE: 1/4" = 1 FT



Bruce & Shirley Giesbrecht  
www.oceanviewdrafting.com  
Email: bruce@oceanviewdrafting.com  
#306 - 5710 Teredo St, Sechelt  
604-885-5686

Builder/ Owner Information  
Customer Name/s:  
Dan & Linda Plows  
Lot Address:  
816 Fisher Rd, Gibsons, BC

Legal Description  
Lot: 1  
Block: 4  
DL: 687  
Plan: VAP2075  
Group: 1

Date  
Drawn  
OCT  
2019

PAGE 4  
NEW  
HOME  
DESIGN

Table of Contents  
Page 1 - Elevation Views  
Page 2 - Foundation & Basement  
Page 3 - Main & Upper Floors  
Page 4 - Sections  
Page 5 - Site Layout



Please accept this letter for request of a variance on the square footage of our home being built at 816 Fisher Road, Grantham's Landing, BC.

We are in the process of doing our due diligence in writing a letter to proceed with our variance application in regards to the square footage allowance of our home, we thought we had done all the proper requirements in respect to the size of our home for the lot size and there for had our plans custom drawn from an architect specifically for our lot as well as having them engineered for the lot size.

We then submitted our plans to the regional district for our building permit, then to be informed the square footage was too large for the lot, which is extremely upsetting and frustrating as we were confident we had meet all the guidelines. We have started our footings and have our floor packages ordered through GBS waiting to be delivered to our lot, our septic system has been drawn specifically designed for our lot and sealed by an engineer, as well we now have contractors on hold.

We are also aware the home build in the last year two lots up from ours on Fisher and Elphinstone applied for variances to have their home build bigger and taller and they received approval.

So at this time we would like to please ask for a variance approval on the square footage of our custom home to move forward on our build.

Thank you for taking the time to review our application for this variance.

Dan and Linda Plows



## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Kasha Janota-Bzowska, Planning Technician I

**SUBJECT:** Development Variance Permit Application DVP00057 (Magnuson-Ford)

### RECOMMENDATION(S)

1. **THAT the report titled Development Variance Permit Application DVP00057 (Magnuson-Ford) be received;**
2. **AND THAT Development Variance Permit Application DVP00057 (Magnuson-Ford) to vary Zoning Bylaw No. 310 Section 601.4 (3) to reduce the required setback distance contiguous to a highway from 4.5 metres to 2 metres be issued.**

### BACKGROUND

The SCRD has received a Development Variance Permit application for a proposed addition to an existing single family dwelling and new detached auxiliary building located at 1611 Grady Road in West Howe Sound (see Figure 1 below).

The variance request is to reduce the side lot line setback contiguous to a highway from 4.5 metres to 2 metres in order to permit an addition and alteration to an existing single family dwelling and construction of a new detached garage on the subject property.

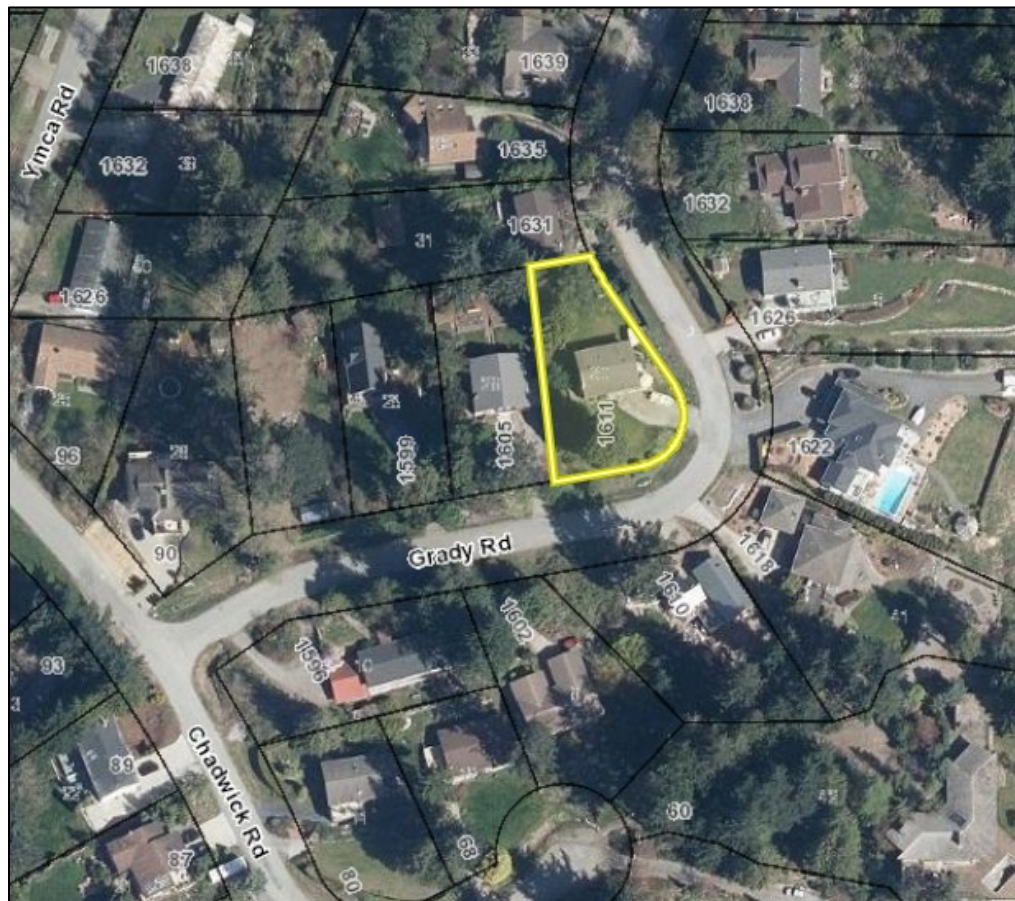
The proposed new detached auxiliary building (see Attachment B) is currently sited outside of the required 4.5 metre setback and is in compliance with the Zoning Bylaw.

The applicant has requested that the Development Variance Permit application include reducing the setback for the entire extent of the lot line, which would allow for a more convenient siting.

*Table 1 – Application Summary*

|                              |   |
|------------------------------|---|
| <b>Owner / Applicant:</b>    | David Magnuson-Ford   |
| <b>Legal Description:</b>    | Lot 30 Block G District Lot 1399 Plan 14704   |
| <b>P.I.D.:</b>               | 007-756-445   |
| <b>Electoral Area:</b>       | Area F – West Howe Sound  |
| <b>Civic Address:</b>        | 1611 Grady Road   |
| <b>Zoning Bylaw No. 310:</b> | R1 Zone (Residential One)   |
| <b>OCP Land Use:</b>         | Residential   |
| <b>Parcel Area:</b>          | 1055.65 m <sup>2</sup>  |
| <b>Proposed Variance:</b>    | To vary section 601.4 (3) of Zoning Bylaw No. 310 from 4.5 metres to 2 metres to permit an addition to the existing single family dwelling and construction of a new detached auxiliary building. |

Figure 1 – Location of Subject Property



#### *Planning and Community Development Committee*

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 applicant is requesting a variance to the required side lot line setback contiguous to a highway from 4.5 metres to 2 metres in order to permit to an addition and alteration to an existing single family dwelling and construction of a new detached garage on the subject property.

This represents a setback variance of 2.5 metres.

#### Geotechnical Assessment of Coastal Slopes

In conjunction with the Development Variance Permit, an application for a Development Permit (DP000123) for DPA #1B Coastal Slopes (geotechnical) has been received and the Manager of Planning and Development is prepared to issue the permit subject to issuance of the Development Variance Permit.

The appointed geotechnical engineer has identified that the land is safe for the use intended.

#### Ministry of Transportation and Infrastructure Setback Permit

The applicant is proposing to remove the existing shed, fence and detached deck which currently encroach onto the Ministry of Transportation and Infrastructure (MOTI) provincial right-of-way.

By removing the encroaching structures, an encroachment permit is not required.

MOTI has issued a setback permit to the applicant to reduce the side lot line setback contiguous to a provincial highway from 4.5 metres to 2 metres.

In spite of MOTI issuing the setback permit, a variance from the SCRD is still required.

#### Neighbourhood Impacts

The proposed addition and alteration to the existing single family dwelling and construction of a new detached auxiliary building is consistent with the residential development within the surrounding neighbourhood. Impacts to neighbouring properties are not anticipated as a result of the proposed development.

#### *Consultation*

The application has been referred to the following groups and agencies for comment.

*Table 2 – Consultation Summary*

| <b>Group / Agency</b>                        | <b>Comments</b>  |
|--|--|
| Sḱwxwú7mesh Nation                           | A referral was sent to the Sḱwxwú7mesh Nation on February 26, 2020.<br>No comments were received.  |
| Building Division                            | The Building Division have no concerns.  |
| Infrastructure Services Department           | The Infrastructure Services Department have no concerns.   |
| Gibsons & District Volunteer Fire Department | The Gibsons & District Volunteer Fire Department recommends approval of this application with the following condition:<br>Fire resistant siding must be used on the new addition to help compensate for the reduced spatial separation and fire access area. |
| Advisory Planning Commission                 | The West Howe Sound Advisory Planning Commission met on April 28, 2020.<br>The Area F Advisory Planning Commission recommended that Development Variance   |



|  |  |
|--|--|
|  | <p>Permit Application DVP00057 (Magnuson-Ford) be supported for the following reasons:</p> <ul style="list-style-type: none"> <li>• SCRD Planning staff supports the application;</li> <li>• Ministry of Transportation and Infrastructure supports the application; and</li> <li>• There are no neighbour complaints or objections.</li> </ul>  |
| Neighbouring Property Owners / Occupiers | <p>Notifications were sent on April 27, 2020.</p> <p>A complaint was received by the SCRD Planning division on May 8, 2020. The concern expressed in the complaint is about the applicant's use of the road right-of-way for additional parking for recreational vehicles, and that further encroachment onto the road right-of-way could create a worse off blind spot than the one that already exists.</p> <p>The proposed new detached auxiliary building may mitigate the potential blind spot hazard, as the applicant may no longer require the use of on-street parking for recreational vehicles.</p> |

Notification to surrounding properties was provided in accordance with Section 499 of the *Local Government Act* and Sunshine Coast Regional District Bylaw no. 522.

The applicant is responsible for ensuring all work undertaken complies with the *Heritage Conservation Act*.

#### *Options / Staff Recommendation*

The proposed variance will result in an addition and alteration of an existing single family dwelling and new detached auxiliary building on the subject property.

The construction of the addition and alteration to the existing single family dwelling and new detached auxiliary building is not anticipated to create an impact on adjacent neighbour's views and enjoyment of their property.

Possible options to consider:

#### **Option 1: Issue the permit.**

This would allow for the setback contiguous to a highway to be varied from 4.5 metres to 2 metres.

The proposed setbacks will accommodate the construction of an addition and alteration to the existing single family dwelling and new detached auxiliary building on the subject property.

Planning staff recommend this option.

**Option 2: Deny the permit.**

Zoning Bylaw No. 310 requirements for 4.5 metre minimum building setback contiguous to a highway would apply and redesign of the proposed addition and alteration of the existing single family dwelling would be required.

The new auxiliary building would be permitted as shown on the site plan (see Attachment B).

*Organizational and Intergovernmental Implications*

This application was referred to the SCRD Building Division, SCRD Infrastructure Services Department, Gibsons & District Volunteer Fire Department, and Skwxwú7mesh Nation.

*Financial Implications*

None at this time.

*Timeline for next steps or estimated completion date*

Should this application be approved, the applicant will be required to submit a building permit application to the SCRD Building Division.

*Communication Strategy*

Notification to surrounding properties was provided in accordance with Section 499 of the *Local Government Act* and Sunshine Coast Regional District Bylaw no. 522.

SCRD Planning staff received a complaint from a concerned neighbour regarding the applicant's use of on-street parking for recreational vehicles and how the requested Variance to reduce the side lot line contiguous to a highway may create a worse off blind spot than what already exists.

The proposed new detached auxiliary building will mitigate the potential blind spot hazard, as the applicant will no longer require the use of on-street parking for their recreational vehicles.

**STRATEGIC PLAN AND RELATED POLICIES**

Review of the application for the development variance permit supports the SCRD's strategy for engagement and collaboration.

**CONCLUSION**

The applicant is requesting a variance to the required side lot line setback contiguous to a highway from 4.5 metres to 2 metres to permit an addition and alteration to an existing single family dwelling and construction of a new auxiliary building.

The proposed addition and alteration to the existing single family dwelling and construction of a new detached auxiliary building is consistent with residential development within the surrounding neighbourhood. Impacts to neighbouring properties are not anticipated as a result of the proposed development.

The Ministry of Transportation and Infrastructure has issued a Setback Permit to reduce the required setback contiguous to a Provincial highway from 4.5 metres to 2 metres.

Planning staff support this application.

#### **ATTACHMENTS**

Attachment A – BCLS Site Survey

Attachment B – Site Plan

Attachment C – Site Photos

Attachment D – Existing and Proposed Construction Drawings

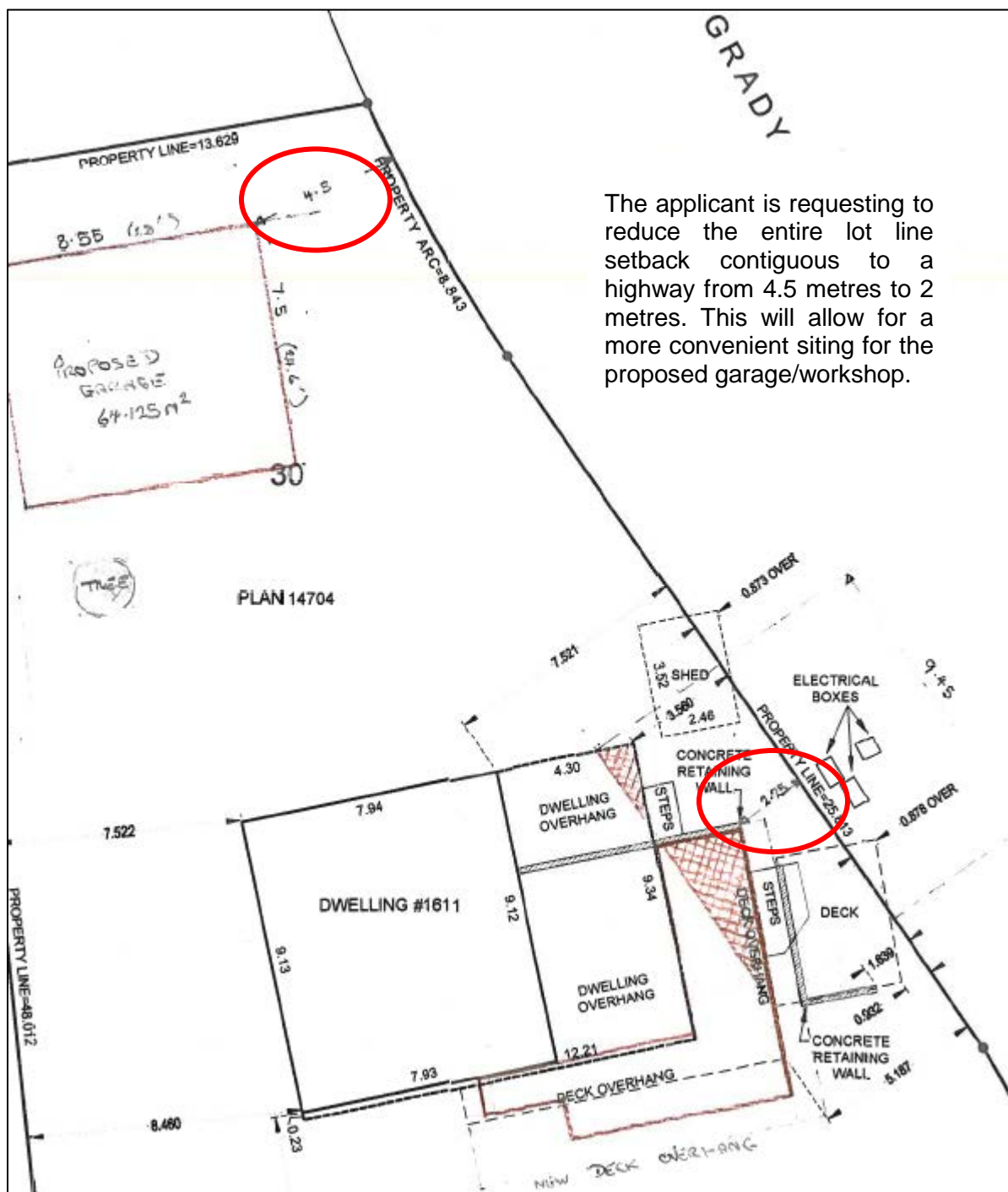
Attachment E – Applicant's Rationale Letter

|              |                 |             |  |
|--------------|-----------------|-------------|--|
| Reviewed by: |                 |             |  |
| Manager      | X – D. Pady     | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Other       |  |





Attachment B –Site Plan

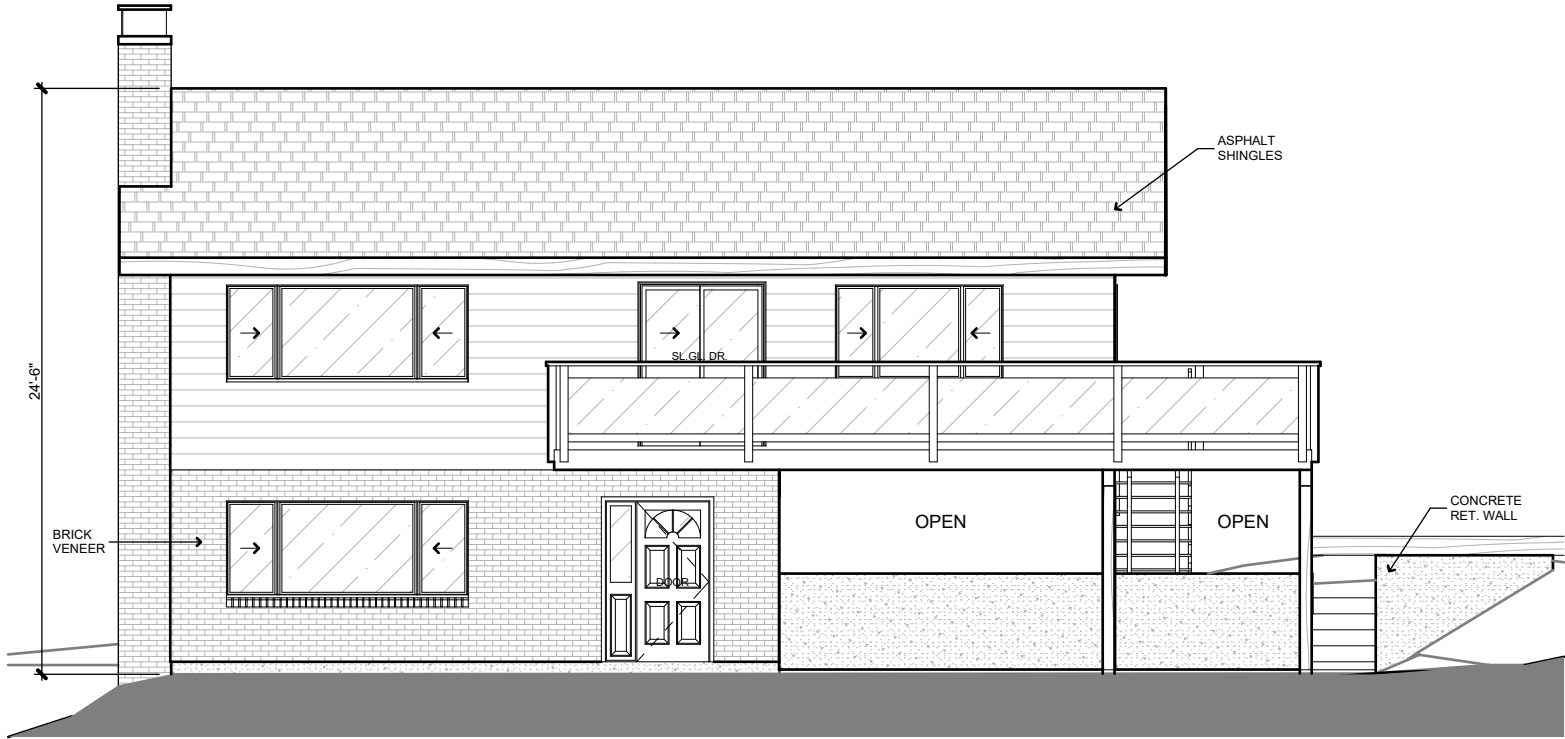




**Attachment C – Site Photos**



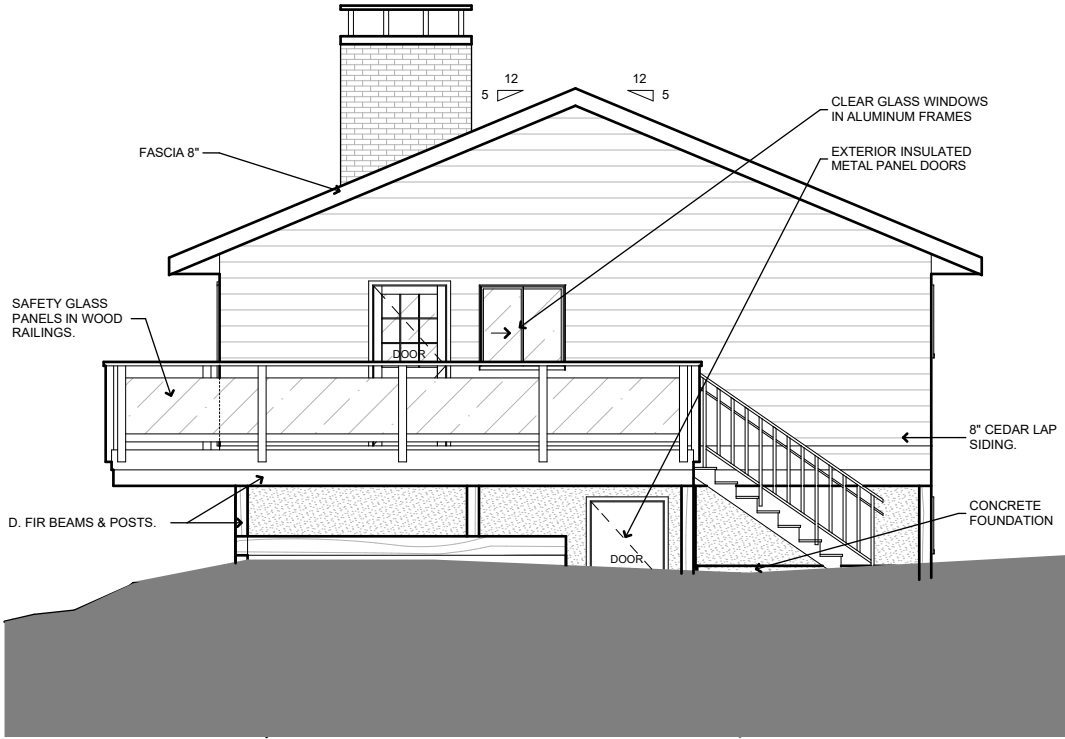
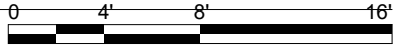




1

Front Elevation

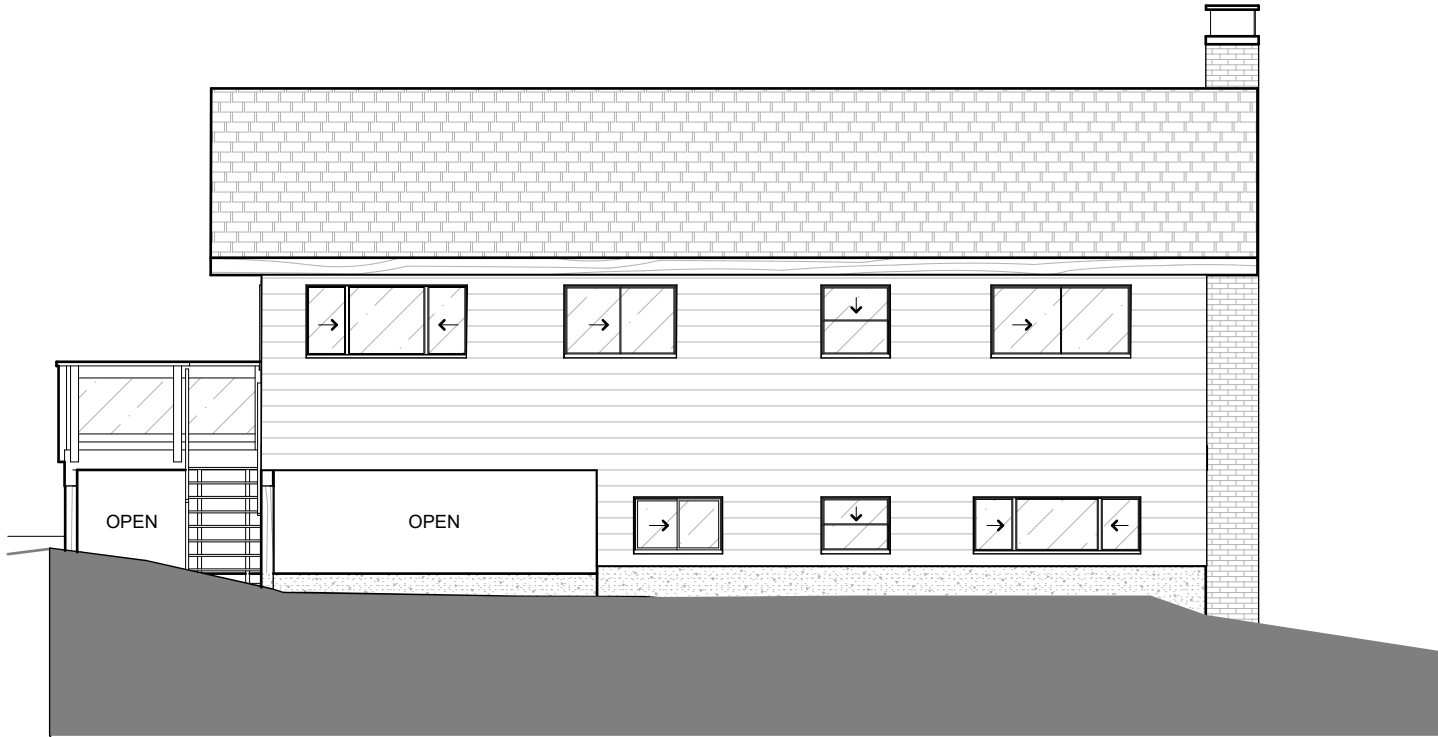
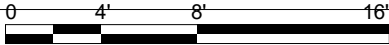
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Street Side Elevation

