



PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

Thursday, November 12, 2020
SCRD Boardroom, 1975 Field Road, Sechelt, B.C.

AGENDA

CALL TO ORDER 9:30 a.m.

AGENDA

1. Adoption of Agenda

PRESENTATIONS AND DELEGATIONS

2. Chris Hergesheimer, Director of Programs and Innovation, One Straw Society
Regarding Sunshine Coast Food Charter ANNEX A
pp 1 - 5
3. Development Variance Permit Application DVP00054 (4355 Lake Road) Verbal
 - i. Lorna Vanderhaeghe (Owner/Applicant)
 - ii. Martin Aidelbaum (Adjacent Property Owner)

REPORTS

4. Development Variance Permit Application DVP00054 (4355 Lake Road)
Manager, Planning and Development ANNEX B
pp 6 - 68
Electoral Area A (Rural Planning) (Voting – A, B, D, E, F)
5. Development Variance Permit Application DVP00063 (5642 Mintie Road)
Senior Planner ANNEX C
pp 69 - 161
Electoral Area B (Rural Planning) (Voting – A, B, D, E, F)
6. 698 Leek Road, Roberts Creek – Covenant Amendment ANNEX D
pp 162 - 176
Senior Planner
Rural Planning (Voting – A, B, D, E, F)
7. Gibsons and District Aquatic Facility (GDAF) Re-opening Report ANNEX E
pp 177 - 183
Manager, Recreation Services
Community Recreation Facilities (Voting – B, D, E, F, ToG, DoS, SIGD)
8. Coopers Green Hall Public Consultation Process ANNEX F
pp 184 - 193
General Manager, Planning and Community Development
Community Parks (Voting – A, B, D, E, F)
9. Coopers Green (tituls) Park Boat Launch ANNEX G
pp 194 - 208
General Manager, Planning and Community Development
Community Parks (Voting – A, B, D, E, F)
10. Dakota Ridge Snowmobile Replacement and UTV Repair Options ANNEX H
pp 209 - 211
Parks Planning Coordinator
Dakota Ridge Recreation Service Area (Voting – All)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <p>11. Seaview Cemetery - Additional Columbarium Purchase
Parks Superintendent
Cemetery Services (Voting – All)</p> | <p>ANNEX I
pp 212 - 213</p> |
| <p>12. Communications Plan for Step Code Implementation
Chief Building Official
Building Inspection Services (Voting – A, B, D, E, F, SIGD)</p> | <p>ANNEX J
pp 214 - 215</p> |
| <p>13. RFP 2011602 - Fire Department Apparatus Replacement Award Report
Manager, Protective Services
Fire Protection (Voting – B, D, E, F, and ToG)</p> | <p>ANNEX K
pp 216 - 217</p> |
| <p>14. Sunshine Coast Regional District Policing and Public Safety Committee Meeting
Minutes of October 15, 2020
(Voting – All)</p> | <p>ANNEX L
pp 218 - 219</p> |

COMMUNICATIONS

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <p>15. <u>Raquel Kolof, Hough Heritage Farm, 367 Hough Road, Elphinstone dated October 4, 2020</u>
Regarding Restricting Industrial Cannabis Production on Agricultural Land</p> | <p>ANNEX M
pp 220 - 223</p> |
| <p>16. <u>Peter Luckham, Chair, Islands Trust Council, dated October 2, 2020</u>
Regarding Letter to Minister of Transportation and Infrastructure and Minister of Transport regarding New Brighton Dock, Gambier Island.</p> | <p>ANNEX N
pp 224 - 225</p> |
| <p>17. <u>Dr. Bonnie Henry, Provincial Medical Health Officer, Ministry of Health dated October 14, 2020</u>
Regarding use of facilities for public immunization clinics</p> | <p>ANNEX O
pp 226</p> |
| <p>18. <u>Hon. Marc Garneau, M.P., Minister of Transport, received October 30, 2020</u>
Regarding Response to September 30, 2020 Letter regarding New Brighton Dock from Patrick Weiler, M.P. West Vancouver – Sunshine Coast – Sea to Sky Country</p> | <p>ANNEX P
pp 227 - 228</p> |

NEW BUSINESS

IN CAMERA

That the public be excluded from attendance at the meeting in accordance with Section 90 (1) (a), (e), (k) and 2(b) 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”, “the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality”, “negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public” and “the consideration of information received and held in confidence relating to negotiation between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party”.

ADJOURNMENT

Sunshine Coast Food Charter

DRAFT 10: UPDATED July 24, 2020

Researched and developed by:

One Straw Society and Vancouver Coastal Health Authority

In consultation with:

Barbara Seed, PhD, MPH, RD

Nutrition and Food Policy, Research and Education

In collaboration with and support from:

Gibsons Public Market (pending endorsement)

Roberts Creek Community Farm Market

Sechelt Farmers' and Artisans' Market

Southern Sunshine Coast Farmers' Institute (pending endorsement)

Sunshine Coast Botanical Society

Sunshine Coast Community Services Society

Sunshine Coast Conservation Association

Sunshine Coast Healthy Communities Team

Sunshine Coast Regional Economic Development Organization

Sunshine Coast Seed Saving Collective

Sunshine Coast Tourism

Guided by key strategic resource documents:

Sechelt Nation Strategic Land Use Policy 2007

Sunshine Coast Regional District Agricultural Area Plan 2014

Sunshine Coast Regional District 2019-2023 Strategic Plan

Town of Gibsons 2019-2022 Strategic Plan

District of Sechelt 2019-2022 Strategic Plan

United Nations "Report of the Special Rapporteur on the Right to Food"

United Nations "Principles for Responsible Investment in Agriculture"

People's Food Policy Project, "Resetting the Table" 2011

Food Policy for Canada 2019

and

Existing Food Charters for the regions and communities of:

Squamish, Cowichan, Vancouver, Richmond, Kaslo, Central Okanagan,

Vancouver Island Region, Toronto, Manitoba, Sudbury, and North Vancouver

Adopted by local Governments on the Sunshine Coast:

District of Sechelt (pending)

Shíshálh Nation (pending)

Sunshine Coast Regional District (pending)

Town of Gibsons (pending)

Why a Sunshine Coast Food Charter?

Governments at all levels are responding to the growing need for strategic and integrated food policy to build and nurture just and sustainable food systems. One way this is happening is through the adoption of regional Food Charters that bring together a common vision, principles, and broad goals pointing to a coordinated regional food strategy, creating cultural, social, economic, environmental, health, and educational benefits for all of society.

Canada has signed international agreements related to the human right to food – The Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the Child Rights Convention. Both Riches (1995) and the UN recommend the promotion of a greater understanding of the human “right to food” (see definitions). Canada also launched its first ever Food Policy for Canada in June, 2019.

Vision

We nurture a thriving, just and resilient local food system, where everyone has dignified access to nutritious and culturally preferred food.
The food system contributes to cultural and social well-being and the economy of the Sunshine Coast.

Principles

In the development of a resilient and thriving local food system, the following principles are supported and upheld by local governments, citizens and organizations.

Collaboration and Participation - Community food security improves when local government collaborates with community groups, individuals, businesses, and other levels of government on sound food system planning, policies and practices. Sustainable food systems encourage civic engagement, promote responsibility, and strengthen communities.

Health and Wellbeing of people are enhanced through connection, access to nutritious food, knowledge, diversity, fair living wages, and safe, respectful work environments.

Cultural Vitality exists when creating, sharing, celebrating and supporting arts, food, history and culture is a part of everyday life in our communities. We thrive when we learn, respect, and celebrate the unique traditions, history, culture and foods of our neighbours.

Environmental Stewardship is the recognition of our collective responsibility to protect the quality and abundance of our land, air, water and biodiversity, and to manage this natural capital in a way that conserves all of its values.

Economic Vitality – Local farms and food businesses are a fundamental element of and strengthen the local economy and enhance all components of the food system.

Goals achieved by the implementation and upholding of the Sunshine Coast Food Charter:

Health and Wellbeing:

- The food system promotes overall good health and wellbeing.
- All residents have the knowledge and feel empowered to engage in and impact the food system.
- The food system respectfully and fairly honours diversity, and all residents have equal, dignified access to healthy, affordable food, regardless of race, wealth, ability or otherwise.
- Fair living wages and safe, respectful and meaningful work environments are provided for all people at all levels of the food system.

Cultural Vitality:

- All levels of government, the public, and community groups and organizations work collaboratively toward an enhanced understanding of and relationship with Shíshálh and Skwxwú7mesh nations and culture.
- The Sunshine Coast protects and celebrates its natural resources, culture and indigenous heritage in order to maintain and encourage local traditions and practices of food harvesting and production.
- The diverse world cultures and traditional foods of community members are honoured, taught and celebrated.

Environmental Stewardship:

- Forests, marine and freshwater resources, and agricultural lands are protected, thriving, and biodiverse.
- Local residents, farmers, and businesses are using ethical, sustainable and regenerative practices (land, soil, seed, plant and pest control, water, and waste).
- Food waste is first minimized, then reclaimed or disposed of sustainably.

Economic Vitality:

- The Sunshine Coast has a diverse and thriving food economy in which all residents can participate, including farmers, food gardeners, producers and distributors.
- Local, diversified farms and food production businesses are economically viable through having access to land and resources; reliable means of labour, distribution and sale; and zoning, bylaws and policy that is supportive of farming and food businesses.
- Institutions have enough options and incentive to enter into long term food purchase agreements.
- The Sunshine Coast is a food, agricultural, and culinary destination.

DEFINITIONS:

For the purposes of clearly defining all information contained within this document, and supporting documents, policy and resources that may pertain to the Food Charter:

“CULTURAL VITALITY” means creating, disseminating, validating, and supporting arts and culture as a dimension of everyday life in communities, including the cultural practices of the shíshálh and sk̓wxwú7mesh Nations.

“CULTURALLY APPROPRIATE FOOD” is understood as food that corresponds to individual and collective consumer demand and preferences, in line with national and international law.

- 2015 United Nations Food and Agriculture Organization

“FAIR” and **“FAIRNESS”** within food systems relates to the quality of life of all people within the food system, and the right to equitable and just opportunities, access, treatment, support, wages, and working conditions.

“FOOD” means local, sustainable, culturally appropriate, safe, high quality, fresh, and minimally processed foods.

“FOOD SECURE” means all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life.

“FOOD SOVEREIGN” means people have the right to access healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and the right to define their own food and agriculture systems.

“FOOD SYSTEM” is the path that food travels from seed to soil, field to fork and back again. It includes the growing, harvesting, seed-saving, processing, packaging, transporting, marketing, consuming, and disposing of food. It also includes the inputs needed and outputs generated at each step. A food system operates within and is influenced by social, political, economic and environmental contexts. It also requires human resources that provide labor, research and education.

“RESILIENCE” means the capacity to recover quickly and remain food secure during times of disturbance.

“RIGHT TO FOOD” means that Governments must respect, protect and fulfil the right to food.

- a. The obligations to respect means that Governments must not violate the right to food (e.g. evict people from their land, destroy crops).
- b. The obligation to protect means that Governments must protect their citizens against violations by other actors (e.g. by instituting regulations on food safety).
- c. The obligation to fulfil the right to food means that the Government must first facilitate the right to food by providing an enabling environment for people to feed themselves (e.g. engage in land reform, stimulate employment), and secondly, the Government must be the provider of last resort in cases where people cannot feed themselves for reasons beyond their control (e.g. social safety net programs, food stamps, food in prison).

- United Nations Economic and Social Council. January 2003. *Economic, Social and Cultural Rights: The Right to Food, Article #18*

“SOCIAL WELLBEING” means the extent to which you feel a sense of belonging and social inclusion; a connected person is a supported person in society. Lifestyles, ways of living together, value systems, traditions and beliefs are all important to our social well being and quality of life.

“SUSTAINABLE” means meeting the needs of the earth, our natural environment and human population while conserving or creating resources for future generations.

“SUSTAINABLE DIET” means diets with low environmental impacts which contribute to food and nutrition security and to healthy life for present and future generations.

Sustainable diets are protective and respectful of biodiversity and ecosystems, culturally acceptable, accessible, economically fair and affordable; nutritionally adequate, safe and healthy; while optimizing natural and human resources.

- 2010 FAO International Scientific Symposium on Biodiversity and Sustainable Diets

“SUSTAINABLE ECONOMY” means economic development that attempts to satisfy the needs of humans but in a manner that sustains natural resources and the environment for future generations.

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

AUTHOR: Dave Pady, Manager, Planning and Development

SUBJECT: Development Variance Permit Application DVP00054 (4355 Lake Road)

RECOMMENDATIONS

THAT the report titled Development Variance Permit Application DVP00054 (4355 Lake Road) be received;

AND THAT Development Variance Permit Application DVP00054 (4355 Lake Road) be denied.

BACKGROUND*Summary of Application*

In November 2019 a Development Variance Permit application (Attachment A) was received for a property located on Sakinaw Lake located at 4355 Lake Road, Pender Harbour.

The application as received seeks to vary the height and setback of a single family dwelling that is a reconstruction of a building (constructed circa 1970) that is non-conforming as to siting which encroached into the 20 metre natural boundary setback to a lake by 10.5 metres.

The intent of the application is to legalize construction that has occurred that is in contravention of development and building permits. A mismatch between permitted construction and what was being built was identified at the framing stage.

The applicant has stated to staff in the application and in subsequent communications that the variance is required to address a building error (height), geotechnical requirements that emerged during construction (deck post setback) and what might be described as design issues (rear west corner and kitchen area).

Staff have done extensive research on this building and had multiple meetings with the applicant and their contracted design professionals. Stop work orders have been in place since December 2019 (within the setback area) and February 2020 (entire property).

The purpose of this report is to provide information on the application and obtain a resolution from the Committee. The SCRD Board of Variance has authority to grant or deny the variance.

Figure 1 – Location of Subject Property (highlighted in yellow)



Table 1 – Application Summary

Owner / Applicant:	Lorna Vanderhaeghe
Legal Description:	Lot 2, DL 3921, Plan BCP23871
P.I.D.:	026-674-548
Electoral Area:	A – Pender Harbour / Egmont
Civic Address:	4355 Lake Road, Pender Harbour
Zoning Bylaw 337:	RU-1 (Rural Residential)
OCP Land Use:	Rural Residential A in the Egmont / Pender Harbour OCP
Parcel Area:	1 hectare
Proposed Variances:	<p><u>The following variance request was received through email correspondence after an initial application made November 12, 2019:</u></p> <p>To vary the height of a single family dwelling which is non-conforming as to siting from 14.48 metres to 15.05 metres and to reduce the required setback to Sakinaw Lake from 20 metres to 9.4 metres.</p> <p><u>Applicant's Original Stated Request:</u></p> <p><i>"We are requesting the rear west corner be squared off and reduce roof line resulting in better roof structure."</i></p> <p>The application was updated and augmented through a letter received January 16, 2020:</p> <p><i>"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. ... Our request is to square off the rear corner of the house and simplify the roof line above that area.... 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."</i></p> <p>The foregoing is what the applicant is seeking. See staff analysis below.</p>

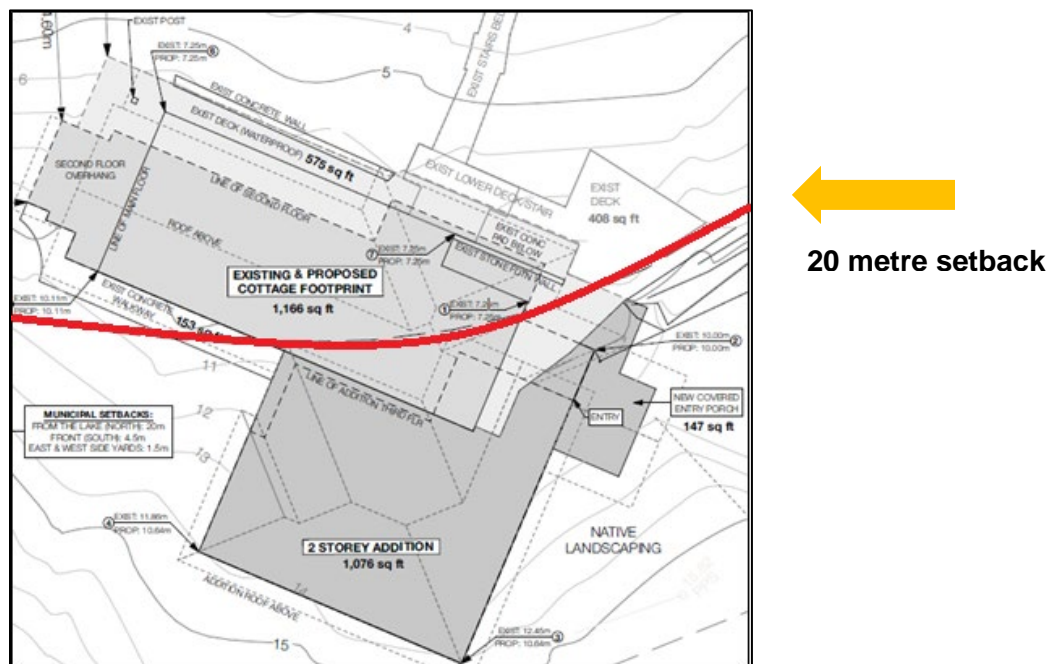
DISCUSSION

Analysis

What was Approved to be Constructed

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.**

Figure 2 – Proposed Addition to existing Single Family Dwelling under BP001554



Through the permit review process, the applicant further advised that the proposed renovations to the existing and non-conforming portion of the building were to be very extensive and, according to the applicant, required a complete reconstruction including the foundation.

Building permit BP001554 (initially listed as “interior renovations and construction of the addition beyond the 20 metre setback” but later understood to be reconstruction) and BP001759 (demolition of an entire cottage) were issued in accordance with a Development Permit that should have ensured that the result would be maintaining the legal non-conforming status of the building since no height or volume change (no further contravention of the zoning bylaw) occurred.

In order to ensure the new proposed building did not result in a further contravention, planning staff collected data about the previous building which included height of the first floor elevation and the total height of the building. The finished grade of the building was not determined prior to demolition, however, working with the applicant’s surveyor the elevation of the foundation was established at 7.76 metres above the assumed datum. Building dimensions used by staff in this report have been verified with the applicant’s residential designer.

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 QEP, 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 applicant received copies of the issued permits that clearly described the conditions described above.

There are also issues that will need to be addressed arising out of the Applicant's change to the building permit application involving the foundation. Under the Province of BC's *Riparian Areas Protection Regulation* (RAPR), local governments are only authorized to permit repairs to a non-conforming foundation in a riparian area under specific and very limited circumstances. The regulation does not support complete removal of an existing building and foundation as this is considered new construction.

In speaking with the Province, a Local Government may not issue a permit unless the proposed works is in compliance with the regulation. New construction, including the foundation and works within the SPEA were not covered by the riparian assessment provided as part of the Development Permit. Based on this, the RAPR assessment on file is not sufficient and this issue will have to be re-examined in consultation with the Province. Any new construction beyond the scope of the assessment requires either a revision to the riparian assessment or a new riparian assessment and new permit. This must be completed *prior* to any work occurring on site. For works already completed, a Local Government can require a condition and impact assessment report from the QEP which is provided to the province in advance of a RAPR assessment so that the province is fully apprised of the situation and can determine the assessment. The province and the local government work together through a professional reliance model to ensure remediation is consistent with best practices and provincial guidelines.

It should be further noted that while the *Local Government Act* differentiates between *uses* and *siting* with respect to legal non-conforming buildings and structures, the Provincial RAPR adheres to Section 532 as it relates to all non-conforming buildings (foundations and footprints) within a SPEA. In order to for a building to be eligible for reconstruction within a SPEA, Section 24 of the RAPR applies as follows:

24 (1) In this section:

"eligible structure" means a building or other structure damaged or destroyed to the extent described in section 532 (1) [*repair or reconstruction if damage or destruction \geq 75% of value above foundation*] of the [*Local Government Act*](#);

Staff have sought advice from the Province on how to proceed in light of RAPR's position on foundation replacement and the current situation. To date, no clear direction has been provided. Provincial staff have stated that there are a large number of similar cases in the last year following introduction of RAPR. This is a somewhat tangential issue to whether the variance should be approved, and has been complicated by the other issues described in this report related to the applicant's construction in contravention of permits, changes to design and ongoing refusals to respect stop work orders.

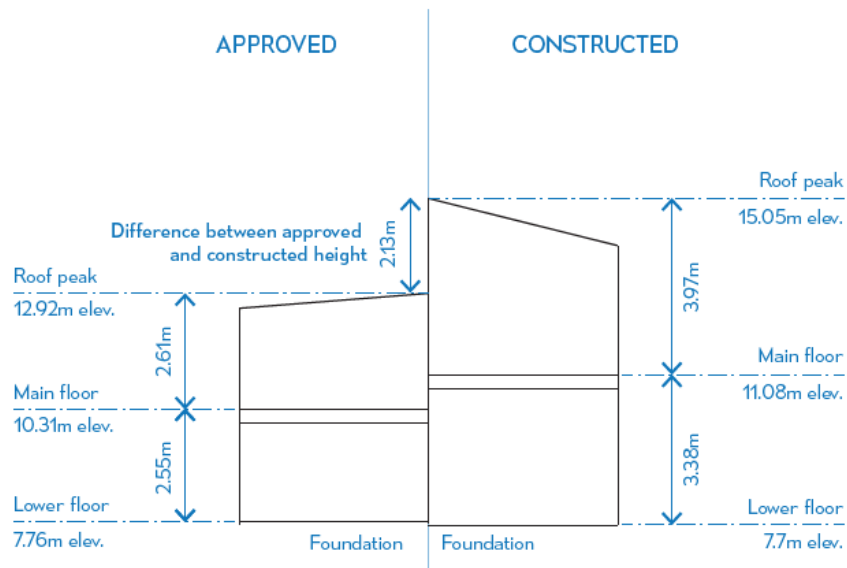
What Has Been Constructed

Building Height

With regard to height, an analysis of the building permit drawings issued for construction, and inspections by Building Inspection staff shows that the overall increase in height appears to be directly related to an increase in floor-to-ceiling heights. The floor-to-ceiling heights for both floors of the previous non-conforming structure were approximately 8 feet. The new structure has floor to ceiling heights for both floors of 10 feet resulting in a cumulative increase of 4 feet over both floors. The foundation is slightly lower than previously (0.06m). The overall decreased foundation elevation, increased floor to ceiling heights, and roof structure result in the overall increase in height.

The figure below contains measurements provided by legal survey and building permit drawings and is provided for illustrative and explanatory purposes only and is not intended to be an accurate representation of the west side elevation.

Figure 3 – Elevation comparison for illustration purposes



Although the applicant has indicated a height variance of 0.57 metres is required, based on staff's review of plans and survey submitted, and corroborated by the design professionals involved (by email, May 29, 2020 and September 28, 2020), in order to legalize the building as actually constructed the variances required would be:

- To vary the height of portions of a single family dwelling which is legally non-conforming as to siting from 12.92 metres to 15.05 metres, as measured from the assumed datum being the natural boundary of Sakinaw Lake. This represents a variance of 2.13 metres.

On October 2, 2020, the applicant advised staff:

- "This is not representative of what we are requesting. ... We have applied for a variance for height from 14.48 to 15.05 (which is less than a meter). No we are not asking for a variance from 12.92 to 15.05 that would NOT be representative of the legal non-conforming issue."

The discrepancy between what the applicant is seeking and what staff have assessed to be required represents a height difference of 1.56 metres.

Setback

A variance from what is stated in the Zoning Bylaw is required. The prior position of the non-conforming as to siting deck post was 9.5m from the lake, however the variance must be stated as "from" the zoning bylaw's requirement (20 metres).

The variance required is:

- To reduce the required natural boundary setback to a lake from 20 metres as stated in Section 516.1 (c) of Zoning Bylaw No. 337 to 9.4 metres.

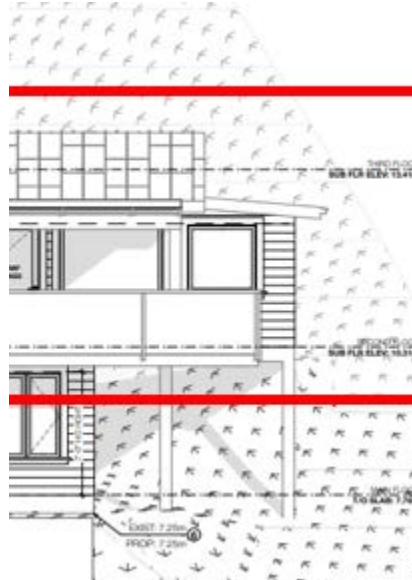
While the position of the post has only moved from 9.5 metres to 9.4 metres the foundation and works necessary to support the new post resulted in encroachment into the SPEA.

Volume

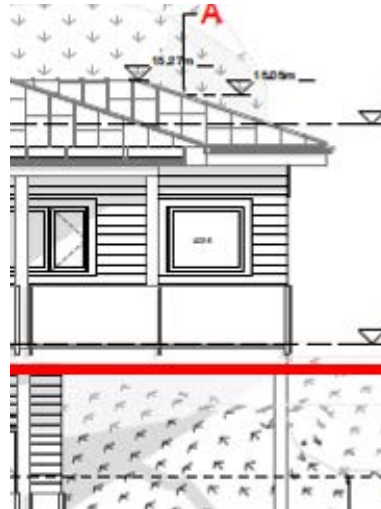
In assessing the previous building prior to demolition, staff captured criteria such as height and setback to be used as proxies for volume. The building as constructed contains changes to volume not reflected in these proxies. For example, the western roofline is changed and the deck configuration is extended westward.

Figure 4 – Drawing detail (west end of building) – not to scale/elevation; for illustration only

APPROVED:



BUILT:



As continued construction has occurred without inspections and SCRD does not have complete drawings for what has been built, staff are unable to assess what type of variance might be required for volume.

Together the change in floor to ceiling heights and the deck configuration have the effect of placing the deck approximately 0.6m higher and very approximately 0.6m more westerly, toward the neighbouring property.

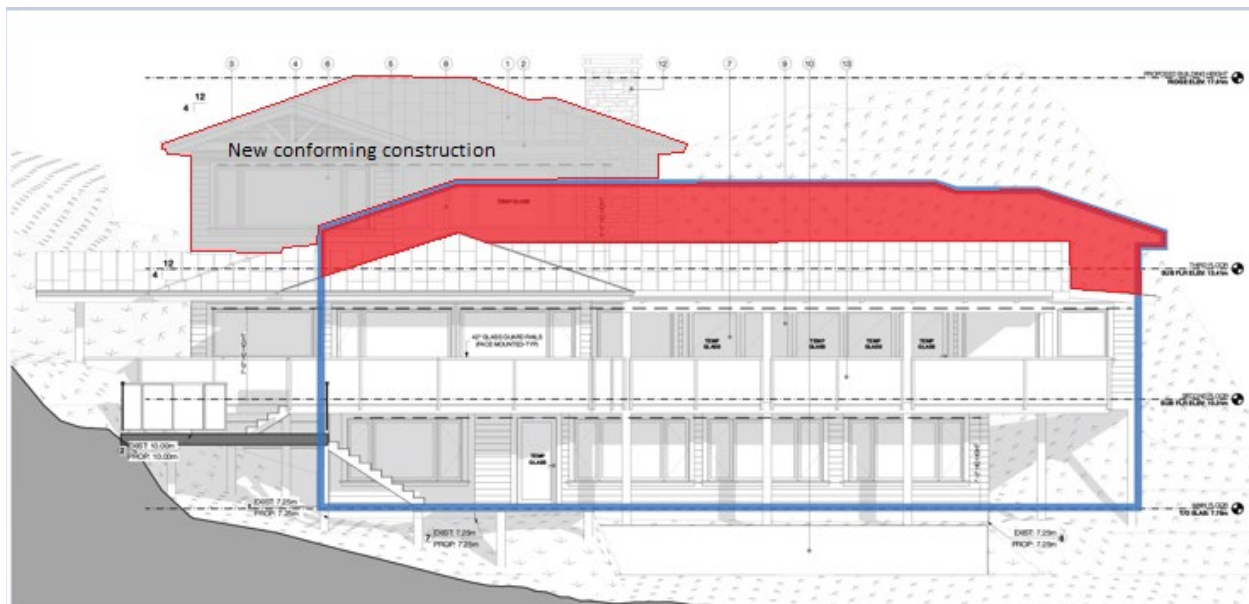
To illustrate the increase in massing/volume the following images show the elevations of the existing constructed building and an outline (in blue), based on known measurements, superimposed over an elevation of the previous building. It should be noted that the blue outline focusses on the western portion of the building since this is the area known to impact the neighbouring property. The roofline of the entire second storey has increased to create a linear profile. Staff have worked hard to ensure the scale of both buildings is as accurate as possible.

These illustrations are again provided for illustrative and explanatory purposes only and are not intended to be an accurate representation of the increased massing.

Architectural elevation drawing of a two-story house. The drawing includes various dimensions and labels for windows and doors. A dashed line indicates the "LINE OF MAX. BUILDING HEIGHT 9'11" FROM AVG. DISTING. PROPOSED GRADE". A note specifies "ORIGINAL AVERAGE PROPOSED GRADE (FROM FEB. 5, 2019 SP SET)". A scale bar at the bottom right shows 1/4" = 1'-0".

The architectural section drawing illustrates a building with a new conforming construction (red outline) and an existing structure (blue outline). The new construction is a two-story addition with a gabled roof, labeled "New conforming construction". The existing structure is a three-story building with a flat roof. The drawing shows the internal structure, including walls, floors, and stairs. Annotations include floor levels (e.g., "FLOOR 1.00", "FLOOR 2.00", "FLOOR 3.00") and structural details (e.g., "CONCRETE", "STEEL", "WOOD"). The drawing is oriented with a north arrow pointing towards the top right.

Figure 7 - Massing increase difference shown in red – illustrative only



Riparian Area

The property is located within Development Permit Area #4 – Riparian Assessment Area.

As part of the DP requirements, the applicant submitted a *Riparian Areas Protection Regulation* Assessment Report prepared by a QEP. Under the section “encroachment”, the QEP report listed measures to protect the SPEA within the 15 metre RVPA setback:

- *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.*

Extensive work within the SPEA has occurred. Work within a SPEA is not permitted and is a contravention of the Development Permit Area.

The owner advised SCRD that a landslide occurred on or about May 11, 2020 which required substantial earthworks completed within the SPEA by heavy machinery. No report from a geotechnical engineer detailing the issue and prescription for resolution has been provided to SCRD.

A new Development Permit application must be submitted and must include all works performed on Lot 2 and propose remediation to provincial standards (the province will confirm acceptability). As the construction is not what was contemplated at the time the QEP RAPR assessment was prepared and submitted to the province, an acceptable condition and impact assessment must be provided to the SCRD prior to preparation of a new RAPR assessment report which must be accepted and approved by the Province. According to the Province, the existing RAPR assessment is not valid for the work that has been completed.

Figure 8 – Photo from RAPR assessment showing previous cottage.



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

Figure 9 – Photo of current building



The interface of the setback variance request with possible remediation works within the SPEA is unknown. Work by a QEP and Provincial involvement will be required to resolve this question.

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 3rd, 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>This proposed setback reduction would be less than 10m from the lake shore (change of 0.1m).</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 22nd, 2019.</p>
Infrastructure Services Department	The Infrastructure Services Department has no comments.
Protective Services Division	The Pender Harbour Volunteer Fire Department has no comments.

Advisory Planning Commission	<p>The Egmont / Pender Harbour Advisory Planning Commission met on April 29th, 2020, and considered an earlier version of the variance request with different dimensions (specifically: less height change and no awareness of change in floor heights), based on survey and drawing information available at that time.</p> <p>Based on the information provided at that time, the Advisory Planning Commission recommended approval of Development Variance Permit Application DVP00054, but with conditions and concerns.</p> <p>The Area A APC expressed 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.</p>
Neighbouring Property Owners / Occupiers	<p>Notifications were sent on Friday, October 30th, 2020.</p> <p>Notification to surrounding properties was provided in accordance with Section 499 of the <i>Local Government Act</i> and Sunshine Coast Regional District Bylaw No. 522.</p> <p>Comments received as of agenda publication, Friday, November 6th, are attached (Attachment F)</p>

Options

1. Deny the Development Variance Permit Application (recommended)

Staff are unable to come to agreement with the applicant about the dimension of the required variance. Volumetric changes to the building have been made that are not addressed by height or setback variances and also have an impact on neighbouring property.

Approving the variance could be seen as validating unauthorized construction and retroactively approving construction that may not have received approval before the fact.

In addition, there are unresolved questions related to the foundation replacement and to what remedial works in the SPEA would also be required by a QEP and the Province (and how those works would interface with the requested variance).

While an applicant is free to apply for any variance they so choose (i.e. no undue hardship is required as part of a DVP), staff do not see a planning rationale to support the application. Although it is difficult to understand how a building error by an experienced builder could have occurred that increased floor to ceiling heights by 2 feet on both floors, if such an error did occur, it can be remedied between the applicant and the contracted (and insured) builder.

If the variance is denied, the applicant may apply to the Board of Variance who will judge if undue hardship exists and, if so, may consider an application.

If the variance is denied and either not considered by Board of Variance or denied by Board of Variance, the applicant would need to partially deconstruct the building with oversight from the Building Inspection Division.

2. Hold the Development Variance Permit in Abeyance

There are unresolved questions related to the foundation replacement and to what remedial works in the SPEA would also be required by a QEP and the Province (and how those works will interface would the requested variance).

Consideration of any variance at this time could complicate or frustrate resolving these questions.

If this option is selected, the applicant should update the variance application to confirm dimensional variance sought for height before the matter is given any further consideration.

3. Approve the Development Variance Permit

Based on staff's calculations, approving the height variance as requested will not legalize the building as constructed. Volumetric changes such as the western roofline and deck projection would still need to be addressed. Works with the SPEA will still need to be remediated. Issuing a Development Variance Permit will not, in staff's analysis, meet the owner's intent to legalize the building.

Staff expect that the applicant will state that they were advised by SCRD to seek a variance and so it is not reasonable to conclude, now, that a variance will not solve the issue. It is true that staff provided information about how a development variance permit could be used to address a building height construction error. However, this information was provided at a time when staff's understanding was that a foundation height error had been made and that the building would otherwise match the approved drawings. What has been constructed is an entirely new and different building.

If the Board proposes to grant the variance requested, an amendment to the existing Development Permit will be required to authorize the current construction.

In addition to whichever decision is made by the Board on the development variance permit, a remediation plan for the SPEA that is acceptable to the Province and the issuance of a Development Permit for that remediation work will be required to bring the property into compliance.

CONCLUSION

Staff are unable to come to agreement with the applicant about the dimension of the required variance. Volumetric changes to the building have been made that are not addressed by height or setback variances and also have an impact on neighbouring property.

Approving the variance could be seen as validating unauthorized construction and retroactively approving construction that may not have received approval before the fact.

In addition, there are unresolved questions related to the foundation replacement and to what remedial works in the SPEA would also be required by a QEP and the Province (and how those works would interface with the requested variance).

Staff recommend denial of the variance.