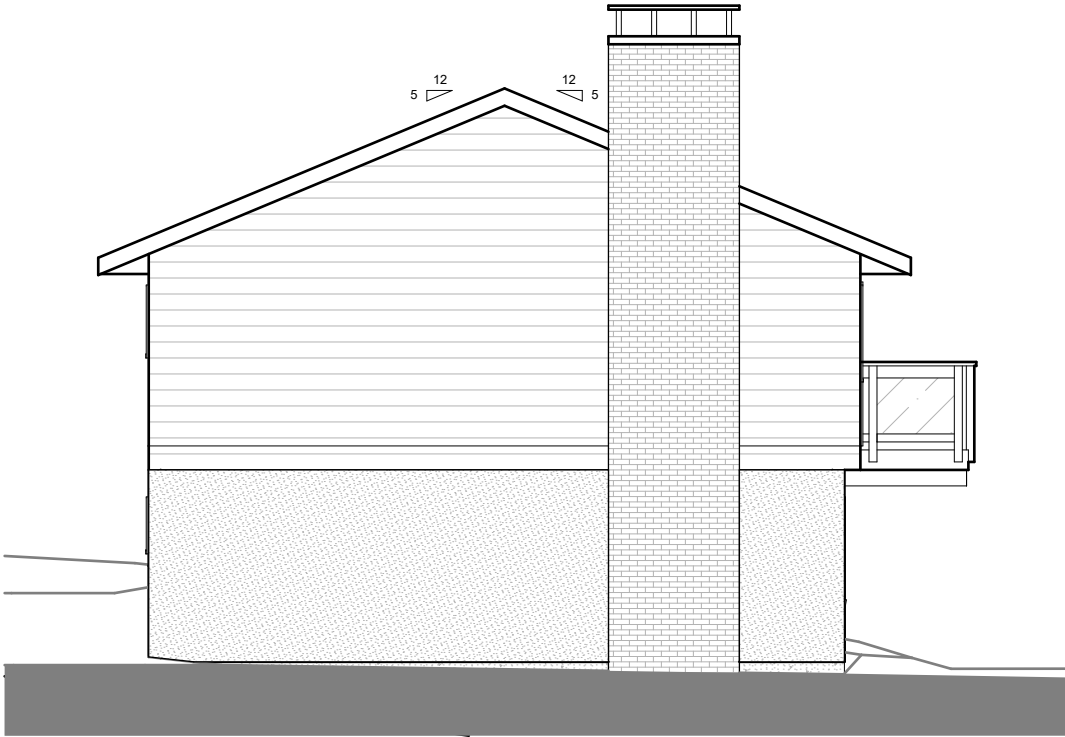
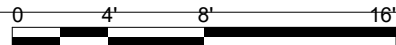
SCALE: 1/8" = 1'-0"



3

Rear Elevation

SCALE: 1/8" = 1'-0"



4

Left Side Elevation

SCALE: 1/8" = 1'-0"

Scott Davis  
Drafting

174 Grandview Heights Rd.  
Gibsons, BC V0N1V3  
604.886.6890 Cell /  
808.220.9482  
sdavisarch@gmail.com

1611 Grady Rd.

1611 Grady Rd., Gibsons, BC V0N 1V6

Current Exterior  
Elevations

Date:  
NOV-27-2019

Drawn:  
SD

Job:  
20191120

Sheet Number:

EL-1

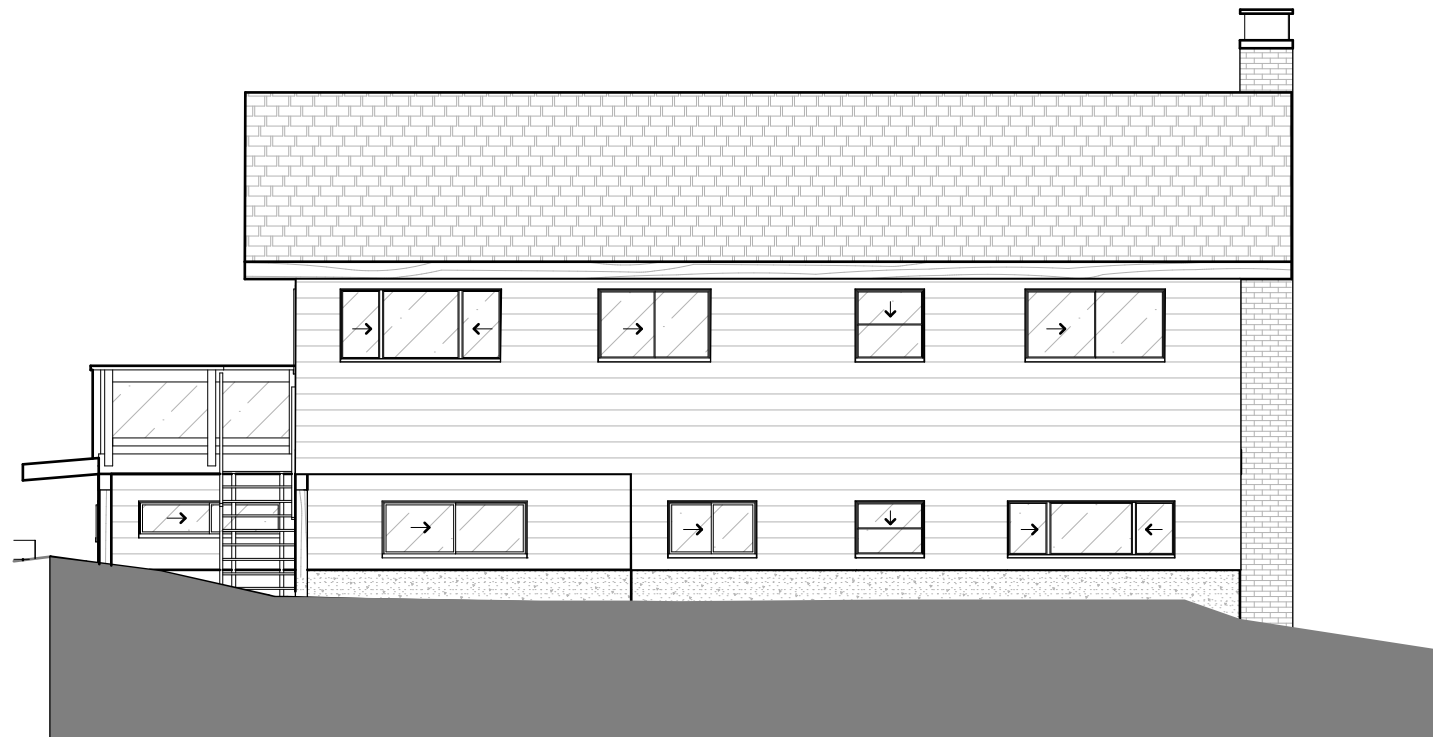
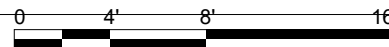
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1

## Front Elevation

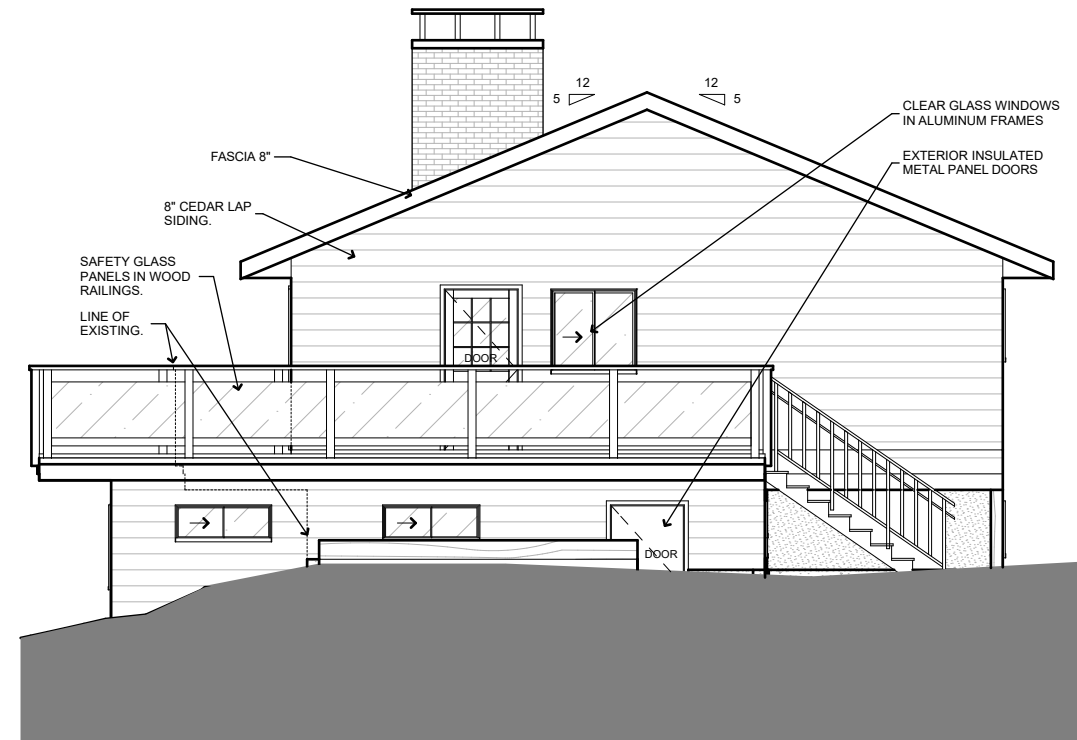
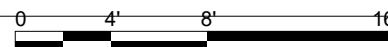
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3

## Rear Elevation

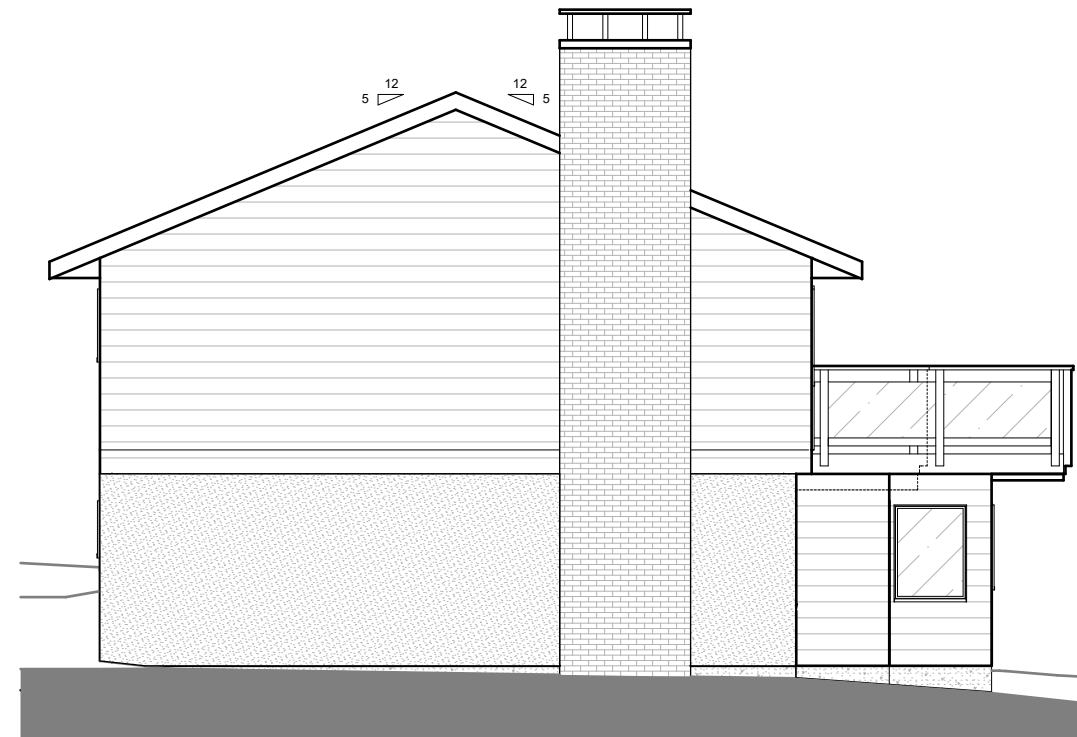
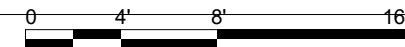
SCALE: 1/8" = 1'-0"



2

## Street Side Elevation

SCALE: 1/8" = 1'-0"



4

## Left Side Elevation

SCALE: 1/8" = 1'-0"

**Scott Davis  
Drafting**

174 Grandview Heights Rd.  
Gibsons, BC V0N1V3  
604.886.6890 Cell /  
808.220.9482  
sdavisarch@gmail.com

**1611 Grady Rd.**

1611 Grady Rd., Gibsons, BC V0N 1V6

**New Exterior  
Elevations**

Date: NOV-27-2019

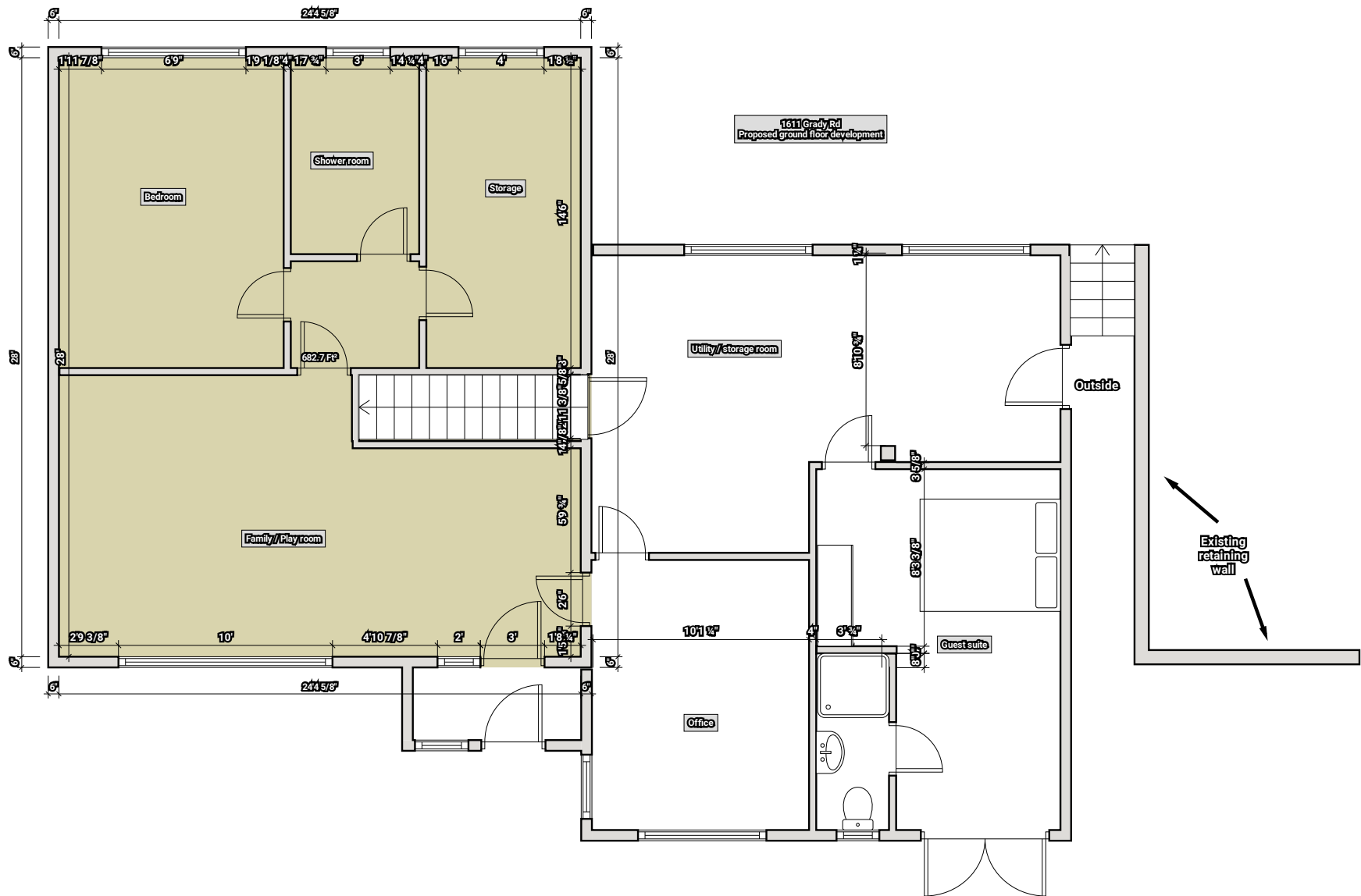
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Job: 20191120

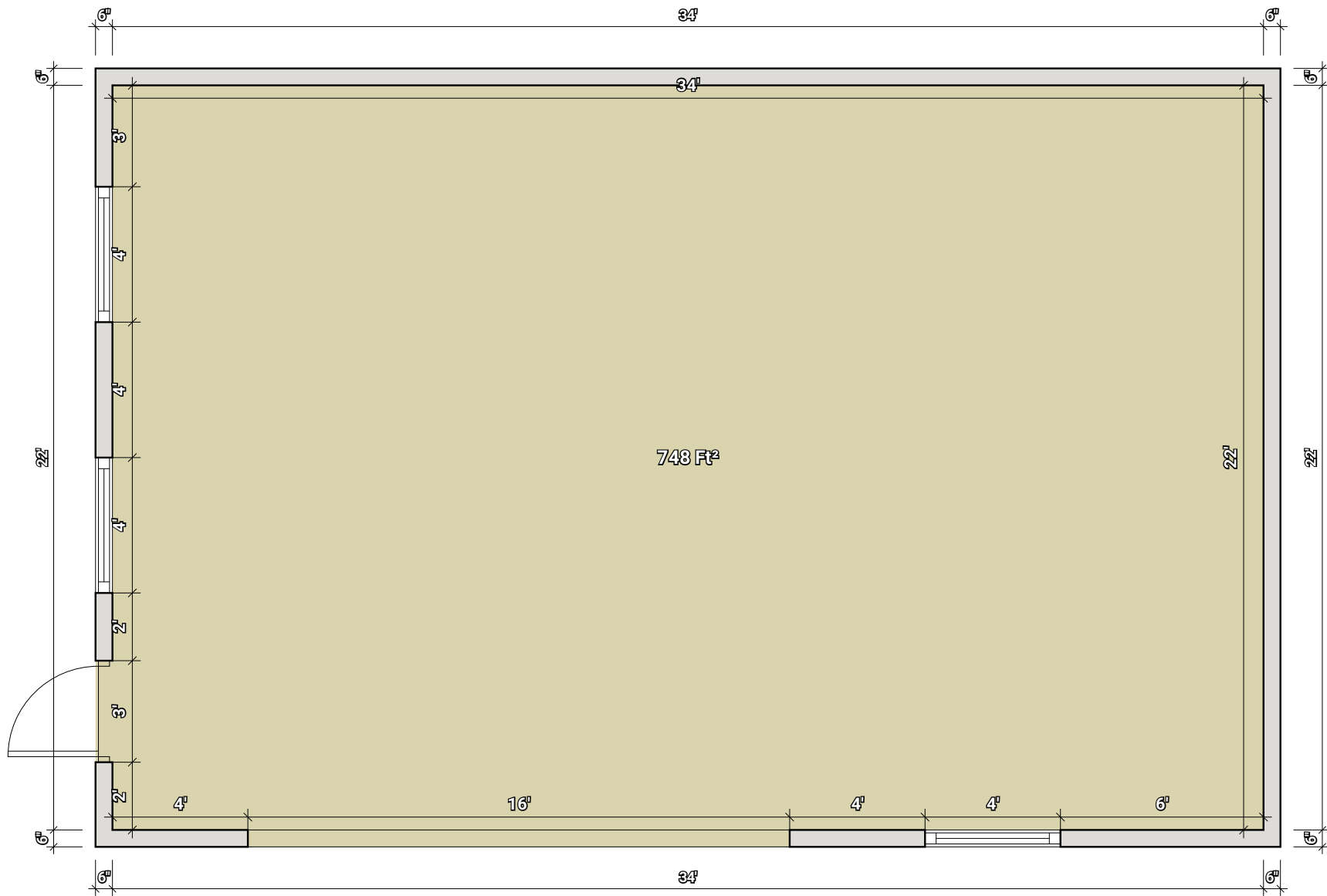
Sheet Number:

**EL-2**

Total sheet count: 1







David Magnuson-Ford  
1611 Grady Road, Gibsons BC V0N 1V6  
dmfdreammanagement@gmail.com  
604-886-9986

Planning Department,  
Sunshine Coast Regional District  
1975 Field Road, Sechelt, BC V0N 3A1

January 6, 2020

To whom it may concern,

**RE: Development Variance Permit & Development Permit Applications for 1611 Grady Road**

Please find enclosed the required documents for a development permit application and a development variance permit application.

The purpose of the development is to expand our residence by enclosing the existing carport. As well as using the carport footprint (40.3 m<sup>2</sup>) we plan to extend to the front, creating another 22.3 m<sup>2</sup> of floor space. This increased living space will allow our adult daughter and her partner to comfortably share the residence with us. To replace the carport space, we intend to erect a separate garage as well.

The variance is necessary because the existing carport currently encroaches on the permitted setback. We are applying for variance of setback from 4.5 meters (side lot line contiguous to a highway) to a minimum setback of 2 meters for a distance of 9.45 meters along the side lot line.

The documents enclosed include:

1. Completed application form for a development permit
2. Completed application form for a development variance permit
3. Site plan section, 1:150 scale, showing additions (4 copies, letter size)
4. Current BC Land Surveyor's survey certificate (4 copies, reduced to letter size)
5. Elevation drawings (EL-1) of existing building (4 copies, reduced to letter size)
6. Elevation drawings (EL-2) of proposed building (4 copies, reduced to letter size)
7. Elevation drawings (EL-1) of existing building (4 copies, full size, 1/8":1'0")
8. Elevation drawings (EL-2) of proposed building (4 copies, full size, 1/8":1'0")
9. Current BC Land Surveyor's survey certificate (4 copies, full size, 1:150 scale)
10. Geotechnical report from Arya Engineering Inc.
11. Copy of a land title search providing proof of ownership for 1611 Grady Road

Thank you for your consideration. If you have any further questions or concerns, please contact us at [dmfdreammanagement@gmail.com](mailto:dmfdreammanagement@gmail.com) or 604-886-9986 (home) or 604-354-6273 (cell).

Sincerely,



David Magnuson-Ford

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHORS:** Dave Pady, Manager, Planning and Development  
Lynda Fyfe, Planning Technician II

**SUBJECT:** Development Variance Permit Application DVP00058 (Mulligan for Corbett)

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### RECOMMENDATION(S)

1. **THAT the report titled Development Variance Permit Application DVP00058 (Mulligan for Corbett) be received;**
  2. **AND THAT Development Variance Permit Application DVP00058 to vary Zoning Bylaw No. 310 Section 601.4 (3) to reduce the required side yard setback from 1.5 metres to 0 metres be issued subject to the following condition:**
    - a. **The property owner address the shíshálh Nation's request to conduct a Preliminary Archeological Field Reconnaissance (PAFR) prior to any ground disturbing activities.**
- 

### BACKGROUND

A Development Variance Permit application for a property located at 8631 Redroofs Road, Halfmoon Bay (as shown in Figure 1) has been received.

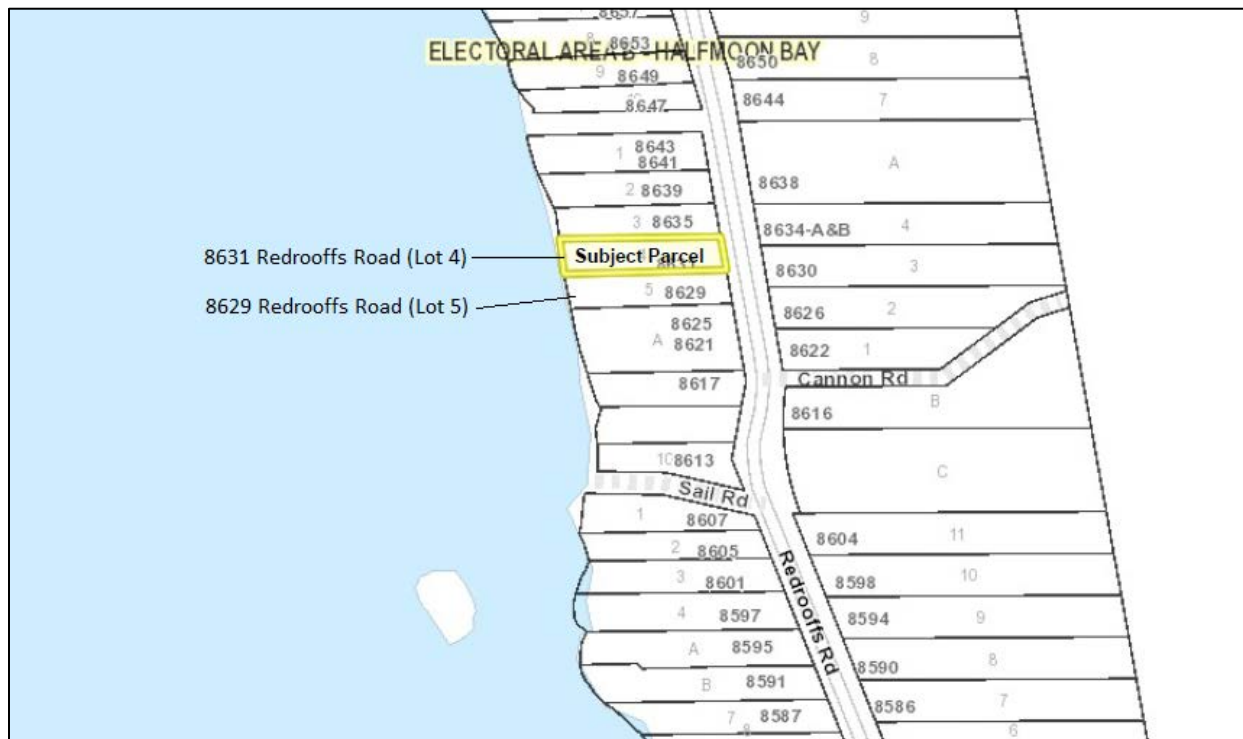
The applicant is requesting a variance to reduce the required side parcel line setback from 1.5 metres to 0 metres to permit a recently-constructed covered walkway connecting Lot 4 and Lot 5.