ATTACHMENTS

Attachment A – Application as Received

Attachment B – Letter from Applicant (January 16, 2020)

Attachment C – 2020 Site Survey

Attachment D – QEP memos and Riparian Areas Assessment

Attachment E – Covenant BA175970 for the RVPA

Attachment F – Comments received by Nov 6th, 2020 from neighbouring properties

Reviewed by:			
Manager	X – D. Pady	Finance	
GM	X – I. Hall	Legislative	
CAO	X – D. McKinley	Risk Management	X - V. Cropp
		Building	X – A. Whittleton



Development Variance Permit Application

Office use only:	
Application No.	DVP00059
Received:	Nov 12/19

KEB

Property owner information (please print):		ALL REGISTERED PROPERTY OWNERS MUST SIGN THE APPLICATION. <input type="checkbox"/> Please check (✓) if there is more than one property owner. If yes (✓) please list separately on page 3.	
Property	[Redacted]	Authorized Agent information (please print):	
Mailing Address	[Redacted]	Authorized Agent:	
City/Town, Province:	[Redacted]	Mailing Address:	
Phone:	[Redacted]	City/Town, Province:	
Fax:	[Redacted]	Postal Code:	
As the registered owner of the property (or properties) listed below, I hereby authorize this application. [Redacted] <u>Nov 12/19</u> Owner signature Date		Day Phone:	
		Email:	
		Fax:	

Description of property (or properties) included in this application (use separate sheet if necessary):					
District Lot:	3921	Plan:	23871	Block:	GINWDS
				Lot:	2
				PID:	026-674-548
				Zoning:	RU-1
District Lot:		Plan:		Block:	
				Lot:	
				PID:	
				Zoning:	
Civic Address (or general location):	4255 Lake Rd. Pender/Haliburton 151				

Development Information:	
Please check (✓) the type of development proposed:	<input type="checkbox"/> Alteration of land <input checked="" type="checkbox"/> Building <input type="checkbox"/> Subdivision
Total area of the property (or properties) to be developed:	10,157 m ²
Provide a brief description of the existing development and use of the property (residential, commercial, number of dwellings):	
Existing structure is a single family dwelling	

Office use only:
Title checked by:
Consulted on:

02/04

Development Information:

Provide a detailed description of the proposed development (residential, commercial, number of dwellings, etc.):

*The proposed change will add 2B sq ft
SEE ATTACHED LETTER*

Provide a brief description of the variance(s) requested (more detailed information and consideration of specific variance criteria is required on page 5):

*We are requesting the rear west corner
be squared off and reduce roof line
resulting in better roof structure*

Office use only:

Zoning Check:

DPA Check:

Attendance at Advisory Planning Commission meeting:

In accordance with the *Local Government Act*, this application may be forwarded to the Advisory Planning Commission (APC) for review. If so, the APC will make a recommendation on the application to the Sunshine Coast Regional District Board or Manager of Planning & Development. An owner and/or their agent may attend and be heard at the APC meeting. Please check (✓) below if you and/or your agent wish to attend this meeting:

☒

Owner will attend APC meeting

☐

Agent will attend APC meeting

☐

Both owner and agent will attend APC meeting

Office use only:

Referral Required: Yes / No

APC:

Meeting Date:

Applicant Declaration:

I/we acknowledge that the Sunshine Coast Regional District, and its officers and employees, have not made any representation as to the property uses permitted if this application is successful. I/We believe to the best of my/our knowledge, based on my/our independent review, that this development variance permit application is consistent with the intended use of the property (or properties) listed in this application.

I/we am/are aware that, regardless of discussions with or representations by Sunshine Coast Regional District officials or employees, payment of the application fee does not guarantee or constitute approval of the development variance permit and that the application may not proceed for a variety of reasons.

I/we declare that all statements made on this application, and 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 and any other applicable provincial legislation.

Applicant signature

Date

November 12/19

The personal information you provide on this form is being collected under the authority of Section 895 of the *Local Government Act* and Section 32 of the *Freedom of Information and Protection of Privacy Act*. This information will be used to determine eligibility for a development variance permit and for enforcement of applicable laws. This information may be circulated to persons or authorities as necessary for the review process. Your personal information is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of this information please contact the Information and Privacy Coordinator, 1975 Field Road, Sechelt, British Columbia, V0N 3A1, (604) 885-2261.

Required Documentation:

Please check (✓) below. In order to be processed, an application for development variance permit must be accompanied by the following:

- ☐ If the proposed development involves a variance to the siting of a structure or off-street parking stall, a current BC Land Surveyor's survey certificate or real property report.
- ☐ If the proposed development includes the construction of a building or structure, two sets of full-size and one set of reduced (8.5" x 11") architectural drawings (1:250 minimum), plus digital copy if available, including a scaled site plan, building elevations, building and site sections, and roof plan. Planning & Development staff can assist in determining the types of architectural drawings required, depending on the scale and complexity of the proposed development.
- ☐ If the development involves a subdivision, a current plan of subdivision, prepared by a BC Land Surveyor, which includes the proposed subdivision layout, including all dimensioned lots, lot areas, and any proposed easements and right of ways, as well as a current Preliminary Layout Approval (PLA) from the Ministry of Transportation.
- ☐ A copy of a state of title certificate, or a copy of a land title search providing proof of ownership dated no more than 30 days prior to the date of application.
- ☒ Fee in the amount of \$ 500.00 made payable to Sunshine Coast Regional District (see fee schedule).

Office use only:

Fee Receipt No.

NOTE:

Depending on the scale and complexity of the proposed development and variance(s) requested, additional information, including development approval information, may be required to properly evaluate the application. Prior to submitting an application, it is recommended that you consult with Planning & Development staff on information required pursuant to the *Planning & Development Procedures and Fees Bylaw* prior to submitting an application. Additional information may include, but is not limited to, the following:

- ☒ An impact assessment of the proposed development on the natural environment, which may include habitat protection, geotechnical suitability, groundwater quantity and quality, and surface water affected by the development, including options for collection, storage and drainage of surface water. A qualified professional engineer having experience in the relevant subject matter must complete such study.
- ☐ An impact assessment of the proposed development on use of the subject property and/or adjacent properties in relation to applicable servicing requirements, which may include an assessment of water supply.
- ☒ An archaeological impact assessment prepared by a qualified archaeologist.

November 12, 2019

Attention Development Variance Permit Committee,

We are writing this 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 20 square feet.

In 2018 we applied for a variance permit to add 300 square feet to our non-conforming house at Sakinaw Lake. The house was 80 years old and had been added onto many times. We were approved by the advisory committee 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. 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. 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 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 any additional square footage in the 20 meter set back.

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

★ We have realized that the rear west corner of the building has an irregular shape that is causing roof line issues and a step back interior that is creating kitchen issues. We have requested to have the SCRD approve the change and they have advised we have to go and submit another variance application, pay another variance fee and go through this process again. So we are once again complying.

Our request is to square off the rear corner of the house and fix the roof line. We have ensured the roof line will be lower than our current development permit and lower than the allowable height according to the building code.

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 had to remove the additional square footage and we would have been able to build a second house.

We appreciate you reviewing our application for variance to square off the corner of our house.

Sin

Lorna Vandernaeghe

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

SEE ATTACHED LETTER

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

We already have a development permit we are requesting an alteration which the SCR says they aren't able to do without a variance

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

it has no effect it is behind our house next to a severe slope so no neighbors can see it
Also the roof line will be lower

- ③ The variance should not be considered a precedent, but should be considered as a unique solution to an unusual situation or set of circumstances. Please elaborate how the requested variance meets this criteria:

house was added into several times resulting in different elevations which cause difficult roof lines

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

We have discussed at length with SCR this was the only option

- ⑤ The variance should not negatively affect the natural site characteristics or environmental qualities of the property. Please elaborate how the requested variance meets this criteria:

We are already building no additional affect on the environment.



NOTICE TO APPLICANTS

This notice is to applicants for Development Permits, Development Variance Permits, Demolition Permits, Soil Removal Permits and Zoning Bylaw Amendments.

Under the *Environmental Management Act*, you are required to complete the attached Site Profile (Schedule 1) only if you know, or reasonably should know, that the land under application is or was used for industrial or commercial purposes or activity. Please refer to Schedule 2 of the *Contaminated Sites Regulation* for a list of industrial and commercial purposes and activities.

You must submit the completed profile along with your application to the Sunshine Coast Regional District. If in completing Schedule 1 you answer "yes" to any questions listed in sections IV to IX, the Regional District upon receiving your completed site profile will forward it to the Ministry of Water, Land and Air Protection (Surrey Regional Office) for further investigation and follow-up. If in completing schedule 1 you answer "no" to the questions listed in sections IV to IX, the Regional District upon receiving your completed site profile will forward it to the Ministry of Water, Land and Air Protection (Victoria Office) for inclusion within its registry.

Failure to satisfactorily complete Schedule 1, if required, may result in delays in processing your application to the Regional District.

If you have any questions or require further information concerning the Contaminated Sites Profile (Schedule 1) or Schedule 2 of the *Contaminated Sites Regulation*, please contact:

**Ministry of Environment
Environmental Management Branch
Land Remediation
10470 152nd Street
Surrey, British Columbia
V3R 0R3
Tel: 604-582-5200
Fax: 604-582-5334
Email: siteprofile@gov.bc.ca**

Applicant Declaration

Please check one below:

- ☒ To the best of my/our knowledge, the land under application has never been used for industrial or commercial purposes (no need to complete Schedule 1)
- ☐ We acknowledge the land under application is currently used or has been used for industrial or commercial purposes, the details of which are provide in attached Schedule 1

I/we acknowledge that I/we have read and understand the information outlined above and I agree to comply with the requirements of the Waste Management Act and Contaminated Sites Regulation for completing a Site Profile

Applicant Name

Applicant Signature

Date

Nov 12/19

SCHEDULE 1 Site Profile

Version 4.0

Introduction

Under section 40 of the *Environmental Management Act*, a person who knows or reasonably should know that a site has been used or is used for industrial or commercial purposes or activities must in certain circumstances provide a site profile.

Schedule 2 of the Contaminated Sites Regulation sets out the types of industrial or commercial purposes or activities to which site profile requirements apply.

If section 40 of the Environmental Management Act applies to you and you know or reasonably should know that the site has been used or is used for one of the purposes or activities found in Schedule 2 of the Contaminated Sites Regulation, you may be required to complete the attached site profile.

Notes/Instructions:

Persons preparing a site profile *must* complete Section I, II and III, answer all questions in sections IV through IX, and sign section XI. If the site profile is not satisfactorily completed, it will not be processed under the *Environmental Management Act* and the Contaminated Sites Regulation. Failure to complete the site profile satisfactorily may result in delays in approval of relevant applications and in the postponement of decisions respecting the property.

The person completing this site profile is responsible for the accuracy of the answers. Questions must be answered *to the best of your knowledge*.

Section 27 (1) of the *Freedom of Information and Protection of Privacy Act* requires that provision of personal information concerning an individual must be authorized by that individual. Persons completing the site profile on behalf of the site owner must be authorized by the site owner.

One (1) site profile may be completed for a site comprised of more than one titled or untitled parcel, but individual parcels must be identified.

The latitude and longitude (accurate to 0.5 of a second using North American Datum established in 1983) of the centre of the site must be provided. Also, please attach an accurate map, containing latitude, longitude and datum references, which shows the boundaries of the site in question. Please use the largest scale map available.

If the property is legally surveyed, titled and registered, then all PID numbers (Parcel IDentifiers – Land Title Registry system) must be provided for *each* parcel as well as the appropriate legal description.

If the property is untitled Crown land (no PID number), then the appropriate PIN numbers (Parcel Identification Numbers – Crown Land registry system) for each parcel with the appropriate land description should be supplied.

If available, the Crown Land File Number for the site should also be supplied.

Anything submitted in relation to this site profile will become part of the public record and may be made available to the public through the Site Registry as established under the *Environmental Management Act*.

Under section 43 of the *Environmental Management Act*, corporate and personal information contained in the site profile may be made available to the public through the Site Registry. If you have questions concerning the collection of this information, contact the Site Registrar, at site@gov.bc.ca. For questions on site profiles, please send a message to siteprofiles@gov.bc.ca.

I CONTACT IDENTIFICATION

A. Name of Site Owner:

Last Vanderhaeghe First Lorna Middle Initial(s) _____ (and/or, if applicable)

Company _____

Owner's Civic Address 1822 Franklin St

City Vancouver Province/State BC

Country _____ Postal Code/ZIP V5L 1P8

B. Person Completing Site Profile (Leave blank if same as above):

Last _____ First _____ Middle Initial(s) _____ (and/or, if applicable)

Company _____

C. Person to Contact Regarding the Site Profile:

Last _____ First _____ Middle Initial(s) _____ (and/or, if applicable)

Company _____

Mailing Address Same

City _____ Province/State _____

Country _____ Postal Code/ZIP _____

Telephone (____) _____ - _____ Fax (____) _____ - _____

II SITE IDENTIFICATION

Please attach a site location map

All Property

Coordinates (using the North American Datum 1983 convention) for the centre of the site:

Latitude: Degrees _____ Minutes _____ Seconds _____

Longitude: Degrees _____ Minutes _____ Seconds _____

Please attach a map of appropriate scale showing the boundaries of the site.

For Legally Titled, Registered Property

Site Street Address (if applicable) 4355 Lake Rd

City Sakinaw Lake Postal Code V0N 1S1

PID numbers and associated legal descriptions. *Attach an additional sheet if necessary.*

<u>PID</u>	<u>Legal Description</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total number of titled parcels represented by this site profile is: _____

For Untitled Crown Land

PIN numbers and associated Land Description. *Attach an additional sheet if necessary.*

<u>PIN</u>	<u>Land Description</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total number of untitled crown land parcels represented by this site profile is: _____

(and, if available)

Crown land file numbers. *Attach an additional sheet if necessary.*

III COMMERCIAL AND INDUSTRIAL PURPOSES OR ACTIVITIES

Please indicate below, in the format of the example provided, which of the industrial and commercial purposes and activities from Schedule 2 have occurred or are occurring on this site.

EXAMPLE


<u>Schedule 2</u>	<u>Description</u>
<u>Reference</u>	
E1	appliance, equipment or engine repair, reconditioning, cleaning or salvage
F10	solvent manufacturing or wholesale bulk storage

Please print legibly. Attach an additional sheet if necessary

<u>Schedule 2</u>	<u>Description</u>
<u>Reference</u>	
_____	_____
_____	_____
_____	_____
_____	_____

IV AREAS OF POTENTIAL CONCERN			
	Is there currently or to the best of your knowledge has there previously been on the site any (please mark the appropriate column opposite the question):	YES	NO
A.	Petroleum, solvent or other polluting substance spills to the environment greater than 100 litres?		✓
B.	Residue left after removal of piled materials such as chemicals, coal, ore, smelter slag, air quality control system baghouse dust?		✓
C.	Discarded barrels, drums or tanks?		✓
D.	Contamination resulting from migration of substances from other properties?		✓
V FILL MATERIALS			
	Is there currently or to the best of your knowledge has there previously been on the site any deposit of (please mark the appropriate column opposite the question):	YES	NO
A.	Fill dirt, soil, gravel, sand or like materials from a contaminated site or from a source used for any of the activities listed under Schedule 2?		✓
B.	Discarded or waste granular materials such as sand blasting grit, asphalt paving or roofing material, spent foundry casting sands, mine ore, waste rock or float?		✓
C.	Dredged sediments, or sediments and debris materials originating from locations adjacent to foreshore industrial activities, or municipal sanitary or stormwater discharges?		✓
VI WASTE DISPOSAL			
	Is there currently or to the best of your knowledge has there previously been on the site any landfilling, deposit, spillage or dumping of the following materials (please mark the appropriate column opposite the question):	YES	NO
A.	Materials such as household garbage, mixed municipal refuse, or demolition debris?		✓
B.	Waste or byproducts such as tank bottoms, residues, sludge, or flocculation precipitates from industrial processes or wastewater treatment?		✓
C.	Waste products from smelting or mining activities, such as smelter slag, mine tailings, or cull materials from coal processing?		✓
D.	Waste products from natural gas and oil well drilling activities, such as drilling fluids and muds?		✓
E.	Waste products from photographic developing or finishing laboratories; asphalt tar manufacturing; boilers, incinerators or other thermal facilities (e.g. ash); appliance, small equipment or engine repair or salvage; dry cleaning operations (e.g. solvents); or from the cleaning or repair of parts of boats, ships, barges, automobiles or trucks, including sandblasting grit or paint scrapings?		✓

VII TANKS OR CONTAINERS USED OR STORED, OTHER THAN TANKS USED FOR RESIDENTIAL HEATING FUEL			
	Are there currently or to the best of your knowledge have there been previously on the site any (please mark the appropriate column opposite the question):	YES	NO
A.	Underground fuel or chemical storage tanks other than storage tanks for compressed gases?		✓
B.	Above ground fuel or chemical storage tanks other than storage tanks for compressed gases?		✓
VIII HAZARDOUS WASTES OR HAZARDOUS SUBSTANCES			
	Are there currently or to the best of your knowledge have there been previously on the site any (please mark the appropriate column opposite the question):	YES	NO
A.	PCB-containing electrical transformers or capacitors either at grade, attached above ground to poles, located within buildings, or stored?		✓
B.	Waste asbestos or asbestos containing materials such as pipe wrapping, blown-in insulation or panelling buried?		✓
C.	Paints, solvents, mineral spirits or waste pest control products or pest control product containers stored in volumes greater than 205 litres?		✓
IX LEGAL OR REGULATORY ACTIONS OR CONSTRAINTS			
	To the best of your knowledge are there currently any of the following pertaining to the site (please mark the appropriate column opposite the question):	YES	NO
A.	Government orders or other notifications pertaining to environmental conditions or quality of soil, water, groundwater or other environmental media?		✓
B.	Liens to recover costs, restrictive covenants on land use, or other charges or encumbrances, stemming from contaminants or wastes remaining onsite or from other environmental conditions?		✓
C.	Government notifications relating to past or recurring environmental violations at the site or any facility located on the site?		✓
X ADDITIONAL COMMENTS AND EXPLANATIONS			
<p>(Note 1: Please list any past or present government orders, permits, approvals, certificates and notifications pertaining to the environmental condition, use or quality of soil, surface water, groundwater or biota at the site.</p> <p>Note 2: If completed by a consultant, receiver or trustee, please indicate the type and degree of access to information used to complete this site profile. Attach extra pages, if necessary):</p> <hr/> <hr/> <hr/> <hr/>			

XI SIGNATURES			
The person completing the site profile states that the above information is true based on the person's current knowledge as of the date completed.			
 Signature of person completing site profile		2019 / 11 / 12 Date completed: (YY-MM-DD)	
XII OFFICIAL USE			
Local Government Authority			
Reason for submission <i>(Please check one or more of the following)</i>			Soil removal <input type="checkbox"/>
Subdivision application <input type="checkbox"/> Zoning application <input type="checkbox"/> Development permit <input type="checkbox"/> Variance permit <input type="checkbox"/> Demolition permit <input type="checkbox"/>			
Date received:	<u>Local Government contact:</u> Name _____ Agency _____ Address _____ Telephone _____ Fax _____	Date submitted to Site Registrar:	Date forwarded to Director of Waste Management:
Director of Waste Management			
Reason for submission <i>(Please check one or more of the following)</i>			
Under Order <input type="checkbox"/> Site decommissioning <input type="checkbox"/> Foreclosure <input type="checkbox"/>			
Date received:	<u>Assessed by:</u> Name _____ Region _____ Telephone _____ Fax _____ If site profile entered, SITE ID # _____	Investigation Required? YES NO	Decision date:
Site Registrar			
Date received:	<u>Entered onto Site Registry by:</u>	SITE ID #:	Entry date:

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.

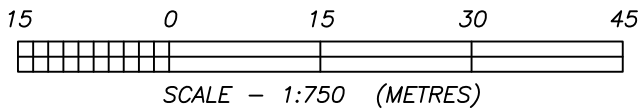
We have gone through hardship through this process. We feel the process has been fraught with misinformation which has created over 2 years in delays, excessive costs and a lot of stress. We have since been advised the information we were given from the SCRD about the covenant was incorrect, and we would 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,

[REDACTED]

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



ALL DISTANCES ARE IN METRES.

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

ELEVATIONS ARE IN METRES AND ARE DERIVED FROM AN ASSUMED DATUM, BEING THE NATURAL BOUNDARY OF SAKINAW LAKE.

LOT 2 MAY BE AFFECTED BY THE FOLLOWING ENCUMBRANCES:

- COVENANT BA175963
- 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.

COPYRIGHT 2020.

LOCATION: 4355 LAKE ROAD, SAKINAW LAKE, BC

PID: 026-674-548

ORIGINAL HOUSE LOCATION, DIMENSION AND ELEVATIONS ARE FROM MAY 4, 2015 DRAWING AND REVISED JANUARY 2018.

NEW HOUSE LOCATION, DIMENSION AND ELEVATIONS ARE FROM OCTOBER 18 AND NOVEMBER 29, 2019 AND JANUARY 20, 2020 SURVEYS.

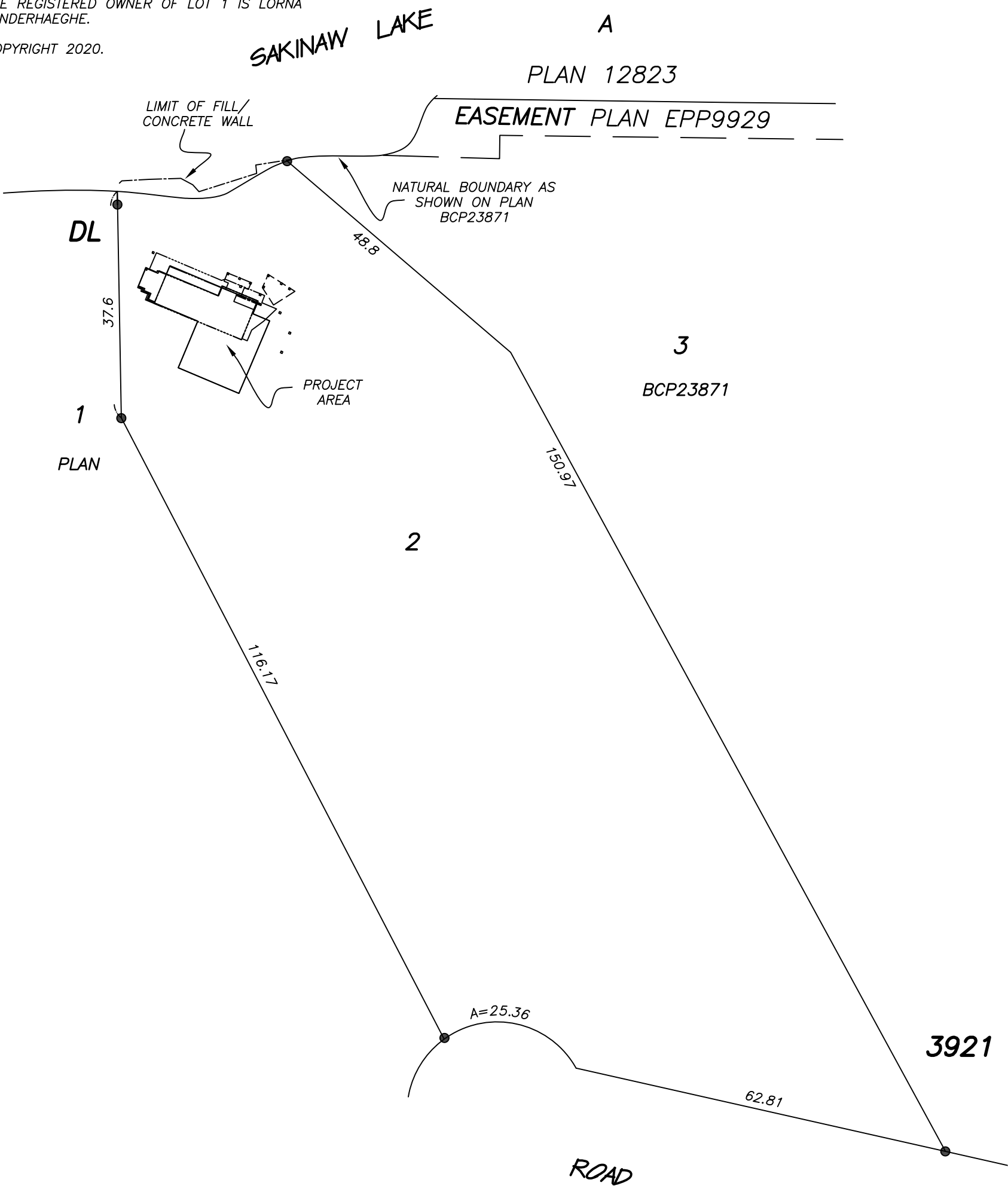
NOTE:

- DENOTES A STANDARD IRON POST FOUND
- DENOTES ORIGINAL BUILDING
- DENOTES NEW BUILDING
- NB DENOTES NATURAL BOUNDARY

DRAWING ORDER

SITE OVERVIEW.....PAGE 1

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



STRAIT LAND SURVEYING INC.
SEAMUS POPE, BCLS
BOX 61 (5689 DOLPHIN ST)
SECHLT, BC VON 3A0
T. 604.885.3237
19059-414.R3

SITE PLAN OF PART OF 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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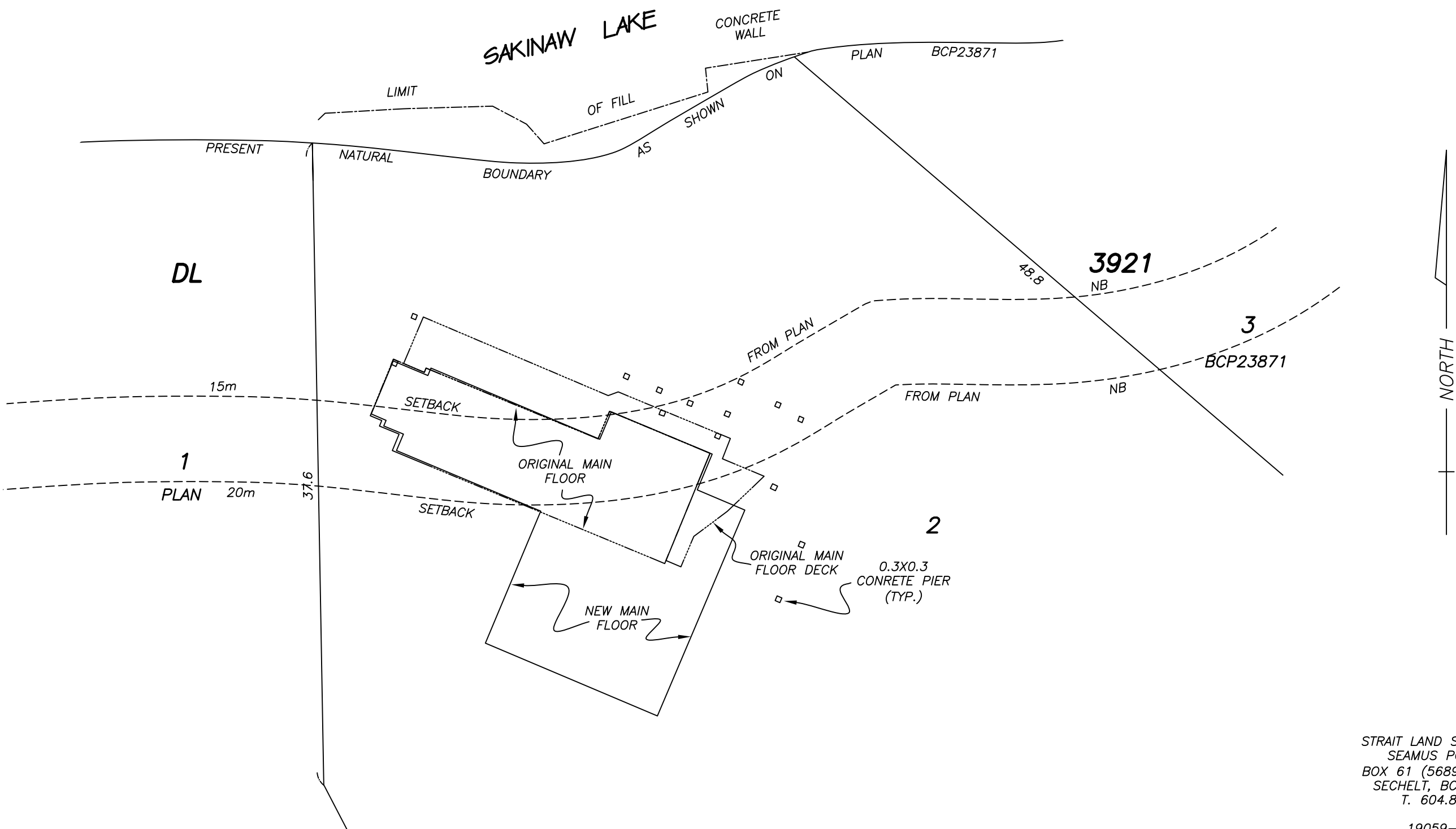
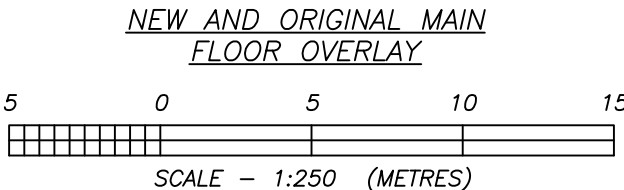
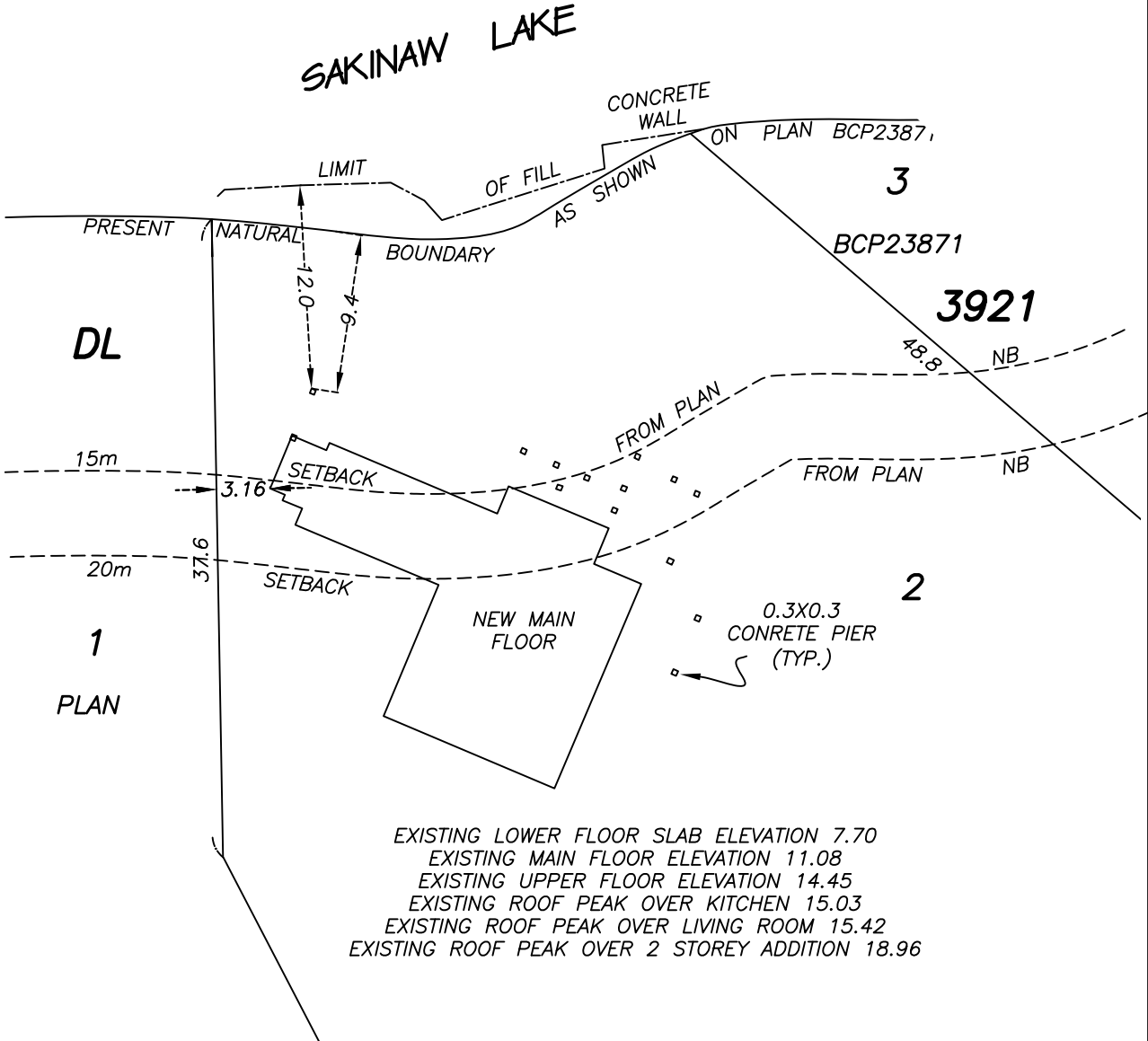
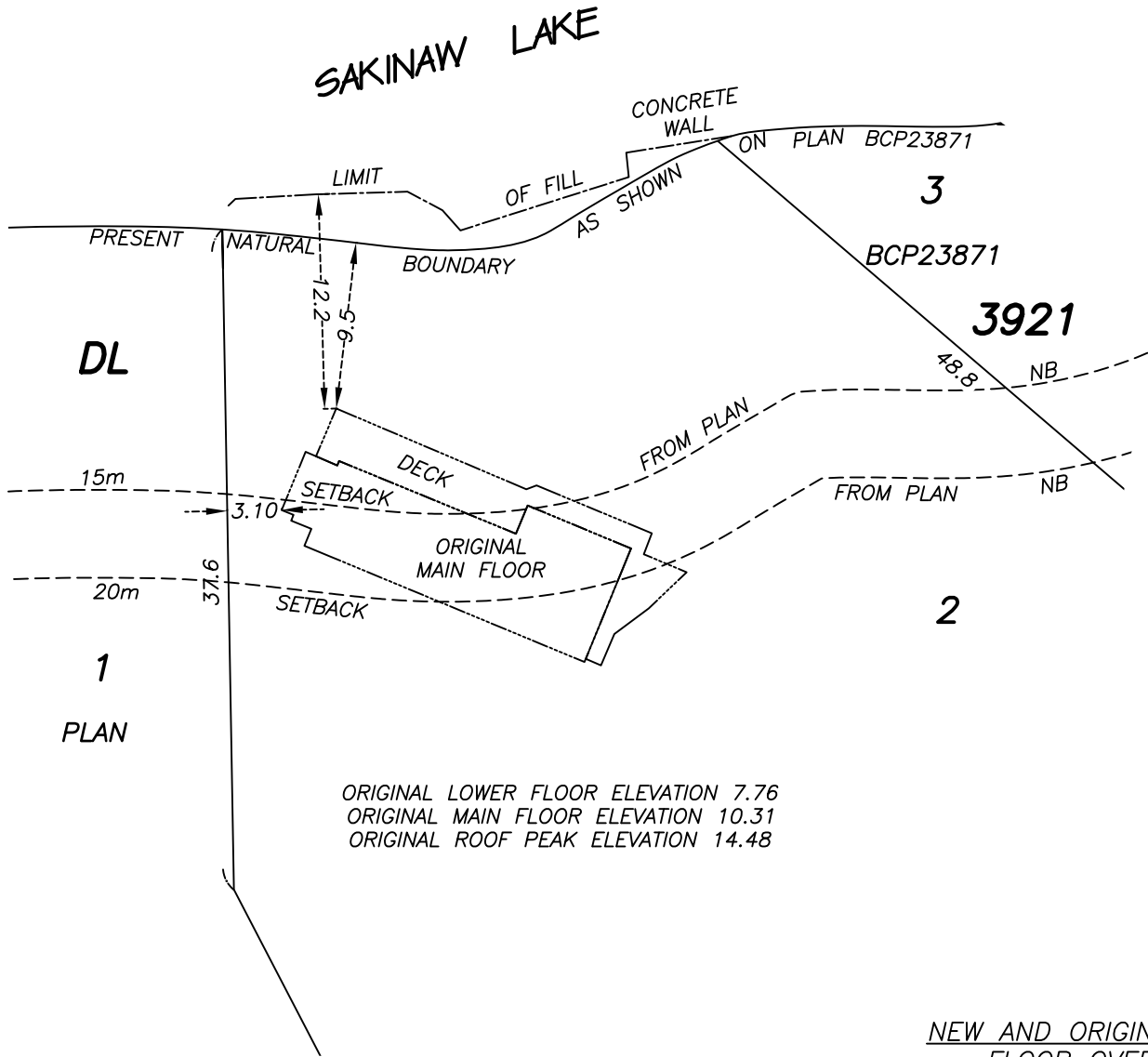
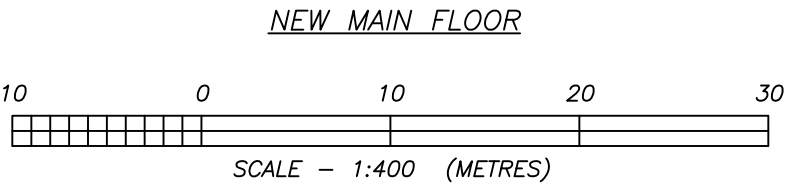
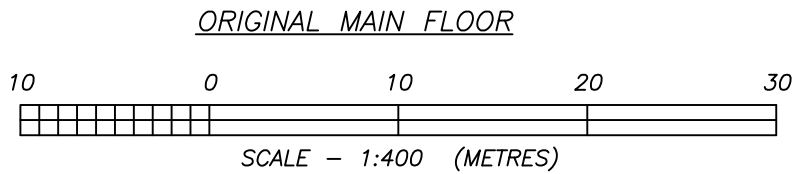
DRAWING ORDER

SITE OVERVIEW.....PAGE 1
ORIGINAL VERSUS EXISTING FLOOR AND ROOF PEAK ELEVATION COMPARISON.....PAGE 2

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

NOTE:

- DENOTES A STANDARD IRON POST FOUND
- DENOTES ORIGINAL BUILDING
- DENOTES NEW BUILDING
- NB DENOTES NATURAL BOUNDARY



STRAIT LAND SURVEYING INC.
SEAMUS POPE, BCLS
BOX 61 (5689 DOLPHIN ST)
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T. 604.885.3237

19059-414.R3


Cam Forrester & Associates Ltd.
6231 Sunshine Coast Highway
Sechelt, BC V0N 3A7
phone/fax: 604.885.7112
cam_forrester@telus.net

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.

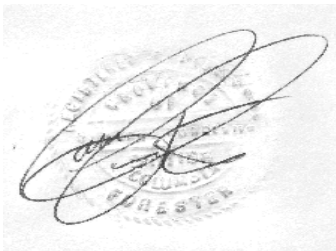
The Lot 2 waterline is north-northwest facing and is characterized by a legal and non-conforming dwelling, which was constructed in approximately 1970, as well as unattached landscaping, docks, driveway and garage.

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. # 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

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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..... (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 152.9m² and that the post-construction foundation area will increase the overlap/footprint within the SCRD 20m setback by 17.3m². The additional SPEA overlap is 18.0m².

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

	Pre-existing m²	Post construction m²	Additional disturbance
Inside 15m SCRD Vegetation Retention setback	48.5	48.5	NIL
Inside 20m OCP Setback	135.6	152.9	17.3
Outside 20m OCP Setback/Inside SPEA	29.8	47.8	18.0

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 XSegment N/ALWD, 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

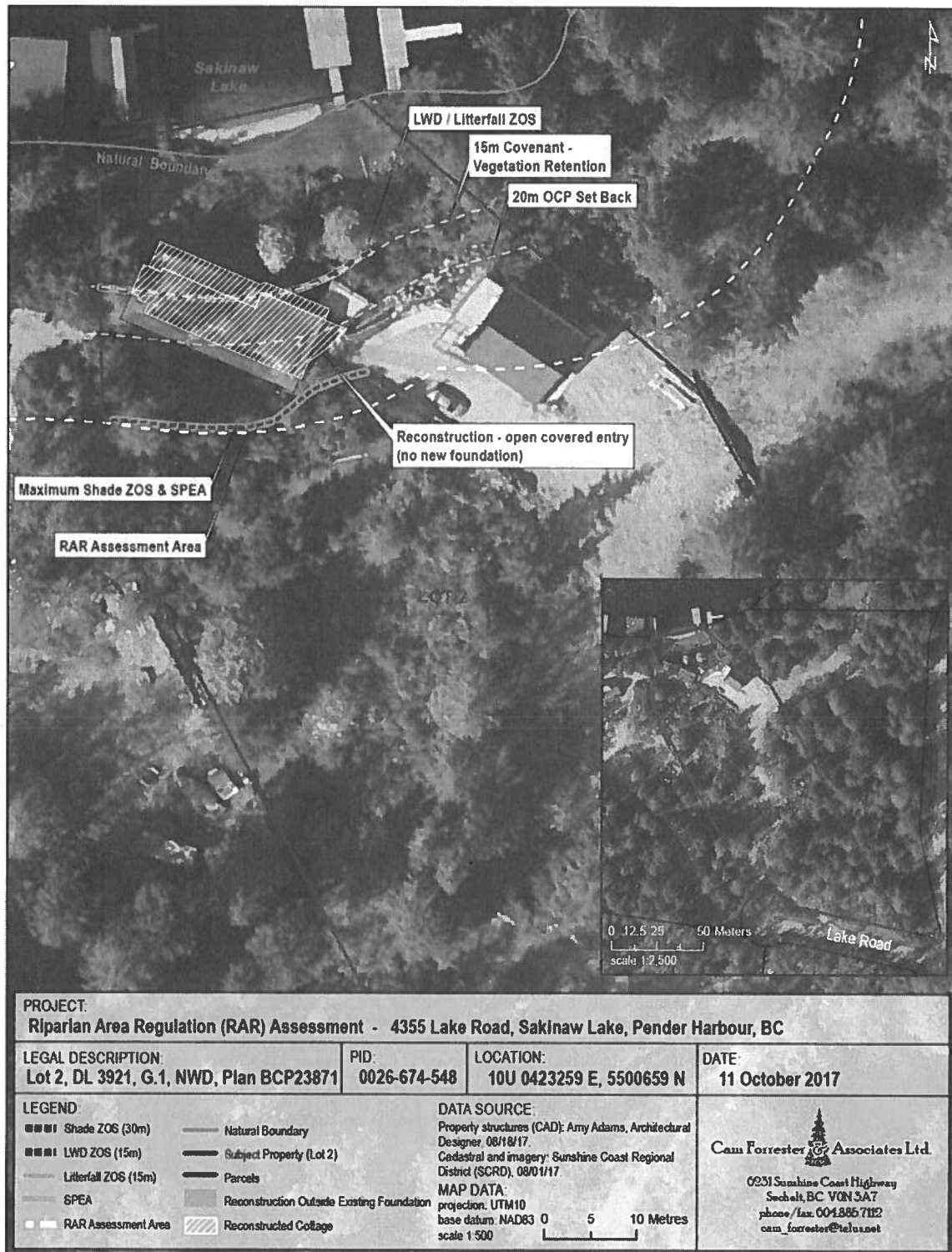
I, Cam Forrester, R.P.F., hereby certify that:

- 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.

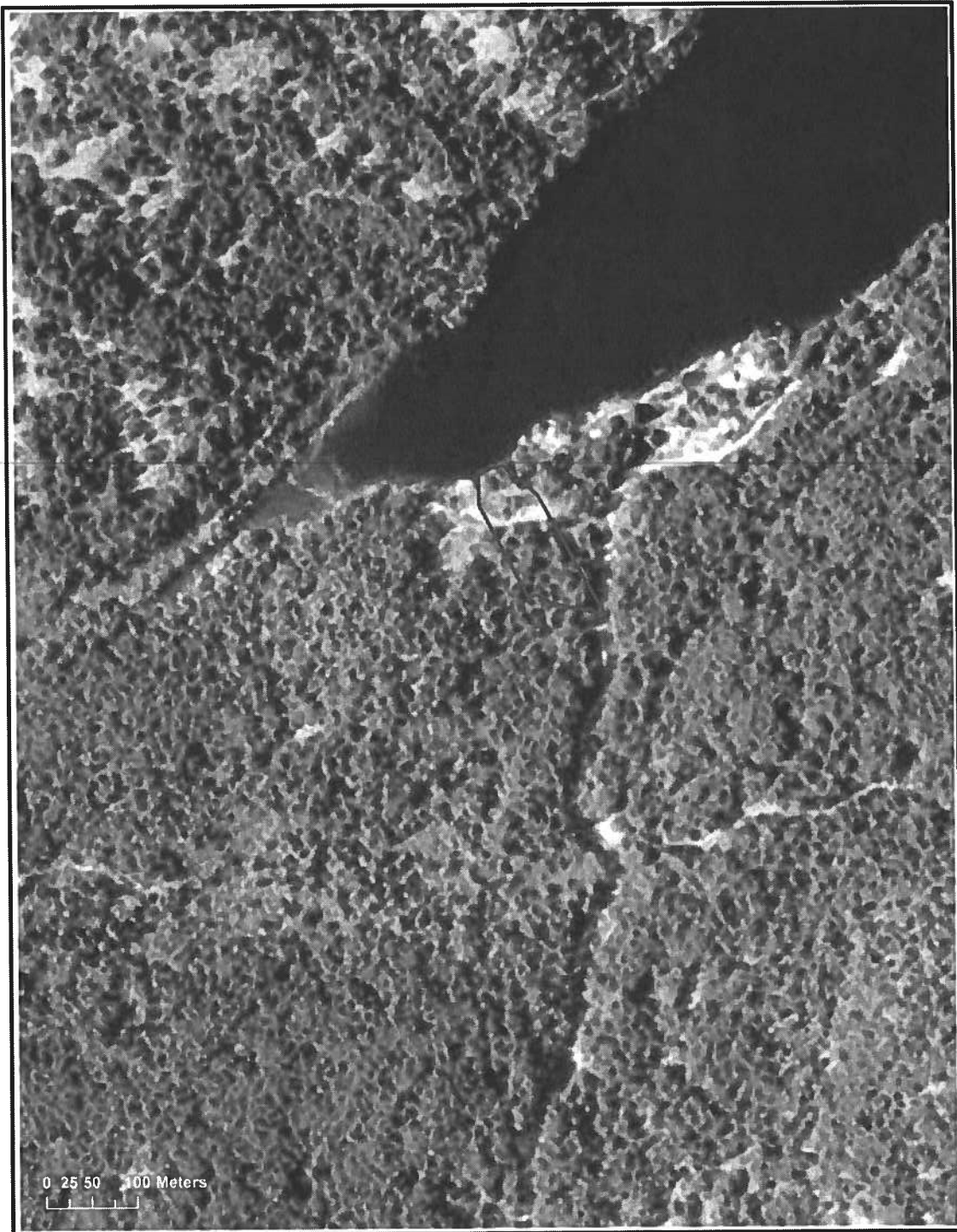
Comments

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

1. Danger Trees	See attachment.
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 the assessment of the development proposal made by the developer Lorna Vanderhaeghe 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	
2. Windthrow	See attachment.
I, <u>Cam Forrester, R.P.F.</u> , hereby certify that: d) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; e) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe; 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	
a. Slope Stability	See attachment.
I, <u>Cam Forrester, R.P.F.</u> , hereby certify that: g) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; h) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe; 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. Protection of Trees	See attachment.
I, <u>Cam Forrester, R.P.F.</u> , hereby certify that: j) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; k) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe; 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	
a. Encroachment	See attachment.
I, <u>Cam Forrester, R.P.F.</u> , hereby certify that: m) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; n) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe; 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. Sediment and Erosion Control	See attachment.
I, <u>Cam Forrester, R.P.F.</u> , hereby certify that: p) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; q) I am qualified to carry out this part of the assessment of the development proposal made by the developer Lorna Vanderhaeghe; 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"> • crew education and standard operating procedures for construction, hazardous materials, pollution prevention, spill preparedness and fuel management around the lake; • pre-work meeting, pre-work plan and crew sign-offs; • on-site monitoring as required to ensure SPEA integrity is maintained by following the pre-work plan; • 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; • the ability to issue stop work orders in the case of practices that are illegal or damaging to the SPEA or Sakinaw Lake; • the ability to report environmental infractions related to stream protection regulations; • Photographs and notes should be taken to document the various phases of construction, any observed environmental events and their resolution. • 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.

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 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

Attachment E

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#
(#)
\$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:

Dawn McLean

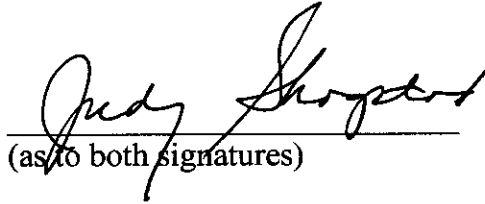
Brian A Spence
BRIAN A SPENCE

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

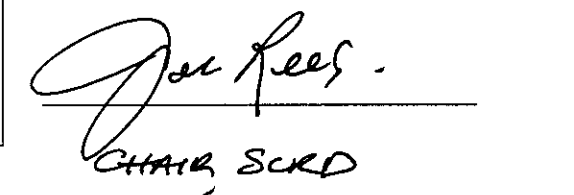
Y	M	D
2006	04	26

Transferee(s) Signature(s)

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



DEPUTY CORPORATE OFFICER



CHAIR, SCRD

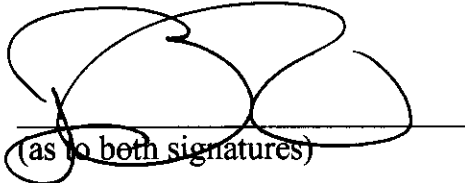
OFFICER'S CERTIFICATION:

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)

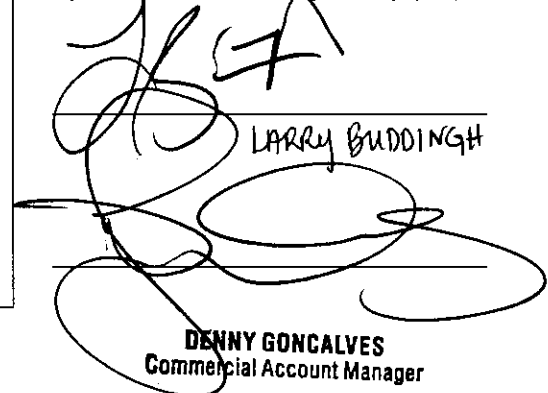
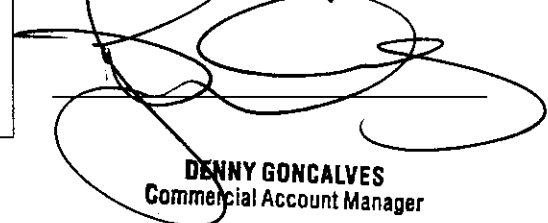
MICHAEL BURKE
33832 South Fraser Way,
Abbotsford, B.C.
V2S 2C5
Barrister & Solicitor

Execution Date

Y	M	D
6	4	19

Transferee(s) Signature(s)

PROSPERA CREDIT UNION
by its authorized signatory(ies):

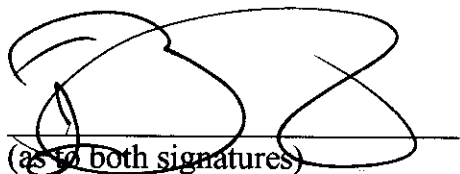

LARRY BUDDINGH

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)

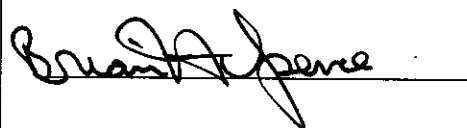
MICHAEL BURKE
33832 South Fraser Way,
Abbotsford, B.C.
V2S 2C5
Barrister & Solicitor

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 (page & paragraph)	Person Entitled to Interest
Section 219 Covenant over part shown bold on Plan BCP <u>23871</u>	Pages 7 to 12	Transferee
Priority Consent granting Section 219 Covenant No. <u>BA 175970</u> priority over Mortgage No. CA204047 & Assignment of Rents No. CA204048	Page 13	Transferee
Priority Consent granting Section 219 Covenant No. <u>BA 175970</u> priority over Mortgage No. BV142863	Page 14	Transferee

Land Title Act
Form E
Schedule

Page 6 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.

5. Transferor(s):*

BGD HOLDINGS CO. LTD. (Incorporation No. 667224) of 9701, 201st 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

COVENANTSection 219 *Land Title Act*

THIS AGREEMENT made the ____ day of _____, 2006.

BETWEEN:

BGD HOLDINGS CO. LTD. (Incorporation No. 667224) of 9701,
201st 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

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

**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

SCHEDULE A

Riparian Planting Criteria and Recommended Species

Page 2
July 1998**Shrubs**

Botanical Name	Common Name	Mature Height (m)	Best Growth Conditions
<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

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

C:\WINDOWS\TEMP\no veg covenant.doc

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

Subject: DVP00054 - 4355 Lake Road - Application proceeding to PCD

From: Martin Aidelbaum

Sent: Wednesday, November 4, 2020 12:30 PM

To: Dean McKinley <Dean.McKinley@scrd.ca>; Ian Hall <Ian.Hall@scrd.ca>

Subject: DVP00054 - 4355 Lake Road - Application proceeding to PCD

Hi Ian and Dean:

I want to confirm that I wish to speak as a delegate at the November 12th meeting.

As discussed I am providing a memo for inclusion in the staff report.

The issue before the committee is whether to recommend to the SCRD board issuance of a variance permit to the applicant.

What's unusual about this application is that (1) the applicant has already built her house without the required permits, and (2) instead of renovating an existing structure, she tore down her existing house and built a new one.

Normally, the permit would have been sought before construction, but in this case the applicant has built her house without the permit she seeks (and contrary to the permits she did obtain). Her unlawful conduct merits sanction, of course, but, also, because she built first and sought the permit later, SCRD can see what she has actually done before deciding whether to issue the permit, and, obviously, must consider the application in light of that reality.

So the application should plainly be dismissed out of hand, as a matter of law, on that basis alone.

But, also, and more importantly, because the applicant chose to build a new structure, she destroyed along with the old house the whole legal basis for all of the permits she has, as well as the one she applies for.

SCRD cannot lawfully issue the permit for this reason also. It is a permit sought for a structure that has no lawful basis for remaining extant. It is axiomatic that no such permit could ever be lawfully issued.

I have explained before the reason why the applicant's house is unlawfully located, but to summarize those points:

- The Riparian Areas Protection Regulation (RAPR) was enacted in 2004 under Section 12 of the Fish Protection Act (re-titled the Riparian Areas Protection Act in 2016). The RAPR compels local governments to protect riparian areas during development.
- Under the RAPR the setback for this property is 30 meters. Any new development on this property must be set back 30 meters from the high water mark unless that would cause undue hardship. This requirement trumps any bylaw.
- The applicant's house is a new development.
- The applicant suffers no undue hardship as defined in the RAPR from the 30 meter setback requirement because she can build a structure as large as permitted on her property while respecting the setback.
- Therefore, it is forbidden by provincial law for SCRD to issue a permit that would allow what the applicant has built.

Sincerely

Martin Aidelbaum
4343 Lake Road

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

AUTHOR: Yuli Siao, Senior Planner

SUBJECT: Development Variance Permit DVP00063 (5642 Mintie Rd)

RECOMMENDATIONS

THAT the report titled Development Variance Permit DVP00063 (5642 Mintie Rd) be received;

AND THAT Development Variance Permit DVP00063 to vary Zoning Bylaw No. 310:

1. Section 811.3 to reduce the required minimum building setback from any parcel line from 5 m to: 0.3 m from the front parcel line, and 0.1 m from the side parcel line for the proposed reconstructed buildings;
2. Section 509 to reduce the required number of off-street parking spaces from 20 to 2 and the required number of loading spaces from 1 to 0;
3. Section 811.2 to permit parking or loading located in a setback area where the abutting property is zoned R2; and
4. Section 507.1 to reduce the required setback from the natural boundary of the ocean from 7.5 m to 3.7 m for an uncovered and unenclosed deck and steps;

be issued.

BACKGROUND

The SCRD received a Development Variance Permit application to reduce the minimum setback requirements for the proposed reconstructed buildings and deck, to reduce the requirement for off-street parking and loading, and to allow parking and loading spaces to be located in a setback area. The proposed development plans are included in Attachment A. Table 1 below provides a summary of the application.

Table 1: Application Summary

Owner/Applicant:	Welcome Passage Realty Ltd.
Legal Description:	LOT 6 BLOCKS H AND J DISTRICT LOT 1638 PLAN 10826
PID:	009-348-182
Electoral Area:	Area B
Civic Address:	5642 Mintie Road
Zoning:	C2 (Commercial Two)

OCP Land Use:	Community Hub
Proposed Use:	Reconstruction of the existing Halfmoon Bay General Store, proposed uses include grocery store, café, art studio, retail, gift shop, gallery, storage, office, one single family dwelling unit

Figure 1 - Location Map



Figure 2 – Aerial photo



The subject property is known as the Halfmoon Bay General Store. The property is surrounded by residential properties to the south, west and north and Halfmoon Bay to the east. The

purpose of this report is to provide information on the application and obtain a resolution from the Planning and Community Development Committee on the proposed variances.

Figure 3 – Existing buildings



Figure 4 – Proposed reconstructed buildings



The Halfmoon Bay General Store was established in a neighbourhood hub of the small, rural community of Halfmoon Bay in 1937, which predates the founding of the SCRD and the present residential developments surrounding it. The two existing buildings are situated on two portions of a hooked parcel split by a public walking path connected to the ocean. The existing siting of buildings and lack of on-site parking are due to the historic establishment of the store in this location and are considered legal non-conforming in accordance with the *Local Government Act*. All existing and proposed uses of the buildings are permitted in the C2 Zone.

DISCUSSION

Zoning Bylaw No. 310

The applicant requests the following variances:

1. To reduce the minimum building setback from any parcel line from 5 m to: 0.3 m from the front parcel line, and 0.1 m from the side parcel line.

The historic location (Figure 5 below) of the buildings make them impossible to comply with current zoning bylaw's minimum building setback requirement of 5 m from any parcel line. Legal but non-conforming existing building setbacks include the smallest setbacks from a front parcel line and a side parcel line being 0.37 m and 0 respectively.

Figure 5 Site Plan



The footprints of the proposed buildings are largely based on the existing footprints, with the smallest setbacks from the front parcel line and side parcel line being 0.3 m and 0.1 m respectively.

The existing buildings have a gross floor area of 600.36 m². The gross floor area of the reconstructed buildings is 728.18 m². The increase in floor area is a result of increasing floor

area of the second and partial second floors; however the total area of building footprint (based on area of foundation) decreases from 396.19 m² to 393.53 m², the slight increase in the building's parcel coverage (based on roof coverage of the parcel) from 39% to 41% is within the maximum permitted parcel coverage of 50% of the zoning bylaw, and the increase of building height from 7.19 m to 7.51 m is below the maximum building height of 11 m of the zoning bylaw.

Variance #1 would permit the siting of the reconstructed buildings which is largely based on the existing building siting. In support of the variance for front yard setback reduction, the Ministry of Transportation and Infrastructure (MOTI) has granted a permit to allow the reconstructed buildings to be situated less than its standard of 4.5 m from the lot line abutting the street.

2. To reduce the required number of off-street parking spaces from 20 to 2 and the required number of loading space from 1 to 0.

The lack of on-site parking is due to existing buildings occupying most of the front portions of the parcel and there are not sufficient and suitable land areas to provide parking and loading spaces on-site. Historically, parking and loading for the store have been provided on the adjacent street.

Based on Section 509 of the zoning bylaw, the existing uses permitted on the parcel, including a grocery store, a café, a hair salon, a single family dwelling and storage, require 19 off-street parking spaces, all of which are provided on the street as a legal non-conforming situation; the proposed uses, which include a grocery store, a café, an art gallery, a gift shop, a single family dwelling, an office and storage space (all permitted under the current C2 Zone), require a total of 20 off-street parking spaces. This is a minor increase in parking demand, because 100 m² of the total increase in building floor area is absorbed by the single family dwelling which does not increase parking demand regardless of size, and only 28 m² is increase in commercial floor area. Despite the minor increase in parking demand, 2 spaces will be provided within the parcel as indicated by the Site Plan and 18 will continue to be provided on the street. Therefore, the proposed development would result in a net reduction of one on-street parking space.

Variance #2 is to recognize the existing shortage of off-street parking and loading and reduce the number of required off-street parking spaces from 20 to 2 and loading spaces from 1 to 0.

3. To permit parking or loading located in a setback area where the abutting property is zoned R2.

Given the proposed building footprints which closely resemble the existing footprints, the two proposed on-site parking spaces can only be located within the setback areas abutting an R2 zone. Therefore Variance #3 is to allow the siting of these parking spaces.

4. To reduce the required setback from the natural boundary of the ocean from 7.5 m to 3.7 m for an uncovered and unenclosed deck and steps.

A portion of the existing uncovered and unenclosed deck in the back of the property is set back 3.7 m from the natural boundary of the ocean. The deck is considered a legal non-conforming structure. The deck is in need of substantial renovation and is proposed to be rebuilt based on the existing footprint and with a few added steps, therefore the requested variance is necessary in order to facilitate the proposed work. The existing buildings and deck are within Coastal Slopes

and Coastal Flooding Development Permit Areas. A development permit has been granted by the SCRDC to address those particular geo-technical issues, indicating that the reconstruction of the buildings and deck can be safely carried out as proposed.

Variance #4 would permit the rebuilt deck and steps to be set back at a minimum of 3.7 m from the natural boundary of Halfmoon Bay.

Halfmoon Bay Official Community Plan

The Halfmoon Bay General Store is within one of three Community Hubs designated by the Halfmoon Bay Official Community Plan (OCP). Policies of the OCP allow Community Hubs to continue to exist and develop within residential areas (Sections 5, 9.8, 9.29, 14), as indicated below:

“Community Hubs are focal points – a neighbourhood centre where people can come together to socialize, to eat, to purchase the basic necessities or provide a service to the community – all within the scale of a rural community”.

The Halfmoon Bay General Store, and the proposed variances to accommodate its reconstruction, are consistent with OCP objectives and policies.

Applicant's Rationale

According to the applicant, the Halfmoon Bay General Store has been a cherished community asset since its opening in 1937. The store currently serves the immediate neighbourhood and visitors. Services provided include a cafe, a grocery store and retail. The store provides an important function in the community, however; the buildings are aging and in urgent need of reconstruction.

The applicant's proposal is to reconstruct the two buildings on the current site including an update to systems, overall structure and interior. The size, massing and exterior finishing of the buildings are in keeping with the historic architectural character of the existing buildings, as demonstrated in a series of side-by-side drawings in Attachment A. The applicant anticipates that while improvements to the store may result in a slight increase in customer traffic, it will largely be due to renewed appeal and function, rather than increase in size or operation.

Parking has historically always been on the street. The street-oriented store placed close to the street provides a sociable forecourt. Placing large number of parking spaces in this socially active area would significantly impact the social functioning and historic appeal of the store, and would resemble a suburban strip mall development which is incompatible with the character of this small village hub. It would also require relocating the existing buildings towards the rear portion of the parcel or proposing an underground parking structure which is technically and financially infeasible for a small parcel and a project of this scale. This would result in impacts to geotechnical condition of the site, the existing septic field and the environmentally sensitive and flood-prone shoreline.

The applicant intends to maintain the historic character of the property and the existing parking nearby, and reconstruct the buildings so that they can continue to serve the community for many years to come. The existing buildings and deck are considered legal non-conforming

structures (based on siting), and according to the *Local Government Act*, they are allowed to be repaired or expanded without further contravention of the zoning bylaw. However, a development variance permit would enable the reconstruction being sought for, because the proposed redevelopment involves a slight change to existing building setbacks but substantial reconstruction of the existing buildings and deck, and the proposed change in permitted uses will result in an increase of one required parking space. Therefore, the requested variances in building and deck setback and parking reduction are necessary in order to facilitate the development.

Addressing Public Comments

At the time this report is published, comments in support of the variance application have been received from 22 members of the public and through responses to social media posts, and comments opposing the application have been received from 9 members of the public (Attachment B).

Supporting comments indicate that the redevelopment of the Halfmoon Bay General store has community benefits of offering convenient grocery shopping for local residents, amenity for visitors and economic opportunities for a local business, strengthening the vitality of this existing community hub and revitalizing this historic place in Halfmoon Bay. These comments recognize the need for commercial facilities to serve the surrounding community, and such facilities can continue to coexist with surrounding residential neighbourhoods.

Concerns about the existing business operation and the proposed redevelopment are the scale of the buildings, on-street parking, delivery, garbage disposal, traffic circulation, driveway access, privacy and fire truck access. These issues can be addressed as follows.

As discussed above, the reconstructed buildings are largely based on the footprint, height and scale of the existing buildings.

The Parking Plan (Figure 6, next page) provided by the applicant indicates that if space within the road right of way is organized more efficiently than it is now and overgrown vegetation is cleared away, a total of 31 parking spaces can be provided along the stretch of Mintie Road near the store without interfering with driveway entrances of adjacent properties, the fire hydrant or the water access path between the two existing buildings of the property.

On-street parking spaces on Mintie Road are currently shared by visitors to the store as well as users of the SCRD parks, public dock and a community trail nearby. Roadside shoulders further away from this stretch in front of the store, including an SCRD tenured area, can be used for additional on-street parking. It is common that the use of many rural roads on the Sunshine Coast are shared by vehicles, pedestrians, cyclists, as well as roadside parking, unless specifically prohibited or designated for specific users or purposes by MOTI.

Mintie Road has an average right of way width of 20 m, which is comparable to other local collector roads such as Redrooffs Road, and can provide sufficient space for on-street parking and vehicle maneuvering where the physical condition of the road allows. As discussed above, the proposed redevelopment would not result in an increase in demand for on-street parking, but rather a net reduction by one space. It is expected that these on-street parking spaces as

Figure 6 Parking Plan



As indicated in the proposed building plan, garbage bins will be relocated from outdoors to indoors to free up on-street parking spaces. Deliveries to both the grocery store and café will be combined, and along with increase storage space in the building, the number of deliveries will be reduced to one per week. According to the applicant, with a purpose-built receiving / stocking room located next to the street, cargos of each delivery will take about 10 to 15 minutes to unload. It is not uncommon that goods are delivered to many businesses on the Sunshine Coast from Langdale to Earls Cove by semi-trailers, whose drivers must be responsible for navigating narrow and winding rural roads and observing traffic safety rules.

The Halfmoon Bay Fire Department has reviewed the proposed site plan and building plans, and has no concerns with access to the existing fire hydrant or fire truck maneuvering on the street.

Privacy concerns commonly arise where outdoor spaces interface with each other. The proposed building plans indicate that privacy screens and planting will be in place, particularly around the outdoor patio, to mitigate privacy issues with adjacent properties.

Consultation

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

Referred Agencies and Residents	Comments
Ministry of Transportation and Infrastructure (MOTI)	MOTI has no concerns with the existing on-street parking used by the store, and has granted a setback permit for the existing buildings abutting the street.
SCRD Building Division	No concerns
shíshálh Nation	Referred on August 31, 2020. No response received to date.
Advisory Planning Commission	<p>The APC agreed with and accepted the plans as presented. The Area B APC also recommends the following:</p> <ul style="list-style-type: none"> • The SCRD investigate other parking possibilities and opportunities for additional parking perhaps near the SCRD dock. • That perhaps some of the blackberry bushes presently there be cleared to allow for more parking. • The possibility of parking up closer to the highway around the SCRD park be explored. • The SCRD meet with the Ministry of Transportation and Infrastructure to investigate safety measures and parking along Minty Road.
Neighbouring Property Owners/Occupiers	Notifications were distributed on October 30, 2020 to owners and occupiers of properties within a 100m radius of the subject property. Comments have been received.

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. Comments received to date are documented in Attachment B.

The 60-day period for referral to shíshálh Nation has lapsed and no comments have been received. The applicant 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

This would permit the proposed design and authorize the applicant to proceed with redevelopment of the property. Planning staff consider this option would support the preservation and enhancement of the historic Halfmoon Bay General Store with no negative impact on the surroundings.

Planning staff recommend this option.

Option 2: Deny the permit

The zoning bylaw regulations would continue to apply, and the proposed development can proceed only if the legal non-conforming building status can be maintained by not demolishing or expanding the existing buildings, and by not exceeding the number of parking and loading spaces as required for existing uses.

STRATEGIC PLAN AND RELATED POLICIES

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

CONCLUSION

The proposed development variance permit would facilitate the reconstruction of the historic Halfmoon Bay General Store, revitalize this community hub and provide community benefits and services to residents and visitors. The facility can coexist with surrounding residential properties and the proposed improvements and variances can help to resolve existing land use conflicts.

Staff recommend issuing the development variance permit.