*Table 1 – Application Summary*

|                           |  |
|---------------------------|--|
| <b>Owner / Applicant:</b> | Douglas Mulligan for Margaret Corbett  |
| <b>Legal Description:</b> | Lot 4, Block 2, DL 1427, Plan 7134   |
| <b>P.I.D.:</b>            | 010-726-373  |
| <b>Electoral Area:</b>    | B – Halfmoon Bay   |
| <b>Civic Address:</b>     | 8631 Redroofs Road, Halfmoon Bay   |
| <b>Zoning Bylaw 337:</b>  | R1 (Residential One)   |
| <b>OCP Land Use:</b>      | Residential C in the Halfmoon Bay OCP  |
| <b>Parcel Area:</b>       | 1619 square metres   |
| <b>Proposed Variance:</b> | To vary Section 601.4 (3) of Zoning Bylaw No. 310, 1987 from 1.5 metres to 0 metres. |



Figure 1 – Location of Subject Parcel



### *Unauthorized Construction*

The constructed covered walkway connecting the dwellings on Lot 4 and Lot 5 together at the legal parcel line (as shown in Figure 2) was built without a building permit.

### *Planning and Community Development Committee*

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*

#### Zoning Bylaw No. 310

The required 1.5 metre setback from a side parcel line established in Zoning Bylaw No. 310 is intended to provide access by property owners along their side parcel boundaries for maintenance of property and structures. In addition, the 1.5 metre setback requirement establishes a privacy buffer and allows for infiltration of light between structures.

Section 506 (2) (b) of Zoning Bylaw No. 310 provides exception to the 1.5 metre setback requirement whereby: *“where steps, eaves, sunlight controls, canopies, balconies, or open*

*porches project beyond the face of a building the minimum permitted distance to an abutting side parcel line not abutting a highway may be reduced by not more than 50% of such minimum distance to a maximum reduction of two meters provided that such reduction shall apply only on the projected feature”.*

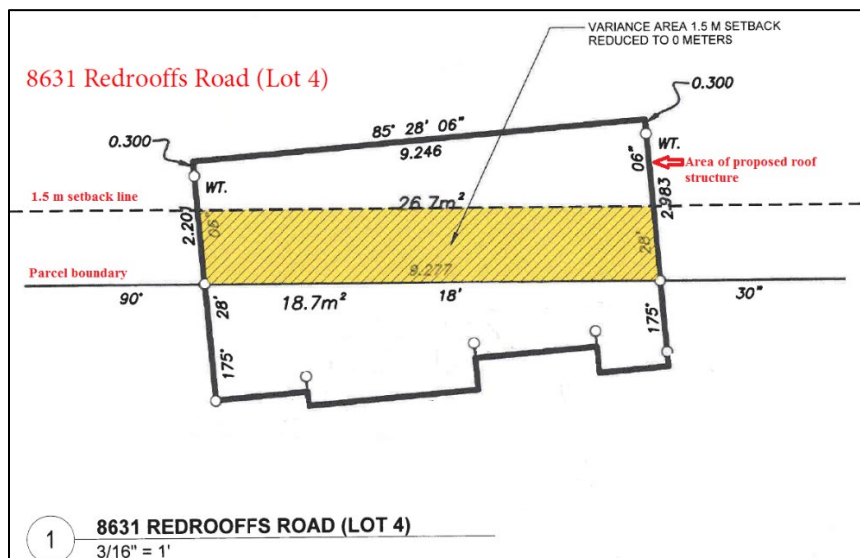
A variance is required to address the covered walkway; both the roof overhang (eaves) and walkway structure (open porch), which project into the required side parcel line setback by 1.5 metres, to abut the parcel boundary (see Figure 3 below).

The covered walkway has been constructed in a way that would allow for it to be dismantled in the future; no extra footings or foundations were required in its construction. The single family dwelling located on the subject parcel meets the zoning setback requirements, as it is located 2.201 metres from the side parcel line.

Figure 2 – Site View



Figure 3 – Proposed Setback Variance and Covered Walkway Area



The covered walkway increases the parcel coverage by an area of 26.7 square metres and does not cause an exceedance of the maximum parcel coverage defined by Section 601.6 of Zoning Bylaw No. 310.

Applicant's Rationale:

The variance request as stated in the application, is to allow the owner increased enjoyment of both properties and to share the properties with her children and grandchildren.

The idea for the covered walkway came near the end of the construction company/applicant's contract to remove the existing cabin on Lot 5 and replace it with a new home, and raise and renovate the cabin on Lot 4. The construction company/applicant's rationale letter (Attachment B) provides reasons why the "connecting roof" was built prior to applying for a variance. The letter refers to discussion with SCRD Planning prior to construction, suggesting that consent was given to proceed with building the covered walkway in advance of a variance; however this is not substantiated by a letter from SCRD Planning.

*Consultation*

The application has been referred to the following groups and agencies for comment.

*Table 2 – Consultation Summary*

| <b>Group / Agency</b>                  | <b>Comments</b>   |
|--|---|
| shíshálh Nation                        | On April 15, 2020, shíshálh Nation consulted with SCRD Planning Staff and requested that further information be provided to the Nation to ensure that no ground disturbance had occurred as a result of the construction of the covered walkway. The shíshálh Nation has subsequently requested that the property owner conduct a PAFR. |
| Building Division                      | The Building Division has no concerns. The dwelling on Lot 5 and the covered walkway itself are equipped with fire sprinklers. From a fire safety and building code perspective no issues have been identified.   |
| Infrastructure Services Department     | The Infrastructure Services Department has no comments.   |
| Halfmoon Bay Volunteer Fire Department | The Halfmoon Bay Volunteer Fire Department has no comments.   |
| Advisory Planning Commission           | The Halfmoon Bay Advisory Planning Commission met on April 28, 2020. The Area B APC supports staff recommendations for this development variance permit, but had a concern about fire hazard posed by the roof connection between the two structures. Staff have  |



|  |  |
|--|--|
|  | responded to this concern by sending the Building Department's comments regarding fire safety to the Area B APC Chair. |
| Neighbouring Property Owners / Occupiers | Notifications were sent on April 27, 2020.   |

Notification to surrounding properties was provided in accordance with Section 499 of the *Local Government Act*.

The application was referred to shíshálh Nation by the SCRD in accordance with the Protocol Agreement on Heritage. Communication with the shíshálh Nation remains on-going at this time.

The applicant is responsible for ensuring all work undertaken complies with the *Heritage Conservation Act*.

#### *Options / Staff Recommendation*

The proposed variance will result in permitting the construct covered walkway to remain as built.

The variance request affects the adjacent Lot 5 which is owned by the applicant, but it does not affect other adjacent properties in the neighbouring area.

Possible options to consider:

#### **Option 1: Issue the permit.**

This would allow for the setback to a side parcel line to be varied from 1.5 metres to 0 metres to allow for the recently constructed covered walkway to remain as built.

Staff recommend this option, subject to the following condition:

1. The property owner address the shíshálh Nation's request to conduct a Preliminary Archeological Field Reconnaissance (PAFR) prior to any ground disturbing activities.

#### **Option 2: Deny the permit.**

Zoning Bylaw No. 310 requirements for setback of buildings and structures from a side lot parcel line would apply and the recently constructed covered walkway would be required to be deconstructed.

#### *Organizational and Intergovernmental Implications*

This application was referred to the SCRD Building Division, SCRD Infrastructure Services Department, Halfmoon Bay Volunteer Fire Department, and shíshálh Nation.

*Financial Implications*

None at this time.

*Timeline for next steps or estimated complete date*

Should this application be approved, the Building Department will issue a building permit for the covered walkway on the subject parcel.

*Communication Strategy*

Notifications to surrounding properties were completed in accordance with Section 499 of the *Local Government Act* and the Sunshine Coast Regional District Bylaw No. 522.

No concerns have been received to date.

**STRATEGIC PLAN AND RELATED POLICIES**

Internal referrals and statutory notification is consistent with the SCRD's strategy for engagement and collaboration.

**CONCLUSION**

The applicant is requesting a variance to reduce the required side parcel line setback from 1.5 metres to 0 metres to permit a previously constructed covered walkway.

The variance request affects the adjacent Lot 5 owned by the applicant, however; the proposed development does not appear to impact adjacent properties in the neighbouring area.

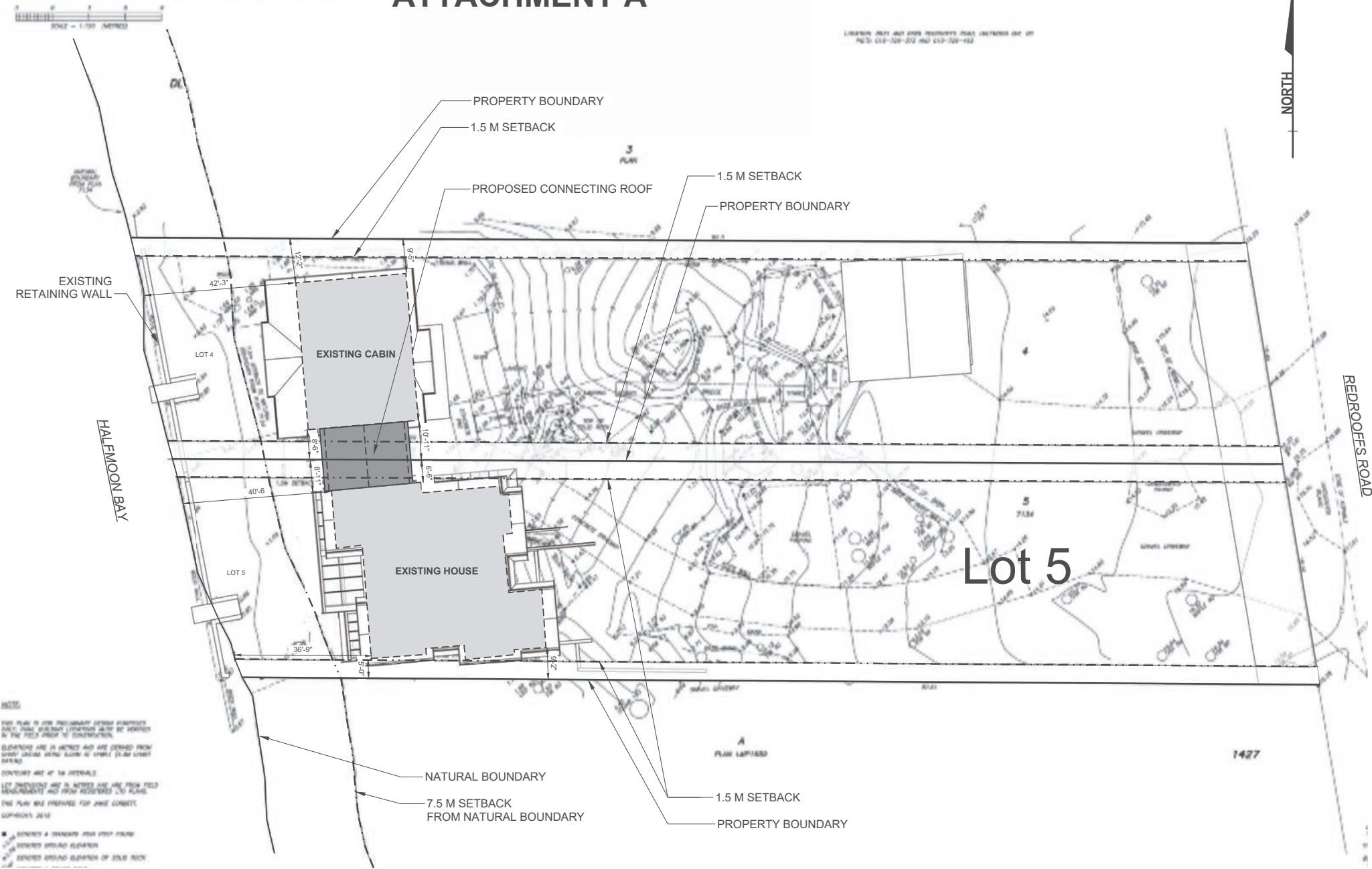
Planning staff support this application subject to the condition listed in the recommendation.

**ATTACHMENTS**

Attachment A – Site Plan  
Attachment B – Applicant's Rationale Letter  
Attachment C – Site Photo

|              |                 |             |  |
|--------------|-----------------|-------------|--|
| Reviewed by: |                 |             |  |
| Manager      |                 | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Other       |  |

ATTACHMENT A



**NOTES:**  
THIS PLAN IS FOR PRELIMINARY DESIGN PURPOSES ONLY. FIELD SURVEY DATA (CONTAINED HEREIN) IS THE PROPERTY OF THE SURVEYOR.  
ELEVATIONS ARE IN METERS AND ARE DERIVED FROM SURVEY DATA. ELEVATIONS ARE GIVEN TO THE CENTER OF THE LOT.  
CONTOURS ARE AT 1M INTERVALS.  
LET DIMENSIONS AND SETBACKS ARE FROM FIELD MEASUREMENTS AND FROM REGISTERED 2-D PLANS.  
THIS PLAN WAS PREPARED FOR JUNE CORBETT.  
COPYRIGHT 2019  
\* DIMENSIONS & SETBACKS FROM FIELD SURVEY  
\* DIMENSIONS & SETBACKS FROM REGISTERED 2-D PLANS  
\* DIMENSIONS & SETBACKS FROM REGISTERED 2-D PLANS

1 SITE PLAN  
1/16" = 1'





## ATTACHMENT B

March 18, 2020

SCRD  
1975 Field Road  
Sechelt, BC, V0N 3A1

This is a supplement note to our clients (Mr. & Mrs. Corbett) variance application to further explain why they chose to build the “connecting roof” across the property boundary between their two neighbouring properties at 8629 and 8631 Redrooffs Rd., prior to having a variance completed.

Our original scope of work included; removing the existing cabin on 8629 Redrooffs Rd. and replacing it with a new home, and raise and renovate the cabin on 8631 Redrooffs Rd. to match the ascetics of the new home built on 8629. We are now near the completion of both projects and our clients have come to realize that the space between the two dwellings, if covered with a “connecting roof” structure, would help them enjoy the natural integration of their two properties:

- It would provide a covered space for their families to congregate completely private to their neighbours on either side, as the “connecting roof” cannot be viewed by either neighbouring residence.
- It would allow the Corbett family to move between their two dwellings without being exposed to the elements.
- The new dwelling on 8629 is built as a retirement home and has an elevator. The renovated cabin on 8631 may be used as a residence for a care worker in the future. The “connecting roof” would allow protection for the care worker and wheel chair access in moving from one dwelling to the other.

The construction of the “connecting roof” requires a variance to relax the 1.5m setback for each property to 0m for the length of the roof (approx. 17.5'). Unfortunately the idea for the “connecting roof” has come near the end of this project, and has created a difficult situation with respect to time lines and practical construction progressions. The time required to apply and complete a variance would exceed the opportunity for the “connecting roof” to be built.

- DA Gray Construction has firm commitments with our next clients to start their projects and cannot commit to returning to the Corbett’s project at a later date to build the “connecting roof”.

- While the area under and approaching the proposed “connecting roof” was unfinished, we were able to provide access for the equipment required to build the “connecting roof”, (the beams supporting the roof require an excavator to lift into place).
- In order to meet our commitments with our next clients we are in the process of finishing the landscaping under and approaching the “connecting roof”. This means there will soon be no practical means of access to construct the “connecting roof” in the future.

We have contacted the SCRD (Planning & Building Departments), our engineer, and the insurance provider for our clients prior to starting construction of the “connecting roof”, to see if there were any objections or conditions we have overlooked other than not having a completed variance. We have now applied for the required variance and started construction of the “connecting roof” and ask the Board of Variance for their understanding in considering this application.

Regards,

Doug Mulligan

DA Gray Construction

## ATTACHMENT C





## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHORS:** Dave Pady, Manager, Planning and Development  
Lynda Fyfe, Planning Technician II

**SUBJECT:** Development Variance Permit Application DVP00059 (Mulligan for Corbett)

---

### RECOMMENDATION(S)

1. **THAT the report titled Development Variance Permit Application DVP00059 (Mulligan for Corbett) be received;**
  2. **AND THAT Development Variance Permit Application DVP00059 to vary Zoning Bylaw No. 310 Section 601.4 (3) to reduce the required side yard setback from 1.5 metres to 0 metres be issued subject to the following condition:**
    - a. **The property owner address the shíshálh Nation's request to conduct a Preliminary Archeological Field Reconnaissance (PAFR) prior to any ground disturbing activities.**
- 

### BACKGROUND

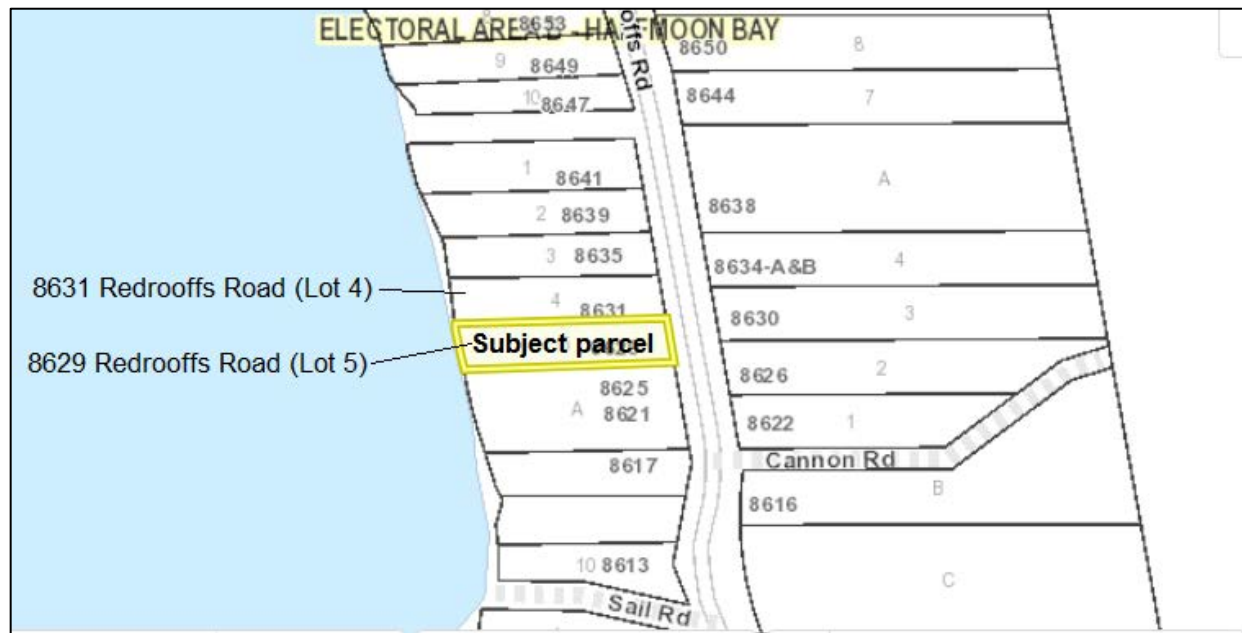
A Development Variance Permit application for a property located at 8629 Redrooffs Road, Halfmoon Bay (as shown in Figure 1) has been received.

The applicant is requesting a variance to reduce the required side parcel line setback from 1.5 metres to 0 metres to permit a recently constructed covered walkway connecting 8629 Redrooffs Road (Lot 5) with 8631 Redrooffs Road (Lot 4).

*Table 1 – Application Summary*

|                           |   |
|---------------------------|---|
| <b>Owner / Applicant:</b> | Douglas Mulligan for Margaret Corbett   |
| <b>Legal Description:</b> | Lot 5, Block 2, DL 1427, Plan 7134  |
| <b>P.I.D.:</b>            | 010-726-403   |
| <b>Electoral Area:</b>    | B – Halfmoon Bay  |
| <b>Civic Address:</b>     | 8629 Redrooffs Road, Halfmoon Bay   |
| <b>Zoning Bylaw 337:</b>  | R1 (Residential One)  |
| <b>OCP Land Use:</b>      | Residential C   |
| <b>Parcel Area:</b>       | 1619 square metres  |
| <b>Proposed Variance:</b> | To vary Section 601.4 (3) of Zoning Bylaw No. 310, 1987, from 1.5 metres to 0 metres. |

Figure 1 – Location of Subject Parcel



### Unauthorized Construction

The constructed covered walkway connecting the dwellings on Lot 4 and Lot 5 together at the legal parcel line (as shown in Figure 2) was built without a building permit.

### Planning and Community Development Committee

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

#### Zoning Bylaw No. 310

The required 1.5 metre setback from a side parcel line established in Zoning Bylaw No. 310 is intended to provide access by property owners along their side parcel boundaries for maintenance of property and structures. In addition, the 1.5 metre setback requirement establishes a privacy buffer and allows for infiltration of light between structures.

Section 506 (2) (b) of Zoning Bylaw No. 310 provides exception to the 1.5 metre setback requirement whereby: “where steps, eaves, sunlight controls, canopies, balconies, or open porches project beyond the face of a building the minimum permitted distance to an abutting side parcel line not abutting a highway may be reduced by not more than 50% of such minimum distance to a maximum reduction of two meters provided that such reduction shall apply only on the projected feature”.

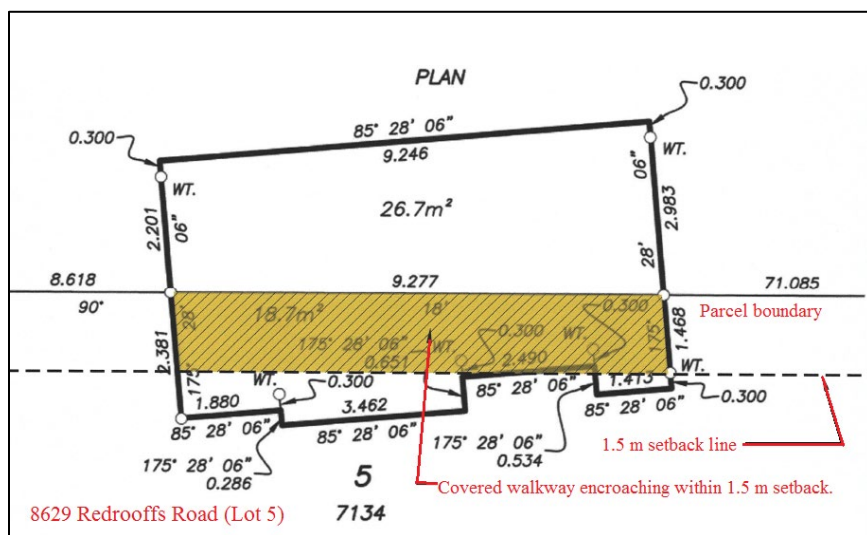
A variance is required to address the covered walkway; both the roof overhang (eaves) and walkway structure (open porch), which project into the required side parcel line setback by 1.5 metres, to abut the parcel boundary (see Figure 3 below).

The covered walkway has been constructed in a way that would allow for it to be dismantled in the future; no extra footings or foundations were required in its construction.

*Figure 2 – Site View*



*Figure 3 – Proposed Setback Variance and Covered Walkway Area*



The covered walkway increases the parcel coverage by an area of 18.7 square metres and does not cause an exceedance of the maximum parcel coverage defined by Section 601.6 of Zoning Bylaw No. 310.



Applicant's Rationale:

The variance request as stated in the application, is to allow the owner increased enjoyment of both properties and to share the properties with her children and grandchildren.

The idea for the covered walkway came near the end of the construction company/applicant's contract to remove the existing cabin on Lot 5 and replace it with a new home, and raise and renovate the cabin on Lot 4. The construction company/applicant's rationale letter (Attachment B) provides reasons why the "connecting roof" was built prior to applying for a variance. The letter refers to discussion with SCRD Planning prior to construction, suggesting that consent was given to proceed with building the covered walkway in advance of a variance; however this is not substantiated by a letter from SCRD Planning.

*Consultation*

The application has been referred to the following groups and agencies for comment.

*Table 2 – Consultation Summary*

| <b>Group / Agency</b>                  | <b>Comments</b>   |
|--|---|
| shíshálh Nation                        | On April 15, 2020, shíshálh Nation consulted with SCRD Planning Staff and requested that further information be provided to the Nation to ensure that no ground disturbance had occurred as a result of the construction of the covered walkway. The shíshálh Nation has subsequently requested that the property owner conduct a PAFR.   |
| Building Division                      | The Building Division has no concerns. The dwelling on Lot 5 and the covered walkway itself are equipped with fire sprinklers. From a fire safety and building code perspective no issues have been identified.   |
| Infrastructure Services Department     | The Infrastructure Services Department has no comments.   |
| Halfmoon Bay Volunteer Fire Department | The Halfmoon Bay Volunteer Fire Department has no comments.   |
| Advisory Planning Commission           | The Halfmoon Bay Advisory Planning Commission met on April 28, 2020. The Area B APC supports staff recommendations for this development variance permit, but had a concern about fire hazard posed by the roof connection between the two structures. Staff have responded to this concern by sending the Building Department's comments regarding fire safety to the Area B APC Chair. |

|  |  |
|--|--|
| Neighbouring Property Owners / Occupiers | Notifications were sent on April 27, 2020. |
|--|--|

Notification to surrounding properties was provided in accordance with Section 499 of the *Local Government Act*.

The application was referred to shíshálh Nation by the SCRD in accordance with the Protocol Agreement on Heritage. Communication with the shíshálh Nation remains on-going at this time.

The application is responsible for ensuring all work undertaken complies with the *Heritage Conservation Act*.