ATTACHMENTS

Attachment A – Proposed development plans

Attachment B – Comments from area residents

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



HALFMOON BAY GENERAL STORE

for building permit

applicable codes:
British Columbia Building Code 2018

project address:
5642 Mintie Road
Sunshine Coast, BC, V0N 1Y2

description of work:
renovation to existing general store

legal description:
Lot 6 Block H&J Plan VAP10826 District Lot 1638 Land District 1
Land District 36

P.I.D.:
009-348-182

zone:
C2

lot area:
812.90 m² = 8750 sf

dpa(s):
coastal flooding and slope hazard

building classification:
mixed use, commercial



owners:
Welcome Passage Realty Ltd.
Blake Annable

4730 The Highway
West Vancouver, BC V7W 1J5

blake_annable@hotmail.com
604 240-8100

structural, sprinkler, septic design:

John Enevoldson P.Eng
John Enevoldson Engineering
614 Pratt Road
Gibsons, BC V0N 1V4

john@jeeng.ca
604 885 8221

tenants:
Halfmoon Bay General Store
Peter Pearson
Kristen Annable

5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

hello@halfmoonbaystore.ca
604 885 8555

geotechnical engineers:

John Hessels P.Eng
Lewkowich Engineering
1900 Boxwood Road
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jhessels@lewkowich.com
250 756 0355

architects:
Heather L Johnston, architect AIBC
PLACE architect ltd.
6262 St Georges Ave
West Vancouver, BC V7W 1Z7

heather@placearchitects.com
778 386 6769

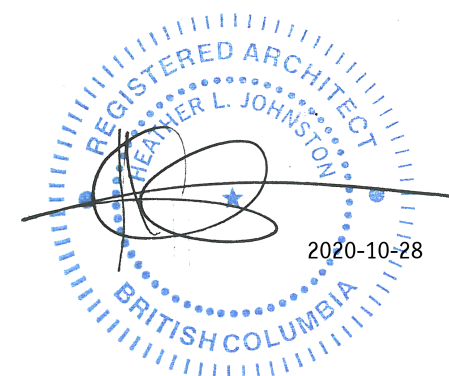
contractors:

Bill Tarves
Valley Grove Contracting, Ltd.
PO Box 492
Sechelt, BC, V0N 3A0

vgcontracting1@gmail.com
604-885-6477

A0.0	project information
A0.1	general notes, symbols, abbreviations and code summary
A0.2	perspective views
A0.3	site plan
A0.4	survey
A0.5	parking plan
A0.6	schedules & assemblies
A1.0	ground floor existing and demo plan
A1.1	second floor existing and demo plan
A2.1	proposed ground floor plan
A2.2	proposed second floor plan
A2.3	roof plan
A2.4	ground floor - reflected ceiling plan
A2.5	second floor - reflected ceiling plan
A3.1	elevations - west streetside existing and proposed
A3.2	elevations - east oceanside existing and proposed
A3.3	elevations - north building existing and proposed
A3.4	elevations - north building south existing and proposed
A3.5	elevations - south existing and proposed
A3.6	elevations - store north existing and proposed
A4.1	site section
A4.2	building sections
A4.3	building sections
A4.4	sections - north building
A5.1	interior views
4	drawing index

PLACE



HALFMOON BAY GENERAL STORE
5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

project number: 1913

no.	date	issue
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05	14 oct 2020	revised for BP and DP
06	28 oct 2020	revised for BP and DP

project information

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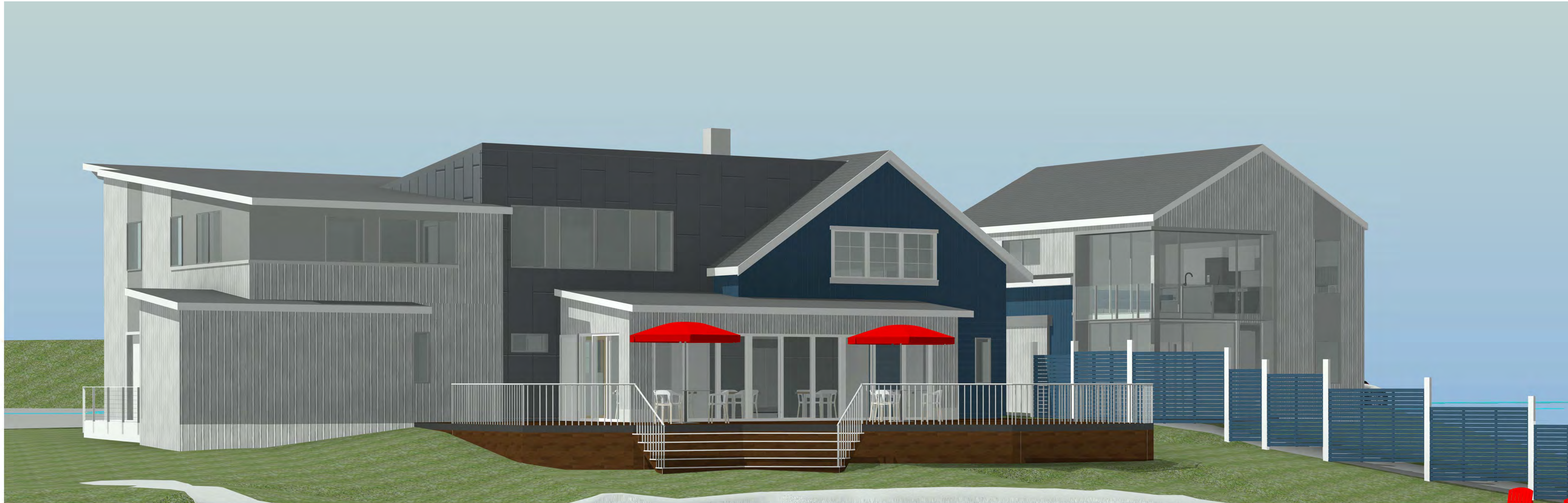
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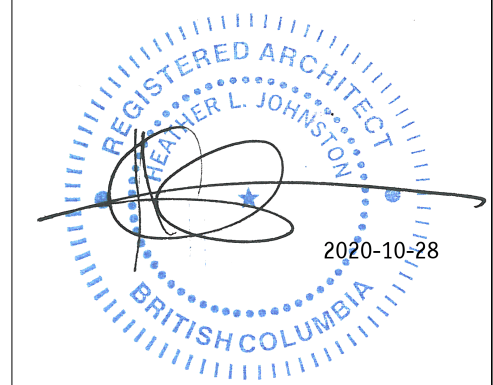
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1 new view from southwest on Mintie Road
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2 new view from the bay
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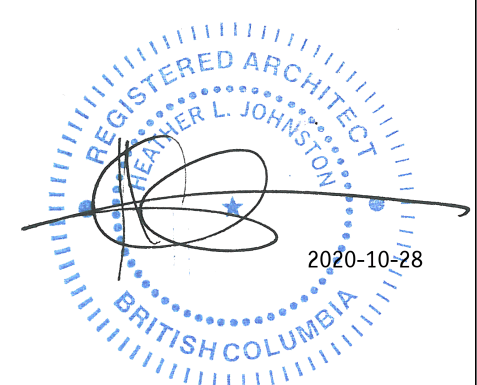
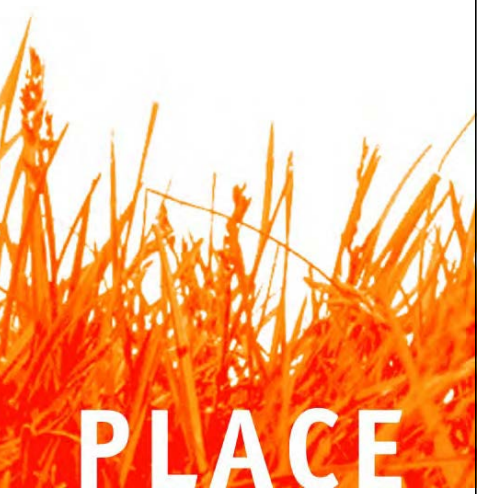
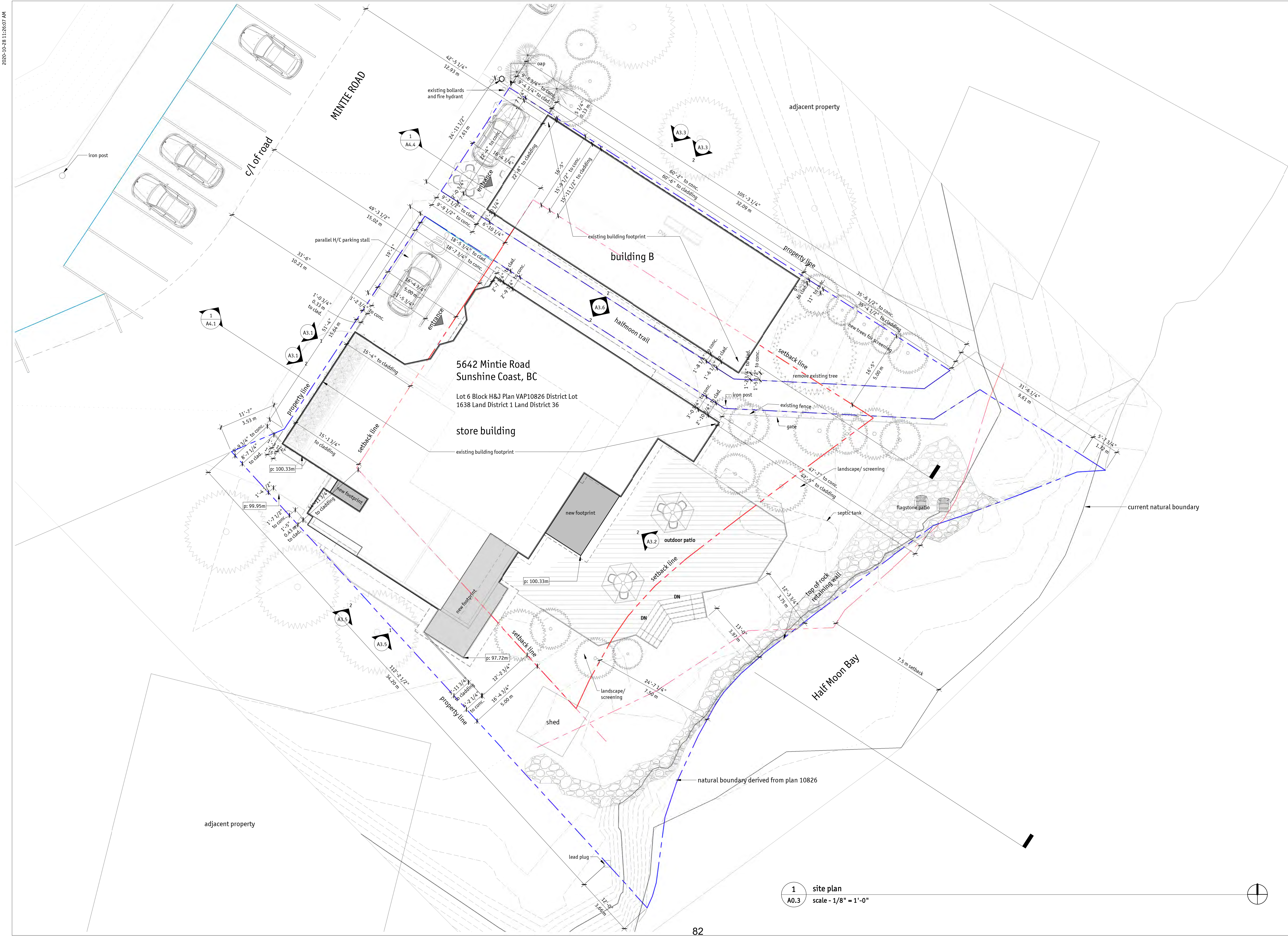
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perspective views

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site plan

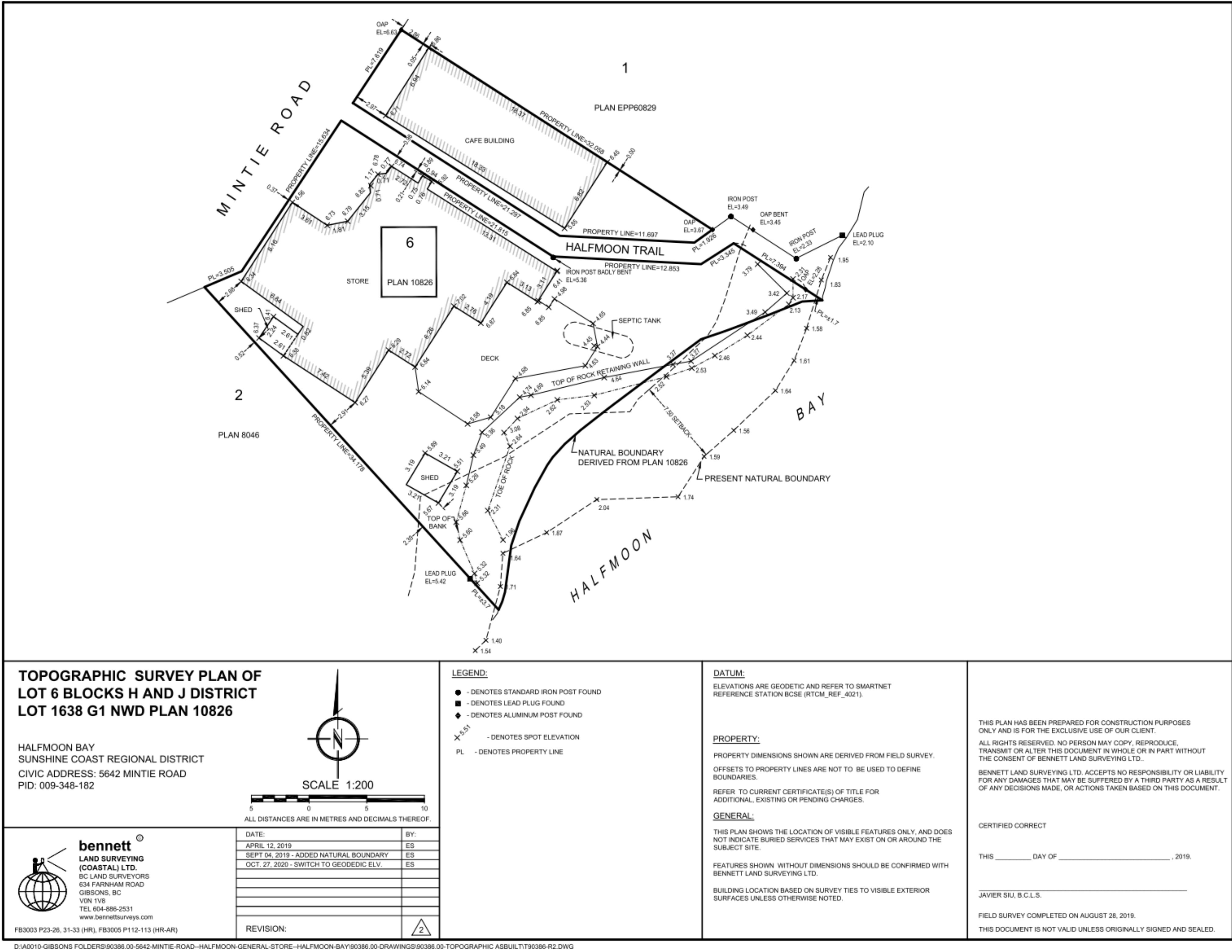
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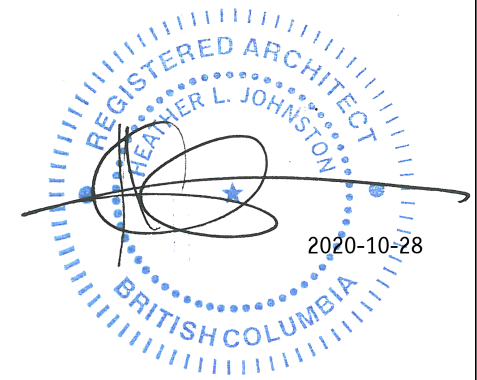
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1 site plan
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HALFMOON BAY GENERAL STORE
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survey

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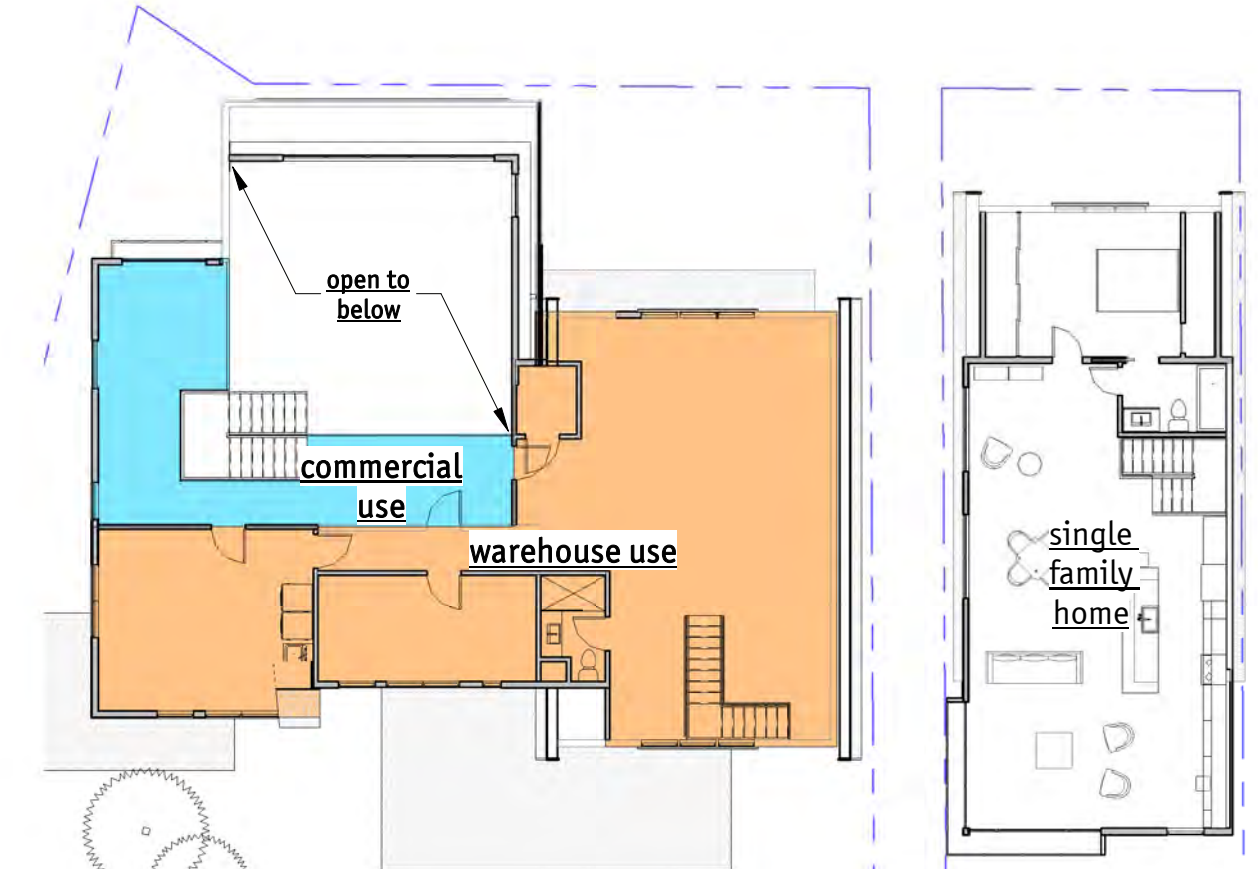
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1 parking plan
A0.5 scale - 1/16" = 1'-0"



2 level 1 - proposed - key plan
A0.5 scale - 1/16" = 1'-0"



3 level 2 - proposed - key plan
A0.5 scale - 1/16" = 1'-0"

parking calculations -- existing:

use	area/ units	requirement	required spaces
single family dwelling:	1	2 per	2.00
commercial:			
general store	158.25 sqm	4/ 100 sqm	6.33
salon	31.33 sqm	4/ 100 sqm	1.25
warehouse/ storage:	162.5 sqm	1 per occupancy + 1 per 185 sqm	2.00
cafe:			
indoor	12 seats	0.33/seat	4.00
outdoor (seasonal)	10 seats	0.33/seat	3.33

total required by bylaw*: 19 spaces
*none of this is provided on site.

parking calculations -- proposed:

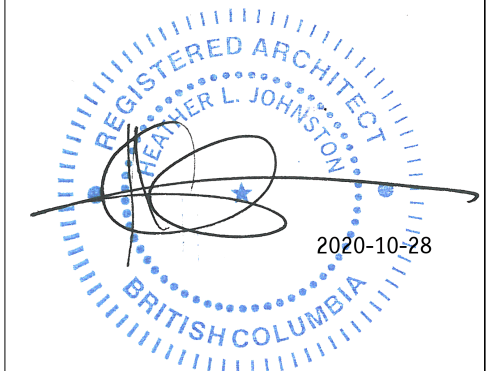
use	area/ units	requirement	required spaces
single family dwelling:	1	2 per	2.00
commercial:			
(store and art gallery)	238.06 sqm	4/ 100 sqm	9.52
warehouse/ storage:	162.5 sqm	1 per occupancy + 1 per 185 sqm	2.00
cafe:			
indoor	12 seats	0.33 /seat	3.96
outdoor (seasonal)	6 seats	0.33/seat	1.98

total required by bylaw*: 20 spaces
*2 provided of this is provided on site.

The Halfmoon Bay General Store is both a local service provider and a recreational destination. It is not the kind of shopping destination that one would likely drive to, especially given that there are much bigger shops and more variety nearby at Trail Bay Center and other locations.

A large percentage of Halfmoon Bay General Store customers arrive either on foot, bike, horse, or boat. Customers do come by car, but for as long as the store has been in this location, local on street parking has been sufficient to handle busy days.

One significant issue in this location is that often in summer, someone will park an RV or a truck and boat trailer across five or six spaces on the road, and leave it for a weekend or more. These spaces should be one hour parking. That change alone would make a big difference in the ease of parking at this location.



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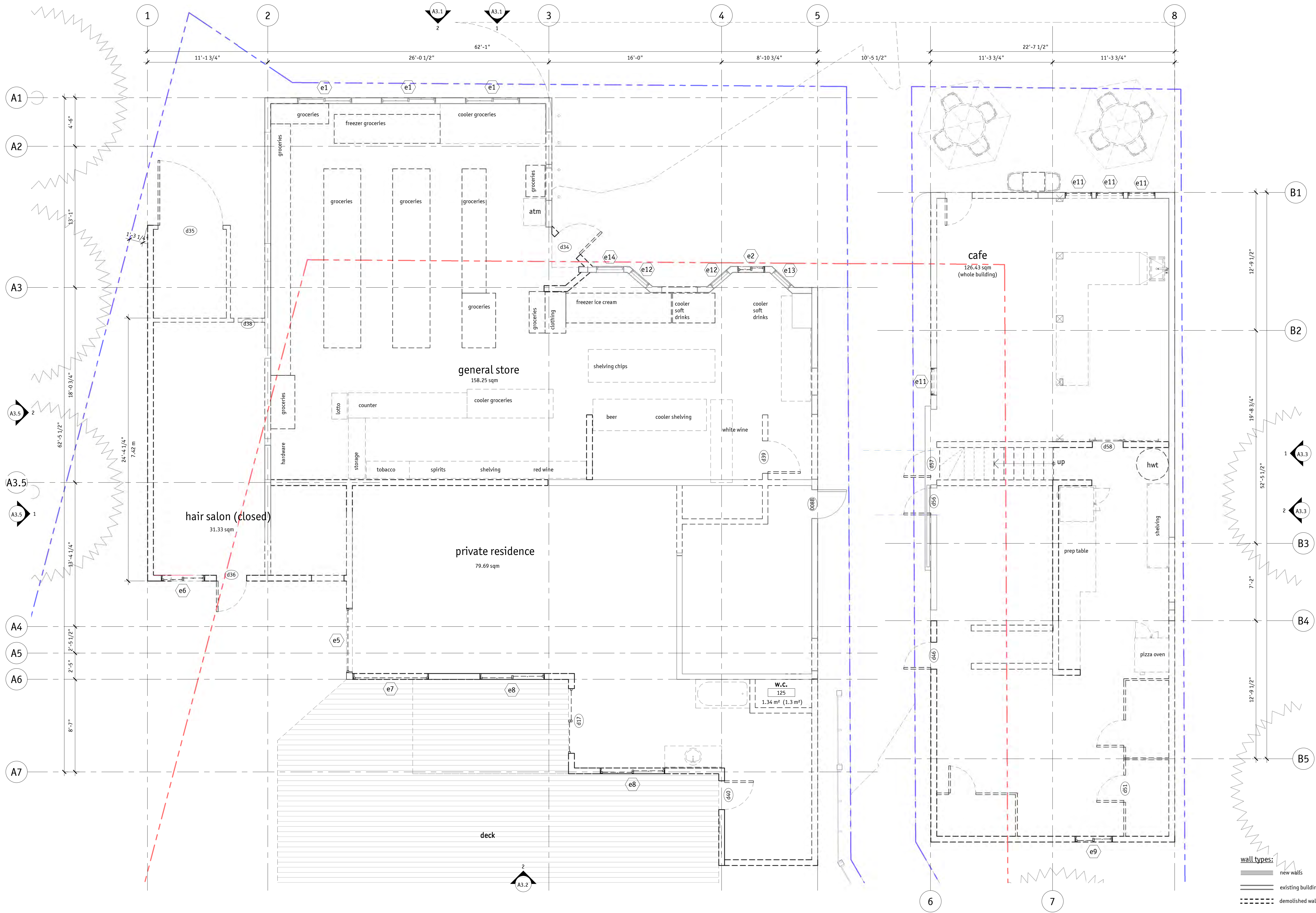
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parking plan

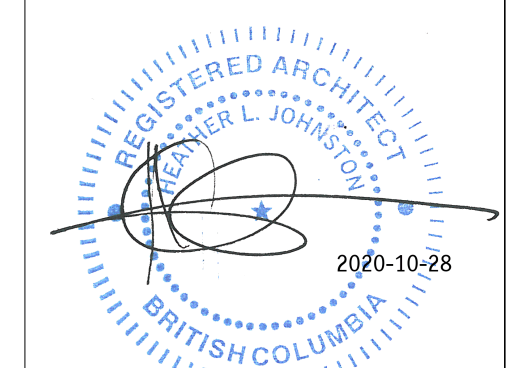
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28 oct 2020

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1 level 1 - existing and demo
A1.0 scale - 1/4" = 1'-0"



HALFMOON BAY GENERAL STORE
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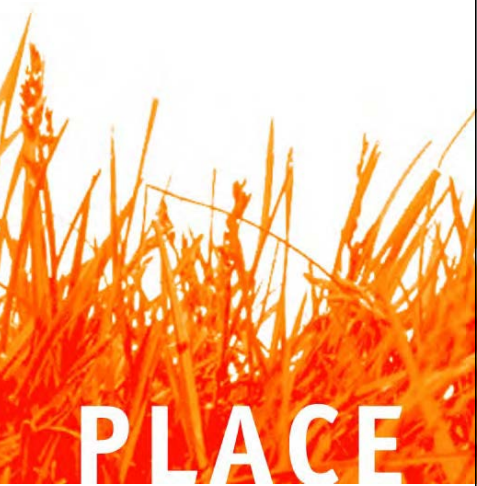
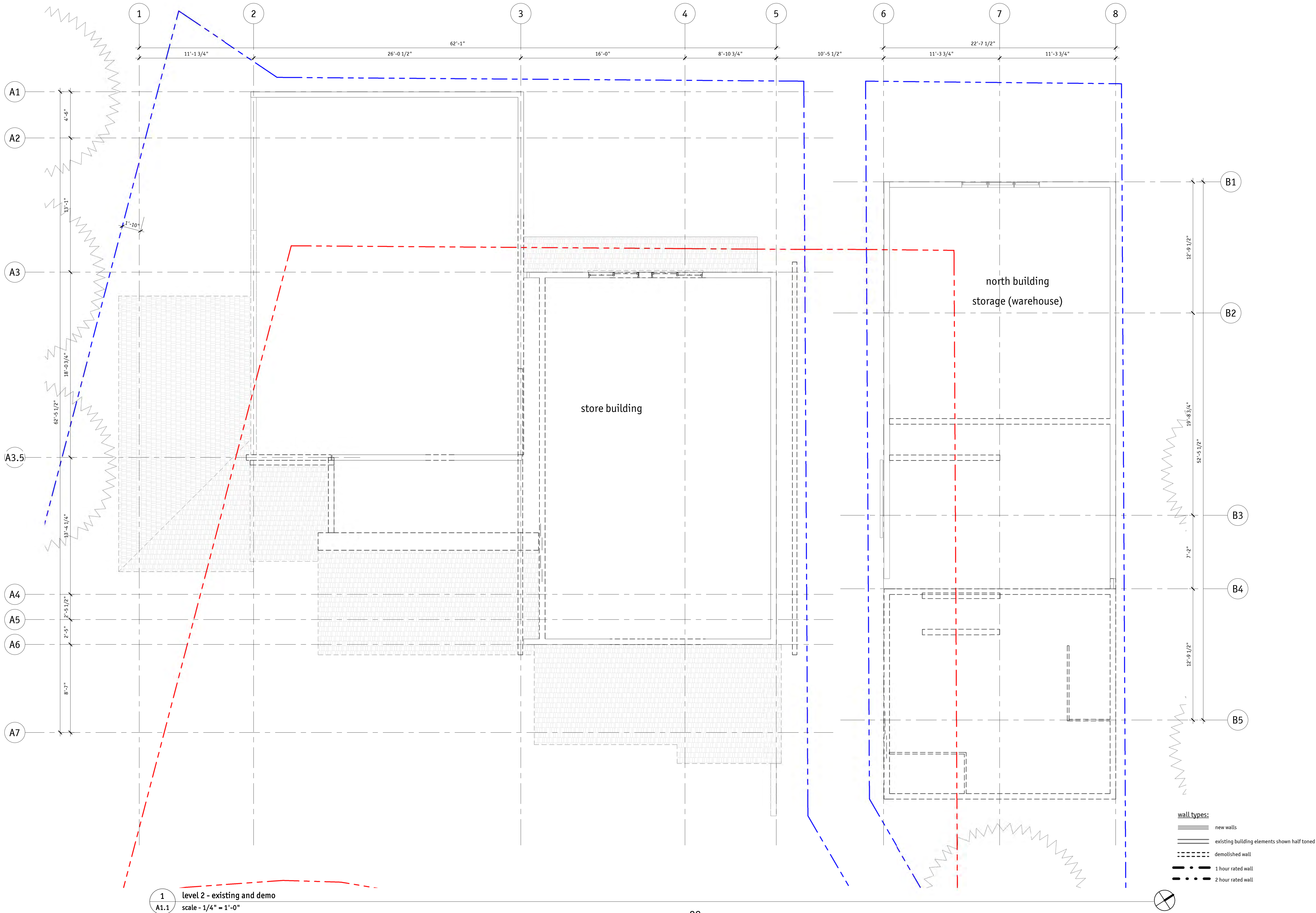
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ground floor
existing and
demo plan

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- wall types:
- new walls
 - existing building elements shown half toned
 - demolished wall
 - 1 hour rated wall
 - 2 hour rated wall

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HALFMOON BAY GENERAL STORE
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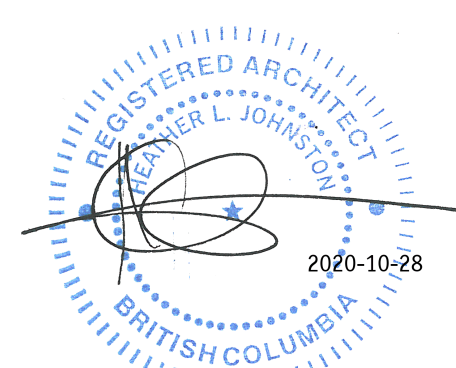
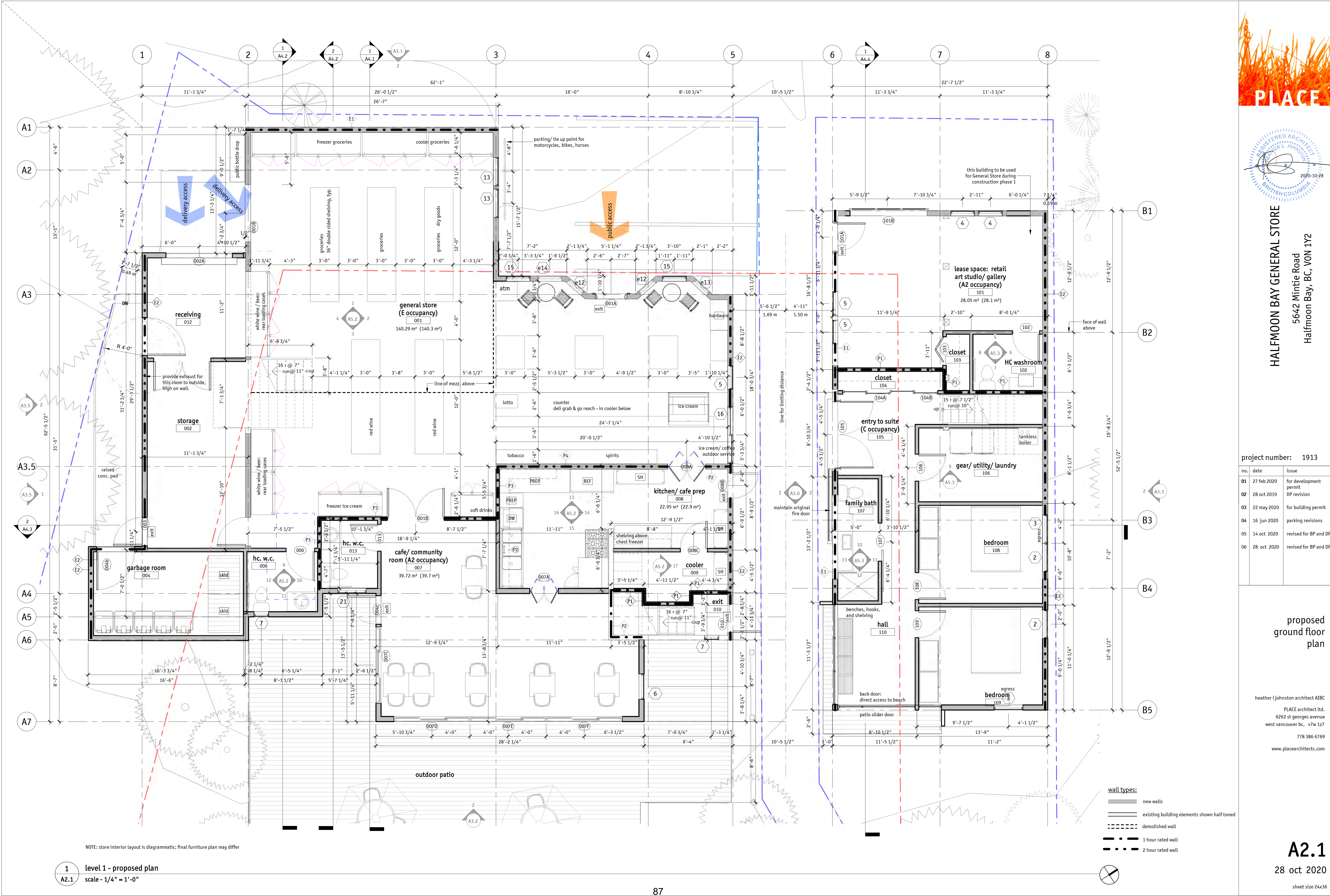
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second floor
existing and
demo plan

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28 oct 2020

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05	14 oct 2020	revised for BP and DP
06	28 oct 2020	revised for BP and DP