#### *Options / Staff Recommendation*

The proposed variance will result in permitting the construct covered walkway to remain as built.

The variance request affects the adjacent Lot 4 which is owned by the applicant, but it does not affect other adjacent properties in the neighbouring area.

Possible options to consider:

#### **Option 1: Issue the permit.**

This would allow for the setback to a side parcel line to be varied from 1.5 metres to 0 metres to allow for the recently constructed covered walkway to remain as built.

Staff recommend this option, subject to the following condition:

1. The property owner address the shíshálh Nation's request to conduct a Preliminary Archeological Field Reconnaissance (PAFR) prior to any ground disturbing activities.

#### **Option 2: Deny the permit.**

Zoning Bylaw No. 310 requirements for setback of buildings and structures from a side lot parcel line would apply and the recently constructed covered walkway would be required to be deconstructed.

#### *Organizational and Intergovernmental Implications*

This application was referred to the SCRD Building Division, SCRD Infrastructure Services Department, Halfmoon Bay Volunteer Fire Department, and shíshálh Nation.

#### *Financial Implications*

None at this time.

*Timeline for next steps or estimated complete date*

Should this application be approved, the Building Department will issue a building permit for the covered walkway on the subject parcel.

*Communication Strategy*

Notifications to surrounding properties were completed in accordance with Section 499 of *the Local Government Act* and the Sunshine Coast Regional District Bylaw No. 522.

No concerns have been received to date.

**STRATEGIC PLAN AND RELATED POLICIES**

Internal referrals and statutory notification is consistent with the SCRD's strategy for engagement and collaboration.

**CONCLUSION**

The applicant is requesting a variance to reduce the required side parcel line setback from 1.5 metres to 0 metres to permit a previously constructed covered walkway.

The variance request affects the adjacent Lot 4, owned by the applicant, however; the proposed development does not appear to impact adjacent properties in the neighbouring area.

Planning staff support this application subject to the condition listed in the recommendation.

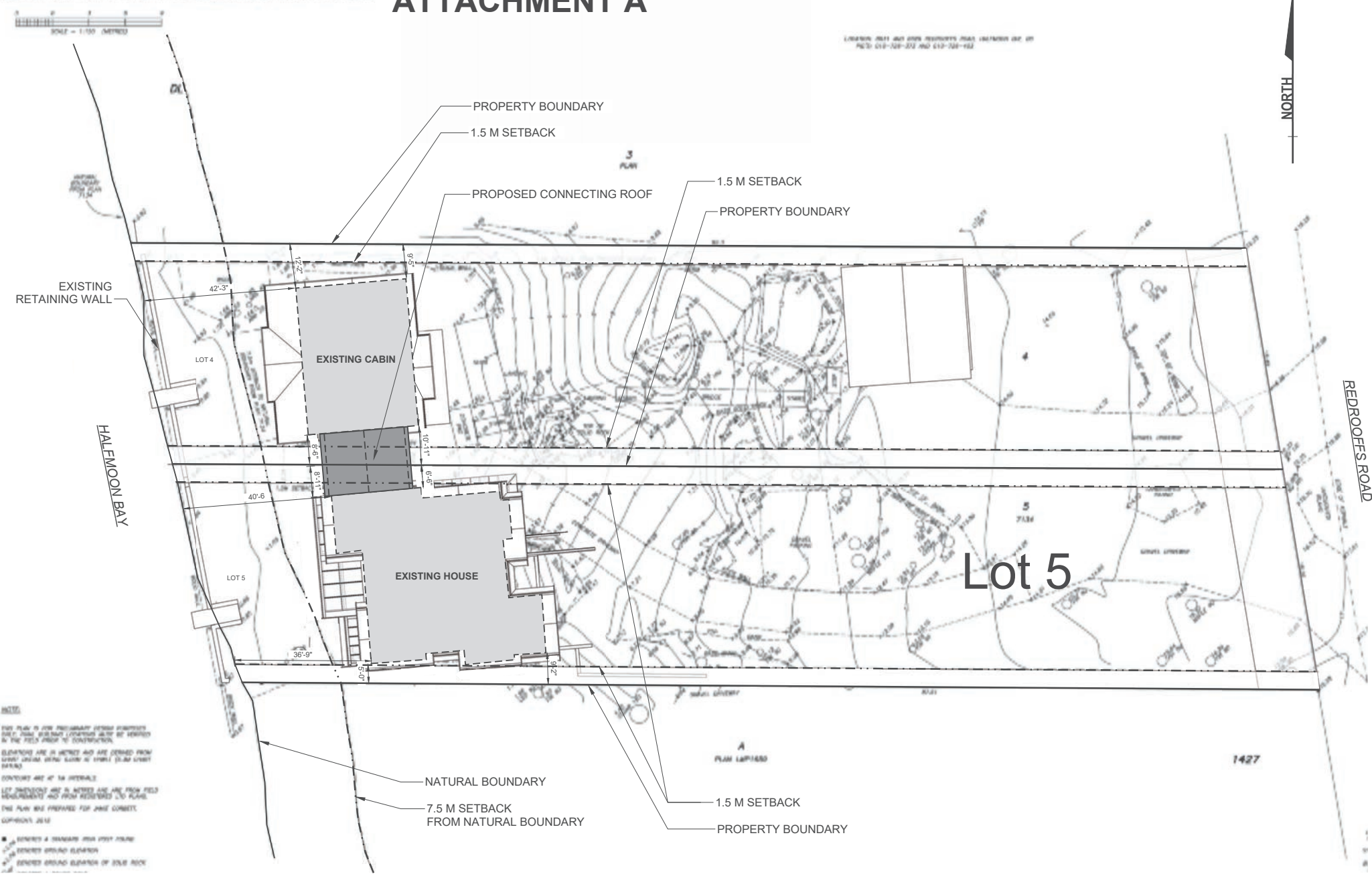
**ATTACHMENTS**

Attachment A – Site Plan  
Attachment B – Applicant's Rationale Letter  
Attachment C – Site Photo

|              |                 |             |  |
|--------------|-----------------|-------------|--|
| Reviewed by: |                 |             |  |
| Manager      |                 | Finance     |  |
| GM           | X – I. Hall     | Legislative |  |
| CAO          | X – D. McKinley | Other       |  |



ATTACHMENT A



**NOTES:**  
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ELEVATIONS ARE IN METERS AND ARE DERIVED FROM SURVEY DATA. ELEVATIONS ARE SHOWN AT 1 METER INTERVALS.  
CONTOURS ARE AT 1 M INTERVALS.  
LET DIMENSIONS AND SETBACKS ARE FROM FIELD MEASUREMENTS AND FROM REGISTERED 2-D PLANS.  
THIS PLAN WAS PREPARED FOR JANE CORBETT.  
COPYRIGHT 2019  
\* DIMENSIONS & SETBACKS FROM EXISTING HOUSE  
\* DIMENSIONS & SETBACKS FROM EXISTING HOUSE  
\* DIMENSIONS & SETBACKS FROM EXISTING HOUSE

1 SITE PLAN  
1/16" = 1'



## ATTACHMENT B

March 18, 2020

SCRD  
1975 Field Road  
Sechelt, BC, V0N 3A1

This is a supplement note to our clients (Mr. & Mrs. Corbett) variance application to further explain why they chose to build the “connecting roof” across the property boundary between their two neighbouring properties at 8629 and 8631 Redrooffs Rd., prior to having a variance completed.

Our original scope of work included; removing the existing cabin on 8629 Redrooffs Rd. and replacing it with a new home, and raise and renovate the cabin on 8631 Redrooffs Rd. to match the ascetics of the new home built on 8629. We are now near the completion of both projects and our clients have come to realize that the space between the two dwellings, if covered with a “connecting roof” structure, would help them enjoy the natural integration of their two properties:

- It would provide a covered space for their families to congregate completely private to their neighbours on either side, as the “connecting roof” cannot be viewed by either neighbouring residence.
- It would allow the Corbett family to move between their two dwellings without being exposed to the elements.
- The new dwelling on 8629 is built as a retirement home and has an elevator. The renovated cabin on 8631 may be used as a residence for a care worker in the future. The “connecting roof” would allow protection for the care worker and wheel chair access in moving from one dwelling to the other.

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- DA Gray Construction has firm commitments with our next clients to start their projects and cannot commit to returning to the Corbett’s project at a later date to build the “connecting roof”.

- While the area under and approaching the proposed “connecting roof” was unfinished, we were able to provide access for the equipment required to build the “connecting roof”, (the beams supporting the roof require an excavator to lift into place).
- In order to meet our commitments with our next clients we are in the process of finishing the landscaping under and approaching the “connecting roof”. This means there will soon be no practical means of access to construct the “connecting roof” in the future.

We have contacted the SCRD (Planning & Building Departments), our engineer, and the insurance provider for our clients prior to starting construction of the “connecting roof”, to see if there were any objections or conditions we have overlooked other than not having a completed variance. We have now applied for the required variance and started construction of the “connecting roof” and ask the Board of Variance for their understanding in considering this application.

Regards,

Doug Mulligan

DA Gray Construction



## ATTACHMENT C



**SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT**

---

**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Matt Treit, Manager, Protective Services and Bylaw Enforcement

**SUBJECT:** **CELL TOWER PROJECT MANAGEMENT SERVICES – PLANETWORKS CONSULTING CONTRACT AMENDMENT**

---

**RECOMMENDATIONS**

**THAT the report titled Cell Tower Project Management Services – Planetworks Consulting Contract Amendment be received;**

**AND THAT the delegated authorities be authorized to enter into a contract extension until December 31, 2021 with Planetworks Consulting Corporation for Cell Tower Project Management Services for up to a total value of \$128,000 (plus GST).**

---

**BACKGROUND**

Planetworks Consulting has been involved with the upgrading of the SCRD 911 radio system since 2005, and they have assisted the Sunshine Coast Regional District as it successfully progressed through the upgrading of the radio dispatch and primary transmitters of the current system. More recently, Planetworks Consulting has been under contract with the SCRD since 2018 to provide consulting services for the Emergency Telephone 911 project. The current contract commenced on February 1, 2018 and was slated to expire on December 31, 2020. The current contract allows for extension of the term of the contract by mutual agreement. It will now be extended until December 31, 2021.

**DISCUSSION**

Planetworks Consulting has been involved with this communications upgrade project for a number of years and is currently under contract with the SCRD to provide upgrade planning and guidance pertaining to the technical aspects of the implementation of new radio equipment, antenna systems, and tower construction. In addition to these general consulting services, Planetworks Consulting will now also be providing project management services for the construction of radio towers and the installation of all of the associated equipment on those towers.

Due to the extensive experience and specific knowledge that Planetworks Consulting has with the telecommunications infrastructure of the SCRD, it was felt that amending the current contract to have Planetworks Consulting oversee the construction of the towers and the installation of the communication equipment would increase the efficiency of the overall project.

As per the SCRD purchasing policy, a Notice of Intent was advertised to determine if there was any objection to the SCRD amending the current contract with Planetworks Consulting rather than going through an RFP process. The Notice of Intent (NOI 2022201) closed on March 23, 2020 with no objections registered.

*Financial Implications*

The original contract values for Planetworks Consulting excluding GST are \$88,900.

The difference between the total cost of the old contract value (\$88,900) and the new contract value (\$216,900) is \$128,000.

The total, inclusive extended value of the contract will be \$216,900. As per SCRD purchasing policy and guidelines, this contract value exceeds CAO signing authority of \$100,000 limit and requires Board approval to proceed with the extension.

The increased contract value has been included as a capital expenditure in the 2020-2024 Financial Plan as part of the radio tower and equipment upgrade budget proposals approved by the Board at its regular meeting on February 27, 2020:

065/20     **Recommendation No. 17**     *Emergency Telephone 9-1-1 [220] - 2020 R2 Budget Proposals*

THAT the report titled 2020 R2 Budget Proposal for [220] Emergency Telephone 9-1-1 be received;

AND THAT that the following budget proposals be approved and incorporated into the 2020 Budget:

- Budget Proposal 1 – Gibsons Radio Tower, \$46,600 funded from Capital Reserves;
- Budget Proposal 2 – Chapman Creek Radio Tower, \$268,900 funded from Capital Reserves;
- Budget Proposal 3 – Emergency Telephone 9-1-1 Consulting, \$128,000 funded from Capital Reserves;
- Budget Proposal 4 - 9-1-1 Emergency Equipment Upgrade, \$141,400 funded from Capital Reserves.

Following Board decision, the contract extension will be executed.

**STRATEGIC PLAN AND RELATED POLICIES**

N/A

**CONCLUSION**

The expansion of the consulting services by Planetworks Consulting will provide a seamless continuation of the work already underway and will advance the Emergency Telephone 911 project more quickly.

|              |                 |             |              |
|--------------|-----------------|-------------|--------------|
| Reviewed by: |                 |             |              |
| Manager      |                 | CFO/Finance | X – B. Wing  |
| GM           | X – I. Hall     | Legislative |              |
| CAO          | X – D. McKinley | Purchasing  | X – V. Cropp |



## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 14, 2020

**AUTHOR:** Kevin Clarkson, Parks Superintendent

**SUBJECT:** HOMESITE CREEK SECRET COVE RECREATION SITE (SECRET COVE FALLS TRAIL, REC 0383) PARTNERSHIP AGREEMENT AND STEWARDSHIP MEMORANDUM OF UNDERSTANDING

---

### RECOMMENDATION(S)

**THAT the report titled Homesite Creek Secret Cove Recreation Site (Secret Cove Falls Trail, REC0383) Partnership Agreement and Stewardship Memorandum of Understanding be received;**

**AND THAT SCRD seek a three-year partnership agreement with Recreation Sites and Trails BC for the Homesite Creek Secret Cove Recreation Site;**

**AND THAT SCRD seek a three-year memorandum of understanding with the Halfmoon Bay Citizens Association for management of the Homesite Creek Secret Cove Recreation Site;**

**AND FURTHER THAT the Halfmoon Bay Citizens Association be authorized as an Associate Member of SCRD municipal insurance plan, for the purpose of liability coverage.**

---

### BACKGROUND

The SCRD Board adopted the following resolution (in part) on June 27, 2019:

180/19      **Recommendation No. 8**      *Secret Cove Falls Recreation Site Update*

THAT the report titled Secret Cove Falls Recreation Site Update be received;

AND THAT SCRD seek a supporting Memorandum of Understanding with a community volunteer group for shared stewardship of Secret Cove Falls Recreation Site;

AND THAT pending confirmation of a Memorandum of Understanding with a community volunteer group, the delegated authorities be authorized to enter into a new Partnership Agreement with Recreation Sites and Trails BC for Secret Cove Falls Recreation Site (REC0383);

AND FURTHER THAT resources associated with managing Secret Cove Falls Recreation Site be monitored and an update be provided as part of the 2020 budget process.

This report provides an update on this file and recommends a partnership approach to sustain the recreation site for community benefit.

## **DISCUSSION**

Following the June 27, 2019 SCRD Board resolution, staff met with representatives from the Halfmoon Bay Citizens Association (HBCA) about a partnership, through a memorandum of understanding that would see HBCA support management of the recreation site.

HBCA's members have significant recreational stakeholder interests that date back some time. HBCA has volunteered in numerous related trail and community advocacy projects, within Homesite Creek Secret Cove Falls Recreation Site and elsewhere.

HBCA has expressed a willingness to be responsible for maintenance of Homesite Creek Secret Cove Falls Recreation Site through a memorandum of understanding with SCRD, subject to addressing several concerns, outlined below. HBCA is not willing to take on a direct partnership agreement with the Province at this time because they are currently re-aligning association structure and as such are not willing to undertake the additional administrative and oversight responsibilities associated with a provincial recreational partnership agreement.

HBCA's concerns:

1. **Insurance.** HBCA does not hold insurance and liability coverage for their membership, and it would come at a recurring annual cost to them. RSTBC has the ability to provide insurance to volunteer groups who sign partnership agreements directly with the Province. However, this coverage does not extend to the third-party community volunteer association via an MOU with the direct partnership agreement holder; in this case SCRD.

The Municipal Insurance Association of British Columbia (MIABC) offers liability coverage options for these situations through MIABC's Associate Member Program. This program allows for associate service provider (HBCA, in this case) coverage for services provided on behalf of the sponsoring member (SCRD) (i.e. recreation site oversight, maintenance and stewardship). This associate member liability coverage costs approximately \$250 per year.

The Associate Membership program offers the same coverages for the sponsored organization as the SCRD's blanket liability insurance with MIABC, but with a lower maximum liability coverage amount. The SCRD's liability insurance limit is 40 million and the Associate Member's is 5 million. This later coverage is sufficient for such maintenance activities as are taking place within this MOU.

The SCRD's deductible will apply to claims brought against the associate member and the SCRD will be responsible for the payment of any costs incurred below the deductible. In addition, all claims brought against the associate member will form part of the SCRD's claims history and experience.

HBCA has requested SCRD cover the annual cost of associate member liability coverage, on behalf of HBCA and for the duration of the 5-year term of the MOU between SCRD and HBCA. Staff are supportive of this approach. Base budget funding is available to address the annual cost.

2. **Partnership Agreement and Memorandum of Understanding (MOU).** The proposed partnership approach has two components: (1) SCR D holds a partnership agreement with the Province/RSTBC and (2) an MOU between HBCA and SCR D.

The partnership agreement follows the provincial template (Attachment A).

The MOU has HBCA assuming oversight of the recreation site, with clear roles and responsibilities (Attachment B).

3. **Term.** HBCA has requested that the MOU between the SCR D and HBCA be drafted for a term of no longer than 5 years. As a step-wise approach that aims to build capacity and provides an opportunity for review/improvement, staff recommend that a term of 3 years be sought for both the MOU and the underlying partnership agreement.

### *Options and Analysis*

Following Board direction, staff have developed a partnership approach that would see HBCA take on oversight, including much of the day-to-day maintenance, for this provincial recreation site. SCR D would continue to have a coordinating role, would be ultimately responsible for the site and for managing HBCA. As well, there is an insurance cost and risk implication for SCR D associated with the proposed approach.

The proposed way forward fosters community partnerships and helps ensure community capacity to maintain the site's recreational designation.

### *Implications of not proceeding*

RSTBC has informed SCR D staff that without a community partnership agreement in place, the Province will pursue disestablishment of the Homesite Creek Secret Cove Falls Recreation Site. This would involve removal of signs and de-listing of the entire site as a designated Recreation area under the BC Forest and Range Practices Act.

From a land management perspective, public recreation values at Homesite Creek Secret Cove Falls Recreation Site would no longer be included in development referrals, and any prospective developments and resource activities would no longer require any recreational referral to RSTBC or SCR D. Recreation site disestablishment will mean that recreation will no longer be recognized as the primary land use, and any future development applications for the use of Crown land at Homesite Creek Secret Cove Trails will no longer require authorization from RSTBC under Section 16 of the *Forest and Range Practices Act* (FRPA).

### *Organizational and Intergovernmental Implications*

Support for a community-driven approach, codified in an MOU that respects community capacity, is an effective and efficient way to apply the SCR D's Parks service.

Partnership agreement and MOU terms have been reviewed by SCR D Chief Financial Officer and Risk Manager.



### *Financial Implications*

Including HBCA as associate members under SCRD liability coverage will cost \$250 per year. Base budget funding is available to cover this cost for the initial (3-year, proposed) term.

There is no direct cost (e.g. fee or rent) to SCRD for the partnership agreement for Homesite Creek Secret Cove Recreation Site with the Province/RSTBC.

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

RSTBC has requested a response to the proposed partnership agreement as soon as possible in order to be able to finalize arrangements for long-term oversight and partnership of the recreation site.

HBCA has advised staff that should the recommendations for MOU, contract term length and associate member insurance coverage be approved, they are willing to finalize the agreement and begin responsibilities for Homesite Creek Secret Cove Falls Recreation Site.

On Board direction, staff are prepared to have the new approach in place for summer 2020.

### *Communications Strategy*

Staff shared this report with the HBCA and RSTBC on publication.

## **STRATEGIC PLAN AND RELATED POLICIES**

Relevant policies:

- Parks and Recreation Master Plan

The SCRD Parks and Recreation Master Plan (2014) recognizes the importance of supporting volunteers who are essential to the overall parks and recreation delivery system and contribute to the health and vitality of our community.

The Secret Cove Falls Trail community partnership project reflects the SCRD 2019-2023 Strategic Plan priorities of **Regional Collaboration and Partnership** and **Infrastructure Management**.

## **CONCLUSION**

Staff have worked with HBCA to develop a partnership approach to sustain the Homesite Creek Secret Cove Falls Recreation Site. A 3-year term for a partnership agreement and an MOU are recommended. HBCA is recommended to be added to SCRD's insurance as an associate member.

**ATTACHMENTS**

Attachment A – Draft SCRD Partnership Agreement

Attachment B – Draft 2020 MOU SCRD and Halfmoon Bay Citizens Association

|              |                 |                 |              |
|--------------|-----------------|-----------------|--------------|
| Reviewed by: |                 |                 |              |
| Manager      |                 | CFO/Finance     |              |
| GM           | X – I. Hall     | Legislative     |              |
| CAO          | X – D. McKinley | Risk Management | X – V. Cropp |

Administrative Use Only:



Recreation Sites  
and Trails BC

|                             |              |
|-----------------------------|--------------|
| Agreement #<br>PA(CY)DR#-XX | PA21DSI-01   |
| District                    | South Coast  |
| ORCs file#                  | FOR-16660-27 |
| Expiration Date             | TBD          |

## RECREATION SITES AND TRAILS BC PARTNERSHIP AGREEMENT

**THIS AGREEMENT**, dated for reference this **TBD** day of **April, 2020**, is

**BETWEEN:**

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA**,  
represented by the Minister responsible for the *Forest and Range Practices Act*  
at the following address:

**Recreation Sites and Trails BC  
4885 Cherry Creek Road  
Port Alberni, British Columbia  
V97 8E9**

**the “Province”**

**AND:**

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

**the “Agreement Holder”**

both of whom are sometimes referred to as “the Parties” and each of whom is a “Party” to this Agreement.



Whereas the Province owns the land subject to this Agreement and wishes to have the land managed and maintained for the purpose of recreational and/or conservation activities;

And Whereas the Province wishes to encourage groups and individuals having an interest in undertaking the management and maintenance required to provide conditions which are conducive to enhancing public recreational and/or conservation activities in the Agreement Area;

And Whereas the Agreement Holder confirms that it has the skills necessary to ensure the requirements of this Agreement can be performed in the Agreement Area in a diligent and timely manner and fully adopts the related recreation and/or conservation objectives set for the Agreement Area by the Province and contained within this Agreement and confirms that those objectives are consistent with those of the Agreement Holder;

Therefore, in consideration of the mutual exchange of benefits resulting from this Agreement, the Province and the Agreement Holder agree as follows:

#### **ARTICLE I - SERVICES AGREEMENT**

- 1.01 The Province engages the Agreement Holder to provide management and maintenance services as set out in Schedule B to this Agreement (the "Services") in the Agreement Area. The Agreement Holder will provide all Services without financial remuneration from the Province.
- 1.02 The Agreement Holder will perform the Services to the best of its ability in workman like manner using qualified personnel and will provide all labour and related coordination and supervision and subject to 1.09, all tools, equipment, materials and supplies required to do the work in accordance with the requirements of this Agreement and the operational requirements laid out in the Schedules, as listed in Article 12.01.
- 1.03 The Agreement Area is the land outlined on the map in bold black line and/or described in Schedule A and all structures and other addresses/specified locations listed in Schedule A, except land and structures that are excluded in notations made on the maps and Schedule A.
- 1.04 The Province authorizes the Agreement Holder to enter the Agreement Area for the purposes of this Agreement but nothing in this Agreement grants to the Agreement Holder the exclusive use and occupancy of the Agreement Area. Existing conditions and land uses of Province lands within or in the vicinity of the Agreement Area are subject to change including the status of roads, visual landscape conditions and the location and status of existing and new resource tenures.
- 1.05 Nothing in the Agreement constitutes the Agreement Holder as the agent, joint venturer, or partner of the Province or conveys any authority or power for the Agreement Holder to bind the Province in any way.

- 1.06 Nothing in the Agreement inhibits the Province from conducting its mandate on the Agreement Area, including the right to reserve for its own purpose and to grant dispositions of the land within the Agreement Area, or any part of it. The Agreement Holder may be afforded an opportunity to comment on management issues.
- 1.07 The obligations of the Agreement Holder under this Agreement are subject to other rights of use and occupation granted by the Province, and the Agreement Holder must not interfere with the exercise of those rights by any other person.
- 1.08 The Agreement Holder shall not, assign, transfer or subcontract its obligations under this Agreement without the prior written consent of the Province. This does not limit the Agreement Holder's right to perform services under this Agreement using their employees or registered volunteers.
- 1.09 The Province is under no obligation to provide management assistance, support services, patrols, or conduct inspections during the term of this Agreement. At its sole discretion, the Province may contribute certain raw materials, supplies, access to tools, or reimburse the Agreement Holder for incidental expenses but is under no obligation to do so at any time under this Agreement.
- 1.10 Nothing in this Agreement constitutes a grant of any right to use the Agreement Area for any purpose other than as set out in the Schedules.

## **ARTICLE II—DURATION AND MODIFICATION**

- 2.01 The duration of this Agreement is for a term of 5 years commencing on **TBD, 2020** and ending on **December 31<sup>st</sup>, 2025** inclusive.
- 2.02 The Agreement may not be modified except by a subsequent agreement in writing between the Parties.
- 2.03 Nothing in this Agreement will be considered to have been waived by the Province unless such a waiver is in writing.
- 2.04 Either Party may cancel this Agreement by giving 60 days prior written notice to the other Party. Upon receiving cancellation notice, the party receiving the cancellation notice will have the opportunity to be heard by the party serving the cancellation notice and the Parties will use their best efforts to conclude the opportunity to be heard within the 60 day period.
- 2.05 Subject to 2.03, not later than 6 months prior to the expiry date of the Agreement, the Province will make a written offer to the Agreement Holder setting out the conditions upon which the Province may renew this Agreement.
- 2.06 The Agreement Holder shall have a period of 3 months from receipt of the renewal offer to accept in writing, the renewal offer on the terms and conditions contained in such offer, provided the Agreement Holder is in compliance with the terms and conditions of this agreement at that time.

- 2.07 Notwithstanding anything to the contrary in this Agreement, the Province, in its sole discretion, may elect to not make a renewal offer to the Agreement Holder.

### **ARTICLE III—REPRESENTATION OF THE AGREEMENT HOLDER**

3.01 The Agreement Holder warrants and represents to the Province that:

- (a) it has the legal capacity to enter into the Agreement and to carry out its obligations under this Agreement, all of which have been duly and validly authorized by all necessary corporate proceedings, if required;
- (b) to the best of its knowledge, it is not in breach of any statute, regulation or by-law applicable to it or its operations;
- (c) it will not be in breach of any legal restriction by entering into this Agreement and performing the services required under it; and
- (d) to the best of its knowledge, it holds all permits, licences, consents and authorities issued by any federal, provincial, regional or municipal government or an agency of any of them, that are necessary in connection with the Services.

3.02 The Agreement Holder acknowledges and agrees that:

- (a) it has inspected the Agreement Area, including Provincial improvements;
- (b) access to the Agreement Area is not guaranteed by the Province; and
- (c) it will comply with all applicable municipal, provincial and federal legislation and regulations. Nothing in this Agreement, and no inspection performed by the Province in relation to this Agreement, constitutes an inspection for the purposes of any such enactment.
- (d) it is solely responsible for any applicable employee labour costs including statutory contributions.
- (e) when the Agreement Holder hires a worker, or contracts with an employer, the Agreement Holder shall observe and enforce all safety measures required by the Workers Compensation Act of British Columbia, attendant regulations, and all applicable statutes.
- (f) in the event that the Province creates a multiple employer workplace as defined in the Workers Compensation Act Section 118 (1) through contracting employers for its purposes in the Agreement Holder's area, the Province shall be Prime Contractor (or designate a Prime Contractor) for that workplace. The Province shall inform the Agreement Holder in writing of the project scope and duration during which time Province (or designate) shall be Prime Contractor for the workplace.

The Agreement Holder accepts the role of Prime Contractor if it employs workers and/or engages contractors creating a multiple



employer workplace under the Workers Compensation Act, and must fulfil the obligations required of a prime contractor under the Worker's Compensation Act, Section 118 and the Occupational Health and Safety Regulation.

The Agreement holder may relinquish its role as Prime Contractor provided that it be done in writing as per the Workers Compensation Act Section 118 (1)(a) and copy is forwarded to the Province.

#### **ARTICLE IV—INDEMNITY AND WAIVER**

4.01 The Agreement Holder will indemnify and save harmless the Province, its servants, employees and agents against all losses, claims, damages, actions, costs and expenses that the Province, its servants, employees and agents may sustain, incur, suffer or be put to arising:

- (a) directly from the on-site performance of the Services during the Term of this Agreement by the Agreement Holder, its employees, members, volunteers, and subcontractors,
- (b) from breach of the obligations of this Agreement by the Agreement Holder, or
- (c) the wilful misconduct, gross negligence or the bad faith actions of the Agreement Holder, its employees, members, volunteers and subcontractors,

except to the extent that any such loss or claim is caused or contributed to by the negligence of the Province.

4.02 The Province hereby releases and waives its rights of recourse against the Agreement Holder for all losses, claims, damages, actions, costs and expenses that the Province may sustain, incur, suffer or be put to at any time, either during or following this Agreement :

- (a) for amounts exceeding the amount of collectable insurance available to the Agreement Holder with respect to indemnified matters covered by 4.01(a) above; or
- (b) respecting damage to the property in the Agreement Area owned by the Province directly caused by the Agreement Holder, its employees, members, volunteers and subcontractors in the performance of the Services

unless any such loss, claim, damage, action, costs or expenses are caused or contributed to by the gross negligence, bad faith actions or wilful misconduct of the Agreement Holder, its employees, members, volunteers and subcontractors, or if the Agreement Holder was in breach of its obligations under this Agreement, including breach of section 4.03, or was caused by any activity by the Agreement Holder outside the scope of this Agreement.

4.03 The Agreement Holder will exercise due diligence and all reasonable care to prevent damage to, or loss of any property in the Agreement Area. On the occurrence of

damage or loss to property, the Agreement Holder will immediately take appropriate action to mitigate or prevent further damage or loss and immediately notify the Province so the Province can provide direction as to remedial measures to be undertaken. The Agreement Holder will comply with any directions given by the Province under this paragraph 4.03 in a timely manner.

## **ARTICLE V—INSURANCE**

- 5.01 The Agreement Holder and the Province will comply with the insurance requirements set out in Schedule C.

## **ARTICLE VI—RECORDS MANAGEMENT & INSPECTION**

- 6.01 The Agreement Holder is responsible for the safety of its registered volunteers at all times. The Agreement Holder must keep records of its registered volunteers and volunteer activities as set out in Schedule B, including proof of certification and training required to perform activities where applicable. Records must be kept for 7 years following the termination of this Agreement.
- 6.02 The Province may conduct inspections or audits during the term of this Agreement pertaining to the Agreement Holder's performance or obligations under this Agreement. The Province will advise the Agreement Holder in writing or verbally followed up in writing of any conditions requiring correction to meet the terms and conditions of this Agreement, and include a reasonable time period to comply.
- 6.03 The Agreement Holder will comply with requirements of the Province under this section in a timely manner.

## **ARTICLE VII—DISPOSITION OF IMPROVEMENTS**

- 7.01 All structures other than the Agreement Holder's structures listed in Schedule G, subject to paragraph 7.03, be and remain vested in the Province absolutely.
- 7.02 On the termination of this Agreement, the Agreement Holder may within one year of the date of such termination, remove any or all of the Agreement Holder's structures and must do so if required in writing by the Province, and leave the Agreement Area in a safe and clean condition to the satisfaction of the Province, and the Agreement Holder is authorized to enter and cross Crown land in order to have reasonable access to the Agreement Area for the sole purpose of such removal.
- 7.03 All structures not removed by the Agreement Holder pursuant to paragraph 7.02 within one year of termination of the Agreement, become the property of the Province and the Agreement Holder releases the Province from any claims of ownership with respect to the property.
- 7.04 Subject to the operational requirements set out in the Schedules, the Agreement Holder acknowledges that all improvements on Provincial land are for general public usage and not for the exclusive use of the Agreement Holder.

## **ARTICLE VIII—MISCELLANEOUS TERMS AND CONDITIONS**

- 8.01 Any notice or document required to be given under this Agreement shall be conclusively deemed to be validly given or delivered to and received by the Parties:
- (a) if hand delivered, including by bonded courier, to a Party at the address specified in this Agreement, as amended from time to time, on the date of that personal delivery; or
  - (b) if mailed, on the third business day after the mailing of the same by prepaid post to the addresses specified in this Agreement, as amended from time to time; or
  - (c) if sent by facsimile transmission, when transmitted, only if transmitted to the facsimile machine numbers specified in this Agreement, as amended from time to time. The onus of proving transmission and valid delivery lies with the transmitting Party, by copy of a facsimile transmission confirmation to the appropriate fax number.
  - (d) if sent by email as of the time of verified reception to an email address specified in this Agreement, as amended from time to time. The onus of proving reception lies with the mailing Party, by copy of an email confirmation to the appropriate email address.
- 8.02 The documents to be submitted by the Agreement Holder to the Province are set out in *Schedule E, Annual Reporting* attached to this Agreement, become the property of the Province, and as such, may be subject to the disclosure provisions of the *Freedom of Information and Protection of Privacy Act*.
- 8.03 If this Agreement is with a Band (or First Nation), the Agreement Holder is advised that nothing in this Agreement addresses aboriginal rights or aboriginal title, limits the positions that the parties may take in treaty negotiations or litigation pertaining to aboriginal rights or title, nor affects the legal relationship between the Government of British Columbia and the Agreement Holder other than with respect to the matters that are the subject of this Agreement.

## **ARTICLE IX—FEES**

- 9.01 If the Agreement Holder is entitled to collect User Fees on its own behalf under this Agreement, the Agreement Holder will comply with the User Fee Schedule attached as Schedule D to this Agreement.
- 9.02 Upon reasonable notice and at reasonable times, the Province may inspect and take copies of and cause an audit to be undertaken of the books and records of the Agreement Holder as they pertain to total fee revenue collected under this Agreement.
- 9.03 All books and records referred to in 9.02 are to be retained by the Agreement Holder for a period of 7 years from the end of the calendar year to which they pertain.

## **ARTICLE X—INTERPRETATION**

- 10.01 In this Agreement, unless the Agreement otherwise requires, the singular includes the plural and the masculine includes the feminine, corporation and body politic.



- 10.02 The captions and headings contained in the Agreement are for convenience only and are not to be construed as defining or in any way limiting the scope or intent of the provisions of the Agreement.
- 10.03 In this Agreement, a reference to an enactment of the Province of British Columbia or of Canada includes a reference to any subsequent enactment of like effect, and unless the Agreement otherwise requires, all statutes referred to in this Agreement are enactments of the Province of British Columbia.
- 10.04 If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and the remaining parts will be enforceable to the fullest extent permitted by law.
- 10.05 Those parts which survive the termination or expiration of this Agreement are Articles I (1.05 only), IV, VII and IX (9.02 and 9.03 only).

#### **ARTICLE XI—DESIGNATED CONTACT**

- 11.01 Each Party will nominate a primary contact as set out in the Schedules for communicating all matters dealing with this Agreement.

#### **ARTICLE XII—SCHEDULES**

- 12.01 The Schedules to this Agreement form part of this Agreement. In the event of a conflict between the main body of this Agreement and a Schedule, the main body of this Agreement shall prevail. This Agreement includes the following Schedules:

| Schedule   | Title                                      |
|------------|--|
| A          | Agreement Area                             |
| B          | Services & Special Provisions              |
| C          | Insurance                                  |
| D          | User Fees                                  |
| E          | Annual Reporting                           |
| F          | Operational Standards                      |
| G          | Province and Agreement Holder Structures   |
| H          | Operating Plan                             |
| Appendices | 1. Partnership Agreement Engagement Survey |
|            | 2. Incident Report                         |
|            | 3. Operating Plan Template                 |
|            | 4. Glossary                                |

This Agreement may be executed by the Parties on separate copies of the Agreement which becomes complete and binding upon the latter of the two executions.

IN WITNESS WHEREOF the Parties have duly executed this Agreement as of the day and year last written below.

Signed and Delivered on behalf of the Province by a duly authorized representative of the Province.

Robert van der Zalm

Regional Manager

\_\_\_\_\_  
**Duly authorized representative name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

Signed and Delivered on behalf of the Agreement Holder by a duly authorized representative of the Agreement Holder.

\_\_\_\_\_  
**Duly authorized representative name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**



## Schedule A

### Agreement Area

Attachment to Partnership Agreement **PA21DSC-01**

**Recreation Project No.(s) included in this Agreement:**

REC0383 - Secret Cove Falls Trail

REC5890 - Big tree trail and Picnick

REC6768 - Sprockids trail

**Agreement Area Description:**

The Agreement Area is described on maps included in the Schedule.





## Schedule B

### Services & Special Provisions

Attachment to Partnership Agreement **PA21DSC-01**.

#### 1. Purpose & Operating Season

This Agreement is issued to the Agreement Holder for the management and maintenance of REC0383 - Secret Cove Falls Trail, REC5890 - Big tree trail and Picnick, and REC6768 - Sprockids trail

The Operating Season for this Agreement is year round.

#### 2. Agreement Holder Designated Representative

The Agreement Holder designates the following representative to be responsible for liaising between the Province and the Agreement Holder:

Name: Ian Hall

Title: General Manager, Planning and Community Development

Address: 1975 Field Road, Sechelt, British Columbia, V0N 3A1

Telephone: 604-885-6812

Email: [Ian.Hall@scrd.ca](mailto:Ian.Hall@scrd.ca)

#### 3. Province Designated Representative(s):

The Province designates the following representative to be responsible for liaising between the Province and the Agreement Holder:

Name: Robert van der Zalm

Title: Regional Manager

Address: 4885 Cherry Creek Road, Port Alberni, British Columbia, V9Y 8E9

Telephone: 604-485-0708

Email: [robert.vanderzalm@gov.bc.ca](mailto:robert.vanderzalm@gov.bc.ca)

#### 4. Services

In accordance with this Agreement, and as more specifically set out in schedules attached to this Agreement, the Agreement Holder will perform the Services set out below in the Agreement Area. The Agreement Holder must obtain the written approval of the Province (which approval will not be unreasonably withheld) for any modifications to the Services or to the current approved Annual Operating Plan.

**Ecological restoration, research and conservation projects**

- Use hand tools to remove invasive plants and conduct restoration projects.
- Observe, measure and record ecological information.
- Use hand tools to plant trees and shrubs in approved locations.
- Use of power tools for approved construction related to research/monitoring (e.g. install fencing, build observation platform);
- Collect and remove garbage by hand.

### **Trail & Facility Work**

- Install approved signage and trail markers.
- Use hand tools to maintain, construct and restore trails, facilities and/or campgrounds (e.g. rake, shovel, hammer, etc.).
- Use power tools to maintain, construct and restore trails facilities and/or campgrounds;
- Fall trees;
- Use machinery to construct, maintain or restore trails, facilities and/or campgrounds.
- Maintain, construct / install or restore docks and mooring buoys.
- Groom trails and set tracks;
- Maintain, construct and restore approved mountain bike trails that conform to the Whistler Trail Standards, excluding Expert Unlimited trails, which are not permitted on Crown land.
- Travel using motorized and non-motorized means to monitor, **plan, restore and maintain** trails and to transport materials.
- Plough access roads to trails, facilities and/or campgrounds.
- Observe and take photographs to report back to staff on trail, facility, general conditions.

### **Public Services/Outreach**

- Deliver educational workshops and seminars, which may include guided walks or interpretive tours.
- Monitor visitor use (counting visitors and recording their activities).
- Public outreach including providing general information to visitors.
- Host non-competitive public events in parks and recreation facilities.
- Record photographs and/or videos
- Park and recreation facility Condition Reporting
- Observe and take photographs to report back to staff on trail, facility, general conditions.

## **5. Record Keeping**

The Agreement Holder will keep accurate records of all of its personnel (employees and volunteers) including name, address, date of birth, qualifications, the dates the person started and stopped performing work for the Agreement Holder and, as a condition of

insurance, keep records of the specific dates that each individual performed Services under this Agreement.

A formalized volunteer agreement is recommended between the Agreement Holder and any individual volunteers that are not employees or members of the Agreement Holder organization. The agreement should set out the roles and responsibilities of each party, describe the approved activities, and record the training, certification or training requirements of the individual.

Any of the records required to be kept under this section may be audited by the Province per section 6.02 of the Partnership Agreement or by an insurer providing insurance arranged by the Province under this Agreement.

## **6. Certification, Training and Qualifications**

The minimum licensing, certification, training and qualifications for individuals performing related activities are as follows. The Agreement Holder must obtain or witness proof of compliance before permitting an individual to perform related Services:

1. Power Tools and other machinery: (e.g. skill saw, brush cutters, lawn mowers) must show competency with power tools that will be used to perform the Services. Operators must have sufficient training and/or expertise in operation of equipment being used.
2. Chain Saws: Operator must show proof of BC Forest Safety Council's Basic Chainsaw Operator Training course or equivalent qualification.
3. Tree Falling: Must be certified at the appropriate faller level by BC Forest Safety Council and must adhere to the Province's Hand Falling Activities Guidelines [https://www.nrs.gov.bc.ca/flnrord/files/flnrord/media/safety/guideline\\_hand\\_falling\\_activities.pdf](https://www.nrs.gov.bc.ca/flnrord/files/flnrord/media/safety/guideline_hand_falling_activities.pdf)
4. Snowmobile: operator must have sufficient training and/or expertise in operation of equipment being used.
5. ATV: operator must have sufficient training and/or expertise in operation of equipment being used.
6. Watercraft: operator must show proof of Transport Canada Pleasure Craft License (if boat owner) and/or Pleasure Craft Operator Card.
7. Divers: must be certified by PADI as an Adventure Diver and if appropriate, with the relevant Speciality for the project (e.g. wreck, underwater videography, dry suit).
8. Snow Monitoring: must be certified in Avalanche Skills Training Course Level 1 or higher.
9. All cavers must follow the BC Speleological Association's Cavers Code of Conduct.

## **7. Accidents and Incidents**



The Agreement Holder will report to the Province any serious accident or safety concerns reported to the Agreement Holder or involving an employee or volunteer to the Agreement Holder or which the Agreement Holder discovers involving or regarding trails and structures within the Agreement Area.

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## Schedule C Insurance

### Attachment to Partnership Agreement PA21DSC-01.

#### Insurance

- A. Unless the Agreement Holder is a local government, a government corporation, a board of education, a public post secondary institution, or similar public sector entity:
1. On behalf of the Agreement Holder, the Province will purchase and maintain General Liability insurance in the amount of \$2,000,000 inclusive per occurrence against claims by third parties for bodily injury and property damage arising out of the performance of the Services set out in this Agreement. The Province will obligate the insurer's managing broker to provide the Agreement Holder with a Certificate of Insurance and a copy of the policy wording.
  2. On behalf of the Agreement Holder, the Province will purchase and maintain on behalf of the registered volunteers to the Agreement Holder Accidental Death and Dismemberment insurance with a principal sum of \$40,000 covering injury to registered volunteers under the age of 85 while performing the Services set out in this Agreement. The Province will provide information about this policy to the Agreement Holder.
  3. As a condition of the insurance provided by the Province, the Agreement Holder must provide annual underwriting information to the Province in the format and at time(s) required by the insurers.
  4. The Province will take reasonable steps to ensure the coverage specified in sections (1) and (2) is continuous for the duration of this Agreement. The Province will not be responsible for providing coverage in the event the insurance is cancelled or reduced by the insurers.
  5. The Province does not represent or warrant that the insurance purchased by the Province covers any and all losses. The Agreement Holder is responsible for ascertaining the nature and extent of coverage as well as the terms and conditions of the policies. No term or condition of this Agreement amends, extends or alters the coverage afforded by the insurance policies.
- B. The Agreement Holder will provide, maintain, and pay for any additional insurance which the Agreement Holder is required by law to carry or which the Agreement Holder considers necessary to cover risks not otherwise covered by insurance specified in this

Schedule. The Agreement Holder waives all rights of recourse against the Province and releases the Province from all liability for any losses or damage to any property owned by the Agreement Holder including the Agreement Holder's structures, improvements and equipment in the Agreement Area regardless of whether the Agreement Holder purchased property insurance.

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Recreation Sites  
and Trails BC

## Schedule D

### User Fees

Attachment to Partnership Agreement PA21DSC-01.

NOT APPLICABLE



## Schedule E

### Annual Reporting

#### Attachment to Partnership Agreement PA21DSC-01.

Each year, the following will be submitted to the District Recreation Officer by the dates indicated.

#### 1. Partnership Engagement Agreement Summary

By **January 15<sup>th</sup> of each year**, the Agreement Holder will complete and submit to the Province the *Partnership Engagement Agreement Summary* form provided by the Province, providing aggregate information for the previous calendar year for underwriting and statistical purposes.

#### 2. Annual Report

By **January 15<sup>th</sup> of each year**, the Agreement Holder must submit to the Province an electronic report summarizing the Services completed during the previous year.



## Schedule F

### Operational Standards

#### Recreation Site

Attachment to Partnership Agreement PA21DSC-01.

## 1. ROLES AND RESPONSIBILITIES

### 1.1 Recreation Sites and Trails BC roles and responsibilities

Recreation Sites and Trails BC will provide:

- a) To the agreement holder, magnetic decals, if available, for recreation site operator vehicle identification.
- b) To the agreement holder, apparel (i.e. shirts, hats, etc) to identify the recreation site operator to the public, if available.
- c) To the agreement holder, photo identification, if available.
- d) To the agreement holder, a copy of the Forest Recreation Regulations.
- e) To the agreement holder, a copy of the book *A Field Guide to Noxious and Other Selected Weeds of British Columbia*, if available.
- f) To the agreement holder, ministry approved brochures and posters (i.e. *Welcome to Your Recreation Site, Please Do Not Dump Garbage in the Toilet*, etc.) to be posted at kiosks and pit toilets within the recreation site(s), if available.
- g) To the nearest Fire Centre, the name(s) and contact information of recreation site operators at recreation sites.
- h) To the Recreation Sites and Trails BC website (<http://www.sitesandtrailsbc.ca>), information regarding the site's description and driving directions to the recreation site(s).
- i) Authorizations under Section 16 of the Forest Recreation Regulations for any of the following: for a competitive sporting event, for a gathering of 15 or more persons or for use as a place of temporary residence.
- j) Authorizations under Section 13 of the Forest Recreation Regulations for camping at a recreation site for a period exceeding 14 consecutive days.
- k) A 3 blade entrance sign on a post, identifying the recreation site(s).
- l) Replacement infrastructure (i.e. tables, fire rings, pit toilets, kiosks, fencing, signs and sign posts, etc.), if available.
- m) Wildlife danger tree assessments, as determined by the recreation officer.
- n) Paint in accordance with Ministry standards, if available.
- o) Toilet pumping, if required and as determined by the recreation officer.
- p) entrance sign, if available.



## **1.2 Agreement Holder's roles and responsibilities**

The Agreement Holder will:

- a) Acknowledge and agree with the province that nothing in *Recreation Sites and Trails BC Partnership Agreement* will be deemed to grant to the Agreement Holder the exclusive use and possession of a Recreation site(s).
- b) Not represent or speak on behalf of the province.
- c) Present a clean and well-groomed appearance, and be attired in a manner appropriate for carrying out the obligations as stated in the agreement and this document.
- d) Be courteous and tactful when dealing with the public.
- e) Carry out all work in a manner that will create the least disruption and inconvenience to the public.
- f) Possess a general knowledge of the site(s) and structures.
- g) Return all apparel (i.e. shirts, hats, etc) provided by the province within five (5) days following the end of the agreement term.
- h) Repair or eliminate known hazards when possible. If a natural hazard becomes known to the Agreement Holder during routine maintenance visits, such as river/creek crossings, slides/washouts and hazard trees, the recreation officer must be advised. In addition, the Agreement Holder must make a reasonable effort to ensure users do not enter the recreation site, if, in the Agreement Holders opinion, the site is unsafe due to existing or potential hazards.
- i) Report to the recreation officer, the presence of knapweed and other noxious weeds within the recreation site(s).
- j) Not burn debris, such as boxes, bags, containers, etc. unless authorized to do so by the recreation officer.
- k) Comply with the Wildfire Act, as required.

## **2. MAINTENANCE**

### **2.1 Recreation Site Activation**

Prior to commencement of routine service, the recreation site(s) and associated structures should be inspected, preferably by the Recreation Officer and the Agreement Holder together, to identify off-season use and/or damage, and any necessary maintenance, remedial action and/or repairs that are required.

### **2.2 Maintenance Routine**

Maintenance visits must be conducted in accordance with an approved schedule or as determined or discussed with the Recreation Officer.

### 2.3 Structure Renovations and/or Replacements

- a) Structure renovations and/or replacements should be planned and scheduled for the period: **January** to **May** of each year, except where emergency action is required. The guiding principle for conducting renovation and/or replacement work is to have all structures operational and useable during the routine service period, and to schedule and conduct required work in a manner least disturbing or disruptive to site users.
- b) Any painting and staining that is required should be completed by **August 31<sup>st</sup>** of each year and then on an as required basis when wood is exposed due to vandalism, wear or other damage. Prepare all surfaces by scraping old paint and using a wire brush to create a fresh bonding surface for new paint.

### 2.4 Campsite and Day Use Area Maintenance

- a) Keep campsite structures in a safe and fully operational condition.
- b) Maintain campsites and surrounding area in a clean and tidy condition free from litter, garbage, broken glass, and foreign material. Dispose of all litter and refuse at a regional dump site or transfer station.
- c) Remove all non-standard structures from the campsites and maintain all new structures installed by the province.
- d) Pick up all litter throughout the developed portion of the site including the roads and trail.
- e) Where applicable, retain the campsite shape and definition by removing weeds, encroaching vegetation, and overhanging limbs to a minimum of 0.5 metre surrounding the campsite and driveway shoulders.
- f) Rake the campsite and driveway shoulders removing wood chips, needles, sticks/branches and other debris. Particular attention should be given to heavily used areas, but not limited to, around fire rings, around and beneath tables, and in tenting spots.
- g) Maintain areas surrounding structures free of weeds, encroaching vegetation, overhanging limbs, dirt, litter, garbage and debris. Level all gravel surfaces to present an overall clean and neat appearance. Cut brush, grass, etc. around tables (1.5 metre swath) and along paths when 20 centimetres high or otherwise interfering with the use of structures.
- h) **If qualified**, fall, buck and pile any hazard trees on the site for firewood.
- i) Not use pails or other containers contaminated with disinfectants or sanitizers to obtain water from streams or lakes.

### 2.5 Table Maintenance

- a) Maintain tables and the immediate area in a clean condition, free from all cobwebs, dirt, grass/brush, litter, garbage and debris.
- b) Relocate tables to their original locations, and level them as necessary.

- c) Ensure tables are safe by securing loose planks, removing all splinters, nails and other hazardous protrusions, and making sure tables are level and not prone to rocking or tipping when used.
- d) Repair damaged tables to standard.
- e) Wash all table tops and seat planks.
- f) Paint/stain tabletops and seat planks as necessary to keep the surfaces clean and neat in appearance. All wood exposed due to vandalism, wear or other damage shall be scraped and stained or painted.