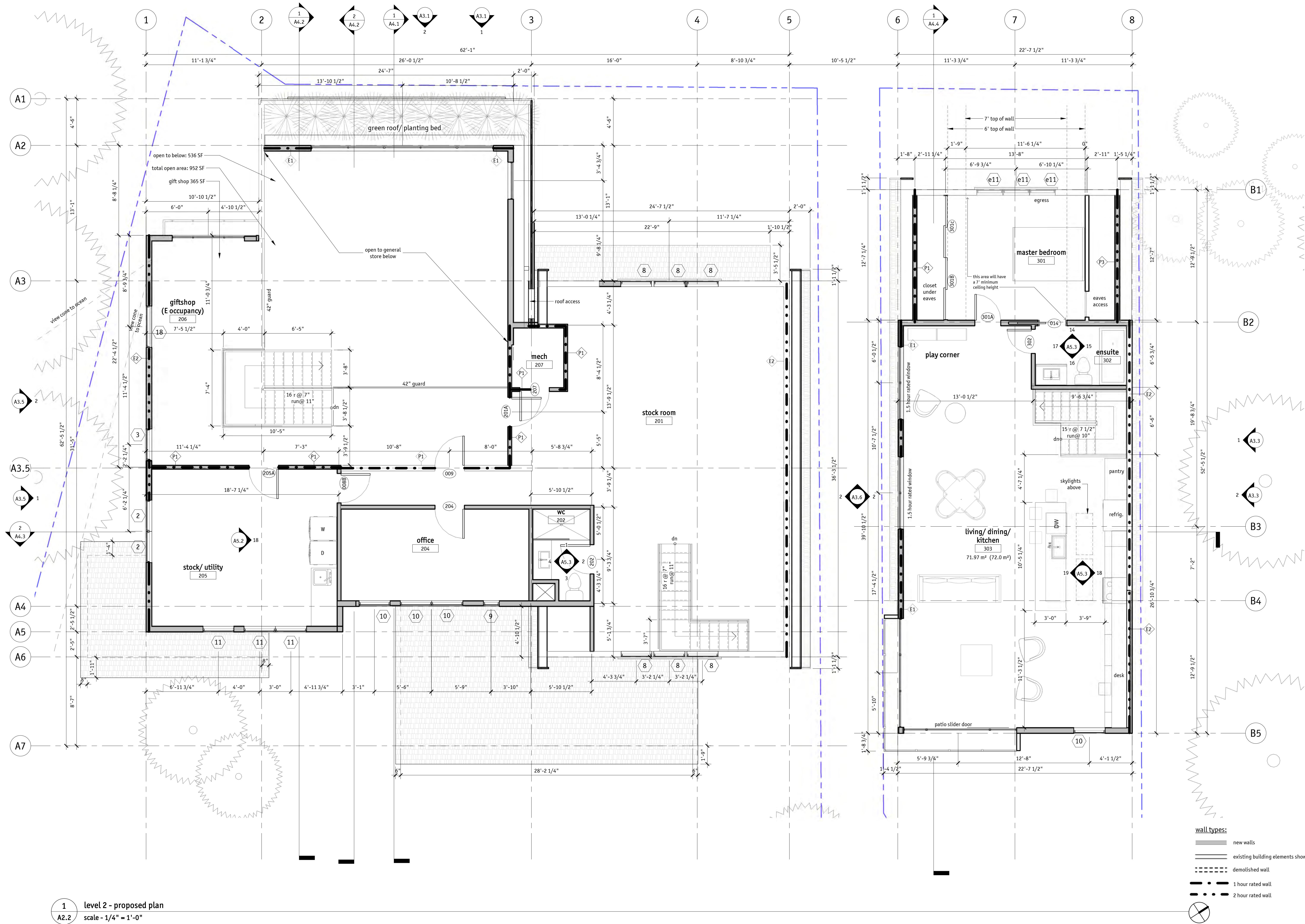
proposed
ground floor
plan

heather l Johnston architect AIBC
PLACE architect ltd.
6262 st georges avenue
west vancouver bc, v7w 1z7
778 386 6769
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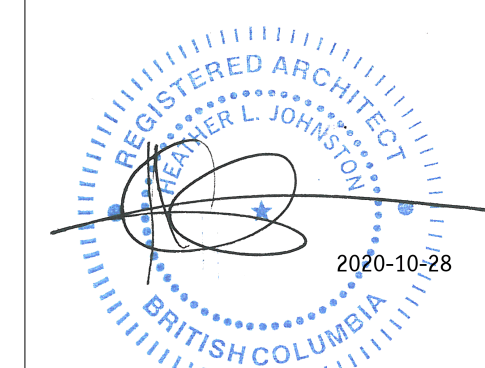
A2.1

28 oct 2020

sheet size 24x36



1 level 2 - proposed plan
A2.2 scale - 1/4" = 1'-0"



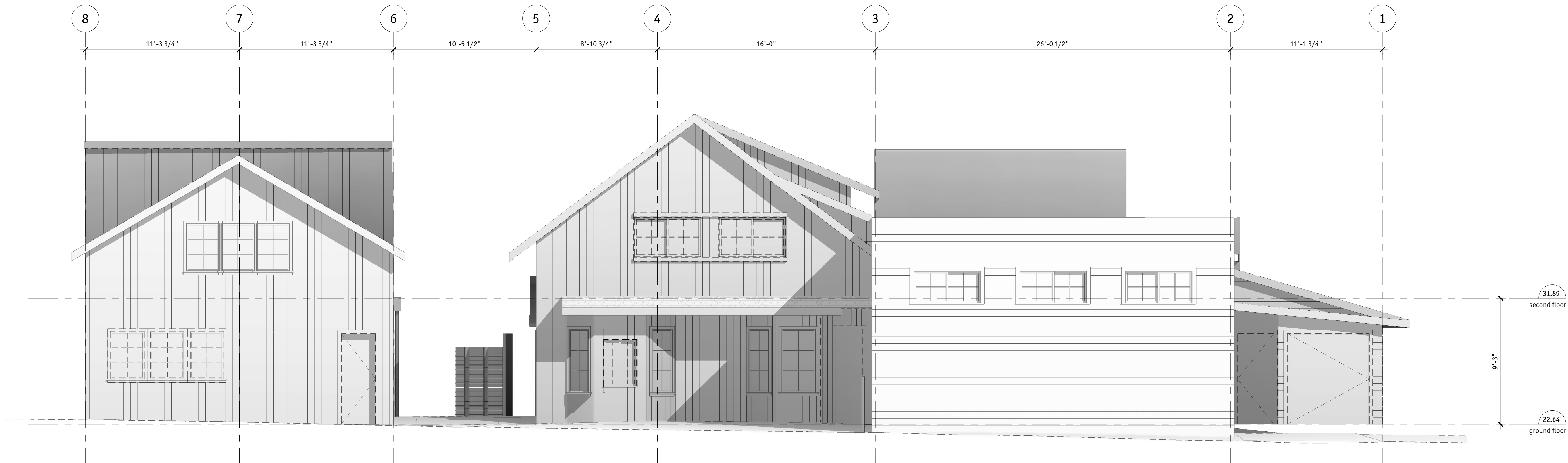
HALFMOON BAY GENERAL STORE
5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

project number: 1913

no.	date	issue
01	27 feb 2020	for development permit
02	28 oct 2019	DP revision
03	22 may 2020	for building permit
04	16 jun 2020	parking revisions
05	14 oct 2020	revised for BP and DP
06	28 oct 2020	revised for BP and DP
07	14 oct 2020	revised for BP and DP

proposed
second floor
plan

heather l johnston architect AIBC
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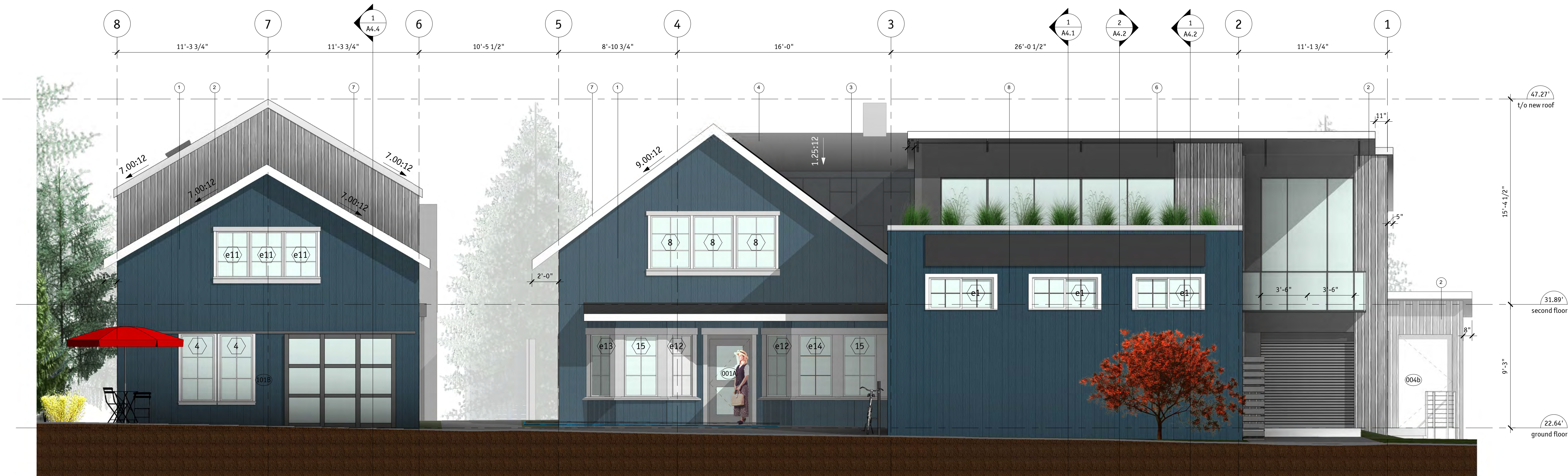


1 west (streetside) elevation - existing
A3.1 scale - 1/4" = 1'-0"

tag	MATERIAL
1	board and batten siding to match original
2	metal siding
3	swisspearl f.c. siding
4	asphalt shingles
5	new prefinished aluminum guard rail, colour black
6	new aluminum metal panel
7	new fiber cement fascia board
8	new fiber cement horizontal plank siding

Material Colour Key

Board and Batten/plank Siding
Metal siding, silver colour
SwissPearl siding with exposed s.s. fasteners

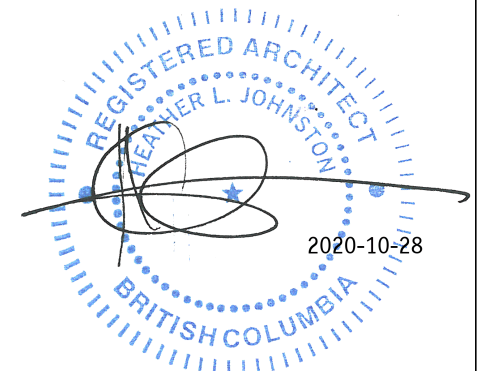


spatial separation calculations
Table 3.2.3.1.-D
exempt since limiting distances is greater than 9m

spatial separation calculations
Compartment 1: Studio
exempt since limiting distances is greater than 15m

spatial separation calculations
Table 3.2.3.1.-E
Compartment 2: Mercantile
exposed building face: 94.28 sqm
limiting distance: 10.26 m
max upo: 84% (79.20 sqm)
proposed upo: 29.7% (28.03 sqm)

2 west (streetside) elevation - proposed
A3.1 scale - 1/4" = 1'-0"



HALFMOON BAY GENERAL STORE

5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

project number: 1913

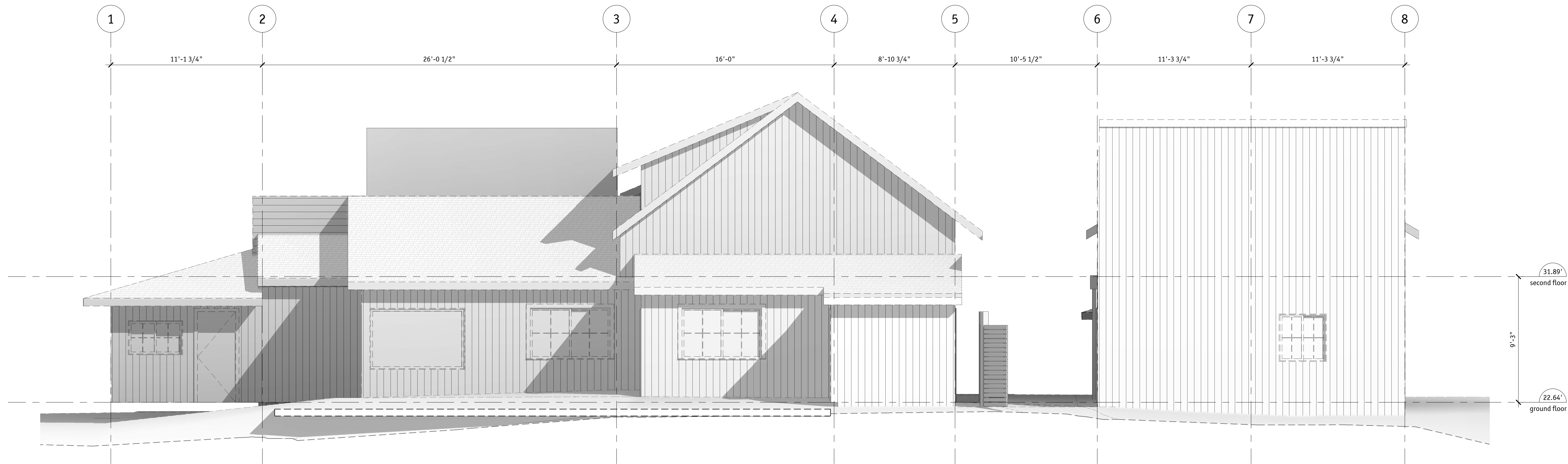
no.	date	issue
01	27 feb 2020	for development permit
02	28 oct 2019	DP revision
03	22 may 2020	for building permit
04	16 jun 2020	parking revisions
05	14 oct 2020	revised for BP and DP
06	28 oct 2020	revised for BP and DP

elevations -
west
streetside
existing and
proposed

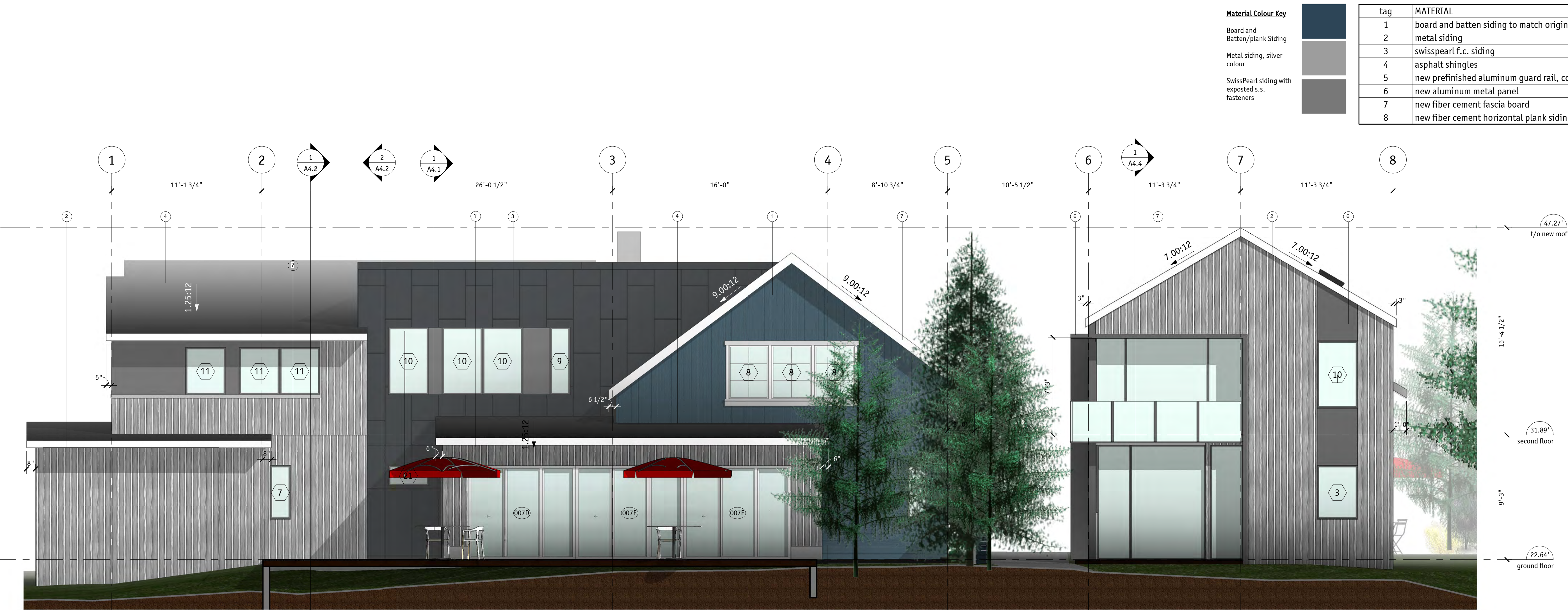
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A3.1
28 oct 2020

sheet size 24x36



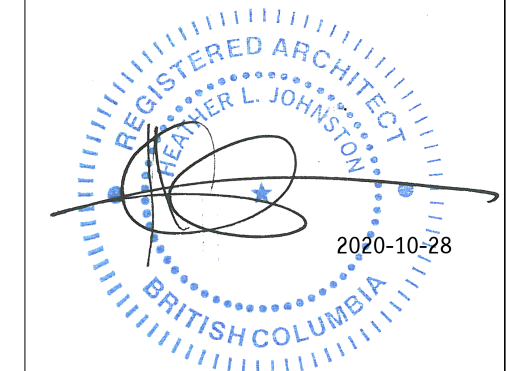
1 east (water side) elevation - existing
A3.2 scale - 1/4" = 1'-0"



2 east (water side) elevation - proposed
A3.2 scale - 1/4" = 1'-0"

spatial separation calculations
omitted since limiting distance is greater than 15m

spatial separation calculations
omitted since limiting distance is greater than 15m



HALFMOON BAY GENERAL STORE
5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

project number: 1913

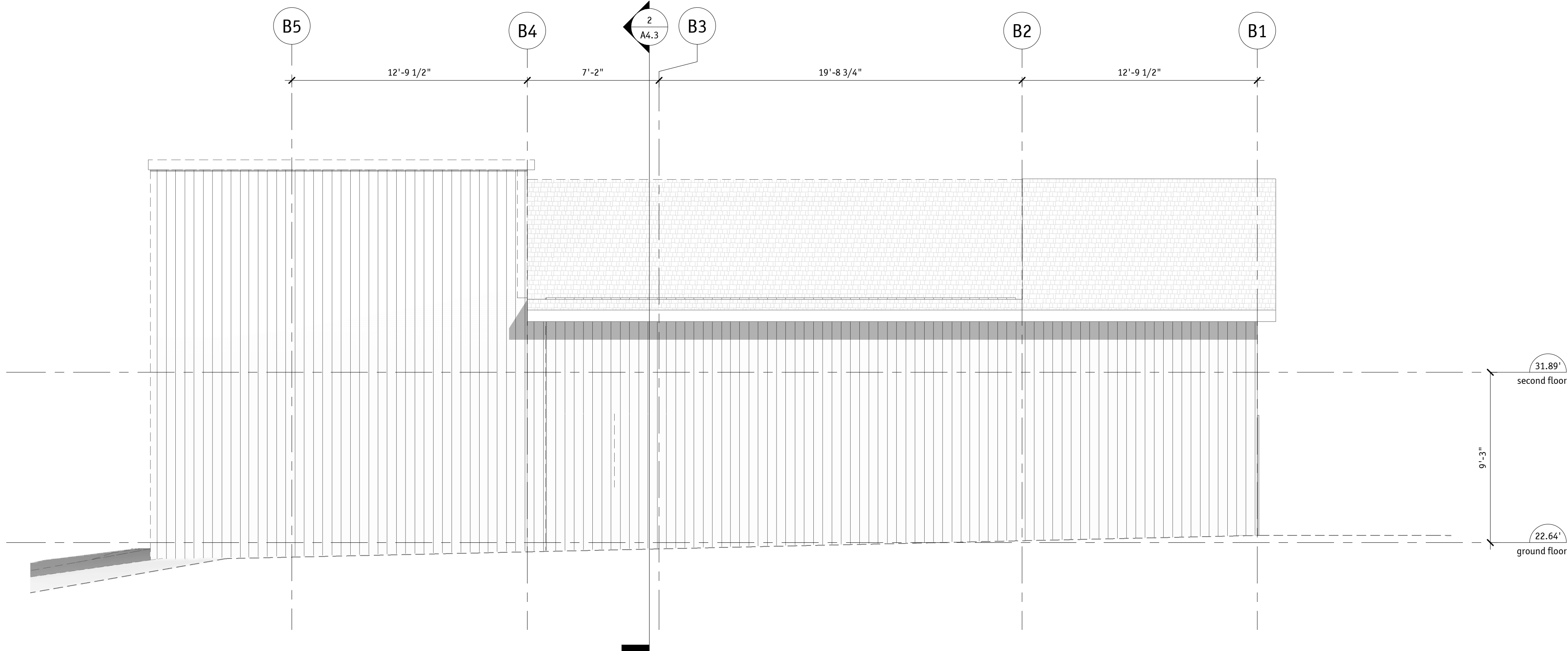
no.	date	issue
01	27 feb 2020	for development permit
02	28 oct 2019	DP revision
03	22 may 2020	for building permit
04	16 jun 2020	parking revisions
05	14 oct 2020	revised for BP and DP
06	28 oct 2020	revised for BP and DP

elevations -
east oceanside
existing and
proposed

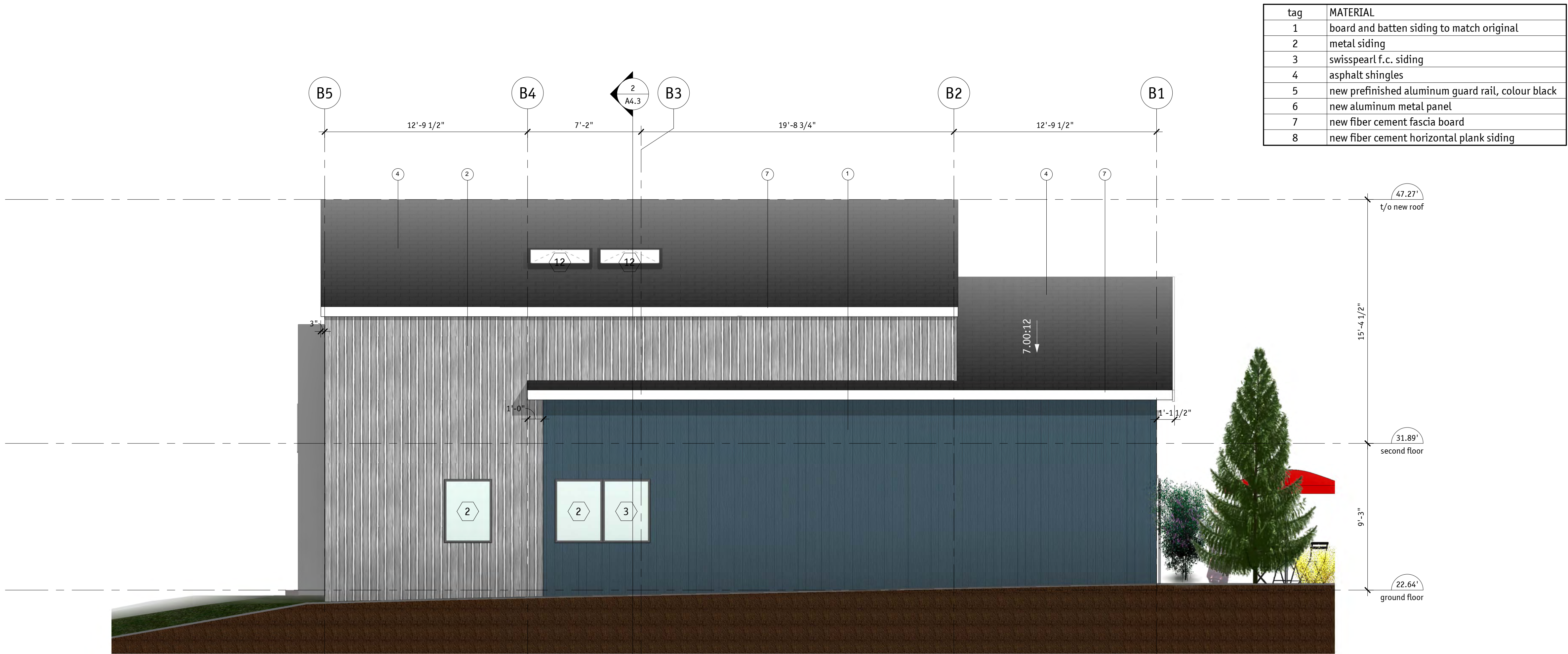
heather l johnston architect AIBC
PLACE architect ltd.
6262 st georges avenue
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A3.2
28 oct 2020

sheet size 24x36

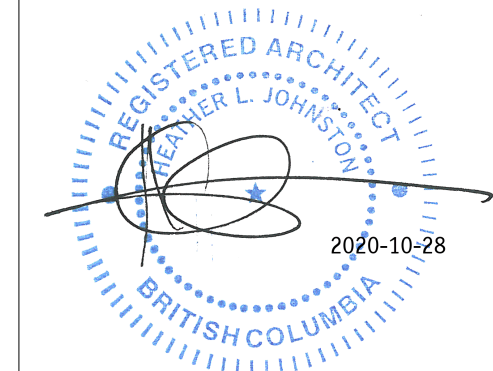


1 building 2 - north elevation - existing
A3.3 scale - 1/4" = 1'-0"



2 building 2 - north elevation - proposed
A3.3 scale - 1/4" = 1'-0"

spatial separation calculations
Table 3.2.3.1-1-D
exposed building face: 100.5 sqm
limiting distance: 0.19 m
max upo: 2.22% (2.23 sqm)
proposed upo: 1.76% (1.77 sqm)



HALFMOON BAY GENERAL STORE
5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

project number: 1913

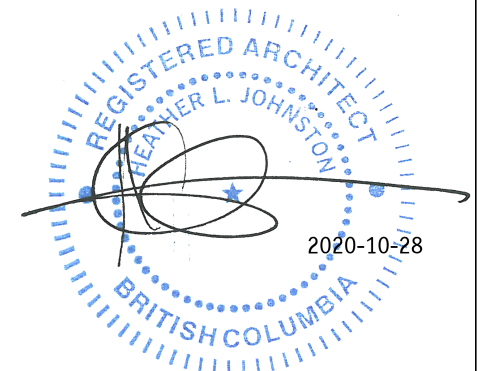
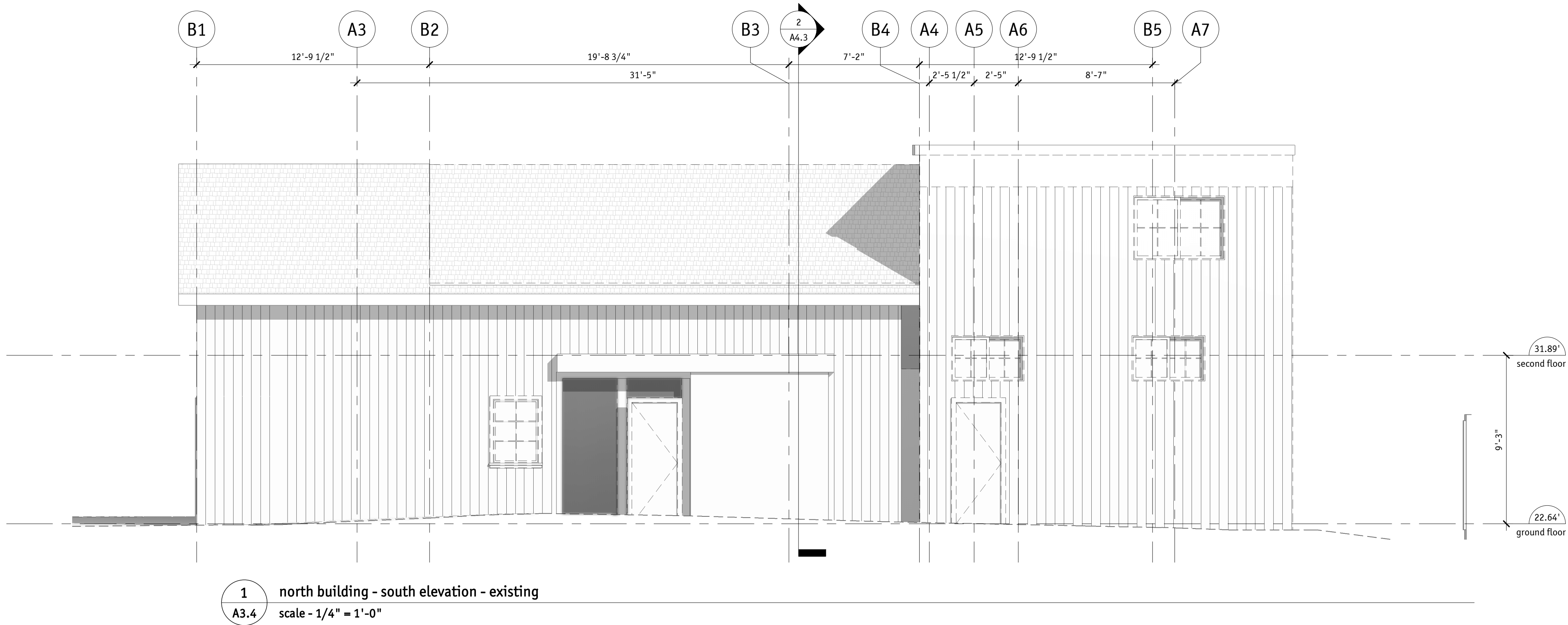
no.	date	issue
01	27 feb 2020	for development permit
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03	22 may 2020	for building permit
04	16 jun 2020	parking revisions
05	14 oct 2020	revised for BP and DP
06	28 oct 2020	revised for BP and DP

elevations -
north building
existing and
proposed

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A3.3
28 oct 2020

sheet size 24x36



HALFMOON BAY GENERAL STORE
5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

project number: 1913

no.	date	issue
01	27 feb 2020	for development permit
02	28 oct 2019	DP revision
03	22 may 2020	for building permit
04	16 jun 2020	parking revisions

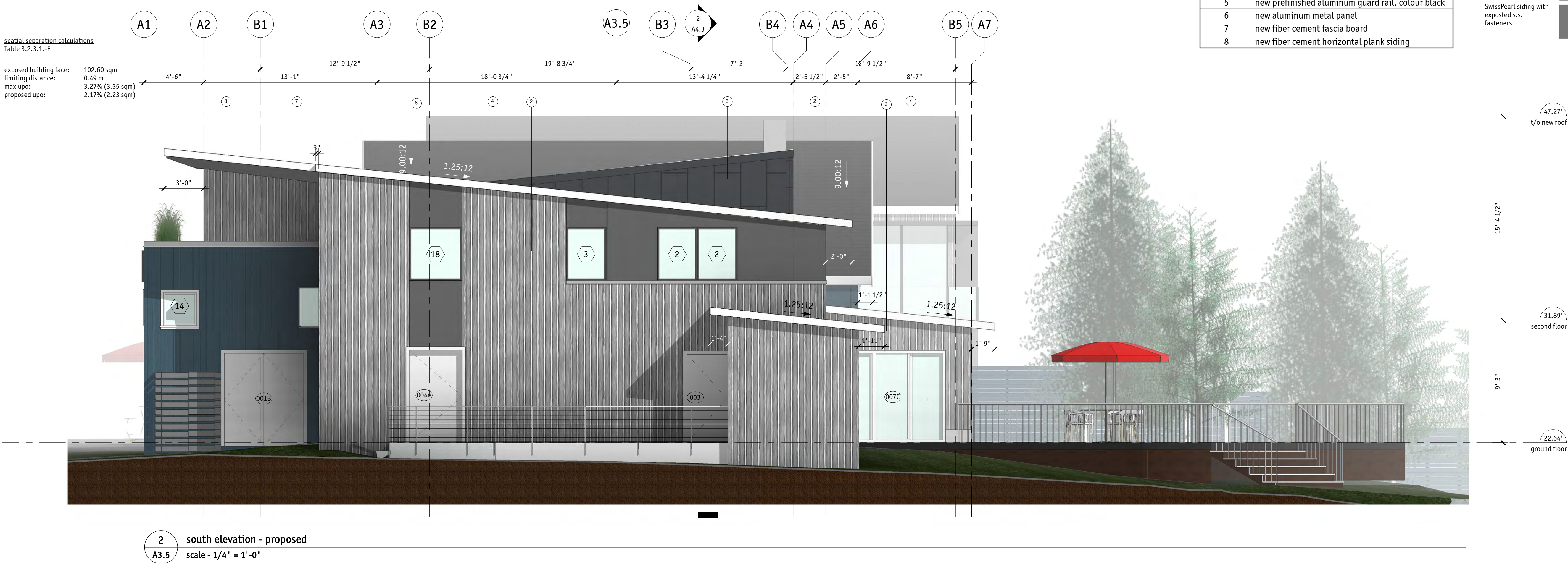
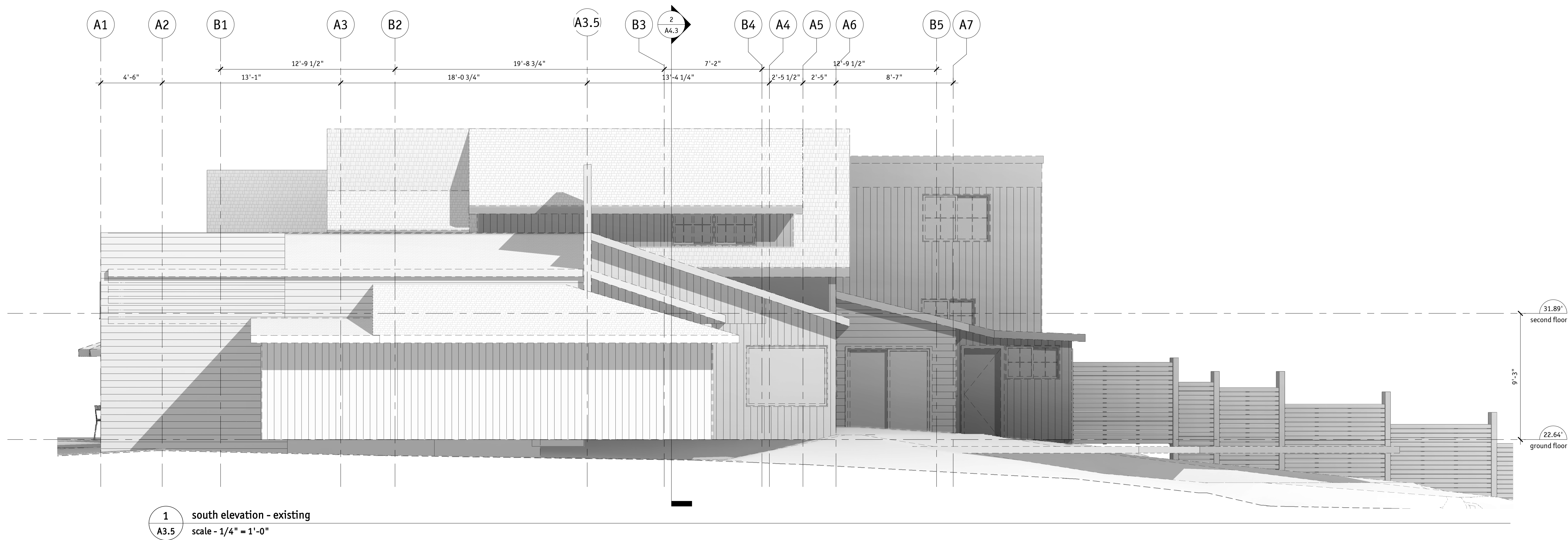
elevations -
north building
south existing
and proposed

heather l johnston architect AIBC
PLACE architect ltd.
6262 st georges avenue
west vancouver bc, v7w 1z7
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A3.4

:16 jun 2020

sheet size 24x36



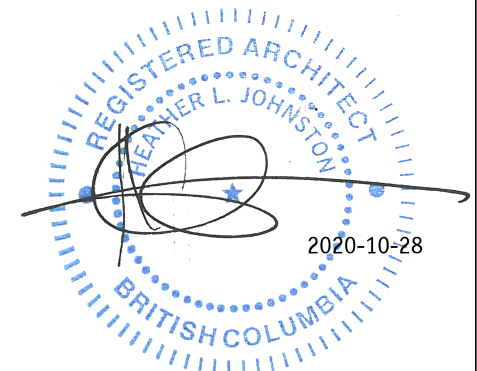
tag	MATERIAL
1	board and batten siding to match original
2	metal siding
3	swisspearl f.c. siding
4	asphalt shingles
5	new prefinished aluminum guard rail, colour black
6	new aluminum metal panel
7	new fiber cement fascia board
8	new fiber cement horizontal plank siding

Material Colour Key

Board and Batten/plank Siding

Metal siding, silver colour

SwissPearl siding with exposed s.s. fasteners



HALFMOON BAY GENERAL STORE

5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

project number: 1913

no.	date	issue
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03	22 may 2020	for building permit
04	16 jun 2020	parking revisions
05	14 oct 2020	revised for BP and DP