**Note:** the Recreation Officer must approve Paint or stain colours.

## **2.6 Pit Toilet Maintenance**

- a) Keep pit toilet buildings and fixtures in a safe and fully functional condition. Approved posters and signs are to be stapled securely inside the toilet. Replace as needed.
- b) Maintain pit toilets and fixtures in a clean and sanitary condition free from dust, dirt, stains, mold, cobwebs, graffiti, litter, garbage, excess water, unpleasant odours, and all foreign material.
- c) Thoroughly clean and sanitize the seat, stem, floors and walls with a mixture of cleaner and water. Do not pour water used for toilet sanitizing/disinfecting into the pit.
- d) Provide toilet paper and deodorant blocks in the holders as required.
- e) Provide septic enzyme – following the instructions on the product (lime products are not to be used) – as required.
- f) Maintain the area surrounding the pit toilet free from all litter, garbage, debris, weeds, encroaching vegetation and overhanging limbs. Remove all debris from the roof surface.
- g) Maintain the minimal acceptable space between faecal matter and the floor level (50 centimetres). Notify the recreation officer if this is surpassed, so that toilet pumping can be scheduled.
- h) Annually, when required, stain the outside walls of the toilet and inside walls in the existing colour scheme. Paint the floors.
- i) Protect the toilet seat and stem from marring and splatters while the interior of the structure is painted. Remove posters and signs before painting and re-secure after the paint is completely dry.

## **2.7 Sign/Poster Maintenance**

- a) Ensure signs are in good repair and maintained in a firm vertical position with the sign message oriented to provide maximum viewing exposure.
- b) Replace or repair all missing or damaged signs.

- c) Maintain signs in a clean condition free from dirt and foreign matter that could restrict a site user's ability to read them.
- d) Maintain the immediate area around signs free from garbage, grass, weeds and brush.
- e) Notify the Recreation officer if signs are in poor condition or need replacing, install and/or stain signs as required.
- f) When required, apply one coat of paint/stain to signs, boards and posts (– letters *white*, sign boards and posts *provincial brown*).

### **2.8 Trail Maintenance (within a site)**

- a) Ensure all trails, walkways, boardwalks, paths, steps, stairs and handrails are safe and in a fully functional condition.
- b) Maintain trails, walkways, path steps and stairs and adjacent areas in a clean condition free from litter, garbage, rocks, limbs, windfall trees, encroaching vegetation, and other foreign material that may pose a hazard or restrict access.
- c) Ensure culverts, bridges and ditches are clear to ensure proper drainage.

### **3.9 Beach, Shoreline, Dock and Boat Launch Maintenance**

- a) Remove all litter, broken glass and garbage from the beach, boat launch and surrounding area to a water depth of about one metre and at least one metre from shore
- b) Remove non-standard fixtures from the beach, shoreline, boat launch and surrounding area (i.e. animal hangers, shelters, plastic tarps, windscreens, etc.).
- c) Where required, maintain dock, boat-launching structures and mooring buoys in a safe and fully functional condition, free of garbage, litter and foreign matter.

### **3.10 Fire Rings/Pits**

- a) Maintain fire pits and immediate areas in a clean condition clear of garbage, residue and unusable wood, with wood left by campers on the site, piled neatly adjacent to the fire ring.
- b) Remove cold ashes that are deeper than 10 centimetres. All ashes are to be hauled away from the site and disposed of at a regional dumpsite or transfer station. Place rocks neatly around the perimeter of the fire pit if no metal fire ring is in place.
- c) Extinguish non-attended fires.
- d) Remove undesignated fire rings.



#### 4.1 Public Safety Standards

If any of the following situations arise at the site during the operating season, the Agreement Holder must take the following action:

- a) **The site becomes unsafe/hazardous**—the Agreement Holder must immediately notify the recreation officer or if unavailable the local Forest District office of any condition that makes the site unsafe or hazardous for use, including a high fire hazard or a nuisance animal.
- b) **Site users acting in an unsafe manner**—the Agreement Holder must inform site users acting in an unsafe manner to cease that activity. If the users will not comply and the situation is of a serious nature, the Agreement Holder should call the local RCMP or contact the local Forest District office for assistance.
- c) **Serious Injuries/Fatalities**—the Agreement Holder must immediately report a serious injury or death at the site to the local RCMP and to the Recreation Officer.

#### 4.2 Working With the Public

The Agreement Holder must manage the site to ensure the safety and supervision of site users and their property. The Agreement Holder must undertake the following actions when managing users:

- a) **Public Relations**—effective public relations on behalf of the Agreement Holder depends upon physical appearance, attitude and the ability to deal with people in a fair and consistent manner. The Agreement Holder and their staff must be able to communicate effectively and control their verbal and physical responses in any situation. This is called the “public relations approach.” It does not change from situation to situation, and it is the key to success in dealing with people. There are three components to this approach:
  - i. **The mental awareness and thought process**—the Agreement Holder must:
    - Be calm, cool and collected internally.
    - Program his/her approach to the specific situation.
  - ii. **The physical image (body language)**—the Agreement Holder must:
    - Develop and present a friendly posture.
    - Prevent circumstances from changing his/her countenance.
    - Develop and use the power of a smile in the face of adversity.
  - iii. **The verbal-response (communication)**—the Agreement Holder must:
    - Listen to both sides of the story.
    - Control voice tone, volume, and inflections to show interest and concern without emotion.
    - Refrain from swearing or using obscene or insulting language.

b) **Assessing the Risk**—the Agreement Holder must observe and analyze each potential conflict situation to ensure it is safe to make contact with the site user. The Agreement Holder must also be prepared mentally, physically and communicatively to handle the situation. The safety of the Agreement Holder is paramount, and they should not put themselves at risk in situations of conflict.

c) **Education**—the Agreement Holder must attempt to inform and educate site users of the site rules and regulations.

The Agreement Holder is required to inform and educate site users regarding the following:

- i. A person shall not create or cause a deliberate or unnecessary disturbance.
- ii. “Quiet hours” at the site are between 11:00 p.m. and 7:00 a.m. No loud noise is acceptable during these times.
- iii. Any other authorized rules and signs posted by the province.

d) **Duration of stay at a recreation site** — the Agreement Holder must advise any site user who has exceeded camping for more than 14 consecutive days as allowed for by the Forest Recreation Regulation.

e) **Encouraging Compliance**—in every possible instance, site users should be advised of the compliance required and given an opportunity to correct their behaviour (e.g. keep noise down, buy a camping permit, etc.).

f) **Complaints and Disturbances**—the Agreement Holder will record and report to the Recreation Officer any complaints by site users about disturbances or other undesirable or illegal activities in the area.

g) **Violation/Order to Vacant**—the Agreement Holder must advise site users who are contravening the act or regulations that they are in violation, and may be subject to enforcement action or ordered to vacate if they do not cease. Only if it is safe to do so, an Agreement Holder may ask a person that is causing a violation at a site to leave. Only a Designated Official (Recreation Officer, Environmental Official or Natural Resource Officer) or the RCMP can order a person to vacate a site under the authority of the Forest Recreation Regulations.

h) **Access Control**—the Agreement Holder may regulate vehicular and pedestrian traffic to prevent congestion and camping and parking problems from developing. Gates or control devices are to be opened and closed as required. The Agreement Holder must remain at the site and be available to the public while the control devices are closed and the site is occupied with users. The needs of an emergency situation must be considered whenever a control device is closed. Only campers may remain in the site after 11:00 p.m.

i) **Provincial Property**—the Agreement Holder will check the structures and all equipment at the site for theft, damage or vandalism, and report any occurrence immediately to the recreation officer.

j) **Notebooks**—the Agreement Holder should retain a notebook. In it, keep notes of important incidents, including such things as:

- The nature of the incident.
  - What happened?
  - Who was involved?
  - Where did it occur?
  - How did it occur?
  - Weather conditions (if related to a storm event).
- When did it occur?
  - Date.
  - Time.
- Names and descriptions of the people involved.
  - Contact info (if available).
  - Vehicle license plate identification.
- How did the campsite operator handle the incident or situation?
- Was anyone contacted to assist?
  - For instance: RCMP, Recreation Officer, Compliance and Enforcement, Conservation Officers, Wildfire Protection Branch, etc.



## Schedule G

### Provincial and Agreement Holder Structures

Attachment to Partnership Agreement PA21DSC-01.

List of Structures owned by the Agreement Holder:

Not Applicable





## Schedule H Operating Plan

### Attachment to Partnership Agreement PA21DSC-01.

#### 1. Operating Plan

- a) Not later than **December 31<sup>st</sup>**, the Agreement Holder must submit to the Province, for its written approval, an Operating Plan for the upcoming Operating Season which will at a minimum:
  - i. Describe in detail the Agreement Holder's key personnel and describe their duties and responsibilities;
  - ii. Describe and prioritize Services the Agreement Holder will complete during the Operating Season;
  - iii. Describe the Agreement Holder's Safety Plan for delivering the above listed Services including hazard abatement, public safety considerations, closures, and accident and emergency management; and
- b) Upon receipt of an Operating Plan, the Province will review the plan and if the Operating Plan is not acceptable to the Province, the Province will notify the Agreement Holder of any necessary amendments.
- c) After receiving notification by the Province, the Agreement Holder will make all necessary amendments and resubmit the Operating Plan to the Province.
- d) If the current Operating Plan expires before the parties have reached agreement on a new Operating Plan, the currently approved plan shall be deemed extended until the new plan is approved.



# Appendix 1

## Partnership Agreement Engagement Summary

### Attachment Partnership Agreement PA21DSC-01

| Partnership Agreement Engagement Summary   |             |  |   |   |
|--|-------------|--|---|---|
| Name of Agreement Holder _____   |             | Agreement number _____   |   |   |
| Date Form Completed _____  |             | Calendar Year _____  |   |   |
| <p>Submit this form to the ministry contact person no later than 2 weeks after the end of your Operating Season but in any event no later than January 15 of each year of your Partnership Agreement. This form is also required upon expiry or earlier termination of your Agreement. Information on this form is collected for the purpose of insurance underwriting and for volunteer engagement statistics.</p> <p>Complete only the row that applies to your entity as accurately as possible based on the records you are create and retain for your volunteers and employees. Services are only those Services set out in the Partnership Agreement and not any of your other activities.</p> |             |  |   |   |
| Agreement Holder Type & Basis of Total Count   | Total Count | Total number of individuals who performed Services during the previous calendar year | Of the total number of individuals who performed Services, how many were volunteers age 85 and older? | Of the total number of individuals who performed Services, how many were employees of the Agreement Holder? |
| Society: Total number of members   |             |  |   |   |
| First Nation: Total band members x 5%  |             |  |   |   |
| Company: Total number of individuals who perform Services  |             |  |   |   |
| Individual: Total number of individuals who perform Services   |             |  |   |   |

I hereby confirm that the information contained in this Engagement Summary is true and correct as of the date this report was prepared.

Signed by and authorized representative of the Agreement Holder \_\_\_\_\_ Print Name \_\_\_\_\_


RMB rev 2013-03



Recreation Sites  
and Trails BC

## Appendix 2 Incident Report

### Attachment to Partnership Agreement PA21DSC-01

|   |                    |
|---|--------------------|
|                | File: 16660-27/    |
| Recreation Sites and Trails BC<br><b>INCIDENT REPORT</b>  |                    |
| Date Reported: _____  | Reported By: _____ |
| Reported to: _____  | _____ (job title)  |
| Other People Contacted: (Site/Trail Operator, RSTBC, FLNRO C&E, RCMP) (if RCMP, include file #) |                    |
| _____   |                    |
| _____   |                    |
| Location where Incident Occurred: (name of recreation site or trail)                            |                    |
| _____   |                    |
| Date and Time Incident Occurred:  |                    |
| _____   |                    |
| Description of People Involved: (names and addresses if known, or physical descriptions)        |                    |
| _____   |                    |
| _____   |                    |
| Vehicle Description and License Plate Numbers:  |                    |
| _____   |                    |
| _____   |                    |
| Witnesses: (names and contact information if possible)  |                    |
| _____   |                    |
| Description of Incident: (continue on back of page if necessary)                                |                    |
| _____   |                    |
| _____   |                    |
| _____   |                    |
| _____   |                    |
| _____   |                    |
| _____   |                    |
| _____   |                    |
| page 1 of 2   |                    |

Description of Incident continued:

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Photographs: (indicate whether photographs were taken; attach to report if possible)

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this portion of the report completed by:

\_\_\_\_\_

name (please print)

\_\_\_\_\_

date completed

\_\_\_\_\_

signature

Follow-up Action Taken: (include dates)

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Additional Follow-up Required:

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Action Complete / File Closed:

\_\_\_\_\_

District Recreation Officer

\_\_\_\_\_

date signed

page 2 of 2





## Appendix 3

### Operating Plan Template

#### **Attachment Partnership Agreement PA21DSC-01**

The following is a list of items that need to be considered and addressed in an operating plan for the operation of the **Sprockids Park Recreation Site** and **Big Tree Recreation Trail**. Not all items need to be addressed in the operating plan as local circumstances, type of operation, use and terrain will determine what needs to be included. The District Recreation Officer must be satisfied that the services justify a fee charged (if applicable) and the Agreement holder is carrying out "due diligence" in the operation of the Recreation Site or Trail. The operating plan can be amended if circumstances change.

#### **Introduction**

- Date
- Time period covered by operating plan
- Operating schedule (seasonal)
- Contact person(s) (phone, fax, email) (Please ensure information is current and complete - provide at least two names (and contact info))

#### **Public Information**

- Where and how public information can be obtained (e.g. brochure, web, phone, signs, Information Centre, maps, etc.)
- Avalanche forecast information – *Where can users access this information & where will it be posted or available (website, cabin, kiosk)?*

#### **Safety Plan**

##### Hazard Abatement

- Identification of known hazards (e.g. hazard trees, avalanches; wildlife; river...) and how they will be dealt with

##### Closures

- If closures will occur with the agreement area, how they will be managed

##### Accident Management

- Discussion on what accidents could occur, where they could occur and how they will be dealt with. (e.g. location and type of safety equipment, location and type of first aid equipment, location of stretchers with blankets, avalanche rescue gear, cautionary signage,

avalanche rescue process, presence/absence of members with First Aid training, patrols, who to call/contact in the event of an accident, information on cell phone coverage in area, etc) ;is there cell phone coverage at your site?; nearest hospital;

## **Standards**

### **Facility Maintenance**

- Maintenance standards for all structures, other than trail (e.g. bridges, toilets, cabins, shelters, tables, signs). This section to include disposal of solid waste, garbage and litter
- Frequency of inspection and maintenance schedule for all structures
- Confirmation that certified wood burning appliances are installed consistent with the manufactures instructions. In the case of uncertified wood burning appliances, confirmation that the minimum clearances have been met.
- Location where firewood will be obtained

### **Proposed Works**

- This section to document works proposed during the term of the operating plan (e.g. location, standards, when, etc; any proposed events requiring permits?; projects out of the routine maintenance?)
- By which process the Province is expected to approve the works (e.g. Agreement holder may have to carry out mapping and external referrals)

### **Fee Schedule** (if applicable)

- Discussion of the operating costs and proposed fees for the area e.g. trails, cabins, huts...Where and how and when are fees paid/collected



## Appendix 4 Glossary

### Attachment to the Agreement PA21DSC-01

**“Agreement Area”** means the area as shown by the Exhibit A map in Schedule A.

**“Agreement Holder”** means a legal entity authorized by the Province to collect fees and maintain structures and services within an Agreement Area.

**“Annual Report”** means a plan prepared by the Agreement Holder as defined in Schedule E.

**“Campground Host”** means an individual that supplements and enhances recreation site users’ experiences by greeting and providing information to facility users. The Campground Host is not responsible for supervision of facilities, user fee collection, or facility maintenance.

**“Campsite”** means that area within the developed portion of a recreation site designed to accommodate a person or party that wishes to camp.

**“Commercial Operator”** means locally recognized business entities using the Agreement Area for commercial purposes. The businesses are noted as those legal business entities, tenured by and in good standing with the Province of BC, with all or part of their operating area overlapping all or part of the recreation sites and trails described in this Agreement. The businesses are noted as: N/A

**“Controlled Ski Area”** means the area of land measured N/A metres parallel to and perpendicularly distant from the centre line of the Recreation Trails comprising the outside perimeter of the Recreation Trails shown by bold line on Schedule A.

**“Corporate Sponsor”** means a non-operational business entity, which contributes, financially to the Club or the Society.

**“Cross Country Ski Trails”** means those areas identified as existing trails with the Agreement Area in Schedule A – if applicable. N/A

**“Day Use Facility”** means any structure that is designed to provide day use facilities for recreation users.

**“Day Use Facility – Ski Trails”** means any building that is, or will be constructed in the Controlled Ski Area that is designed to provide day use facilities for skiers and includes cafeteria/restaurant facilities, brown bag facilities, sanitation facilities and holding facilities for injured skiers. N/A

**“Designated Provincial Contact”** means the contact person designated by the Province (Recreation Sites and Trails BC) dealing with this Agreement.

**“Developed Portion”** when referring to a recreation site, recreation trail or interpretative site, means that portion of the site or trail that is composed of any structure that is ancillary to a day-use area, camping area, trail staging area or other similar area; or a

buffer zone consisting of an area that extends out 100 metres in all directions from the structure, except where limited by the boundary of the recreation site, interpretative site or recreation trail.

**“Discounts for Persons with a Disability”** means at managed recreation sites where camping fees are charged, persons with disabilities will be provided with the opportunity to camp at a reduced rate (50 percent off the normal fee). The individual must be designated as a [Person With Disabilities](#) under the BC Employment and Assistance Program (administered by the Ministry of Housing and Social Development), or have a child who is eligible for the [At Home Program](#) (administered by the Ministry of Children and Family Development) to qualify for the reduced rate. Upon arrival at a managed recreation site where camping fees are charged, the individual must show one piece of identification (e.g., driver’s license) and one of the following to the Recreation Site Operator:

- a release of information form issued by the [Ministry of Housing and Social Development](#). This form may be obtained by contacting your local Employment and Assistance Centre.

OR

- a letter of eligibility issued by the [Ministry of Children and Family Development](#) stating that his/her child is eligible for the At Home Program.

**“District Recreation Officer (DRO)”** means an official designated as a District Recreation Officer for the purpose of the *Forest Recreation Regulation*; for the purpose of Recreation Sites and Trails BC with the Ministry of Forests, Lands and Natural Resource Operations.

**“Financial Year”** means the financial year of the Agreement Holder during the currency of this Agreement.

**“Firewood”** (if provided) should be of assorted diameters, reasonably sound, a mix of 50 percent dry and 50 percent green, approximately 35 cm long, and split to arm-load dimensions. Firewood should not be obtained from Crown land.

**“Forest Recreation Regulation”** means the current consolidated law under the Forest and Range Practices Act in which the Recreation Sites and Trails BC program is governed.

**“Government Agencies”** means all ministries and agencies of the Province having jurisdiction over the facility contemplated by this Agreement or charged by a statute of the Province with the construction of improvements which ministries and agencies include the comptroller of water rights, as defined in the *Water Act*, the Environmental Appeal Board established under the *Environment Management Act*, and the ministries of the Province having responsibility for lands, forests and the environment.

**“Gross Revenue”** means all the receipts or receivables of Agreement Holder or any other party for the right to use the Controlled Ski Area and includes subsequent recoveries of receivables previously written off (which are to be included in the Financial Year in which they are recovered), excluding uncollectable receivables written off by Agreement Holder in accordance with generally accepted accounting principles.

**“Interest”** means the rights of Agreement Holder under this Agreement and the business and operations of Agreement Holder in connection with this Agreement.



**“Maintenance Facility”** means any facility constructed and maintained in the Agreement Area for the purpose of housing, storing, or maintaining equipment.

**“Operating Plan”** means a plan prepared by the Agreement Holder as defined in Schedule E.

**“Operating Season”** means the period(s) of time set annually by the District Recreation Officer covering site activation, deactivation, routine service/ minor repairs, and structure renovations, fabrication, and installation activities.

**“Party”** means a group made up of not more than six persons; or parent(s) and their unmarried children under the age of 19; or guardians and their unmarried wards under the age of 19 that arrive in not more than one motor vehicle, other than a motorcycle, unless the additional motor vehicle is a commuter vehicle or towed.

**“Parking Area”** means the vehicular parking lot(s) in the Agreement Area, if applicable.

**“Recreation Site”** means a recreation site or interpretive forest site established under Section 56 of the *Forest and Range Practices Act*.

**“Recreation Site or Trail Operator”** means a person or class of persons authorized in writing under Section 22(6) of the *Forest Recreation Regulation* to act as a Recreation Site or Trail Operator. This designation allows for the collection of fees on those sites/trails that have been designated as fee-for-service sites/trails. This individual supplements and enhances recreation site users’ experiences by greeting and providing information to facility users. The Recreation Site or Trail Operator is also responsible for supervision of facilities and facility maintenance.

**“Recreation Trail”** means a recreation trail established under Section 6 (56) of the *Forest and Range Practices Act*.

**“Regional Manager”** means an official designated as a Regional Manager for the purpose of the *Forest Recreation Regulation*; for the purpose of Recreation Sites and Trails BC with the Ministry of Forests, Lands and Natural Resource Operations.

**“Routine Service”** means routine service activities required to maintain recreation sites, trails and structures in a useable, safe, sanitary, and environmentally sound condition.

**“RSTBC”** means the provincial staff of the Recreation Sites and Trails BC program with the Ministry of Forests, Lands and Natural Resource Operations.

**“Ski Patrol”** means a trained ski patrol to serve the skiing public that is equipped with safety gear and has Level 1 training with Transportation Endorsement. N/A

**“Ski Season”** means the period commencing on November 1 in any one year and continuing to and including April 15 in the following year except as may be otherwise agreed to in writing by the parties. N/A

**“Snowmobile Patrol”** means a trained snowmobile patrol to serve the snowmobiling public that is equipped with safety gear. N/A

**“Snowmobile Trails”** means those areas identified as existing trails within the Agreement Area as set out in Schedule A. N/A

**“Special Event”** means group activities or events of an exclusive nature that need to receive authorization from Recreation Sites and Trails BC. A Special Event on a recreation site or trail requires authorization from the Province prior to the event; these

events also require proof of insurance. If the planned activity is likely to have an impact on other public recreation users, biological and recreation resources, or site or trail structures, then it may be prohibited or approved with specific conditions. Examples of a Special Event may include (but are not limited to): orienteering competitions; fishing derbies; cross-country running.

**“Staging Area”** means the area where the trailhead starts, (and may include structures such as toilets, shelters and chalets) – if applicable.

**“Structure”** means any improvement of a long-term or permanent nature and includes any road, parking space, launching ramp, campsite, cabin, trail tread, bridge, litter barrel shelter, corral, picnic table, and sign, outhouse, or fire pit.

**“Technical Trail Features”** means an obstacle on the trail requiring negotiation; the feature can be either man-made or natural, such as an elevated bridge or a rock face respectively.

**“User-fee”** means the reasonable amount of money the Recreation Site or Trail Operator, Club, or Society are authorized to collect in order to recover the costs associated with operating and maintaining the Agreement Area.

**"User"** means a person visiting a Recreation Site or Trail.

## Mountain Bike Trail Management – Initial Trail & Feature Inventory and Assessment

### *Trail & Feature Inventory and Assessment Instructions*

Partners with agreements for mountain bike trails are required to complete an initial inventory and assessment of trails and associated trail features included in the agreement. The Inventory should be updated annually based on results of annual inspections. The following information will assist organizations in completing the initial inventory and inspection. An example format for recording the information is provided but is not mandatory, provided all the required information is collected and reported.

#### **1. Mapping**

Agreement Holders are required to submit digital GPS data as well as hard copy mapping to accompany the Initial Trail & Feature Inventory and Assessment.

- a. A hard copy map must be provided with the following information:
  - i. each mountain bike trail included in the Partnership Agreement marked to show difficulty ratings
  - ii. main access roads, forest roads and highways if applicable
  - iii. main water features or other significant points of interest
  - iv. topographic lines at an appropriate scale to demonstrate general topography of trails

The map should be at an appropriate scale to represent the extent of the managed trail network and it's relative location to developed areas or significant geographic features (public road junctions, parks, recreation sites etc.)

- b. Digital GPS Information must be provided to the Recreation Officer. GPX files or equivalent are preferred. KML/KMZ files are acceptable, but must be derived from field collected GPS data. Data must include a minimum of:
  - i. trail line work including trail start and end points
  - ii. location of features, including TTF's, significant bridges, boardwalks and other structures
  - iii. parking areas
  - iv. main access roads

## 2. Trail Inventory

- a. For each trail included in the Partnership Agreement provide the following information:
  - i. Trail Name
  - ii. Difficulty rating assigned to trail – based on Whistler Trail Standards classify each trail as either *Easiest, Easy, More Difficult or Most Difficult*.
  - iii. Length – provide in km
  - iv. Point of Commencement (PoC) – provide GPS or Lat/Long coordinates for the point at which the trail starts. Specify the type of coordinates
  - v. Point of Termination (PoT) – provide GPS or Lat/Long coordinates for the point at which the trail ends. Specify the type of coordinates
  - vi. TTF's (Y/N) – indicate if the trail included Technical Trail Features\*

## 3. Feature Inventory

- a. For each feature on a trail, provide the following information:
  - i. Feature –type of feature, e.g. ladder bridge, log-ride, board walk etc.
  - ii. Unique ID – assign a Unique Id to each structure for subsequent annual inspections. ie. Wonderland trail features may include WL-01, WL-02 etc.
  - iii. TTF (Y/N) –Y: if feature is classified as a TTF\*; N: if a structure is standard infrastructure (stairs, boardwalk etc).
  - iv. Lat/Long or GPS Coordinate –coordinates of feature.
  - v. Dimensions –dimensions of feature, ie. ladder bridge 5m x 1m x .5m (LxWxH). .
  - vi. Difficulty Rating\*\*- difficulty rating of TTF according to Whistler Trail Standards.
  - vii. Mandatory (Y/N)– Indicate Y if the feature is mandatory for a rider travelling along the trail or N: if an alternate route is available to bypass the feature.
  - viii. Meets Standard (Y/N) – indicate if the feature conforms to Whistler Trail Standards including an assessment of strength and stability, height to width ratio's, construction practices including methods for connecting members, rung spacing, surfacing, wood preparation and fall zones.
  - ix. Remedial Action/ Work Required – specify any required works to enhance the safety of the feature and/or ensure it meets Ministry and Whistler Trail Standards.
  - x. Inspected By- indicate name of person performing inspection.



- xi. Photo record – maintain and provide a digital photo of the feature. Photos can be incorporated into the inspection report or provided as separate files as long as the file name includes the features Unique ID.

#### 4. Reporting

A completed *Initial Trail and Feature Inventory and Assessment* must be submitted to the District Recreation Officer. Results of the inventory and assessment should be prioritized and included in an annual operating plan. Completion of remedial works required to address safety and environmental concerns and to ensure conformance with ministry guidelines and standards may be required before a partnership agreement is finalized. In these cases, authorization to complete the works will be granted pursuant to Section 57 of the *Forest and Range Practices Act*.

Completed remedial works identified in the *Initial Trail and Feature Inventory and Assessment* should be included in the Agreement Holders Annual Report submitted to the District Recreation Officer as required in Schedule E of the agreement.

#### Notes

- \* TTF Definition: An obstacle on a mountain bike trail designed to add a degree of difficulty to a trail in order to challenge the skill of mountain bike trail users. Technical trail features can be either natural (e.g., rock face) or man-made (e.g., jump ramp). For the purposes of this policy, works constructed solely for the purpose of enhancing trail safety or access (e.g., a bridge across a stream or gully), or to protect the environment (e.g., an elevated pathway over a wetland) will not be considered technical trail features
- \*\* Consistent with Whistler Trail Standards, overall trail ratings must not exceed most difficult (black diamond) however some elements of a trail may exceed most difficult under specified conditions. Refer to *Authorizing Recreational Mountain Bike Trails on Provincial Crown Land: Operational Policy*

### Trail and Feature Inventory and Assessment

Agreement Holder Name:

Agreement Number:

| Trail Name | Difficulty Rating | Length | PoC | PoT | TTF's (Y/N) | Inspection Date |
|------------|-------------------|--------|-----|-----|-------------|-----------------|
|            |                   |        |     |     |             |                 |

| Feature | Unique ID | Lat/Long or GPS Coordinate | Dimensions (LxWxH) | Difficulty Rating | Mandatory (Y/N) | Meets Standard (Y/N) | Remedial Action/Work required | Inspected by |
|---------|-----------|----------------------------|--------------------|-------------------|-----------------|----------------------|-------------------------------|--------------|
|         |           |                            |                    |                   |                 |                      |                               |              |
|         |           |                            |                    |                   |                 |                      |                               |              |
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|         |           |                            |                    |                   |                 |                      |                               |              |
|         |           |                            |                    |                   |                 |                      |                               |              |

| Trail Name | Difficulty Rating | Length | PoC | PoT | TTF's (Y/N) | Inspection Date |
|------------|-------------------|--------|-----|-----|-------------|-----------------|
|            |                   |        |     |     |             |                 |

| Feature | Unique ID | Lat/Long or GPS Coordinate | Dimensions (LxWxH) | Difficulty Rating | Mandatory (Y/N) | Meets Standard (Y/N) | Remedial Action/Work required | Inspected by |
|---------|-----------|----------------------------|--------------------|-------------------|-----------------|----------------------|-------------------------------|--------------|
|         |           |                            |                    |                   |                 |                      |                               |              |
|         |           |                            |                    |                   |                 |                      |                               |              |
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|         |           |                            |                    |                   |                 |                      |                               |              |

[add additional rows/tables/pages as necessary]



Recreation Sites and Trails BC –District

**INCIDENT REPORT**

Date Reported: \_\_\_\_\_ Reported By: \_\_\_\_\_

Reported To: \_\_\_\_\_

(job title)

Other People Contacted: (Site/Trail Operator, RSTBC, NRO, RCMP (if RCMP, include file #))

\_\_\_\_\_  
\_\_\_\_\_

Location Where Incident Occurred: (name of recreation site or trail)

\_\_\_\_\_

Description of People Involved: (names and addresses if known, or physical descriptions)

\_\_\_\_\_  
\_\_\_\_\_

Vehicle Description and License Plate Numbers:

\_\_\_\_\_  
\_\_\_\_\_

Witnesses: (name and contact information, if possible)

\_\_\_\_\_  
\_\_\_\_\_

Description of Incident: (continue on back of page, if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Description of Incident continued:

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Photographs: (indicate whether photographs were taken, attach to report, if possible)

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This portion of the report completed by:

|                     |                |
|---------------------|----------------|
| <hr/>               | <hr/>          |
| Name (please print) | date completed |

|           |
|-----------|
| <hr/>     |
| Signature |

Follow Up Action Taken: (include dates)

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Additional Follow-up Required:

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Action Complete/File Closed


|                             |       |
|-----------------------------|-------|
| <hr/>                       | <hr/> |
| District Recreation Officer | Date  |

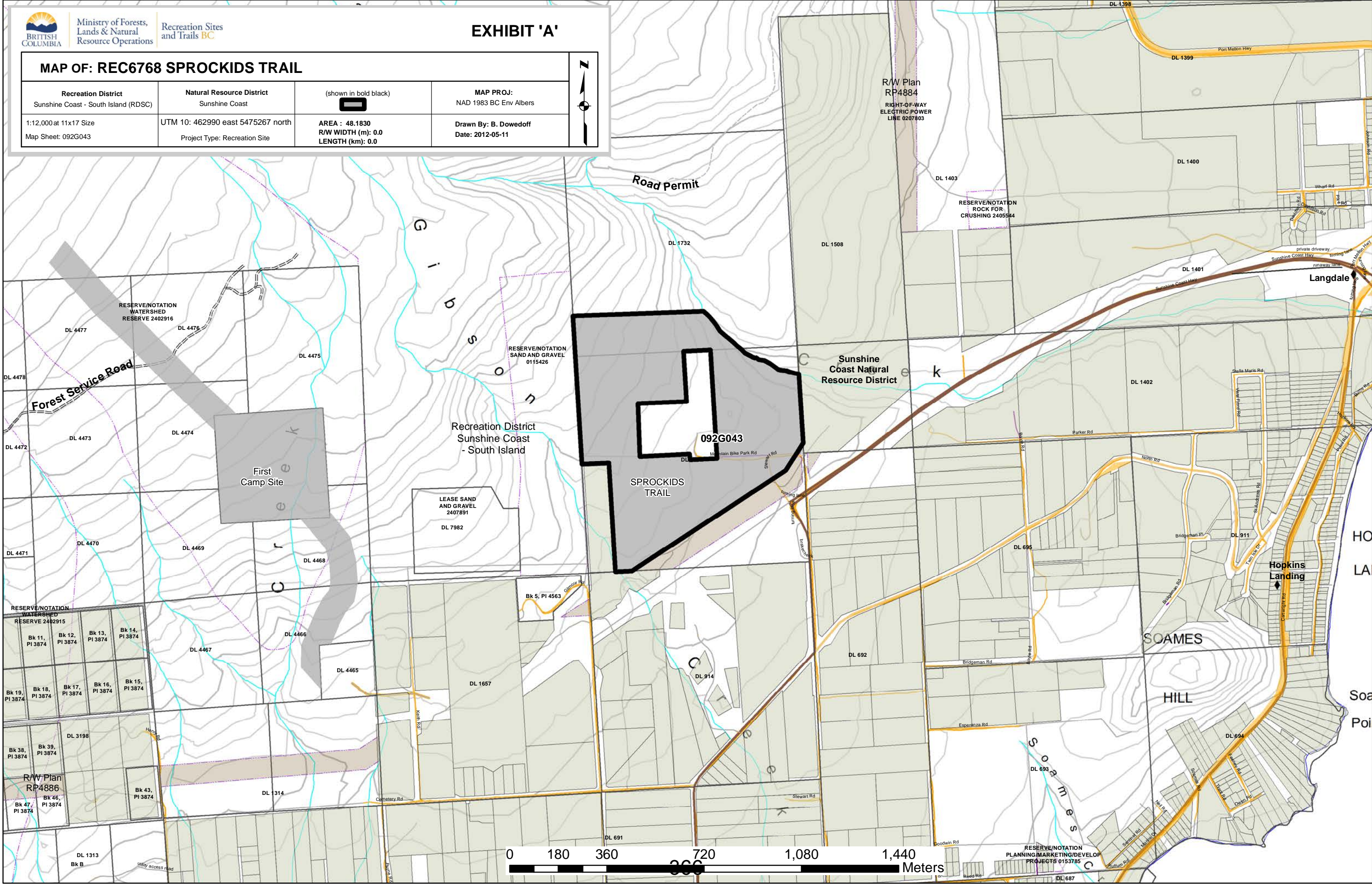




EXHIBIT 'A'

MAP OF: REC6768 SPROCKIDS TRAIL

|   |  |  |  |
|---|--|--|--|
| Recreation District<br>Sunshine Coast - South Island (RDSC) | Natural Resource District<br>Sunshine Coast                        | (shown in bold black)<br> | MAP PROJ:<br>NAD 1983 BC Env Albers      |
| 1:12,000 at 11x17 Size<br>Map Sheet: 092G043                | UTM 10: 462990 east 5475267 north<br>Project Type: Recreation Site | AREA : 48.1830<br>R/W WIDTH (m): 0.0<br>LENGTH (km): 0.0   | Drawn By: B. Dowdoff<br>Date: 2012-05-11 |





## Mountain Bike Trail Management – Annual Trail Inspection

### *Annual Trail Inspection Instructions*

Partners with agreements for mountain bike trails are required to complete annual inspections of trails and associated trail features included in the agreement. The Annual Inspection is intended to identify trails and associated features that require remedial work or maintenance in order to conform to the Ministry Guidelines and Standards. The following information will assist organizations in completing the annual inspections. An example format for recording the information is provided but is not mandatory, provided all the required information is collected and reported.

#### **1. Trail Inspection**

- a. For each trail included in the Partnership Agreement provide the following information:
  - i. Trail Name
  - ii. Difficulty Rating
  - iii. Trail Condition (poor, fair, good)
  - iv. Required maintenance
  - v. Safety or Environmental concerns (Y/N)
  - vi. Inspected By- indicate name of person performing inspection.
  - vii. Date Inspected

#### **2. Feature Inspection**

- a. For each feature on a trail, provide the following information:
  - i. Feature –type of feature, e.g. ladder bridge, log-ride, board walk etc.
  - ii. Unique ID – corresponding to the Unique Id assigned during the initial inspection and inventory.
  - iii. TTF (Y/N) – Y: if feature is classified as a TTF\*; N: if a structure is standard infrastructure (stairs, boardwalk etc).
  - iv. Difficulty Rating\*\*- if applicable (TTF) specify the difficulty rating of the feature according to Whistler Trail Standards.

- v. Meets Standard (Y/N) – indicate if the feature conforms to Whistler Trail Standards including an assessment of strength and stability, height to width ratio's, construction practices including methods for connecting members, rung spacing, surfacing, wood preparation and fall zones.
- vi. Remedial Action/ Work Required – specify any required works to enhance the safety of the feature and/or ensure it meets Ministry and Whistler Trail Standards.

### 3. New Inventory Information

If any new trails or features have been constructed with ministry authorization since the previous year's annual inspection or since the *Initial Trail and Feature Inventory and Assessment*, complete the initial inventory and assessment for the applicable trail and features. Refer to *Initial Trail and Feature Inventory and Assessment Instructions*. Update the Trail and Feature Inventory to reflect the new information and submit it to the District Recreation Officer.

### 4. Reporting

A completed *Annual Trail Inspection* must be submitted to the District Recreation Officer. Remedial works identified in the inspection should be prioritized and included in an annual operating plan. Completion of remedial works required to address safety and environmental concerns must be given first priority.

Completion of remedial works identified in the *Annual Inspection* should be identified in the Agreement Holders Annual Report submitted to the District Recreation Officer as required in Schedule E of the agreement.

## Annual Trail Inspection

Agreement Holder Name:

Agreement Number:

| Trail Name | Difficulty Rating | Trail Condition (poor, fair, good) | Required Maintenance | Safety or Environmental Concerns | Inspected By | Date Inspected |
|------------|-------------------|------------------------------------|----------------------|----------------------------------|--------------|----------------|
|            |                   |                                    |                      |                                  |              |                |

| Feature | Unique ID | TTF (Y/N) | Difficulty Rating | Meets Standard (Y/N) | Remedial Action/Work required |
|---------|-----------|-----------|-------------------|----------------------|-------------------------------|
|         |           |           |                   |                      |                               |
|         |           |           |                   |                      |                               |
|         |           |           |                   |                      |                               |
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|         |           |           |                   |                      |                               |
|         |           |           |                   |                      |                               |
|         |           |           |                   |                      |                               |

| Trail Name | Difficulty Rating | Trail Condition (poor, fair, good) | Required Maintenance | Safety or Environmental Concerns | Inspected By | Date Inspected |
|------------|-------------------|------------------------------------|----------------------|----------------------------------|--------------|----------------|
|            |                   |                                    |                      |                                  |              |                |

| Feature | Unique ID | TTF (Y/N) | Difficulty Rating | Meets Standard (Y/N) | Remedial Action/Work required |
|---------|-----------|-----------|-------------------|----------------------|-------------------------------|
|         |           |           |                   |                      |                               |
|         |           |           |                   |                      |                               |
|         |           |           |                   |                      |                               |
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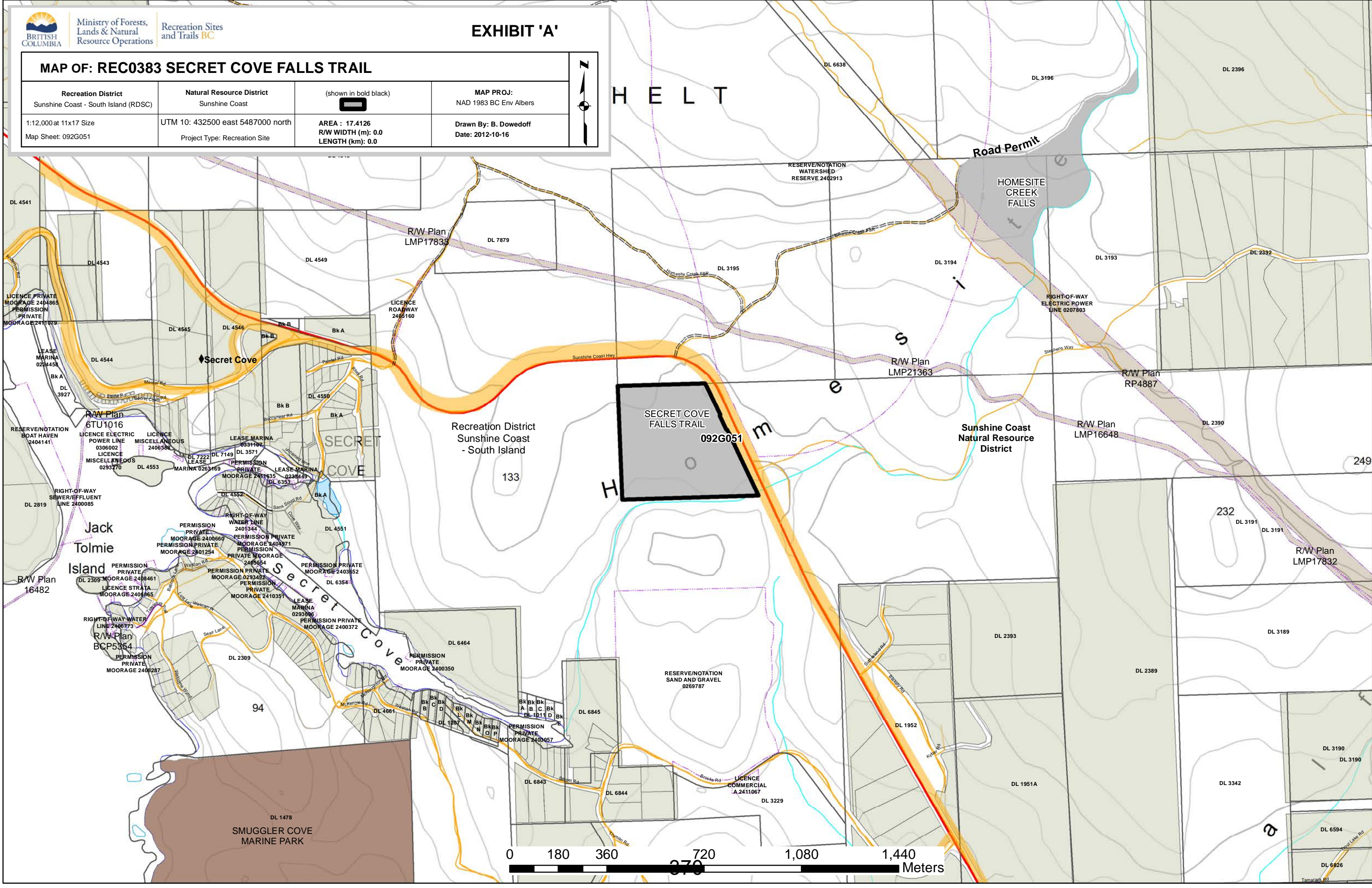
# EXHIBIT 'A'

## MAP OF: REC0383 SECRET COVE FALLS TRAIL

|  |  |  |  |
|--|--|--|--|
| <b>Recreation District</b><br>Sunshine Coast - South Island (RDSC) | <b>Natural Resource District</b><br>Sunshine Coast                 | (shown in bold black)<br> | <b>MAP PROJ:</b><br>NAD 1983 BC Env Albers             |
| 1:12,000 at 11x17 Size<br>Map Sheet: 092G051                       | UTM 10: 432500 east 5487000 north<br>Project Type: Recreation Site | <b>AREA : 17.4126</b><br><b>R/W WIDTH (m): 0.0</b><br><b>LENGTH (km): 0.0</b>                              | <b>Drawn By: B. Dowdoff</b><br><b>Date: 2012-10-16</b> |




H E L T

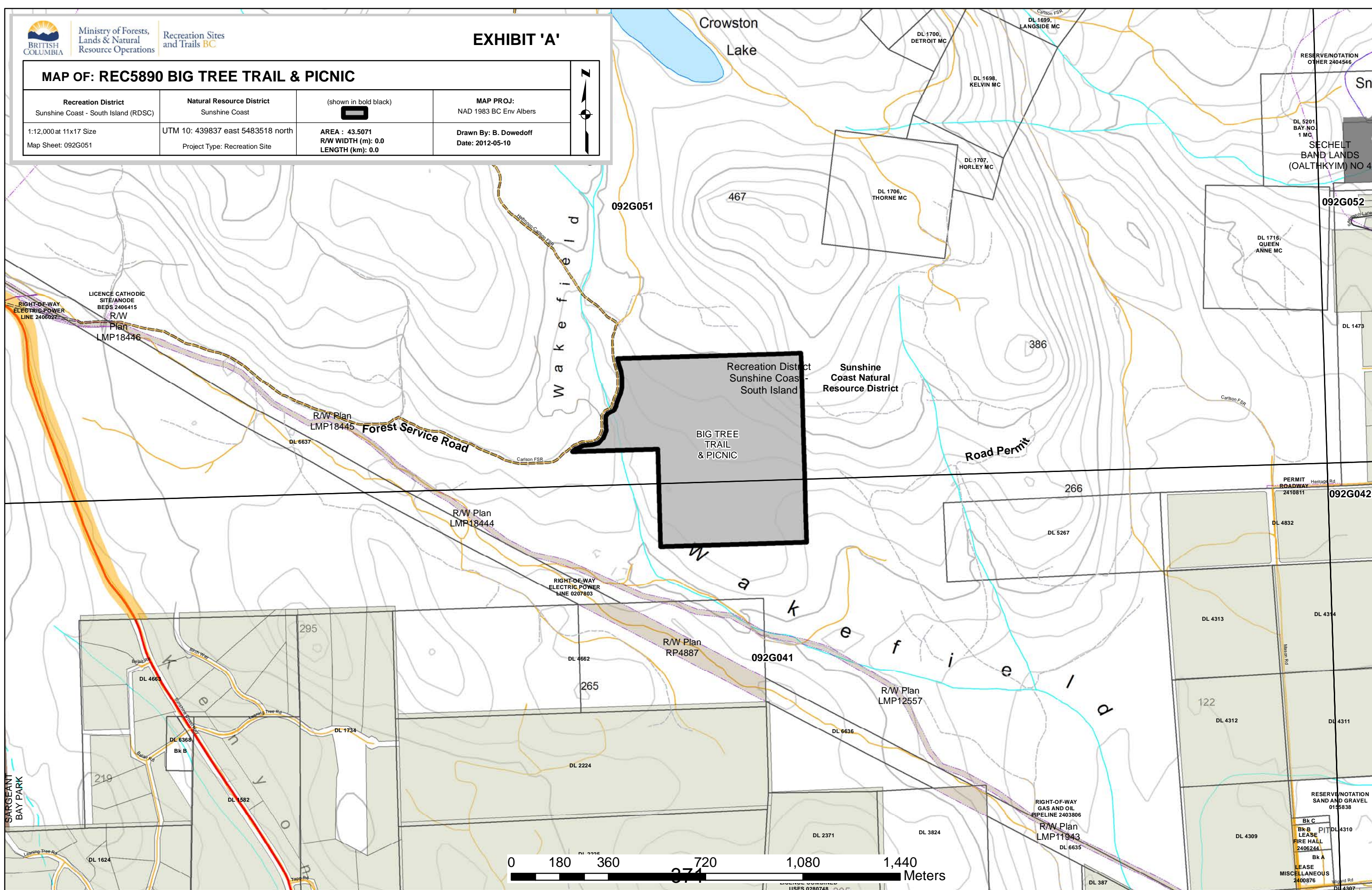






## MAP OF: REC5890 BIG TREE TRAIL & PICNIC

|  |  |  |   |
|--|--|--|---|
| <b>Recreation District</b><br>Sunshine Coast - South Island (RDSC) | <b>Natural Resource District</b><br>Sunshine Coast                 | (shown in bold black)<br> | <b>MAP PROJ:</b><br>NAD 1983 BC Env Albers              |
| 1:12,000 at 11x17 Size<br>Map Sheet: 092G051                       | UTM 10: 439837 east 5483518 north<br>Project Type: Recreation Site | <b>AREA : 43.5071</b><br><b>R/W WIDTH (m): 0.0</b><br><b>LENGTH (km): 0.0</b>                              | <b>Drawn By: B. Dowedoff</b><br><b>Date: 2012-05-10</b> |



## Partnership Agreement Engagement Summary

Name of Agreement Holder \_\_\_\_\_ Agreement number \_\_\_\_ PA \_\_\_\_\_ - \_\_\_\_\_

Date Form Completed \_\_\_\_\_ For Calendar Year \_\_\_\_

Submit this form to the ministry contact person no later than 2 weeks after the end of your Operating Season but in any event no later than January 15 of each year of your Partnership Agreement. This form is also required upon expiry or earlier termination of your Agreement.

Information on this form is collected for the purpose of insurance underwriting and for volunteer engagement statistics.

Complete as accurately as possible based on the records you create and retain for your volunteers.

Services are only those Services set out in the Partnership Agreement during the calendar year, and not any of your other activities.

| Total number of individuals who performed Services during the calendar year under age 85 and not employees* of your organization. | Total number of hours of Services performed by all the individuals including employees* and individuals over age 85. |
|---|--|
|   |  |

I hereby confirm that the information contained in this Engagement Summary is true and correct as of the date this report was prepared.

Signed by an authorized representative of the Agreement Holder \_\_\_\_\_ Print Name \_\_\_\_\_

\*an employee of your organization is an individual who receives remuneration for providing services set out in the Partnership Agreement and is a Worker as defined by the Workers Compensation Act and would be eligible for compensation benefits from Worksafe BC and therefore ineligible for Accidental Death and Dismemberment coverage provided under the terms of the Agreement.



## **DRAFT**

This Memorandum of Understanding (“MOU”) is dated for reference  
the \_\_\_\_\_ day of (Date)

**BETWEEN:**

**Sunshine Coast Regional District  
1975 Field Road  
Sechelt, BC  
V0N 3A1**

**(the “Regional District”)**

**AND:**

**Halfmoon Bay Citizens Association**

*Insert address*

**(“HBCA”)**

**WHEREAS:**

The Regional District and HBCA recognize that:

- 1.01 Secret Cove Falls Recreation Site is a recreation resource on Crown land.
- 1.02 Secret Cove Falls Recreation Site is within the territory of the shíshálh Nation
- 1.03 The Regional District is responsible for managing and maintaining Secret Cove Falls through a partnership agreement with Recreation Sites and Trails BC (RSTBC).
- 1.04 HBCA is a registered not-for-profit society on the Sunshine Coast.
- 1.05 The Regional District and HBCA are entering into agreement towards cooperative management and maintenance of Secret Cove Falls.
- 1.06 The Regional District is supportive of HBCA taking a leadership role in the stewardship of Secret Cove Falls, including all trail work in accordance with the authorized “Scope of Work”.

NOW THEREFORE, the parties agree as follows:

**AUTHORIZED SCOPE OF WORK:**

The Regional District authorizes HBCA to conduct the specific scope of work listed below:

- 2.01 Annual trail assessments with documentation.
- 2.02 Submission of annual work plan to be reviewed and approved by SCRD and RSTBC.



- 2.03 Trail maintenance and repairs, as per work plan, or as needed following seasonal weather events.
- 2.04 Installation and maintenance of signage at entry points and intersections.

The Regional District will carry out the following:

- 2.05 Maintenance of parking lot.
- 2.06 Production and purchase of signage as needed.
- 2.07 Trail repairs outside of the capacity of HBCA.