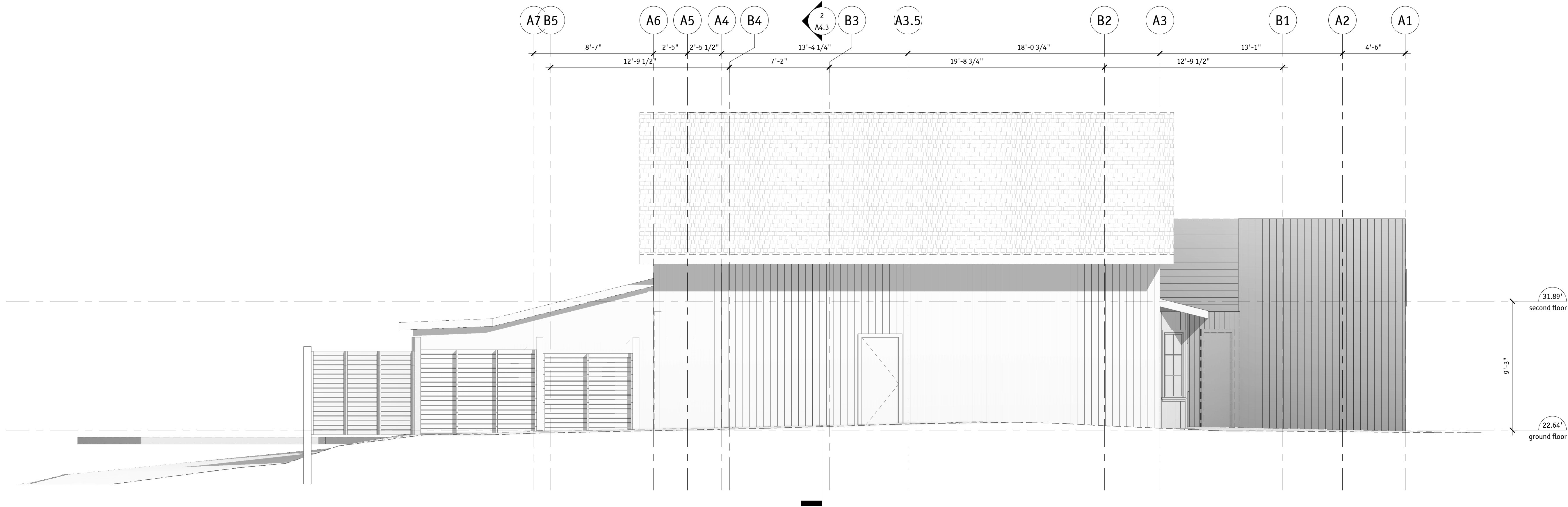
elevations -
south existing
and proposed

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A3.5

14 oct 2020

sheet size 24x36



1 store building north elevation - existing
A3.6 scale - 1/4" = 1'-0"

tag	MATERIAL
1	board and batten siding to match original
2	metal siding
3	swisspearl f.c. siding
4	asphalt shingles
5	new prefinished aluminum guard rail, colour black
6	new aluminum metal panel
7	new fiber cement fascia board
8	new fiber cement horizontal plank siding

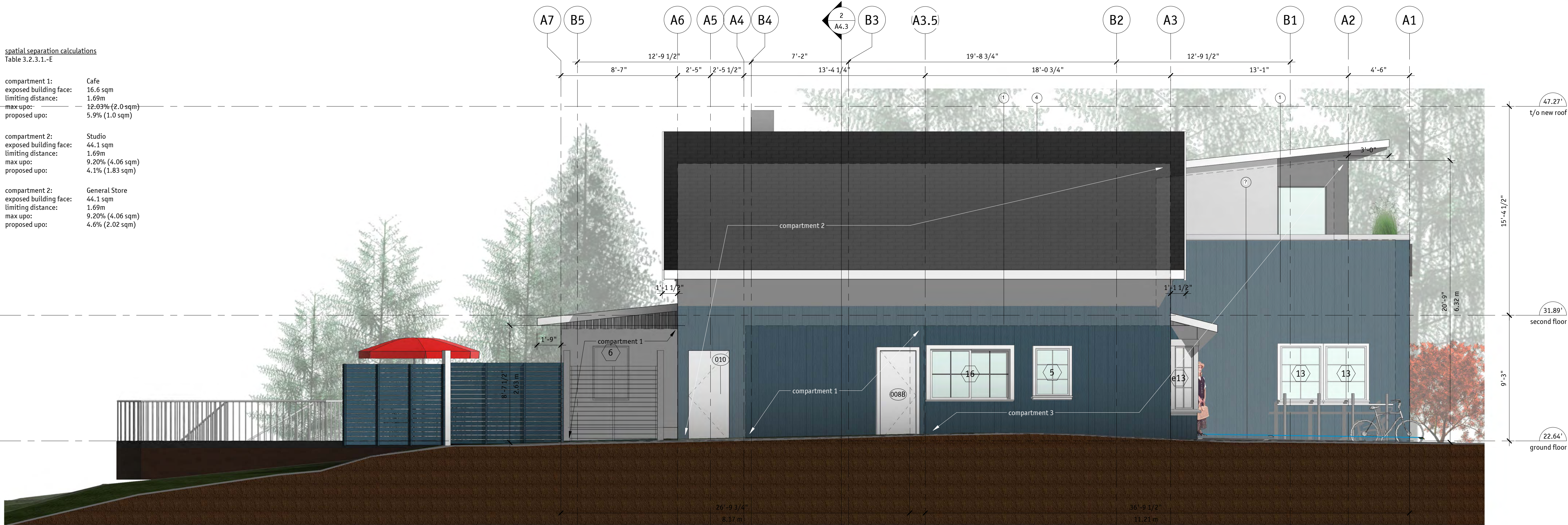
Material Colour Key	
Board and Batten/plank Siding	
Metal siding, silver colour	
SwissPearl siding with exposed s.s. fasteners	

spatial separation calculations
Table 3.2.3.1-e

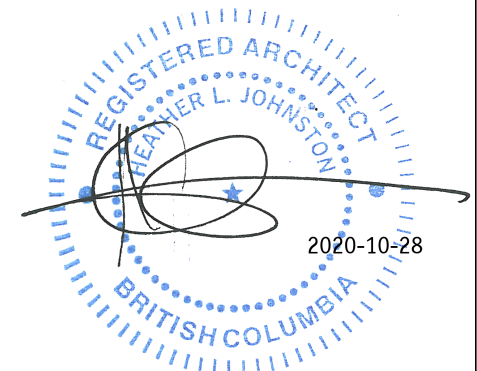
compartment 1: Cafe
exposed building face: 16.6 sqm
limiting distance: 1.69m
max upo: 12.03% (2.0 sqm)
proposed upo: 5.9% (1.0 sqm)

compartment 2: Studio
exposed building face: 44.1 sqm
limiting distance: 1.69m
max upo: 9.20% (4.06 sqm)
proposed upo: 4.1% (1.83 sqm)

compartment 2: General Store
exposed building face: 44.1 sqm
limiting distance: 1.69m
max upo: 9.20% (4.06 sqm)
proposed upo: 4.6% (2.02 sqm)



2 store building north elevation - proposed
A3.6 scale - 1/4" = 1'-0"



HALFMOON BAY GENERAL STORE
5642 Mintie Road
Halfmoon Bay, BC, V0N 1Y2

project number: 1913

no.	date	issue
01	27 feb 2020	for development permit
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03	22 may 2020	for building permit
04	16 jun 2020	parking revisions

elevations -
store north
existing and
proposed

heather l johnston architect AIBC
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A3.6

16 jun 2020

sheet size 24x36

From: [Jeffrey Crotty](#)
To: [Yuli Siao](#)
Subject: Re: Halfmoon Bay General Store
Date: Monday, September 28, 2020 7:17:14 PM

- > Hello Yuli
- > I got your email from Joan who seems to be leading the charge to stop any progress at the General store.
- > After being at Clayton's Mall today and watching the same Semi Trucks the group is complaining about, block the parking lot to unload for the new restaurant. I realized the only loading docks are Clayton's and the liquor store. I parked and watched for a moment and saw the driver deal with customers who had to leave who he was blocking with courtesy and calmly.
- > No one to my knowledge has ever been blocked during deliveries at the Halfmoon Bay Store or the Cafe.
- > It left me wondering the truth of the issues?
- > Is it people who knowingly bought beside a commercial/residential property?
- > I have been to the meetings the current owner had generously put on. Sadly people who are for change were not allowed to speak as the bullies trashed the new owner and in particular his daughter. Complete with finger pointing, yelling, etc. It was disgusting.
- > I left feeling that the pro side for change could not speak and that the negative side was strictly a puppet group lead silently lead by one woman. I need to add people from Roberts Creek were at that meeting, I asked why and got no response?
- > Trucks have been delivering to this property for years. At one time even fuel trucks. This is long before people bought property and built homes. As locals we can set our watches to the delivery times. And choose to go to the store or not.
- > So what is the answer? I don't know!
- > However I do know the plans for that property are beautiful and only insure a future for the area. I thank them for revitalizing a wonderful spot.
- > We need progressive thinking and younger people keeping this area alive. I understand Joan's issues. But realistically she bought that property knowing what it was and it's potential.
- > I'm part of the aging demographic here. I understand we don't like change. It comes with age. However we need this. The family with the kind of money invested is obviously looking at a legacy. I looked at the store when it was for sale, their investment is extremely long term. Obviously they are not trying to hurt this community.
- > I urge you to not be short sighted or get fooled by people with agendas.
- >
- > Thanks for your time

> J Crotty

4219 Regal Rd

Halfmoon Bay
V0N1Y2

From: [PIERRE FERRONATO](#)
To: [Yuli Siao](#); [Lori Pratt](#)
Subject: Halfmoon Bay General Store Rehabilitation Project
Date: Wednesday, November 4, 2020 5:50:01 PM

External Message

Mr. Yuli Siao and Ms. Lori Pratt,

As residents in very close proximity to the Halfmoon Bay (HMB) General Store (and former Café) we would like to express our full support for the planned rehabilitation proposed and our concern that the delays caused by the few opposing will ultimately end in the demise of this business and beloved amenity in HMB.

As a part-time resident from the mid-'70's and full-time resident since 2015, I have seen the many iterations and changes within HMB and the one constant has been the General Store. Although there have been different owners and versions of the content, the essence of the store has remained and is a pillar in the community, linking past with present.

We understand the proposed plan modifies and modernizes the existing structure and feel that the intent of the revisions respect the history and character, as best possible, while adhering to the numerous code/bylaw amendments enacted since the store was constructed. The Official Community Plan (OCP) outlines the importance of Community Hubs as a part of a sustainable community and further supports the need and justification of the proposed plan.

It is our understanding that there are a handful of items posing challenges for full support of the proposed plan. As close neighbours and frequent users of the area we would like to comment on our take of the understood issues:

Parking- parking has been a challenge for numerous years and to no real fault of the store itself. With the evolution of more people using vehicular transportation this is to be expected. We ourselves are guilty of driving to the store when it is merely a 2min walk from our house. What we do find is that for the majority all are very amicable and courteous as drivers, the ones that are not are not because of the store. Also, the proposed plan will keep the existing services thus not increasing the existing traffic.

Deliveries/noise- Regardless of the proposed plan proceeding, deliveries are a necessity in order to stock and provide the essential products we expect from the General Store. At this time, deliveries are impeded by needing to work around limited access. The proposed plan includes for a dedicated delivery entrance which in theory should assist in expediting the process and limiting the duration of each delivery. Not knowing the purchasing strategy directly, it could also allow for less deliveries as there would be more room for on-site storage decreasing the number of deliveries required to keep stock.

On-site residence- Although the intent of an on-site residence is not new to the building, the intent of the store owners living on premises is. I see this as a benefit to the site. It has been many years since the owners resided at the store and for many years the residence attached to the store was occupied by renters. I believe that having the owners once again present as residents will enhance the overall upkeep and security with the surroundings.

Eatery- It is our understanding that the eatery is a contentious issue to the proposed plan. There has long been an eatery affiliated to the store, most likely long before the current residents around the store could remember. As this is a conforming use and existing use, I am unclear as to how this is now posing an issue.

Non-conformance or requested relaxations- It is no surprise that there are existing conditions that although probably conformed to the code-of-the-day do not conform in the current climate. That said, codes and bylaws are not to be punitive and the intent when existing structures are intended to be improved should not be to punish them for what they cannot achieve but to assist them in achieving what they can achieve. Most of the variances that I am aware of from reviewing the proposed plans would not impact the existing situation any further than currently exists. Rather, it would help make the current conditions better align with the intent of the current regulations.

There is one challenge we have that has come to light during the application process of the proposed plan, which has nothing to do with the plan itself. We were informed that a portion of the path between Mintie Road and O'Brian Road is on private land and that the property owner plans to close this portion of the path based on the proposed General Store plan. As this path bypasses the blind corner (with no shoulder) on Redrooffs Road, without it pedestrians will now be forced to walk this corner. This will increase safety issues and should be addressed. the SCRD to establish an alternate route through George Cormack Park

I would also like to bring to light, if not already accounted for, is the support of the community the owners (past and present) of the General Store have given to HMB at large. They have been advocates of HMB and support numerous activities, fund raisers and charities within HMB and for HMB residents. Without them and their patronage some of the mentioned charities would cease to exist or have significant financial challenges.

Sincerely,
Pierre Ferronato
5697 Rutherford Road, HMB

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Michael Schulz](#)
To: [Yuli Siao](#)
Subject: RE: Proposed renovation of Halfmoon Bay General Store
Date: Monday, September 28, 2020 5:46:29 PM

To whom it may concern,

I would like to offer my positive feedback to the proposed renovation plans put forth by the owners of Halfmoon Bay General Store.

The plans look great and I think it is a welcome change to our unique community of Halfmoon Bay.

Regards,
Mike Schulz. Merry Island.

Sent from my Samsung Galaxy smartphone.

From: [Ange Simone](#)
To: [Yuli Siao](#)
Cc: [Lori Pratt](#)
Subject: Halfmoon bay general store
Date: Friday, October 2, 2020 8:30:15 PM

External Message

To whom it may concern

We live at 5612 O'brian rd ,so very nearby the Halfmoon bay general store. We are looking very forward to the proposed changes and upgrades to the property and buildings. The owners of the General store have done a wonderful job keeping our community in the loop of what the future plans are. Our family has lived in this neighbourhood for 31 years. We embrace these changes as necessary and beneficial for the entire community. Sincerely Brad and Ange Copping

Sent from my iPhone

This email was scanned by Bitdefender

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [John Bell](#)
To: [Yuli Siao](#); [Lori Pratt](#)
Subject: Halfmoon Bay General Store Upgrades
Date: Wednesday, October 14, 2020 5:08:00 PM

External Message

Dear Lori and Yuli,

John Bell here, a resident of Jorgensen Drive, Halfmoon Bay. I am writing to express support for the upgrades planned for the general store. In my view, they are not only beautiful but also comply nicely with the historical design of the landmark. The community is most fortunate to have owners who are prepared to invest in their business and better serve their customers. It seems to me, the process of allowing them to “get on with it” has been bogged down. Can you kindly explain why?

Thank you.

John R. Bell

Sent from my iPad

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Cheryl McCrone](#)
To: [Lori Pratt](#); [Yuli Siao](#)
Subject: HMB store
Date: Friday, October 2, 2020 4:22:33 PM

External Message

I was very happy to hear about the renovation plans for the HMB store. The drawings are totally in keeping with the local area.

This store is a community centre. It was exciting to think we would have a place to gather on a deck with our neighbours and family.

The young couple who purchased that store have a strong commitment to HMB and the coast. It is a crime that a few people can stop these improvements when it was already approved. This will be a huge issue for the residents of the area.

Please support our young entrepreneurs and allow their vision to move ahead.

Cheryl McCrone
9061 Redrooffs Rd
HMB

Sent from my iPad

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From:
To: [Yuli Siao](#)
Subject: Halfmoon Bay General Store.
Date: Tuesday, October 6, 2020 1:06:51 PM

External Message

Hi Yuli - we are long time residents of Halfmoon Bay - Middle Point area (Iska Rd)

I would like to offer unequivocal support of the proposed renovations to the HMB General Store. This family has taken on a local business that has serviced us for years - open 365 days/year - for the convenience of our community. Anyone opposed to improvements ought to be ashamed... change is the path to a better future. Thank goodness there are those that are willing to carry the burden and move forward.

This young family deserves our support and best wishes. Hopefully the SCRD agrees.
Thank you...
Happy Fall and Stay Well!
Connie Smith

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Tim Dayton](#)
To: [Yuli Siao](#)
Subject: Halfmoon Bay Store Upgrades
Date: Wednesday, October 14, 2020 7:30:30 PM

External Message

Hello Yuli,

I would like to go on record as being in favour of the Halfmoon Bay Store upgrades. If this pandemic has taught us anything it's we need to build strong and vibrant communities.

A local store, bakery, community hall, etc., even a pub would add tremendously to our neighbourhood and community. Please ensure the Board and Staff understand these necessities.

Thank you and regards,
Tim

Tim Dayton
8681 Redrooffs Rd.
Halfmoon Bay, BC.
V0N 1Y1

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Frank Belfry](#)
To: [Yuli Siao](#)
Cc: [Lori Pratt](#)
Subject: Halfmoon Bay Store Improvements
Date: Wednesday, October 14, 2020 7:56:22 PM

External Message

Hi Yuli

I understand you have received some negative comments about the proposed improvements to the Halfmoon Bay store. I want to go on record in supporting the proposed improvements. The store is a key part of the fabric of Halfmoon Bay and the improvements should proceed.

The store has its issues with building setbacks, parking and close proximity to neighbours. However, these issues are what makes the store unique and should not hold up the proposed improvements to the store.

Regards

Frank Belfry
Jorgensen Drive
Halfmoon Bay

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Darlynn Gehring](#)
To: [Yuli Siao](#)
Cc: [Lori Pratt](#)
Subject: Supporting HMB Store reno
Date: Wednesday, October 14, 2020 9:57:18 PM

External Message

Love this new plan. We are in total support of this new renovation by the new owners to the HMB Store. It's well over due & needed in our community. The old store was horrible. Good on them. They need to be encouraged not discouraged by people wanting to maintain the status quo.

Darlynn & Greg Gehring

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: Katrina Walters
Subject: Halfmoon Bay General Store
Date: January 30, 2020 at 12:52 PM



Hi Heather,

I had the opportunity to hear you present the design for the renovations to the Halfmoon Bay General Store last Thursday. Unfortunately, I had to leave before being able to introduce myself. Firstly, I wanted to express my appreciation of the design concept, particularly the sensitivity in retaining present character with the proposed additional programme (which I personally believe is an asset to our growing community). I know there were many critical locals at the meeting, but there is also a contingency of progressive working community members who were not represented but support the ideas put forth.

Thank you for your time and consideration,

Katrina Walters
BA.Arch., M.Arch.

katrinavictoria
HOME DESIGN

From:
To: [Yuli Siao](#)
Subject: Half-moon Bay Store Renovation
Date: Sunday, October 4, 2020 7:12:27 PM

External Message

Hello SCRD,

My name is Meghan Smith, I live on Iska Road in Middle Point, close to Half-moon Bay. I wanted to express my support for Kristen and Peter's plans to renovate the Half-moon Bay Store.

We use the store and the cafe all the time and feel so fortunate to have this wonderful establishment so close by. It is not only convenient, but it is so fun to visit as it radiates a warm, community energy that makes me feel good every time I go.

It was so exciting to have a young family arrive and be totally committed to the area and improving the space with fresh new ideas. The proposed changes will do wonders to enhance the atmosphere, the services, and the space they can offer to visitors who use it, and the residents who depend on it.

Thank you so much for reading,
Genuinely,
Meghan

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Russell](#)
To: [Yuli Siao](#)
Subject: HalfmoonBay store
Date: Monday, October 5, 2020 11:20:40 AM

External Message

It is my understanding that the go ahead to renovate this store has been delayed because of a few neighbours in the area.

I live at [9061 Redrooffs Rd](#) and yes the trucks stop in front of our house then blow there horn to back up. A small price to pay for the convenience of this store.

Although this building is a look into the past it is in bad need of an update. I actually feel sorry for the people that work there in winter with their coats on because building is so cold.

Probably no insulation and poor heat system. It also looks like a tinder box that is danger to houses close to it.

I give my full support to the owners who want to take this oil burning car off the road and replace it with a Tesla .

Thanks Russell McCrone

Sent from my iPad

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Scott Shoemaker](#)
To: [Yuli Siao](#); [Lori Pratt](#)
Subject: Halfmoon Bay General Store
Date: Tuesday, October 6, 2020 12:47:30 PM

External Message

My name is Scott Shoemaker, I am the previous owner of the Halfmoon Bay Store. I ran the store for 26 years. It is a wonderful spot with a lot of history.

I hear the new owners are having some issues with opposition to the renovation of the good old store. It is fantastic that someone has the resources and the passion to keep the old legend going. There are a couple of neighbours in the neighbourhood that will complain no matter what the issue is. One in particular would harass myself and Torr Skei to no end from her home back east. The store was originally built in 1938. The neighbours are newcomers to the area and decided to move there knowing this commercial property was active and busy. They built next door to a General store. If you look back on the records I agreed to a variance to one of the neighbours in good faith just to be neighborly. It's too bad they cannot return the favours.

The Annable's mean well and are doing the neighbourhood a huge favour in renovating and Improving, keeping this fantastic place alive.

Thank you,

Scott Shoemaker

Sent from my iPhone

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From:
To: [Yuli Siao](#)
Subject: Halfmoon Bay Store.
Date: Wednesday, October 14, 2020 8:28:17 PM

External Message

I live across the water from the store in a house built approximately in the late 1920's and know the store, although not built until the 1950's ,needs care and renovations. Putting the proverbial "band aid" on these buildings is usually shortsighted. I have lived here for 20 years and watched the decline of the building. I think it would be a wonderful asset to the community. I look forward to a favourable outcome to the Store being rebuilt. Suzette Willcox.

Sent from my iPhone

Sent from my iPhone

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [D'Arcy Windblad](#)
To: [Yuli Siao](#)
Subject: Halfmoon Bay General Store
Date: Sunday, October 18, 2020 3:42:28 PM

External Message

Hello Yuli

I understand that there is a certain amount of resistance on improving our General Store

I'm a local neighbour, I'm totally in support of all the improvements

Thank You D'Arcy Windblad

Sent from my iPad

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Anthony Seguss](#)
To: [Lori Pratt](#); [Yuli Siao](#)
Subject: Historic General Store Halfmoon Bay
Date: Monday, October 19, 2020 11:31:14 AM

External Message

Hi Lori and Yuli

I hope this finds you safe and well.

As a resident homeowner, I am fully supportive of the development of our local store, where I frequently shop throughout the year. Summertime also sees many visitors shopping for groceries and liquor. It can be a busy place at times.

The new, young owners of the store have my endorsement as responsible, friendly store managers.

I am glad to see that the renderings of the upgraded store reflect the rural style of the existing building. At the same time, the growing local population halfway between Sechelt and Madeira Park will increasingly demand more space and products, which I hope the development plan anticipates.

I think that the loyal customer base relies on local service, most especially the many seniors in the area, such as myself, during the winter months.

Best regards. Tony

Anthony Seguss
17-5471 Secret Cove Road
Halfmoon Bay, BC V0N 1Y2

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Lynn Smith](#)
To: [Yuli Siao](#)
Cc: [Lori Pratt](#)
Subject: Halfmoon Bay General Store
Date: Tuesday, October 20, 2020 11:45:46 AM

External Message

We support the changes being initiated, we support building our community.
We live minutes away off Curran Rd.

Lynn

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From:
To: [Yuli Siao](#); [Lori Pratt](#);
Subject: Halfmoon Bay General Store
Date: Monday, November 2, 2020 1:36:03 PM

External Message

Hi Yuli & Lori, my wife and I are residents of Halfmoon Bay. We happily write to you in support of the proposed renovation. Nice to see the new owners investing their asset and the community. Look forward to the grand re-opening - Good luck!!

Take care

Luke

--

LUKE MORAN

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Rob Gillis](#)
To:

Cc: [Yuli Siao](#); [Lori Pratt](#)
Subject: True History
Date: Tuesday, November 3, 2020 10:41:52 AM
Attachments: [My History of Halfmoon Bay By Robert M. Gillis - Chapter 10 - November 02 2020.pdf](#)
[New Halfmoon Bay Store.pdf](#)

External Message

Hello all, for your info here is some true history and a partial of my book.. I can imagine sitting on the new deck at the store and all the history including Clara Priestland & the murder of Robert Hall Rainey in 1922. In interviewing everyone there are some great stories and everyone will have some more.

Anyways I hope you all write to the SCRD supporting the plans for the Halfmoon Bay Store.

When our family came in 1964 there was Coopers Store and Gas Dock, Shell Station & Restaurant, Cunningham Gas Station and Patio Garden Restaurant, Cunningham's also had the Service Station, Tow Truck Service and Ambulance Service, Post Office and of course the B&J Store. Prior to that there was Wilf Scott Transfer and Tait's Taxi Service and of course logging.

Kristen Annable & Peter Pearson are making a substantial investment here.

There is a SCRD meeting November 12 2020

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From:
To: [Yuli Xiao](#)
Subject: Halfmoon Bay General Store Renovation.
Date: Tuesday, November 3, 2020 1:51:54 PM

External Message

I am in favour of the Halfmoon Bay General Store Renovation. John Dalton of Redrooffs

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Landon Dix](#)
To: [Yuli Siao](#); [Lori Pratt](#)
Cc:
Subject: Support for Halfmoon Bay General Store
Date: Tuesday, November 3, 2020 8:24:22 PM

External Message

Hello Yuli and Lori,

I wanted to write to you with my support for the proposed changes at the Halfmoon Bay General Store.

From what I have seen on public forums, people have concerns of parking, and the changes of appearance to this historic general store, but from what I can see is that people writing from deep passion, are writing before reviewing all that is a part of the proposal.

With the addition of a loading zone, and garbage room, removing the waste bins that take up parking, adding capacity of storage, reducing frequency of deliveries - these all address the concerns of parking.

Further, I have been a patron of the Halfmoon Bay General store since I was old enough to get an allowance, and run to the candy store to get my sugar fix.

To this day, I have never found an issue with finding a parking spot right in front, and on the worst days it is during a delivery, which will be addressed in the proposal.

My grandmother and family have a deep history in Halfmoon Bay. My grandmother Wendy Macdonald, originally coming on the Union Steamship in the 30s, and staying at the Redrooffs Resort, went on to buy our family property "Castaway" on Redrooffs in the early 40s. We actually have a photo of her and her friends at the Halfmoon Bay Store when WWII was declared.

The store has created a long legacy of bringing everyone together, and the general store has always been a part of our lives. An improvement to what is the existing structure would bring a new lifecycle to the store, and we have seen positive support from everyone we have spoken to.

Kristen and Peter are a wonderful part of the growing community, and have a real vision for bringing the neighbourhood together. They decided to raise a family here, and create meaningful change. Their updates will have a long and significant impact on the community, and I sincerely hope the planning department and community sees this as well.

In regards to the design; I believe many of the negative comments I have been reading on public forums stem from a general misunderstanding of a rendering - a modern tool used to illustrate a historic building is a hard one to grasp for some. I come from a design background, and run a design and construction business myself. A huge part of conveying a design is the ability to walk a client through the illustrated proposal, as a rendering does not truly reflect what the finishes will look like. This is very relevant in the case of social media, allowing the public to generate an opinion based on a rendering, without the information behind the finishes or a conversation of what the upgrades will offer - A lot of people have already made their mind up, but there is so much more to the project.

I believe Place Architects have done a very good job in maintaining the historic look in the community with a touch of modernization, but mainly focusing this on the side visible not from the street. The changes visible from the street will only improve on the building, and will keep the history of the building evident. Adding a public washroom on site is also a huge benefit and will take away from the continual use of the outhouse on district land.

I hope some of my comments will be taken into consideration before council on the 12th. A lot of effort and compassion has gone into this project, and it would be a true shame if it didn't proceed as planned.

Thank you for your time and consideration.

I look forward to the future vision that Peter and Kristen are trying to create.

Regards,
Landon Dix
5391 Sans Souci Rd, Halfmoon Bay.

--

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Peter Pearson](#)
To: [Yuli Siao](#)
Cc:
Subject: Halfmoon Bay General Store - Facebook support
Date: Friday, October 30, 2020 3:31:18 PM
Attachments:

External Message

Hi Yuli,

We wanted to share some Facebook posts made about the updates being planned for the property, apologies if you already have these. They certainly paint a positive picture of the public's opinions.

Included are the post and comments for:

A post the store made in January

A re-post to the Halfmoon Bay BC Everything group by Jay D Davis

Thanks,
Peter

This message originated outside the SCRD. Please be cautious before opening attachments or following links.



Halfmoon Bay General Store

Published by Peter Pearson [?] · January 19 · 🌐

As many of you will have heard we have plans to restore, update and upgrade the Halfmoon Bay General Store and Cafe. We are holding a drop in session on Thursday January 23rd between 4pm and 6pm in the cafe to provide an opportunity to discuss these plans. We look forward to seeing you.





Halfmoon Bay General Store

Published by Peter Pearson · January 19 ·

As many of you will have heard we have plans to restore, update and upgrade the Halfmoon Bay General Store and Cafe. We are holding a drop in session on Thursda... **See More**

   26

12 Comments

 Like

 Share



Graham Moore

Looks amazing.

Glad they are putting a sitting area on the back, as it is one of my favorite beautiful scenic areas on the Coast.

I'm presuming they will also be adding a washroom, so we don't have to walk to the other end of the street?

Like · Share · 4w · Edited

 4



Peter Pearson

Yes, new bathrooms and a high end septic system are all part of the updates. If you want to talk in detail I'll be in 3-9pm today.

Like · Share · 4w

 1



Aaron Tweedy
Looks great.

Like · Share · 4w



Albert van den Hoorn
That's really too bad. I love seeing original stores in small communities. At least I think that's an original store. Like the HMB store near south wood.

Like · Share · 4w



Maureen Darragh
Albert van den Hoorn try to work in there in the winter! Cold and rats and mice fighting for the shelter.. unfortunately on the coast wooden structures have a shelf life. Good thinking to the owners!

Like · Share · 4w



Albert van den Hoorn
Maureen Darragh ya fair enough. I see your point.

Like · Share · 4w



Louise Ries
Looks great! As the HMB store was so part of my childhood, I agree it is probably time to renovate. Not sure about the rats leaving - waterfront property usually means rats - however there are ways to discourage them!

Like · Share · 4w



...



Denise Brynelsen
Looks amazing!!

Like · Share · 4w



Susan Barnes
Way to go, you have my support

Like · Share · 4w



Beth Jay
What's the timeline?

Like · Share · 4w



Mary Connor
Thank you for keeping it close to what we knew and loved, while doing the necessary upgrades. So grateful you are continuing as a much needed neighbourhood store and hub and not citifying it into private condos like all our other treasured spots have ... **See More**

Like · Share · 4w



Sandra Markley
I also think this is great!!

Like · Share · 4w

4,714

People Reached

1,646

Engagements

Boost Post



22 Comments 17 Shares



Like



Comment



Share



All Comments ▾



Comment as Halfmoon Bay General Store



Sunshine Coast BC Canada Can we get a water slide to the beach too! 😊

[Like](#) · [Reply](#) · [Message](#) · 35w



Heather Johnston Warmest thanks for your kind words and to everyone who came out to meet with us today. We value all your comments and the lively discussion— it is clear that this place is very special. I promise to take good care of it.

[Like](#) · [Reply](#) · [Message](#) · 35w · Edited



Ellen Adelberg Looks like it will preserve the lines of the old buildings while making them work to today's standards, and yay for the terrace!

[Like](#) · [Reply](#) · [Message](#) · 35w



Landon Dix People can be scared of change to something so historically significant, but this is something that so much of the community has discussed and wants. The preliminary renderings look beautiful, and keep the authentic look of the store alive. Good luck with what will surely be a very busy thursday. You have a wave of support behind you.
Might I add the the storefront appearance in the renderings may be throwing people off honestly because it's hard to capture a historic building in a modern render, however it really doesn't look like much change from the street. If people spent more time on the beach looking back at the store, they would see the improvements you plan to make are for the benefit of all.

[Like](#) · [Reply](#) · [Message](#) · 35w · Edited





Rhonda van Tent Looks fantastic! We're in Garden Bay, but spent 20 years in HMB. I would most definitely take a drive down to spend some time there! I hope your dreams materialize!

Like · Reply · Message · 35w



Kelsey Oxley Looks incredible! Looking forward to seeing the old buildings revitalized. The patio space is beautiful.

Like · Reply · Message · 35w



Bertrand Michel We are still missing the "Wakefield Inn"... it was the closest restaurant . With a beautiful view and most delicious oyster burgers.... suggestion for the menu...go for it....

Like · Reply · Message · 35w



Grace Magee Taylor Bertrand Michel I miss the Wakefield also after all these years

Like · Reply · Message · 35w



Reply as Halfmoon Bay General Store



Yvon A Lantaigne Good luck with your plans! Looking forward to this very much!!

Like · Reply · Message · 35w



Michelle McCartney love the top one keeps in line with it being a historical building (if anything some great out door seating would be awesome) and change is good ❤️

Like · Reply · Message · 35w



Bertrand Michel great idea ! it needs a good refreshing ...

Like · Reply · Message · 35w



...



Margo Adams Dancey Looks awesome - go for it !

Like · Reply · Message · 35w





Dal Brynelsen Sorry will be out of town but of course you have our support!!

Like · Reply · Message · 35w



Grace Magee Taylor Is a neighbourhood pub included in the plan.

Like · Reply · Message · 35w



Gord Bell please keep/reuse the wooden floor!

Like · Reply · Message · 35w



Graham Moore Love it!

Like · Reply · Message · 35w



Andrea Wray Do it !!!
It will be fantastic !



Like · Reply · Message · 35w



Nikki LeSire Where is the drop in session being held?

Like · Reply · Message · 35w



Joanne Petrie-Antoniak What exactly are the businesses planned for these spaces?

Like · Reply · Message · 35w



Karyn Henwood Love it!!!



Like · Reply · Message · 35w



Michelle Rose Do it do it!!



...

Like · Reply · Message · 35w



Author

Halfmoon Bay General Store Thank you all who came out last night to provide valued and varied feedback. Anybody who was unable to attend is welcome to drop by the store for a chat. Kristen or Peter will be available 9-2pm weekdays.

Like · Reply · Commented on by Peter Pearson [?] · 34w





Halfmoon Bay General Store

Published by Peter Pearson · Yesterday at 2:15 PM ·



For those of you we haven't had a chance to talk to in person, we wanted to provide an overview of what the proposed updates will include.

In the main building we currently have the general store, a three bedroom house with a deck, an art studio which was previously a hair salon and several shed structures. The second building includes the cafe, with upstairs community space, an office and a recycling/bottle room.

After renovations the main building will combine a renewed general store with a cafe and a gift area, indoor seating and a deck/patio on the open waterfront area. There will also be storage and office space for the business upstairs. The second building (previously the cafe) will be a home for the owners and a space for local artists to display their work.

Other improvements include:

- A receiving area, allowing entire deliveries to be quickly brought into the store. Currently everything is offloaded in the parking area and brought in by hand. This new capacity means deliveries will be completed much more quickly than they are now.
- Greatly increased storage space that will help us reduce delivery frequency and product outages. A combined cafe and general store will let us optimize ordering meaning fewer delivery trucks.
- Bathrooms, at last, along with an all new septic system.
- A clean, vented, dedicated garbage/recycling room to accommodate the containers that previously occupied parking spaces.
- Renewed focus on local products and crafts.