## **TERMS AND CONDITIONS:**

- 3.01 This Memorandum of Understanding is for the **period commencing ? term – start date?**
- 3.02 Either party may terminate this agreement by giving 60-days written notice. The parties shall meet during that 60-day period to discuss and attempt to resolve the reasons for termination. The party that issued the notice of termination may withdraw that notice at any point prior to the conclusion of the 60-day period, in which case this agreement continues in force and effect.
- 3.03 No amendment or modification to this agreement shall take effect unless consented to in writing by both parties.
- 3.04 Each Party will delegate a primary contact for communicating all matters pertaining to this agreement.
- 3.05 The parties shall meet annually to review work completed, and to confirm the next year's annual work plan and budget.
- 3.06 Nothing in this agreement creates or shall be interpreted as creating a relationship of agency or contractor between the Regional District and the HBCA.
- 3.07 The Regional District agrees to indemnify and save harmless the HBCA and its directors, members, volunteers and sub-contractors, if any, from and against all claims, actions, losses, damages or expenses arising from:
  - a) The willful misconduct, gross negligence or bad faith actions of the Regional District or any of its employees, contractors or representatives; and
- 3.08 HBCA agrees to indemnify and save harmless the Regional District and its directors and employees, from and against all claims, actions, losses, damages or expenses arising from:
  - a) The willful misconduct, gross negligence or bad faith actions of the HBCA or any of its employees, contractors or representatives;

The scope of work must comply with the conditions listed below:

- 3.09 The construction, rehabilitation and maintenance of new trails, trail re-routes and bypass routes are not authorized.
- 3.06 HBCA shall not transfer or subcontract the authorized scope of work without written consent from the Regional District.
- 3.07 Written consent of a sub-contractor by the Regional District will require a copy of the contract to be submitted to the Regional District as well as a copy of

indemnity and insurance documents demonstrating that the sub-contractor has Comprehensive General Liability Insurance in an amount no less than \$2,000,000 inclusive per occurrence against personal injury, property damage and liability assumed under the contract. Also the Regional District are to be added as an insured under this policy and the policy must include a cross liability clause.

- 3.08 Trail information signs must be to RSTBC standards and be approved by Regional District prior to their installation.
- 3.09 The Regional District will require notification from HBCA in writing of the date and planned scope of work for trail days organized by HBCA.
- 3.10 Use of tools by volunteers and/or subcontractors must be preceded by proper training, and where applicable, certification.

Maintenance and construction must conform to the procedures and standards outlined in:

3.11 Chapter 10 of the Recreation Manual

<http://www.sitesandtrailsbc.ca/documents/manual/chapter10.pdf>

3.12 Whistler Trail Standards

[http://cyclingbc.net/wp-content/uploads/2014/10/trail\\_standards\\_first\\_edition.pdf](http://cyclingbc.net/wp-content/uploads/2014/10/trail_standards_first_edition.pdf)

3.13 Standards and Practices for Instream Works

<http://www.env.gov.bc.ca/wld/documents/bmp/iswstdsbpsmarch2004.pdf>

3.14 Recreation Sites and Trails BC Typical Trail Clearing Standards

[http://www.shuswaptrailalliance.com/userfiles/file/trail\\_clearing\\_typical%20BC%20Rec%20Sites%20and%20Trails.pdf](http://www.shuswaptrailalliance.com/userfiles/file/trail_clearing_typical%20BC%20Rec%20Sites%20and%20Trails.pdf)

HBCA will ensure that they are familiar and comply with the:

3.15 Forest and Range Practices Act as it pertains to the use of Recreation Sites and Trails and the protection of resource values.

[http://www.bclaws.ca/Recon/document/ID/freeside/00\\_02069\\_01](http://www.bclaws.ca/Recon/document/ID/freeside/00_02069_01)

3.16 Forest Recreation Regulations as they pertain to the use of Recreation Sites and Trails.

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/16\\_2004](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/16_2004)

3.17 Water Sustainability Act

<http://www.bclaws.ca/civix/document/id/complete/strateg/14015>

3.18 Government Actions Regulation

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/582\\_2004](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/582_2004)

IN WITNESS WHEREOF the Corporate )  
Seal of the SUNSHINE COAST )  
REGIONAL DISTRICT was hereunto )  
affixed in the presence of: )

\_\_\_\_\_  
Chair )

\_\_\_\_\_  
Corporate Officer )

C/S

IN WITNESS WHEREOF the NAMED )  
PARTY was hereunto affixed in the )  
presence of: )

\_\_\_\_\_  
TITLE )

\_\_\_\_\_  
TITLE )

C/S

IN WITNESS WHEREOF NAMED )  
PARTY was hereunto affixed in the )  
presence of: )

\_\_\_\_\_  
TITLE )

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TITLE )

C/S

## SUNSHINE COAST REGIONAL DISTRICT

## HALFMOON BAY (AREA B) ADVISORY PLANNING COMMISSION

April 28, 2020

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RECOMMENDATIONS FROM THE HALFMOON BAY (AREA B) ADVISORY PLANNING COMMISSION MEETING HELD VIA ZOOM MEETING DUE TO COVID-19 RESTRICTIONS.

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|                      |                           |  |
|----------------------|---------------------------|--|
| <b>PRESENT:</b>      | Chair                     | Frank Belfry   |
|                      | Members                   | Barbara Bolding<br>Bruce Thorpe<br>Nicole Huska<br>Elsie Rudland<br>Eleanor Lenz<br>Dieter Greiner<br>Jim Noon |
| <b>ALSO PRESENT:</b> | Electoral Area D Director | Lori Pratt<br>(Non-Voting Board Liaison)   |
|                      | Recording Secretary       | Sandy Goldsmith  |
|                      | Public                    | 1  |
| <b>REGRETS:</b>      | Members                   | Catherine Ondzik<br>Marina Stjepovic   |
| <b>ABSENT:</b>       | Members                   | Alda Grames  |

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**CALL TO ORDER** 7:00 p.m.

**AGENDA** The agenda was amended and adopted as follows:

To include the report with subject of Telus Telecommunications Tower at Crawley Point – Request for Local Government Concurrence.

**MINUTES**Area B Minutes

The Area B APC minutes of January 28 & February 25, 2020 were adopted as presented.

Minutes

The following minutes were received for information.

- Egmont / Pender Harbour (Area A) APC Minutes, February 26, 2020
- Elphinstone (Area E) APC Minutes, February 26, 2020



- West Howe Sound (Area F) APC Minutes, February 25, 2020
- Planning and Community Development Committee Minutes, February 13, 2020 and March 12, 2020

## REPORTS

### Zoning Amendment Bylaw No. 310.189 (Cramer)

The Area B APC discussed the staff report regarding Zoning Amendment Bylaw No. 310.189 and after Mr. Cramer presented his proposed plans for his Lot, the following issues were noted and clarified by Mr. Cramer:

- support from neighbours
- driveway access is along property line
- proper septic placement and size in place and addition of a small treatment facility will be added

### Recommendation No. 1      *Zoning Amendment Bylaw No. 310.189 (Cramer)*

The Area B APC supports the staff recommendation on this and the Zoning Bylaw Amendment.

### BC Timber Sales (BCTS) Operating Plan 2020-2024

The staff report was received and discussed.

### Recommendation No. 2      *BC Timber Sales (BCTS) Operating Plan 2020-2024*

The Area B APC agreed with and supported SCRD staff comments included in their April 2020 report.

AND THAT, the APC requests the Province improve the management of stormwater following block harvesting to avoid adverse impacts on site and downstream and that the Province facilitate salvage of waste wood by local citizens to allow for beneficial reuse. “

The intent is that storm water management procedures be improved to avoid post harvesting adverse impacts both onsite and downstream. Also, instead of burning wood waste piles or leaving them to rot, that the province develop procedures such that the wood waste can be recycled for beneficial use i.e. fire wood, or other uses by local citizens.

### Development Variance Permit Applications DVP00058 & DVP00059 (Mulligan for Corbett)

### Recommendation No. 3      *Development Variance Permit Applications DVP00058 & DVP00059 (Mulligan for Corbett)*

The Area B APC supports staff recommendations for this development variance permit.

Discussion of concern about the fire hazard posed by the roof connection between the two structures.

### Telus Telecommunications Tower at Cawley Point – Request for Local Government Concurrence

The staff report was received and discussed.

**Recommendation No. 4**     *Telus Telecommunications Tower at Cawley Point – Request for Local Government Concurrence*

The Area B APC agreed with and supported the staff comments as to the appropriateness of the location of this proposed facility as being consistent with SCRD policies and support for this proposal subject to the review of public consultation and referral feedback.

**DIRECTOR'S REPORT**

The Director's report was received.

**NEXT MEETING**     May 26, 2020

**ADJOURNMENT**     8:20 p.m.

## SUNSHINE COAST REGIONAL DISTRICT

AREA E – ELPHINSTONE  
ADVISORY PLANNING COMMISSION

April 22, 2020

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 RECOMMENDATIONS FROM THE AREA E ADVISORY PLANNING COMMISSION MEETING  
 HELD ONLINE VIA ZOOM
 

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|                      |                                |   |
|----------------------|--------------------------------|---|
| <b>PRESENT:</b>      | Chair                          | Mary Degan  |
|                      | Members                        | Anne Cochran<br>Bob Morris<br>Dougald Macdonald<br>Karen Mahoney<br>Mike Doyle<br>Nara Brenchley<br>Rod Moorcroft<br>Ursula Dragowska |
| <b>ALSO PRESENT:</b> | Electoral Area E Director      | Donna McMahon<br>(Non-Voting Board Liaison)   |
|                      | SCRD Planner 1/ Senior Planner | Julie Clark   |
|                      | Recording Secretary            | Diane Corbett   |
|                      | Public                         | 2   |
| <b>REGRETS:</b>      | Member                         | Rick Horsley  |

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**CALL TO ORDER** 7:00 p.m.

**AGENDA** The agenda was adopted as presented.

**MINUTES**Area E Minutes

The Area E APC minutes of February 26, 2020 were approved as circulated.

Minutes

The following minutes were received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of February 25, 2020
- Halfmoon Bay (Area B) APC Minutes of February 25, 2020
- Roberts Creek (Area D) APC Minutes of February 24, 2020
- West Howe Sound (Area F) APC Minutes of February 25, 2020
- Planning & Community Development Committee Minutes, February 13 & March 12, 2020

## REPORTS

### BC Timber Sales (BCTS) Operating Plan 2020 - 2024

The APC discussed the staff report on BC Timber Sales (BCTS) Operating Plan 2020-2024. Staff provided background and explanatory information.

Points from discussion that also included input from the Director and members of the public included:

- Support for creation of a watershed governance model that takes into account long-term impacts and looks at forest operations in a holistic manner.
- Support for staff recommendations.
- BCTS has a limited mandate and are like a go-between with government. There is a need to get through to the Minister of Forests, Lands, Natural Resource Operations and Rural Development.
- We fail to involve BCTS in our community plans; they are more our adversaries than anything. We will probably need to take a new approach and may have to go for partial protection. Create a bike trail from Langdale through the lower forests of Elphinstone to Sechelt and back. The idea would be to manage the most attractive low elevation corridor and make BCTS a part of it. It pays back pretty readily. If BCTS could get credit for that, they might be more interested.
- Too many ministries are involved, working independently, in silos.
- Would like SCR D to be included in the larger picture in the harvesting plans – 25, 50, 100 year for better holistic planning.
- The highly valuable merchantable timber is being removed. Don't think there is any intention to keep the forest as we know it now. Unless the forest is protected it will be gone.
- In addition to crown land logging, there are concerns about logging on Private Managed Forest Lands (PMFL); it has never been on the APC table. How does the governance model of PMFL jibe with the provincial plan?
- Discussion of the expanded area around District Lot 1313 designated by BCTS for "enhanced public engagement".
- Resident adjacent to DL1313 reported on BCTS consultation in March with five or six residents; BCTS should meet with all the residents, not just a select few. What has been done so far is not acceptable. They said they plan to cut part of DL1313 in a few years.
- Regarding cut block 519, SCR D is right to highlight dangers related to surface storm water. Creeks have been known to merge and cause washouts. The government should be held accountable for their actions and pay for damages, so maybe will think more carefully. Cut block 519 has so many streams below it; it is not an appropriate cut block in terms of watershed protection and water issues.
- There is an opportunity to recommend features that should be preserved, such as recommending that cut blocks not be cut on a ridgeline because it is important to the view.
- Concern about expansion of the gravel pit and impact on water contamination.
- Only 3% of low elevation forests are protected on the Sunshine Coast, impacting biodiversity.
- Shock at Forest Practices Board comments that there is no legal requirement for licensees to consider down hill water impacts. Put some responsibility somewhere; there doesn't seem to be any.
- There are two problems: overlapping authority and areas where nobody is responsible; overland flooding is classic. Ministry of Transportation and Infrastructure needs to be at the table. This is something that needs a lot more attention.



- There needs to be accountability across all levels of government for long-term “modernized land use planning”; need to be able to bring everyone to the table. If something happens downhill, there needs to be recourse, and accountability of all levels of government with each other.
- Accountability has to go on for longer than a year. It takes six to eight years to see impacts (as in the Lower Road wash-out). Property owners cannot be insured for any logging going on above their property.
- A planning process will likely take time. We need special protection of key areas for the future of our community during the process of developing a modernized land use plan.
- This is a constructive report that takes into account a holistic direction. Hope that with the level of cooperation happening at the regional level, we can incorporate all of the regional, provincial, and federal governments into that.

### **Recommendation No. 1**

### *BCTS Operations Plan 2020-2024*

The Area E APC made the following recommendations with regard to the BC Timber Sales Operations Plan 2020-2024:

1. That all levels of government work together to create a cohesive holistic plan for the Sunshine Coast that encompasses all areas of concern.
2. That if it is a bad fire year, this should be taken into account and should reduce the allowable cuts the next year so that the areas that weren't burnt do not get decimated because it is the only area left to cut.
3. That the silos and levels of government work together to develop a plan for the next 25 to 50 years at minimum, renewed every five years, to ensure that we are developing holistically as a coast.
4. That responsibility is taken by all levels of government regarding the level of impact of each level of government on other levels of government.
5. That Area E APC would like to see the modernized land use planning moved forward as how the Sunshine Coast develops as a whole, that would include the forest slopes above the settled area, and that would be a multi-year longer-term vision.
6. That we as a community choose what key resources are in this area that we would like to protect and what we are most concerned about losing, before we can get this planning process underway.
7. That watersheds, surface water, groundwater, and all water sources be protected, and that any development going forward takes protection of water into consideration.
8. That we would like to see a modernized land use plan that takes into account all the provincial land, and would like to see a recommendation for a regional growth strategy for the Sunshine Coast so the local governments can have impact and control over what happens to us as a whole in our development.
9. That all high quality mature low elevation forest between Roberts Creek and Langdale, with multiple trails through it now, is protected until we decide what to do with it.
10. That we continue to see District Lot 1313 as a very important piece for the Elphinstone area and would like to see this reserved throughout these negotiations.
11. That the Area E APC accepts all of the recommendations by the SCRD made on pages 24-25 of the agenda, and that we are in agreement with the government moving forward with the pursuit of all those recommendations.
12. That we do our best to protect the urban forest interface in our area, and District Lot 1313 is a large piece of that protection.

**DIRECTOR'S REPORT**

The Director's report was received.

**NEXT MEETING**      May 28, 2020

**ADJOURNMENT**      8:45 p.m.

**SUNSHINE COAST REGIONAL DISTRICT****AREA F – WEST HOWE SOUND  
ADVISORY PLANNING COMMISSION****April 28, 2020**


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RECOMMENDATIONS FROM THE WEST HOWE SOUND (AREA F) ADVISORY PLANNING COMMISSION MEETING HELD ONLINE VIA ZOOM

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|----------------------|----------------------------|---|
| <b>PRESENT:</b>      | Chair                      | Gretchen Bozak  |
|                      | Members                    | Doug MacLennan<br>Susan Fitchell<br>Kate-Louise Stamford<br>Fred Gazeley<br>Sarah Macdonald |
| <b>ALSO PRESENT:</b> | Director, Electoral Area F | Mark Hiltz<br>(Non-Voting Board Liaison)  |
|                      | Recording Secretary        | Diane Corbett   |
|                      | Public                     | 2   |
| <b>REGRETS:</b>      | Member                     | John Rogers   |

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**CALL TO ORDER**                      7:00 p.m.

**AGENDA**                              The agenda was adopted.

For the convenience of the public, the order of the agenda items was changed.

**DELEGATIONS**Dan Plows regarding Development Variance Permit Application DVP00053 (Plows)

Mr. Plows addressed the APC regarding a request to vary the total floor area of a single family dwelling in the R1 zone, located on a corner lot at Central Avenue and Fisher Road. The applicant discussed background on work done to date, and described challenges he experienced regarding the organization of information within Zoning Bylaw No. 310; he was not informed about small lot size restrictions initially, and this information is described in a different part of the Zoning Bylaw from the R1 section.

A rough site plan had received a nod from staff. Excavation, engineering and design measures were carried out; only when it came time for obtaining permits was it apparent that small lot requirements would be applied to the lot, impacting the permitted gross floor area and necessitating a variance application. The applicant reported that the variance requested was an increase of around 900 square feet, for a total floor area around 2100 square feet. The height of the house from grade at Fisher to the roofline would be nine meters, below what is permitted.

Dave Magnuson-Ford regarding Development Variance Permit Application DVP00057 (Magnuson-Ford)

Mr. Magnuson-Ford addressed the APC regarding a variance request to reduce the side lot line setback to permit an addition and alteration to an existing single family dwelling and construction of a new detached garage. The applicant proposed to fill in an existing carport to make a living space. When originally built in 1978, it encroached on the setback. A variance would be needed as this would be classified as a new build. It would be most cost effective to locate a detached garage at the front rather than back of the property. The existing shed would be torn down.

**MINUTES**West Howe Sound (Area F) Minutes

The West Howe Sound (Area F) APC minutes of February 25, 2020 were approved as circulated.

Minutes

Received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of February 26, 2020
- Halfmoon Bay (Area B) APC Minutes of February 25, 2020
- Roberts Creek (Area D) APC Minutes of February 24, 2020
- Elphinstone (Area E) APC Minutes of February 26, 2020
- Planning and Community Development Committee Minutes of February 13 & March 12, 2020

**REPORTS**BC Timber Sales (BCTS) Operating Plan 2020-2024

The APC discussed the staff report regarding BC Timber Sales (BCTS) Operating Plan 2020-2024. Director Hiltz provided background information on the plan.

The following points were noted:

- Someone has put a lot of effort into reviewing the plan. It is spread out over the whole Regional District. Support staff's comments.
- It is a pretty comprehensive recommendation as it is (in the staff report).
- Like the "cumulative effects framework" and looking at something like that for the Sunshine Coast.
- For recommendations on the plan, you have to refer to the experts; this is beyond laypersons' knowledge.
- The document is very technical. Did not see anything controversial. Support staff recommendations.



**Recommendation No.1**     *BC Timber Sales Operating Plan 2020-2024*

The Area F APC recommended support for the BC Timber Sales Operating Plan 2020-2024 for the following reasons:

- it is a very comprehensive approach already;
- the APC agrees with staff recommendations;
- the work needs to be done by experts.

**Development Variance Permit Application DVP00053 (Plows)**

The APC discussed the staff report regarding Development Variance Permit Application DVP00053 (Plows), a request to increase the maximum permitted gross floor area from 30% (156 square metres) to 47% (243. 63 square metres), to permit the construction of a new single family dwelling.

The following concerns and points were noted:

- Inquiry about whether feedback or comments of support had been received from neighbours.
- If no neighbours object, and staff support it, see no reason to decline permit. There have been lots of these variances over the years. It is not a monster house, and staff supports. Agree with staff recommendations.
- Application is within road setback guidelines.
- Concern: lack of time for neighbours feedback.
- Meets Official Community Plan policies.
- Concern that the building not be as huge as a nearby dwelling that had received variances, cited by the applicant as a precedent.
- Did not see any objection from staff.
- Concern about the accuracy of the numbers provided in the DVP application related to gross floor area.

**Recommendation No. 2**     *Development Variance Permit Application DVP00053 (Plows)*

The Area F APC recommended that Development Variance Permit Application DVP00053 (Plows) be supported on condition there are no objections from the neighbours, for the following reasons:

- no known objections from the neighbours;
- it is within setbacks;
- staff support.

**Development Variance Permit Application DVP00057 (Magnuson-Ford)**

The APC discussed the staff report regarding Development Variance Permit Application DVP00057 (Magnuson-Ford), a variance request to reduce the side lot line setback contiguous to a highway from 4.5 metres to 2.0 metres to permit a single family dwelling alteration and the construction of a new auxiliary building, located at Grady Road.

The following points were noted:

- The applicants are filling in a carport, not moving anything, with no new foundations.

They need a variance because of the setbacks to meet new requirements. Agree with staff to support the application.

- Support for the application.
- It is a much better plan than what currently exists.

**Recommendation No. 3**     *Development Variance Permit Application DVP00057 (Magnuson-Ford)*

The Area F APC recommended that Development Variance Permit Application DVP00057 (Magnuson-Ford) be supported for the following reasons:

- SCRD Planning staff supports the application;
- Ministry of Transportation and Infrastructure supports the application;
- there are no neighbour complaints or objections.

**DIRECTOR'S REPORT**

The Director's report was received.

**NEXT MEETING**     Tuesday, May 26, 2020

**ADJOURNMENT**     8:29 p.m.

Ms. Christina Clark

924 Henry Road  
Gibsons, BC V0N 1V2

April 16, 2020

**SCRD Board of directors**

1975 Field Rd  
Sechelt BC, V0N 3A1

**Protect Reed Road Forest (DL 1313) from clear-cut logging**

Dear Board of Directors:

We learned with dismay that plans continue to be made to sell Reed Road Forest for clear-cut logging. BCTS was a few weeks ago engaged in a process of enhanced public engagement. A process whereby they told the few local residents, that BCTS including in discussion, that they plan to cut the forest in the coming year.

We ask you to permanently remove Reed Road Forest from the BCTS inventory.

Reed Road Forest is a spectacular forest with a well-established ecosystem and abundant wildlife. It regenerated naturally after a fire in 1906 and has never been logged, except some manual logging in some sections before the fire. It must thus be regarded as an old growth forest. Importantly, Reed Road Forest is at the urban-forest interface, very close to Gibsons and offers easy access for people. It is the only old growth forest that is easily accessible in the Elphinstone area.

Especially today, in light of the Covid-19 pandemic, it is more than ever essential that we maintain healthy forest ecosystems as they are critical to our health and wellbeing. They produce clean air, absorb pollutants, are a source of freshwater for wildlife and communities and help combat climate change by storing immense amounts of carbon. As you will be aware, the clear-cut logging practice in BC is contributing more to greenhouse gas emission than BC's entire transportation system.

While logging of Reed Road Forest will generate some modest stumpage income for your government (less than \$2M), study of money flows of the recently destroyed Clack Creek Forest shows that basically none of the money generated will come back to the residents of the Sunshine Coast. At best they will be left with another tree farm that lacks the biodiversity of naturally evolved forest. Clack Creek Forest that was just sold and is now being utterly destroyed is estimated to bring a similar \$2M to your government and about \$1M profit to a non-Sunshine Coast based logging company, but basically no economic benefits to local residents and businesses. Please do not condemn Reed Road Forest to the same fate.

The Sunshine Coast is extremely shortchanged with only 3% protection of its low elevation forest (below 600m), we should have significantly more of these protected forests that are easily accessible to all. Please protect this beautiful coastal forest. People living here now, as well as future generations will thank you.

Sincerely,

Christina Clark



April 20, 2020

Ms. Lori Pratt  
Sunshine Coast Regional District  
1975 Field Road  
Sechelt, BC  
V0N 3A1

Email: Board@scrd.ca

**Re: COVID-19 and Construction**

Dear Ms. Pratt,

The Vancouver Island Construction Association (VICA) along with the Canadian Home Builders' Association Vancouver (CHBAVI) and our 625 combined members have long prioritized safety and the well-being of the construction industry – for our workers and for the public.

In the last fiscal year, we saw continued gains in building permits in all communities on Vancouver Island and the Sunshine Coast. In addition, up until the COVID-19 pandemic, there was a trend of more activity in the residential building sector to keep-up with the increased demand for housing.

Many of the projects we deliver are essential to Vancouver Islander's quality of life – the clean water we drink, energy infrastructure, critical transportation infrastructure, public schools and universities, and the hospitals and other health care facilities where we receive care.

Like all Canadians, construction has been hit hard by COVID-19. The industry is already facing a workforce challenge, and now COVID-19 will further intensify the situation by putting many companies at risk and leaving thousands of employees out of work. As a designated essential service, we have been evolving, on what seems to be a daily basis, to adapt our work processes and procedures to ensure our workers remain safe and healthy. This is our commitment to ensure we can support construction.

Infrastructure will be a key component to our Island's economic recovery. The construction industry is ready to step up and support our community in its efforts, but for this we need help.

As we look to the future, we urge you to consider keeping your projects moving forward, both current and planned, provided they can be done safely and in accordance with the direction of the Provincial Health Officer. Our position is that compliant sites should be open and those that cannot consistently comply with measures and guidelines of public health authorities should shut down.

The construction sector is a vital component of our economic health. Over the past many years, the construction sector is one of the island's highest employers and has contributed nearly 10% to BC's GDP. I'm sure this is not lost on you. As we look to recovery, the role of the public sector will become even more critical in restoring and sustaining infrastructure investment.

Finally, we know the Sunshine Coast Regional District understands that the impact of COVID-19 on construction contracts and contractors is unprecedented. Therefore, we are asking that fairness and consideration for these extreme circumstances be a guiding principle when dealing with schedule and cost impacts experienced by contractors on municipal contracts as follows:

- Providing fair extensions of time and fair compensation for reasonable costs incurred due to COVID-19 would remove much of the pressure from businesses already dealing with serious financial repercussions from this crisis. During the recovery phase, the industry will need time to return to full productivity as supply chains ramp up and some of the workforce may still be under quarantine or healing.
- Compensation for reasonable costs must be supported by sufficient documentation. They may include, but are not limited to, any expenses incurred relating to:
  1. Demobilization;
  2. Making the site safe;
  3. Interruptions of the supply chain;
  4. Extended rentals;
  5. Additional overheads during delay; and
  6. Site security.
- Contractors are to provide proper notices as required under contracts, to keep adequate records of all relevant information, to mitigate costs, and to be transparent and forthcoming in discussions with the all levels of government of the schedule and cost impacts related to the COVID19 pandemic.
- To recognize the undue stress on workers from interruptions in the payment chain, the Sunshine Coast Regional District would continue existing payment terms with prompt and appropriate approvals to ensure timely release of monies.

We recognize that these are uncertain and challenging times. Together, VICA, CHBAVI and our members are ready to support your community's construction needs. Please feel free to reach out to either of the undersigned at any time to discuss this or any other matters concerning the construction industry.

Thank you for your leadership and consideration.

Sincerely,



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Rory Kulmala  
Chief Executive Officer - VICA  
1075 Alston Street, Victoria, BC • V9A 3S6  
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rorykulmala@vicabc.ca  
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