Do feel free to come by and chat, we can also be reached at hello@halfmoonbaystore.ca

Thanks,
Kristen, Peter & Hana

1,516
People Reached

423
Engagements

Boost Post

You and 41 others 5 Comments 6 Shares

Like Comment Share

Most Relevant

Comment as Halfmoon Bay General Store

Rebecca Carney
Looking forward to sitting on that deck.
[Like](#) · [Reply](#) · [Message](#) · 19h 1

Linda McMahon
Thank you for this update. Having read previous concerns about deliveries and parking, these improvements appear to address those issues nicely. I'm really looking forward to the end product!
[Like](#) · [Reply](#) · [Message](#) · 22h 1

Wendy Wright
Wow! Such a great job of planning. You've thought of everything!
[Like](#) · [Reply](#) · [Message](#) · 17h 1

Manon Ruel
More various IPAs from breweries, love it!
[Like](#) · [Reply](#) · [Message](#) · 17h 1

Johanna Maria Robertshaw
Sounds lovely. Is the horse stall still across by the George Cormack creek?
[Like](#) · [Reply](#) · [Message](#) · 8h



Kristen Annable Pearson shared a post.

21h · 🌐



Halfmoon Bay General Store

Yesterday at 2:15 PM · 🌐

For those of you we haven't had a chance to talk to in person, we wanted to provide an overview of what the proposed updates will include.

In the main building... **See More**



34

13 Comments 2 Shares



Like



Comment



Share



Beth Jay

Sounds fantastic!

Like · Reply · Share · 22h



Kim Howcroft 🗨️

Thanks for the update, I came into see you and you were out. What is this community Marine Park mentioned on your handout? And what type of business will be occupying the top floor? Is it still an art studio?

Like · Reply · Share · 22h



Kristen Annable Pearson

Kim Howcroft the marine park refers to us cleaning up and landscaping the water side of the property and restoring the public easement.

There are hopefully going to be some local gift items on display upstairs as part of the general store but there will be no additional businesses. The rest of the top floor will be for storage, our office and a staff washroom.

Like · Reply · Share · 21h



2



Bob Boileau

Awesome. All the best! Huge project.

Like · Reply · Share · 21h



1



Louise Ries

This sounds fantastic! Just what HMB needs!

Like · Reply · Share · 21h



3



Robbie Moffat

What you're doing will be a huge improvement to the store, and for everyone in HMB. Looking forward to its completion. 😊

Like · Reply · Share · 19h



2



Bill Dix

Behind you all the way. Nice to have a new vision for residents of HMB. Letters of support need to go to Lori Pratt & Yuli Siao of SCRD

Like · Reply · Share · 18h



6



Susan Barnes

Here here I second Bill Dix nice to see your property growing with the times 🙌🙏

Like · Reply · Share · 18h



Dana Brynelsen

Wonderful to know that your beautiful property will be "growing with the times" as **Bill Dix** puts it! And to have a local cafe and area for local art is just terrific!!!

Like · Reply · Share · 17h



1



Jan Swanson

The Halfmoon Bay store needs to be saved, it will decay away otherwise. Kristen and Peter are young and energetic, and have a vision to not only save and restore the old buildings, but look to the future as well. Our community is growing leaps and bounds, and this business will accommodate our growing community.

Like · Reply · Share · 15h



6



Denise Brynelsen

Jan Swanson Exactly right Jan, good comments. These guys were the perfect buyers for the store and have commitment and want to improve what we all love and like about the store, while being respectful of the community. We are behind you Kristen, Peter and Hana! Bring it on!!!

Like · Reply · Share · 15h



1



Shirley Ann Stolze Fumich

I think the new plans are awesome! The updating is needed to move forward. It's nice to hear a family will be living and working there to make it a success. I look forward to seeing this all come to fruition. I also think this might be a little gem for the community. 🙌

Like · Reply · Share · 10h



2



Laurie Beeman

Thanks for the explanation of your plans for the store. It sounds great. Sure appreciate you sharing your ideas with the community 🙌
It is such an asset
go have your store in this location 🙌

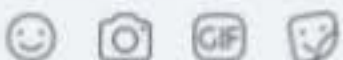
Like · Reply · Share · 8h



3



Write a comment...





Halfmoon Bay General Store

Published by Peter Pearson · October 31 at 12:13 PM



We've been hard at work figuring out how to bring new life to our ageing general store. Since our public forum, we've had many useful conversations that have informed the process of refining the plans. Additionally, we've had a history of the store put together to better respect its heritage and help understand some of its quirks.

These plans will be before the SCRD Planning and Development Committee on November 12th and we're asking for all the support we can get. We'd love the opportunity to talk you through the updated plans and hear your feedback.

Kristen and Peter can be reached at hello@halfmoonbaystore.ca or via Facebook, if you would like to arrange a time to talk or provide feedback. Alternatively come in and see us, we will be in and out over this weekend and Peter will be in store 9am-5pm on Monday and 3pm-9pm on Tuesday. The renderings and history are also available at the store.

Many thanks to Heather Johnston of [PLACE architects](#) for her endless hard work through many updates and iterations and to Elana Zysblat of [Ance Building Services Co Inc](#) for her detailed historical research.



Halfmoon Bay General Store
Grocery Store

Send Message

1,376
People Reached

902
Engagements

Boost Post

You and 21 others

16 Comments 4 Shares

Like

Comment

Share





Maureen Darragh

I guess I would wonder what all the space will be used for. The back (beach side) has always been a private residence, the little shed was a loft home and small craft businesses, so little traffic. The rumours are about a pub and a retail store along with the general store.

Parking and the crazy u turn onto Minty from the north end of Redroofs is difficult for big trucks, on the other hand they would rather take that turn instead of the full length of Redroofs.

Kim Howcroft has a valid point that the parking presently in use is not on the property and intended for the park and access to the beach and government dock. At best there's room for 4 vehicles in front.

Is there a loading bay in the new design?

Just been to that store, beach and dock for 40 years, I used to get my mail there even.

Like · Reply · Message · 4d



3



Kim Howcroft

Maureen Darragh the Proposed loading zone is the spot in front of the existing door and I believe where the existing carport is, So the huge delivery trucks will still be blocking the road and parking.. The plan is a store with food service (ice cream and coffee take out window too) cafe and community meeting area at the back and future restaurant(to be applied for with future permit as per Permit request) , gift shop, and art studio upstairs. and in the smaller building an art gallery per Permit request) , gift shop, and art studio upstairs. and in the smaller building an art gallery and 3 bed suite.

Like · Reply · Message · 4d · Edited



Author

Halfmoon Bay General Store

There is a delivery door to the right hand side of the front of the property. Entire pallets will be able to be moved directly into the building instead of the current process of pallets taking up parking spaces directly in front the store and then manually unloaded. Instead of some deliveries taking an hour we should be looking at a 10 minute job.



2

Like · Reply · Commented on by **Peter Pearson** · Message · 4d



Author

Halfmoon Bay General Store

There is no pub, there never was one. Food service will be a single business as part of the General Store, there are no plans for both a cafe and a restaurant.



4

Like · Reply · Commented on by **Peter Pearson** · Message · 4d



Author

Halfmoon Bay General Store

The gift shop upstairs is still part of the General Store and is intended as a better space to display many of the things we already sell.



1

Like · Reply · Commented on by **Peter Pearson** · Message · 4d



Author

Halfmoon Bay General Store

Our hope for the for the cafe building is that it will be a place for local artists to display their work in a similar vein to how the cafe previously had local art displayed.



[Like](#) · [Reply](#) · Commented on by **Peter Pearson** · [Message](#) · 4d



Author

Halfmoon Bay General Store

Parking can be on the tighter side during busy periods, but improvements to the delivery procedure and the removal of the onsite garbage will help alleviate some of the load. Likewise, bringing the businesses onsite into closer alignment and maximising storage space will help us reduce the frequency of deliveries. Ultimately the store predates the highway that brings the traffic here which is why we are in a position of needing to request a parking variance.



[Like](#) · [Reply](#) · Commented on by **Peter Pearson** · [Message](#) · 4d



Author

Halfmoon Bay General Store

Please do come by to discuss further, we want to be sure everybody has the most up to date information to work with.



[Like](#) · [Reply](#) · Commented on by **Peter Pearson** · [Message](#) · 4d



Kris Owen

Halfmoon Bay General Store this is awesome 😊
(regarding local artists)



[Like](#) · [Reply](#) · [Message](#) · 3d · Edited



Reply as Halfmoon Bay General Store



Graham Cruz

Well done! Wishing you the best in your proceedings with permitting and development. Nevermind the negativity. This is an exciting development for those of us putting our roots down here. Bravo!



[Like](#) · [Reply](#) · [Message](#) · 5h



Kathleen Kingston

so exciting to see this old place being brought back to life! It was an old when my dad was growing up here so it's time to renovate! 😊😊😊😊



[Like](#) · [Reply](#) · [Message](#) · 10h



Graham Moore

Can't wait to sit on that patio overlooking the water!



[Like](#) · [Reply](#) · [Message](#) · 4d



Lyssa Kayra



[Like](#) · [Reply](#) · [Message](#) · 3d



Kim Howcroft

Where will everyone park?

[Like](#) · [Reply](#) · [Message](#) · 4d · Edited



Angela Koop

Very excited about this project!



[Like](#) · [Reply](#) · [Message](#) · 4d



Hale Vancouver

Super nice!

[Like](#) · [Reply](#) · [Message](#) · 4d

Write a comment...



Jay D Davis shared a **post**.

Admin · October 31 at 12:26 PM · 🌐



Halfmoon Bay General Store

Grocery Store



Send Message

Halfmoon Bay General Store

October 31 at 12:13 PM · 🌐

We've been hard at work figuring out how to bring new life to our ageing general store. Since our public forum, we've had many useful conversations that have in... **See More**

👍❤️😬 38

36 Comments 1 Share



Like



Comment



Share



Kim Howcroft 🗨️

In considering this proposal, please be mindful of the residents of Mintie road especially the parking and noise level issues. The area in front of the store is overwhelmed with vehicles, pedestrians and large delivery trucks, already especially in the summer months. The bylaw calls for the store to have 22 parking spots on site for the scope of this project. (they legally have none). This would take every spot that is there now and add more. This area is used for other uses and just not the store.(beach access, govt dock, trails, dog walking) It not if someone will be seriously hurt it is when. Let's support our long time Mintie residents, instead of a large Vancouver company to over develop this one lot located in a small residential area

Like · Reply · Share · 4d · Edited



11



Kristen Annable Pearson

Kim Howcroft while my father may own a large company in Vancouver, Peter and I chose to move here and raise our family here. We will be living on site and have as much at stake as you to make sure this all works. This isn't some big developer coming in and building condos. This is a project focussed on restoration so that this store can last for the next generation.

Like · Reply · Share · 4d



20



Johanna Maria Robertshaw

Kristen Annable Pearson lovely! My great Uncle George Cormack owned the first general store in HMB.

[Like](#) · [Reply](#) · [Share](#) · 3d



Louise Ries

Kim Howcroft I remember George! Didn't he have a brother and they lives beside one another?

[Like](#) · [Reply](#) · [Share](#) · 3d



Elaine Watson

Louise Ries your memory is amazing!!

[Like](#) · [Reply](#) · [Share](#) · 3d



Write a reply...



Linda McMahon

I've put it on my calendar to drop by for a chat. I think it's exciting that the update will respect the store's heritage and at the same time maximizing the benefits of having a community hub in our neighborhood! 🎉🎉

[Like](#) · [Reply](#) · [Share](#) · 4d



Sandie Lanskail

Looks wonderful...

[Like](#) · [Reply](#) · [Share](#) · 4d



Jane Tollestrup

Like the deck

[Like](#) · [Reply](#) · [Share](#) · 4d



Maureen Darragh

Jane Tollestrup it's been there for a very long time.. this one is probably a rebuild!

[Like](#) · [Reply](#) · [Share](#) · 4d



Jane Tollestrup

Maureen Darragh looks more inviting

[Like](#) · [Reply](#) · [Share](#) · 4d



Liz Borland

What is that fug ugly bit on the right side. Does not match the rest of the design at all.

[Like](#) · [Reply](#) · [Share](#) · 4d



Susan Barnes

I think it looks wonderful, new beginnings, but keeping the old memories way to go.

[Like](#) · [Reply](#) · [Share](#) · 4d



Leslie Roden Aveling

The plans look great Peter and Kirsten!

[Like](#) · [Reply](#) · [Share](#) · 4d



Leslie Roden Aveling

Kristen

[Like](#) · [Reply](#) · [Share](#) · 4d



Robert Hawitt

I love the idea, but also very curious about parking and such, I've been using the dock and store for almost 30 years, parking is bad in the summer.

[Like](#) · [Reply](#) · [Share](#) · 4d





Joy Thomson

Is it wheelchair accessible? Don't see any ramp. Where's the road?

Like · Reply · Share · 4d



Peter Pearson

Joy Thomson Yes it's wheelchair accessible. The familiar blue frontage of the property remains in place as seen in the first rendering. The second rendering shows the rear of the property, on the ocean side, after the updates.

Like · Reply · Share · 2d



1



Jacqui Jones-Cox

This will be a wonderful asset to the neighbourhood - hope the renovation goes smoothly..

Like · Reply · Share · 4d



2



Denise Brynelsen

Looks awesome guys, can't wait to see the new project come along!

Like · Reply · Share · 3d



3



Karen Biddlecombe

Wonderful project to watch how it develops.

Like · Reply · Share · 3d



1



Louise Ries

This project looks great! Could O'Brien Road be used for parking? Last I saw it the part of the road just above Mintie was not used and partially grown over.



Kim Howcroft 🗨️

Louise Ries Do you mean the path Parallel to Mintie Road across from the store to be used for parking and O'Brian road for parking and the path used to access the store?

Like · Reply · Share · 3d



Louise Ries

Kim Howcroft yes. Back in the "olden days" when I lived there it was a logging road and went down to the dump. Now it isn't being used I do not think. Would be a great place to park but I figure that may be a municipal thing? Not sure.

Like · Reply · Share · 3d



Kim Howcroft 🗨️

Louise Ries most of the path is part of the properties on O'Brian.

Like · Reply · Share · 3d · Edited



Louise Ries

Kim Howcroft ok. It was just a thought as parking seems to be an issue.

Like · Reply · Share · 3d



Kim Howcroft 🗨️

Louise Ries yes it is.

Like · Reply · Share · 3d



Linda McMahon

Perhaps a further conversation with the owners may shed some light. With the plan being deliberated on November 12th now's the time to give some input. I personally am not familiar enough with the details and am going to rectify that this week!

Like · Reply · Share · 3d



Louise Ries

Linda McMahon great! I no longer live in HMB but to me it will always be home. The HMB store is such a part of so many of our histories!

Like · Reply · Share · 2d



Write a reply...



Jasmin Bell

Beautiful can't wait for you to get started

Like · Reply · Share · 3d



Daryl Dunn

Wonderful concept. Looking forward to the completion. This store is and has been a large part of this community. Keep it going strong.

Like · Reply · Share · 3d



Brian Klassen

Is the deck out back private or for customers/public?

Like · Reply · Share · 3d



Peter Pearson

Brian Klassen the deck is intended for customer use, particularly in summer.

Like · Reply · Share · 3d



Trisha Klassen

Someone should make a model of that , I know someone who can do that.

Like · Reply · Share · 3d



Julie Rogers

I'm excited to see what these new owners do to manage parking and provide us with an ocean view cafe at the same time! Woot! Lovely community hub coming our way!

Like · Reply · Share · 2d



Daryl Dunn

Wine bar and food on the ocean.

Like · Reply · Share · 1d



Daniel Sklazeski

We should be glad that someone is willing to spend money and upgrade that site .Jobs for coast. Store and gathering place for public Win Win.

Like · Reply · Share · 1d



Write a comment...



To whom it may concern at Area B APC and SCRD:

APC documents relating to Halfmoon Bay General Store Development Application

The Halfmoon Bay General Store (HMBGS) Owners would appear to have convinced the Area B APC members that they have a viable development planned for the store. They have employed misleading, erroneous assumptive descriptions relating to various aspects of their development plans. The APC members appear to have taken these descriptions at face value without determining their accuracy or having discussions with the local neighbourhood residents. The local representative for Area B (in particular) has not, to my knowledge, consulted her constituents in this regard. I acknowledge that HMBGS did have an information meeting early in their project but their plans have changed somewhat since then without any further consultation with local residents.

The Area B APC, though meaningful and well intentioned in its approach to the planning process, does not comprise a member from the immediate area of HMBGS and are therefore hampered in their approach to this project by a lack of knowledge regarding a close-knit community that live along Mintie Road. I believe this community, as a whole, does not wish to oppose the plans of HMBGS to move forward and expand its business but would prefer to have some input into the aspects of the project that negatively affect their homes and properties. There are residents of other roads/streets that will, in one way or another, will be affected by the development plans. Residents of O'Brien Road and Rutherford Road together with the property owners that are located directly across the cove from HMBGS.

It is acknowledged that the APC has requested the SCRD to investigate parking potential along Mintie Road.

HMBGS's suggestions for parking do not take into account any of the other residents parking needs. The parking proposal drawing even shows parking at a fire hydrant location outside the current café. Currently there is a walking/cycling path from Redroofs Road along Mintie Road and terminating at HMBGS. Cars/vehicles should not be parking on the path (this includes delivery vehicles). Perhaps the path has been abandoned since it lacks any line painting and warning symbols and No Parking signs. I believe this is not the intention of the SCRD. How will people safely walk to the store around parked cars/vehicles (since HMBGS claims that most customers walk to the store)? However, there are many more customers who arrive by car or truck. These customers will need parking facilities but not in the numbers shown on the proposed parking plan. The parking needs of HMBGS are to reflect the numbers of tourists they expect to serve in the future. Tourism is a major feature for revenue within BC but should not be at the expense of local residents and taxpayers.

On another note, the proposal drawings tend to show the store in isolation whereas there are two properties immediately adjacent to HMBGS. These properties are extremely close to the existing HMBGS buildings since, when built, there was no requirements for setbacks as there are today. In this respect, HMBGS is in an "in your face" situation as regards these two properties and there doesn't appear to be any mitigation efforts by HMBGS to improve the situation. Of course, an opportunity to discuss this situation has not been offered by HMBGS. A meaningful discussion between the property owners and HMBGS and the Area B Representative could lead to an amicable solution to allow a friendly co-existence.

It would also appear that HMBGS has not considered the effects of an outdoor eating area would have on the properties directly across from the new café location. The cove is tidal and when the tide is in, sound carries across the water very easily. Also, the privacy of these properties will be affected by the presence of people a short distance away from their tidal waterfront homes.

Mintie Road is a narrow winding road that runs from Redroofs Road to the head of the Halfmoon Bay Wharf. A road sign at Redroofs Road indicates there is a turnaround on Mintie Road but it is unclear where the turnaround is actually located. Is it at the store? Is it at the head of the wharf? Or, is it

somewhere in between? If it is at the store, there would have to be a rethink regarding parking in the immediate store area. No matter where the turnaround is located, there is generally insufficient road area for a medium or large vehicle to turn around. Which means that these vehicles either have to reverse along Mintie Road in one direction (current mode for store delivery vehicles) or turnaround in one of the local resident's driveways. There is no indication on the proposal plans that HMBGS has allowed for delivery vehicle access or parking.

Furthermore, the store has two waste/recycling bins sitting on the road that are not indicated on the drawings but would require access for a garbage truck to manipulate them.

The HMBGS suggestion that the mailbox be relocated outside the store, only serves the store in an attempt to encourage more custom. It is not a convenient location for personal privacy or safety when cars will be parked in close proximity.

The current waste bin provided by SCRD is usually misused and overflowing with garbage but it does help with regard to tourists and their garbage resulting from store purchases. It is rumoured that SCRD is considering removing this unit. Do the store have any plans to remedy this situation if tourists simply throw their garbage on the road/parking areas? There is no provision shown in the proposal plans.

These foregoing comments are all negative aspects of the HMBGS proposal that need to be addressed.

Prepared by Robert C Cooledge, on behalf of Robert C Cooledge and Carson N Cooledge, 5654 Mintie Road, Halfmoon Bay, BC V0N 1Y2

Comments made by Robert and Carson Cooledge, 5654 Mintie Road, Halfmoon Bay

Re: Statutory Notification for Development Variance Permit #DVP00063 (5642 Mintie Road)
Applicant: Welcome Passage Realty Ltd.
Legal Description: LOT 6 BLOCKS H AND J DISTRICT LOT 1638 PLAN 10826
Civic Description: 5642 Mintie Road

The Sunshine Coast Regional District has received a Development Variance Permit application to:

- 1. reduce the required minimum building setback from any parcel line from 5 m to: 0.3 m from the front parcel line, and 0.1 m from the side parcel line for the proposed reconstructed buildings;**
- 2. reduce the required number of off-street parking spaces from 20 to 2 and the required number of loading spaces from 1 to 0;**
- 3. to permit parking or loading located in a setback area where the abutting property is zoned R2; and**
- 4. to reduce the required setback from the natural boundary of the ocean from 7.5 m to 3.7 m for an uncovered and unenclosed deck and steps.**

A thank you to the SCRD Planning Division for providing the above information, notice of the upcoming meeting and offering us the opportunity to make comments on the deviations from the established regulations and codes to the work to be undertaken at the Halfmoon Bay General Store (HMBGS). However, this application does not pertain to the actual work proposed within the HMBGS site. Will the HMBGS Owners be submitting applications for their intended work at the site once the deviations have been resolved? If they need to submit further applications for Variances or a formal Building Permit, will the opportunity to comment on these applications be offered?

With regard to the items listed above, our comments are as follows:-

Item #1

We recognize that the HMBGS buildings were built in times where restrictions were not placed on the siting of buildings and that to follow current setback limits would be a hardship for the HMBGS Owners but, with side lot line limits of 0.1m or 4", have the Owners approached the neighbouring properties to ascertain whether these lot limits are an infringement on the rights and comfort of these neighbours? Have they considered any mitigative effects they could introduce to alleviate any concerns these neighbours may have?

Item #2

Why has the offsite parking been reduced from 20 to 2? Is this because this aspect of the project is not a feature of the SCRD planning function but rather the responsibility of the BC Government's Department of Highways?

The two parking spaces shown on the Site Plan drawing are questionable from an access point of view and one is dangerously placed at the store entrance and the other is situated adjacent

to a fire hydrant setup that is noted but not shown and may have an effect on the size of the parking space footprint.

Is a review of any roadside parking arrangements open to the public, in particular those properties that would be affected by any changes to the current off-road parking? Is this a reason why the road line painting on Mintie Road has not been carried out by the Department of Highways? We recognize that these queries may not be within the SCRD Planning Division jurisdiction but they are certainly pertinent to the road activity created by HMBGS and should be a consideration in the overall planning of this project.

Where on the property is there an area large enough to accommodate the delivery vehicles that currently service the HMBGS? The provision for loading has been removed in Item #3 and so must we continue to endure large tractor-trailer units parked on the street? At times these vehicles block existing driveways and create hazards to the walking and cycling public and also to private vehicles. The safety aspects alone require a serious review of the operations. The fact there is no turnaround facility (despite the sign at the head of the road) for these large vehicles which means they need to reverse either to or from the store area. This is a dangerous operation despite the skill of the drivers involved plus the engine noise and reversing signals as they travel Mintie Road.

Item #3

The presumed loading area is small and would provide, at best, van access. See our comments above in Item #2 regarding the tractor-trailer units regularly supplying the store. It would appear that the HMBGS has no intention of alleviating the current arrangements for these large vehicles. We do not see how a responsible business can operate without a secure and safe loading arrangement within their property and as such offer protection for passing by pedestrians, cyclists and private vehicles.

Item #4

The drawings provided with the application conveniently omit the proposed deck and the proposed setback from the natural ocean boundary. If granted, how would this increased deck area affect the current ocean view from the neighbouring properties at 5650 and 5654 Mintie Road? Would there be a condition attached to any approval disallowing future development of an enclosed and covered structure? If this item were not approved, would there still be a governing caveat that restricts the development of an enclosed and covered structure on whatever deck arrangement HMBGS propose in subsequent drawings?

Notwithstanding the above comments pertaining to the variance application, there are aspects of the store's plans that are relevant to their ongoing operation that should probably be addressed at this time. We assume that the current Food Truck arrangement is temporary and unlikely to become a permanent feature of the store setup. Again, there is a safety issue since waiting customers are stood out on the street and people wanting to access the mail boxes are also forced into the street at a point where the road width is reduced, putting them at risk from passing traffic.

We believe that there are other aspects of the HMBGS project that need to be addressed but without formal drawings and descriptions relating to a Building Permit application we respectfully reserve the right to make comments when such material is available.

From: [Kim Howcroft](#)
To: [Yuli Siao](#); [Dave Pady](#)
Cc: [Colin midgley](#); [Grant Smith](#)
Subject: Development Variance Permit DP000063
Date: Tuesday, September 15, 2020 2:01:53 PM

External Message

Hello

I am contacting you regarding the redevelopment of the Halfmoon Bay General Store. I have read the proposal from the Applicant regarding the Development Variance Permit submission and the notes and recommendations from the Advisory Planning Committee dated July 28, 2020.

According to the proposed plans, the majority of changes requested are all noncompliance of all these mayor bylaws. (Information taken from SCRD website for bylaw 310)

C2 Zone (Commercial Two)

505 (1) Except as otherwise provided in this bylaw no structure shall be located on a parcel in the setback required under this bylaw between a structure and the specified parcel line.

[509 Off Street](#) Parking and Loading Spaces

(5) Required off-street parking areas shall be located on the same parcel as the use being served except where otherwise provided in this bylaw.

Setback

811.2 no parking, loading or storage areas shall be located in a setback required under this bylaw where the abutting property is zoned R1, R2, RM1, RM2 or RU1; and

Siting of Structures

811.3 no structure shall be located within 5 meters of a parcel line;

Parcel Coverage

811.4 the maximum parcel coverage of all buildings and structures shall not 50%

As a resident living in close proximity to the existing store and cafe, and speaking with other home owners on Mintie Road and surrounding area, we are concerned and question some of the statements and decisions made in the proposal. Some of these proposed changes will impact how we live in our community, our own houses and on our property for the worse. Some of the statements are exaggerated and other issues regarding these variances have been ignored on the proposal.

I have been informed the cafe is closing September [28, 2020](#) “to allow for demolition to start on the General Store building beginning the start of October.2020.” (the store is moving into the existing cafe building while renovations occur.) This is very concerning. It seems the redevelopment is happening without proper care of permits and procedures set out by the SCRD. This is of urgent concern due to the time frame:

Can they start demolition before a building permit is issued?

When will the residential advisory be?
Will there be any public feedback allowed on this?

Our residential community effected by this commercial redevelopment have many concerns.I know many of our neighbours have spoken to the owner(s) including the architect and principals involved and feel our questions are not being addressed and promises to be “kept in the loop” have been ignored.

We need to ask our questions and voice our concerns and have them heard to keep our residential community, just that, residential. What is the next step? Lets set a time to discuss this before the end of the month at the latest. How do we proceed?

Sincerely
Kim Howcroft
[5644 O'Brian road](#)
[Halfmoon Bay.](#)

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Joan Marshall](#)
To: [Lori Pratt](#); [Elise Rutland](#); [Yuli Siao](#); [Dave Pady](#); [Kim Howcroft](#)
Cc: [Don Cunliffe](#); [Gill Binne](#); [Michael McGee](#); [Michael Miller](#); [PETER HEWS](#); [Mary Beth Knechtel](#)
Subject: Halfmoon Bay Store Plan
Date: Friday, September 18, 2020 2:37:58 PM
Attachments:

External Message

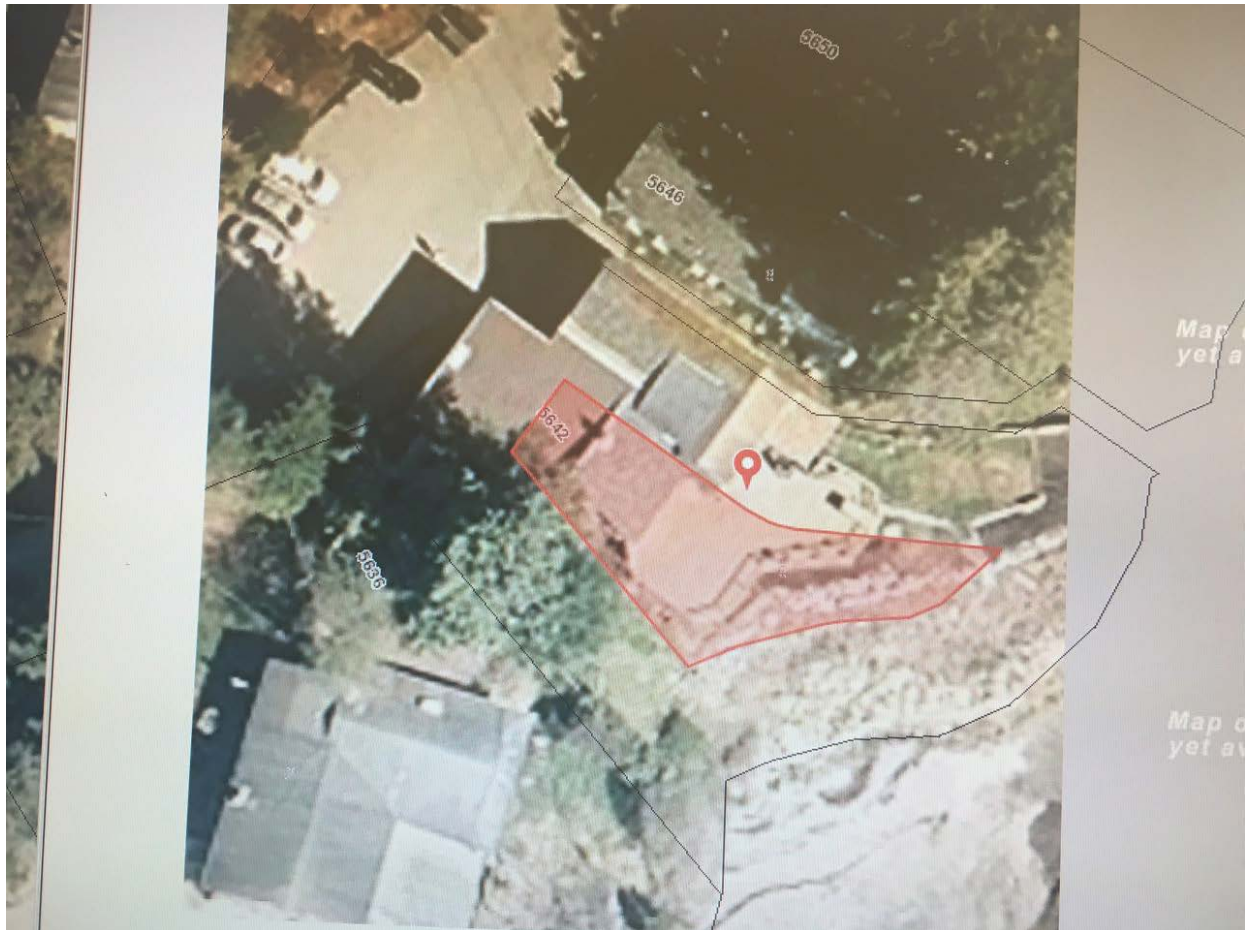
Hello all,

This is a photo taken off a computer (with permission) at the SCRD three or four years ago showing where the HB Store could rebuild should they choose to knock the buildings down. It's ever so slightly off kilter, but you can see where the trail is and also the café. The red area does not include the cafe because were it to be demolished, nothing could be rebuilt there; not without having the gazetted trail moved to the side of the property bordering my property, and then it could only be something added to the store structure. Plus from **Zoning Bylaw 310**, "811.3 No structure shall be located within 5 meters of a parcel line."

The plan submitted to the ACP and SCRD by the store shows on A0.3 "...required setbacks are indicated by the red dashed lines on the site plan." This is shown here below the following photo.

From SCRD computer

This message originated outside the SCRD. Please be cautious before opening attachments or following links.



From HS Store plan renovation

There may be something that I am not understanding here. But if the computer photo is correct, the HB Store can't demolish and move the building back without a very small building being in its' place. There could be plenty of on-site parking however!!!

Of course they wouldn't want that and I quote from the application:

"The store sites close to the street which supplies a very sociable forecourt for the buildings but prevents us from placing much parking on the site. Moving the buildings back toward the ocean is not a good solution, both because that would push the new construction closer to the shore, and because parking in front of the building would destroy the neighbourhood character there. Further, moving the buildings would mean demolishing them; and this would cause significant public outcry."

I'll refrain from sarcasm here but just say that this is disingenuous and highly specious.

Joan Marshall

Dear Board of Directors, SCRD:

Re: Halfmoon Bay General Store – Development Variance Permit DP000063

The following is our formal submission for consideration by the SCRD Board of Directors with respect to the Halfmoon Bay General Store Development Variance Permit DP000063.

To date, you are in receipt of comments from some of our neighbours - specifically Kim Howcroft, Rob & Carson Cooledge, Joan Marshall, Stewart & Linda Weight, Jason Timmis and John & Pam Breckner. My wife, Wendy Gibson, and I are in agreement with the comments made by our

neighbours with regard to the proposal made by the owners of the Halfmoon Bay General Store. We will not restate the concerns they have expressed - we simply agree.

We have additional concerns as follows:

1. Increased Parking on Mintie Road to benefit the expanded scope of the General Store - an undue risk to public safety due to heavy trucks/public vehicle and pedestrian interactions:

The General Store is supplied by a variety of trucks multiple times each week - including full sized 18 wheeled semi-trailer trucks. There is currently no adequate provision in the existing plan for a "loading dock facility" for the store nor is there a location to enable the semi-trailer trucks to turn around. What happens now - which will continue after changes to the General Store - is that the semi-trailer trucks either back down to the store from the intersection of Mintie and Redroofs to the General Store - or they drive down and have to back out. When these big rigs finally park to off-load materials for the store, they block off part of Mintie Road and sometimes completely block private driveways which leads to conflicts. This situation creates an undue risk to the safety of the public - both to other vehicles and to pedestrians. During tourist season there is an influx of people unfamiliar with our area who are placed at risk. In the almost 20 years that we have owned our home on Mintie Road we have seen the congestion around the General Store increase significantly. We had our vehicle damaged when a driver reversed suddenly from a parked position outside the General Store and hit us broadside. When visitors are coming to our home, we always take care to advise them to drive past the front of the store with great caution. Adding parking for the benefit of the General Store only will increase the risk to public safety - which as noted is already an undue risk and negatively impact the enjoyment of our home and neighbourhood.

If this issue isn't addressed with proper planning and infrastructure modifications, the proposal to add more parking for the General Store's benefit by the SCRD should be stopped pending resolution.

2. Existence of an ancient shell midden as part of the General Store Complex property:

A portion of the property for the General Store complex is a registered archaeological site. It's a shell midden. Has the Sechelt First Nation been apprised of the existence of the proposed renovation of the General Store? Has the Sechelt First Nation seen the latest iteration of the project plans - which have evolved since the project was first proposed - changing both in content and scope? The addition of a seating area for patrons to partake of food (and consuming alcohol?) will require an expansion of both the patio area (as noted on the latest plans) and also rest room facilities. Such an expansion for increased customer on-site activity will require an update of the existing septic field or the installation of a fully functioning septic waste processing plant. Regardless of the improvements needed, it would appear that a physical disturbance of the midden may result. Has the Province and First Nation given approval for possible disturbance of the midden? If not, what mitigative designs have been put in place as part of the project proposal to avoid disturbance of the midden?

If this issue hasn't been addressed, the project should be put on hold pending resolution of this important archaeological issue.

3. Environmental sensitivity of the estuary and incoming streams:


The estuary that the General Store property backs onto is a highly sensitive Salmon and freshwater fish habitat, migratory bird habitat and marine mammal habitat.

An increase in the public use for the General Store may increase amounts of pollution in the estuary which could detrimentally affect indigenous and/or migratory species. Has an environmental study of the estuary been undertaken regarding the impact of the increase in activity of the General Store during and after construction? Has the Federal Department of Environment and the Provincial Ministry of the Environment been contacted and given approval for the modifications to take place and how those changes will be made?

If not, the project should not proceed until appropriate environmental studies have been completed and approvals secured from the appropriate agencies and organizations.

We trust the above issues/questions and those raised by our neighbours can be fully and formally resolved before the SCRD gives formal approval to this project. We understand it will be discussed at the upcoming Board of Directors meeting to be held 8 October 2020.

Respectfully yours,

The block contains two handwritten signatures in black ink. The first signature on the left is 'Tom Bailey' and the second signature on the right is 'Wendy Gibson'. They are written in a cursive, flowing style.

Tom Bailey and Wendy Gibson
5620 Mintie Road
Halfmoon Bay, B.C.

Dear Sirs & Mesdames:

Re: Halfmoon Bay General Store – Development Variance Permit DP000063

My wife and I have owned and enjoyed our property at 5624 Mintie Road for over 30 years. When we purchased our property we were aware of the local store and its commercial zoning permitting its operation as a store. Over the years the store has grown in both uses and useable commercial and residential floor area, greatly exceeding local bylaw regulations in many areas.

We are now aware a rebuilding of the two buildings on the property is being proposed by the new store owner(s). As a close neighbour to the store we would like our concerns considered and responded to before a final decision to approve the rebuild is granted by the SCRD Board.

Generally, the proposed redevelopment is out-of-scope with the area and is much too massive in built form. It disrespects the immediate neighbours (both are residential properties), it disrespects the neighbours on Mintie Road (by monopolizing public parking as the applicant/owner does not appear to have to provide any parking), and it generally does not consider the needs of the public as the SCRD operates three public facilities on Mintie Road. The SCRD has a responsibility to provide safe ingress and egress for all users in the area and to ensure adequate public parking for users of the three public facilities. To suggest the store can simply rely on MOTI to provide parking to the SCRD, who in turn will provide it to the store as satisfying the clear bylaw requirement for commercially zoned property is extremely short sighted and unfair. A commercial business should provide adequate parking or the

proposed uses on-site should be reduced. For example, perhaps the café cannot be supported in its proposed form if the owner cannot provide (any) parking for it. This is principally a residential area, with one commercial business. It appears too much is being offered to the one commercial property in many respects.

1. **Existing Non-conforming:** - the current store should not benefit from unapproved prior expansions and uses (particularly residential uses) as the “starting point” for any new Development Permit Application (“DPA”). It would be appropriate to correct as many non-conforming conditions as possible as part of a proper redevelopment scheme for the property. To suggest the current proposal is only a renovation is laughable, it is clearly a full rebuild with a massive increase in restaurant size, public seating and associated parking needs, etc., etc.
2. **Development Process:** - I am very concerned about the process to-date. My understanding (having spoken to Mr. Yuli Siao, Senior Planner) is a Development Variance Permit (“DVP”) has been applied for, and recommended for approval by the Advisory Planning Commission (“APC”) The DVP considered three matters only. However, please refer to the applicants drawings which clearly show increased building density. How is that possible, given the already existing density on the site, and specifically additional site density cannot be agreed to under a DVP process? Mr. Siao advised me the additional density is not actually density but rather the applicant also applied for a Development Permit (“DP”) to address rear setback conditions. Please refer to the applicant submission drawings and explain how three areas are identified as *New Footprint* and that they are somehow covered by that rear setback DP and are not actually increased density under the C2 Zoning? Density cannot simply be provided to an applicant/owner by staff. Was public notice provided to the neighbourhood for the DP, and if not, will one be issued as is required?
3. **Proposed Uses:** - any residential use is “auxiliary” to the commercial use. We have been advised the proposed three bedroom residential unit will be market rented. How will this be controlled such that the only occupier of the residential unit will be the commercial operator and it will not be market rented? Consideration should be given to reduce the number of proposed commercial uses, or at least in scale, to more fairly address the fact the site is very overbuilt currently, does not meet most of the C2 bylaws, and simply cannot meet the bylaws in most respects in terms of a redevelopment. For example, the present café is modest in size and is accepted and has worked well for years. An expansion as proposed is simply not appropriate considering what must normally and rightly be provided under the bylaw, which the SCRD seems perhaps willing to ignore.
4. **Public Consultation:** - Mr. Siao advised no public input had been received for inclusion in his report to the APC regarding the applicants DVP. I find that very hard to believe as I myself had previously spoken to him earlier in 2020 regarding my concerns regarding the DVP and generally the process overall. I am also aware that at least two other neighbours spoke with Mr. Siao personally to express their concern. Mr. Siao did advise that Public Notice for the DVP will be sent out on September 25th and can I assume that any other DP’s will also have the requisite notice provided.

Overall I feel the process favours the applicant, (evidence the APC already recommending the submission before the residents even received any notice about the DVP). I feel the APC may

not fully understand nor appreciate the complexities of this proposal. For example, they recommended approval of the applicants plan submission, yet it clearly showed an increase in density (not under the APC's purview under a DVP) and importantly it shows the majority of the required parking as "proposed". How do you approve a plan that is proposed, unless of course you do so with caveats, which they did not.

5. **Parking** – Mr. Siao advised me that MOTI does not support providing exclusive use to the owner applicant. As such, it is presumably up to SCRD staff to secure the proposed parking. Firstly, a business should not be allowed to proceed if they cannot provide the requisite parking, nor should they benefit so richly from the provision of Public Parking, all presumably at the taxpayers' expense. Who is responsible for securing the parking from MOTI? Why should taxpayer funded staff be involved in this to the benefit of one property owner, to the detriment of the other owners and the public? Mr. Siao advises the parking has not been secured, has MOTI been made aware of resident (and particularly adjacent property owners to the proposed parking) concerns? I will be contacting MOTI to discuss in detail. Overall it is very unfair for the SCRD to consider supporting a proposal that effectively provides a private for-profit business with virtually all of the public parking, or at the very least supports acquiring parking and restricting it's time of stay (i.e.: the applicants proposal suggests the parking must be time controlled). I suggest a parking and traffic management and safety study should be undertaken as a component of the redevelopment proposal that identifies and considers the needs of the multitude of users living and frequenting the area.

In closing, my wife and I are not against the store, nor are we against a rebuilding of the store. What we are concerned about is favouring one C2 zoned property owner over all of the other R1/R2 property owners who call this area home. We are concerned the store is unfairly benefitting from a starting position that should never have been allowed in the first place and that the proposed redevelopment plan is simply too large and therefore requires too many variances, relaxations, etc., etc., when a more modest redevelopment could occur that better respects the environment, the surrounding neighbourhood, the immediate neighbours and the public facilities the SCRD operates here.

Thank you for your time and consideration, we look forward to a written reply.

Respectfully submitted by:
John & Pam Breckner
5624 Mintie Road

Dear Yuli Siao,

I'm writing you with respect to the Halfmoon Bay General Store development permit application as I'm concerned about the increase of traffic around my property.

There are 37 parking spots proposed in front of the store and along Mintie Road. This is a significant increase of the current amount.

Tourist traffic has recently increased already significantly as has the amount of delivery trucks for the store since the current owners took over the business. Mintie is a narrow road so trucks need to back in or back up as there is no space to turn around down at the store. As a result, they arrive on Redrooffs, stop in front of my property and loudly back up down to the store and loudly drive up the hilly section of Mintie when they leave (or the other way around).

A solution for the current amount of trucks might be better delivery planning so there is no need for trucks anymore to come for a delivery so frequently. Please note sometimes certain trucks deliver even several times a week. Also setting limited delivery times per day might provide some relieve for the neighborhood. Increase of warehouse capacity at the store is another option to solve this issue.

An increase of delivery as part of the proposed expansion will put an extra strain on the community and significantly affecting the pleasure we have as neighborhood to live around this neighborhood-sized historic gem that the general store currently is and where people and wildlife live happily together alongside the coming and going tourists.

The proposed increase of parking places in front of the store and along Mintie Road would have the same effect; increase of noise (think of loud motorbikes, trucks, trailers, cars and delivery trucks) and loss of the character and appeal of this historic, rural neighborhood nestled in the Bay with a neighborhood store and café. My suggestion to address this would be limiting increase or size of the proposed businesses on site. A new gallery space, art studio space with classes, gift shop business and significant amount of café/bistro seating as proposed all add to the need for more parking then what is currently needed for the operation of the general store and bakery business. Given the substantial number of people arriving by foot, bike or motorbike the actual number of parking stalls needed might be lower then currently estimated.

Being from Europe myself I am very familiar with the delicate balance between economic viability and preservation of (historic) character. I've learned that when they support each other they both thrive however, once the balance is lost it can never be restored. A character rich neighborhood adds to the appeal and business of the general store and café itself.

Thank you for taking this into consideration,

Best Regards,

Saskia Jetten

September 23, 2020

A FORMAL SUBMISSION REGARDING DEVELOPMENT VARIANCE PERMIT DP000063 (HALFMOON BAY GENERAL STORE)

Re: Halfmoon Bay General Store - Development Variance Permit DP000063

We(The McCrimmons) have owned a residence adjacent to the general store, on 5636 Mintie Road, since 1970 when the family purchased the property and built a house on it. Over the years we have seen many Halfmoon Bay General Store(HMBGS) owners and many iterations of the store itself. As more people moved into the area and tourism increased traffic increased steadily but it's in the past two decades that the density and congestion have escalated to the point of causing serious issues particularly in the immediate vicinity of the store.

1. Traffic And Congestion

During the summer with increased recreational, commercial and tourist use the road has become dangerous, overcrowded and at times a source of conflict around the HMBGS. Mintie Road was never designed(and has never been successfully modified) to accommodate that many people, that many cars and that much use. Augmenting the asphalt acreage and adding more parking spaces along Mintie Road did not resolve anything in the past, in fact it led directly to escalating the traffic, the danger and conflict with homeowners. HMBGS customers frequently speed down the road posing a safety threat to pedestrians, locals and tourists alike. Keep in mind that alcohol is sold in the store, and people who show up to buy it are often already intoxicated and drive onto the pier posing additional problems.

2. Increased Abuse

Located as we are, adjacent to the store, cars and commercial vehicles are always parking in our driveway, as if it were a public convenience. Our driveway has become a turnaround and vehicles park across it for extended periods of time, blocking the entrance or exit, and this has led to altercations. In the summer access to our driveway and egress to the road is at the mercy of HMBGS and its customers. People often congregate, drink, play loud music and party in the parking lot, day and night. They also park in our neighbor's driveways and property and often become abusive when confronted. I do not believe that the additional parking proposed by the redevelopment plan will mitigate this issue at all. Rather, fifty years of experience with our property, the neighborhood and the HMBGS tells me that the volume will increase greatly, and the vitriol will worsen and become untenable.

3. Scaled Down Redevelopment

While I do not object to the store being rebuilt and upgraded, changes to parking and road access as proposed will only create more conflict, and further degrade the quality of life once enjoyed here by residents, visitors at local inns and tourists alike. Limited redevelopment of the store may turn out to be a good thing for all concerned, but augmenting the asphalt acreage, adding more parking spaces along Mintie Road and further enlarging the space devoted to vehicles and the crowds they bring is guaranteed to benefit only the store owners, at the expense of everyone else.

Submitted by:

Bruce McCrimmon,
5636 Mintie Road,
HMB, British Columbia.

October 7, 2020

Hand Delivery

Genevieve Dixon
Planning Department
Sunshine Coast Regional District
1975 Field Road
Wilson Creek, BC



Re: Formal Submission Regarding Development
Permit Variance DVP 000063
Half Moon Bay General Store
5642 Mintie Road, BC

Our McGrimmon family have owned a residence and outbuildings adjacent to the general store since the early 1970's - our street address is 5636 Mintie Road VON 1K2.

Over the years we have been present observing many store operations and alterations. Congestion has escalated to the point of causing serious issues particularly in the immediate vicinity of the store. The owners are now seeking from the District variances governing their uses and occupations and seeking to add to those, all of which we oppose.

We have invested substantially in our adjoining water front property including the creation by us of a sandy beach and a park area adopted by the District. We have provided to the District the benefits of our pro-active monitoring of activities, discouraging unhealthy depositing of human and pet excrement, and wines and the haphazard deposits of other wastes. Our work changed the beach and adjoining park areas from being thick and deep mud into becoming sandy beach useful for the public. We have gotten rid of the beach being a source of revolting smells 24/7 and a trap for children becoming mired in clinging mud.

We are increasingly exposed to an unwelcome variety of store related and generated issues - increasing high volumes of pedestrian and vehicle related traffic challenge us daily. We now harbor unwelcome tours, tour buses, trucks, trucks and trailers, boat trailers, pick ups and wandering pedestrians. We have been forced to build fencing and stairs to limit the unwelcome noises generated by all sort of traffic - horns, alarms, back up signaling, air brakes intrusive engine noise as well as the often blocking of our driveway and Mintie Road.

Store operators have historically been informed by us that they are not only encroaching into neighborhood properties but are clearly breaching District set backs.

The current situation of the store works very poorly in terms of traffic, parking, safety, traffic care or caution, loading and unloading as well as avoidance of virus vulnerabilities. We have been forced to place signs limiting behaviours dangerous to children and the elderly alike.

Clearly the proposed permits would be contrary to the best interests of our community and will threaten the health of our valued community. There is nothing fair to our community in the Submission with only the store owners benefiting, we are to be placed at a great disadvantage in terms of health, safety, and environmental and will suffer the increases in introducing unwanted noise, smells and abuse locally... our opportunity to enjoy life will be greatly materially diminished unnecessarily in Half Moon Bay. This cannot be considered positive or fair.

4

Please refer to Bruce McCrimmon's letter to you of September 23, 2020 - I agree entirely with what he has written to you. Please have me placed on your Zoom list for participating in providing feed back to the Submission and advise me of the Zoom contact information.

I can be contacted at:

[REDACTED]

or [REDACTED]

[REDACTED]

Please correct this state of affairs that are so entirely unwelcome and unproductive.

Thank you
Warren McCrimmon

From: [Jason Timmis](#)
To: [Lori Pratt](#); [Yuli Siao](#); [Planning Department](#); Colin.Midgley@gov.bc.ca; grant.a.smith@gov.bc.ca; [Dave Pady](#)
Cc: [Robert Cooledge](#); [Stewart Weight](#); [Joan Marshall](#)
Subject: HMB General Store Development Plan
Date: Sunday, September 20, 2020 9:50:13 PM

External Message

Dear Sirs and Madams,

I am writing to express concern on behalf of my family and our fellow neighbours around the Halfmoon Bay General Store area with the proposed redevelopment of the store property. Having been residents for close to twenty five years we know very well that the store and the parking that ensues around it during the (ever) busier times have managed to work themselves out. It amounts to chaos and a heightened level of danger for pedestrians and animals that use the road but it has managed to work as is. There is no justifiable reason to allow alterations to the building code period. Everyone on Mintie Road does their part in tolerating the road conditions in, around, and precipitated by the store, and this includes having our driveways constantly (by the minutes, not the hours) used as U-turn space. We do it because we otherwise value having it (the store) close by not because we have any ill feelings towards the owners - but - we are not willing to openly encourage nor invite what is sure to be a substantial increase in traffic to the area. For anyone to think that increased traffic could be accommodated from a road width and general infrastructure standpoint, let alone tolerated, is laughable and shows out right ignorance. As small cases in point, as it stands right now, between the SCRD and the store owners we can't even expect to walk by the public garbage can (which is beside the stores garbage bins) anytime from June through September, and not see a pigsty of overflowing garbage except on the day it is emptied, the newest family on Mintie Rd has taken to putting out traffic cones and standing guard when their children ride their bikes out front of their house because of both the volume of cars and the speed at which many drivers think is appropriate.

Lest I continue into a full on rant and be dismissed as a fool I will simply add that the rest of my comments have been summed up already in the emails that were sent to you by our neighbours. I wish to add my concurrence to all of them and most specifically to the emails that Robert Cooledge, Joan Marshall and Stewart Weight have sent.

Respectfully submitted by Jason Timmis on behalf of Joan Wagner & Family
5619 Mintie Rd.
Halfmoon Bay.

This message originated outside the SCRD. Please be cautious before opening attachments or following links.

From: [Jason Timmis](#)
To: [Yuli Siao](#)
Subject: Notification from SCRD re Development Permit Variance re HMB General Store
Date: Wednesday, November 4, 2020 5:26:48 PM

External Message

Dear Mr Siao,

I received our notice in the mail of the upcoming meeting regarding the Variance Permit application and want to be sure than my previous email (below) is included in the comments portion of the agenda.

I further wish to reiterate that we are **not** in favour of any of the proposed variances. The store has been a store that faced the road for decades and has a right to continue to do that in a building that isn't decaying and falling down. It does not, however, have the right to expand, add additional services that bring more people they can't manage, and try to also include using the oceanfront in that endeavor. The impact to the neighbourhood on both street and water would be detrimental to our rights to continue to enjoy our properties as we have for decades.

Yes to a reasonable rebuild of the store to make it safe - **NO** to any concessions which encourage additional usage of the property they have no rights to!

Respectfully submitted by Jason Timmis on behalf of Joan Wagner & Family
5619 Mintie Rd.
Halfmoon Bay.

From: [Stewart Weight](#)
To: [Dave Pady](#); [Yuli Siao](#)
Cc: [Cooledge, Robert](#); [Tom Bailey](#); [Joan Marshall](#); [Charles Hardy](#); [Timmis, Jason](#); [John Stubbs](#); [Pam](#); [Lori Pratt](#)
Subject: Re: Developmental Variance Permit DVP00063 (Halfmoon Bay General Store)
Date: Sunday, September 20, 2020 5:38:59 PM

External Message

Dear Sirs,

I understand that the Halfmoon Bay (Area B) Advisory Planning Commission has agreed with and accepted the plans as presented from the owner/applicant of the Halfmoon Bay Store and his Architect and recommends that the SCRD investigate other parking possibilities and opportunities for additional parking on Mintie Road near the SCRD Dock. Approval of this variance will adversely affect 15 residential family homes along Mintie Road. This narrow rural road can not handle the impact of increased parking. The paved portion of the road in front of my home is only 17 feet wide. There is no turnaround at the dock end of our road as indicated by the sign at Mintie Rd. & Redroofs Rd. This results in cars, pickups, motorhomes, trucks pulling boat trailers, and commercial vehicles having to turn around in our residential driveways. Historically the speed limit on Mintie Rd. was 10 m/ph, now vehicles can do 50 km/h, this situation is very dangerous for people walking down to the dock and for kids & adults riding bicycles. When vehicles park on both sides of the road it is very restricting for Fire Trucks and Ambulances to get through.

The Local Government Act and SCRD bylaw No.522 requires that all property owners and occupiers within 100 meters of any property which is the subject of an application for a development variance permit must receive notification of the Regional District's intent to consider issuance of the permit. Will this notice be issued? The SCRD and Area (B) APC have been sent emails regarding DVP00063 from other concerned neighbours on Mintie Road and my wife and I fully concur with their comments.

Sincerely,
Stewart & Linda Weight
5623 Mintie Road

This email was scanned by Bitdefender

ROBERT H. WYNICK*
DIRECT LINE: 604 443 1209
EMAIL: rwynick@macfuj.com
WEB: www.macfuj.com

MACKENZIE FUJISAWA LLP
BARRISTERS & SOLICITORS

*Law Corporation

OUR FILE NO. W2340-025

VIA EMAIL lori.pratt@scrd.ca
AND COURIER

WITHOUT PREJUDICE

Sunshine Coast Regional District
1975 Field Road,
Sechelt, B.C. V0N 3A1

Attention: Lori Pratt
SCRD Board Chair

Dear Sirs/Mesdames:

Re: Development Variance Permit Application DP000063 (Halfmoon Bay General Store)

We have been retained by certain owners of properties on Mintie Road that will be affected by the above Development Variance Permit application, if granted.

We understand that the Board is meeting to consider the Development Variance Permit application on November 12, 2020.

We write to communicate our clients' concerns and position with respect to the Development Variance Permit application.

Generally, it is our clients' position that the Development Variance Permit application, and the redevelopment contemplated thereby, will result in the existing non-conforming use of the land, and the buildings located on the land, being continued and expanded in a manner that (i) will increase the use of the land and the density of the buildings on the land, (ii) will increase vehicular traffic to and from the land via Mintie Road without providing the parking required under the SCRD zoning bylaw, (iii) will have a detrimental impact upon neighbouring property owners and the use and enjoyment of their respective properties, and (iv) is contrary to the provisions of the *Local Government Act*.

In particular, it is our clients' position that:

1. The existing use of the land and a building on the land as a café does not predate the SCRD's zoning bylaw. In particular, when the land and a building on the land were first used as a café, neither the siting of the buildings, nor the siting and number of parking spaces provided in connection with such use, complied with the then current SCRD zoning bylaw.



October 22, 2020

MASTER FILE COPY

Accordingly, the existing use of the land and a building on the lands as a café is not a lawful non-conforming use protected under section 528 of the *Local Government Act*.

2. Even if the existing use of the land and the buildings on the land is a lawful non-conforming use, section 529(2) of the *Local Government Act* provides that a non-conforming use may be repaired, extended or altered only to the extent that such repair, extension or alteration would, when completed, involve no further contravention of the SCRD zoning bylaw.

Here, the Development Variance Permit application contemplates a redevelopment and substantial extensions and alterations to the non-conforming buildings which will, when completed, result in further contraventions of the SCRD zoning bylaw. In particular, the Development Variance Permit application contemplates a further expansion of the building footprint on the land within the setback area provided for under the SCRD zoning bylaw.

3. Even if the existing use of the land is a lawful non-conforming use, section 530 of the *Local Government Act* provides that the authority to continue a non-conforming use of land does not authorize such non-conforming use to be continued on a scale or to an extent or degree greater than the use at the time of the adoption of the SCRD zoning bylaw.

Here, the Development Variance Permit application contemplates that the non-conforming use of land will be continued on a scale and to an extent or degree much greater than the existing use or the use at the time of the adoption of the SCRD zoning bylaw. In particular, the Development Variance Permit application contemplates an expansion of the existing use of the land that will increase vehicular traffic to and from the land, and the demand on the non-conforming parking spaces provided in connection with such use.

4. Even if the existing use of the land and the buildings on the land is a lawful non-conforming use, section 531 of the *Local Government Act* provides that a structural alteration or addition must not be made in or to a building while a non-conforming use is continued in all or any part of the building, unless one of the exceptions set forth in section 531 of the *Local Government Act* applies.

A development variance permit is not included as one of the exceptions set forth in section 531 of the *Local Government Act*.

Here, the Development Variance Permit application clearly contemplates structural alterations and additions to the buildings on the land, but none of the exceptions set forth in section 531 of the *Local Government Act* is applicable.

For the foregoing reasons, our clients are opposed to the Development Variance Permit application and request that the application not be approved by the Board.

We would request that this letter, and our clients' concerns and position set forth herein, be provided to the Board for consideration at the November 12, 2020 meeting.

Please do not hesitate to contact me if you or your legal counsel have any questions with respect to the foregoing.

Yours truly,

MACKENZIE FUJISAWA LLP

Per: 

ROBERT H. WYNICK

RHW:rw

cc. clients

Dean McKinley,
Chief Administrative Officer
dean.mckinley@scrd.ca

Ian Hall
General Manager, Planning and Community Development
ian.hall@scrd.ca

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

AUTHOR: Yuli Siao, Senior Planner

SUBJECT: 698 LEEK ROAD, ROBERTS CREEK – COVENANT AMENDMENT

RECOMMENDATION(S)

THAT the report titled 698 Leek Road, Roberts Creek – Covenant Amendment be received;

AND THAT the delegated authorities be authorized to amend the covenant made under Section 219 of the *Land Title Act* for 698 Leek Road, Roberts Creek by deleting Section 3:

“The Transferor shall set aside a portion or portions of the Lands totaling 3,000 square meters which shall be maintained available or used solely for farming-related purposes, and which may include construction and use of greenhouses.”

BACKGROUND

A covenant under Section 219 of the *Land Title Act* between the SCRD and the owner of 698 Leek Road was entered into and registered on the title of the subject property in 2015. The covenant was subsequently modified in 2018.

Modifications made in 2018 were amending Section 3 and deleting Section 4. The intent of Section 3 of the covenant is to reserve a 3,000 m² area of Lot 12 for the exclusive use of agriculture. The original covenant and the modified covenant are provided in Attachments A and B.

This covenant was a condition for adopting Zoning Amendment Bylaw No. 310.145 to change the Subdivision District from G (minimum parcel size 1.75 ha) to F (minimum parcel size 1 ha) to allow subdivision of the parent parcel into two parcels: 706 Leek Road (Lot 13) and 698 Leek Road (Lot 12), as illustrated in Figure 1.

The owner of the property is requesting the removal of Section 3 from the covenant because he believes that it does not serve the purpose of promoting agriculture or present a community benefit, the soil and topography of the property are unsuitable for productive agriculture, it restricts planning and development for other permitted uses on the property, and the covenant was unfairly imposed on this subdivision while other similar subdivisions in the Agricultural Land Reserve (ALR) were exempt from such a covenant.

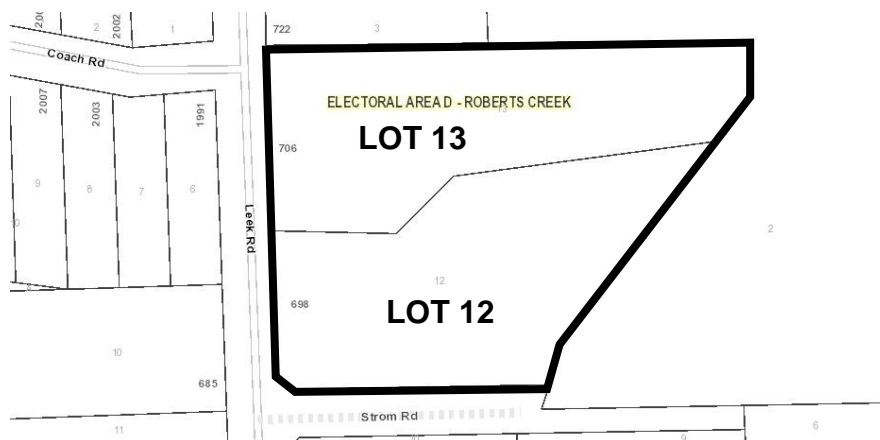


Figure 1 Subdivision Plan

DISCUSSION

Both parcels are within the ALR and are zoned Agriculture under Zoning Bylaw No. 310. While the primary intent of the ALR is to preserve an agricultural land base for present and future use, farming is not mandated to be carried out on properties within the ALR. Regulations of the Agricultural Land Commission (ALC) and the zoning bylaw permit agriculture as the primary use on these parcels, and limit residential and other auxiliary uses.

Under current regulations, residential uses on these parcels are limited to one single family dwelling plus one manufactured home for the owner's immediate family members or farm workers, or one auxiliary dwelling; and residential and auxiliary buildings are limited to 10% of parcel coverage. Based on the parcel size of 1.12 ha, 90% (10,080 m²) of the parcel can be made available for farming use. Therefore reserving 3000 m² (27%) of the parcel for farming use has no apparent advantage in promoting or protecting agricultural use on the property.

The ALC approved the subdivision of these parcels in 2012 with no conditions similar to the covenant imposed. Currently there is no SCRD policy which guides the terms of this type of covenant related to farm use restrictions. The SCRD does not have a practice of establishing this type of covenant and has not imposed such covenants on other subdivision or planning applications within the ALR. Imposing such a covenant on the subject parcel appears to be inconsistent with ALC and SCRD standard procedures. The amendment will not have any negative impact on agriculture. As it is a purely administrative matter this issue was not referred to the Agricultural Advisory Committee.

If directed by the Board, staff would coordinate amendment of the covenant with the owner. Registration costs will be borne by the owner.

CONCLUSION

Upon request from the property owner, staff have reviewed the covenant registered on the subject property in light of SCRD bylaws and policies and ALC regulations, and conclude that Section 3 of the covenant with respect to the reservation of 3000 m² of the parcel for exclusive farm use is unnecessary and has no apparent benefit for promoting agriculture on the property.

Based on the above analysis, staff recommend the delegated authorities be authorized to amend the covenant by deleting Section 3.

ATTACHMENTS

Attachment A – Covenant CA4317610 registered in 2015

Attachment B – Covenant Modification CA7124757 registered in 2018

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

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 8 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

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

RUSSELL F. CRUM LAW OFFICE

BARRISTER & SOLICITOR

604.886.0004

938 GIBSONS WAY, UNIT 100

GIBSONS

BC V0N 1V7

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
 [PID] [LEGAL DESCRIPTION]

NO PID NMBR LOT 12 BLOCK E DISTRICT LOT 905 GROUP 1 NWD PLAN EPP47776

STC? YES

Related Plan Number: **EPP47776**

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

Section 219

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

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SUNSHINE COAST REGIONAL DISTRICT

1975 FIELD ROAD

SECHLT

V0N 3A1

BRITISH COLUMBIA

CANADA

Incorporation No

1975

7. ADDITIONAL OR MODIFIED TERMS:

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.

Officer Signature(s)

ATHENA A. McLASH

Barrister & Solicitor

938 Gibsons Way, Unit 100

Gibsons, BC V0N 1V7

Execution Date		
Y	M	D
15	01	15

Transferor(s) Signature(s)

OFFICER CERTIFICATION:

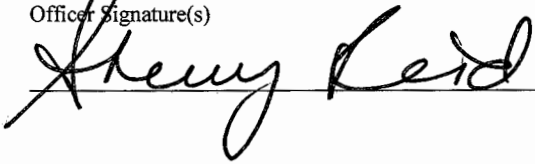
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution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

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

PAGE 2 of 8 pages

Officer Signature(s)



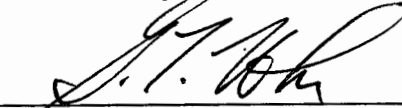
Sherry Reid,
A Commissioner for taking
Affidavits for British Columbia
1975 Field Road
Sechelt, B.C. V0N 3A1
604-885-6813

as to both signatures

Execution Date

Y	M	D
15	02 04	13

Transferor / Borrower / Party Signature(s)

SUNSHINE COAST REGIONAL
DISTRICT by its authorized signatory:

GARRY NOHR, CHAIR



ANGIE LEGAULT, CORPORATE OFFICER

This is an instrument required by the
Approving Officer for subdivision Plan
EPP47776 creating the condition or
covenant entered into under s.219 of
the Land Title Act

Approving Officer

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.

PART 2 - TERMS OF INSTRUMENT

RESTRICTIVE COVENANT
(Section 219 of the Land Title Act)

THIS AGREEMENT dated 15 day of January 2015.

BETWEEN:

[REDACTED]
[REDACTED]
[REDACTED]

(hereinafter called the "Transferor")

AND:

SUNSHINE COAST REGIONAL DISTRICT
1975 Field Road
Sechelt, BC
V0N 3A1

(hereinafter called the "Regional District")

WHEREAS

- A. The Transferor is the registered owner in fee-simple of the following lands in the Province of British Columbia, more particularly described as:

North Shore – Squamish Valley Assessment Area, Province of British Columbia and more particularly described as:

PID

Lot 12, Block E, District Lot 905, Group 1 NWD Plan EPP47776

(hereinafter referred to as "Lot 12" or the "Lands" as the context requires);

- B. Section 219 of the Land Title Act provides that there may be registered as a charge against the title to any land a covenant in favour of the Regional District that the land is to be used in a particular manner in accordance with the covenant;
- C. In connection with an application to subdivide the lands creating the Lands, the Transferor wishes to voluntarily grant this Section 219 Covenant to restrict the use and development of the Lands.

NOW THEREFORE THIS COVENANT WITNESSES and in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada and other good and valuable consideration paid by the Regional District to the Transferor (the receipt and sufficiency of which is acknowledged) the Transferor does hereby covenant and agree with the Regional District under Section 219 of the Land Title Act of the

Province of British Columbia as follows:

TRANSFEROR COVENANTS

1. The Transferor, on behalf of itself and its heirs, successors and assigns, hereby covenants and agrees as hereinafter set out with the Regional District, as a covenant in favour of the Regional District pursuant to Section 219 of the Land Title Act, it being the intention and agreement of the Transferor that the provisions hereof be annexed to and run with and be a charge upon the Lands as hereinafter set out, that the Lands shall not be developed or used except in substantial compliance with the terms of this covenant.
2. No trees will be removed from the Lands except for those trees that are, in the opinion of the SCRD acting reasonably:
 - a. Hazardous;
 - b. Required to be removed to permit farming on the Lands; or
 - c. Required for the construction of a new dwelling and associated septic disposal system.
3. The Transferor sets aside the 3000 square metre area outlined in black in the reference plan dated December 7, 2014 prepared by Larry Penonzek, BCLS, a reduced copy of which is attached as Schedule A hereto, such area to be used solely for farming related purposes, which may include construction and use of a greenhouse or greenhouses (the "Agricultural Area"):
4. The Transferor agrees with the following terms and conditions regarding the use of the Lands and the Agricultural Area:
 - a. the Transferor, at the request of the SCRD, has posted security in the total amount of \$20,000 with the SCRD to secure the obligations of this Covenant (the "Security Amount");
 - b. the sum of \$5000 of the Security Amount is posted to secure the Transferor's obligation to commence farming operations (the Farming Operations Security") and achieve the following Milestones within 2 years of the creation of Lot 12 by subdivision:
 - i. three areas, each 1/4 acre in size, for a total of 3/4 acre or 3000square metres (the "Farmed Areas") will be developed for farm use within 2 years of the date of creation of Lot 12 by subdivision with the assistance of, or in partnership with, a local person with farming knowledge;
 - ii. the Farmed Areas will be used solely for agricultural purposes as they are developed;
 - iii. the Farmed Areas will be fenced as may be required for protection; and,
 - iv. an annual report will be delivered to the SCRD detailing the progress, status, and results of the farming of the Farmed Areas.
 - c. the sum of \$15,000 of the Security Amount is posted to secure the Transferor's obligation to obtain farm class status from the BC Assessment Authority as soon as is reasonably practical after the creation of Lot 12 by subdivision (estimated to take 5 years to achieve) and to maintain such farm class status for a continuous period of at least 3 years (the Farm Class Status Security");

- d. the Farming Operations Security will be released upon the delivery of a report to the SCRD, in form and content reasonably satisfactory to the SCRD, acknowledging that the required Milestones have been successfully achieved within the required 2 year time frame; otherwise the Farming Operations Security will be forfeited to the SCRD to be used for farm related projects within the Roberts Creek Electoral Area of the SCRD (the "RCEA");
- e. the Farm Class Status Security (less \$2500, which will be retained by the SCRD and applied to farm related projects in the RCEA), will be released if the Transferor achieves and maintains the farm class status requirement set out in sub-paragraph d above; otherwise the Farm Class Status Security will be forfeited to the SCRD to be used for farm related projects within the RCEA;

GENERAL

- 5. The Transferor and the Regional District agree that the enforcement of this Agreement shall be entirely within the discretion of the Regional District and that the execution and registration of this covenant against the title to the Lands shall not be interpreted as creating any duty on the part of the Regional District to the Transferor or to any other person to enforce any provision or the breach of any provision of this Agreement.
- 6. Nothing contained or implied herein shall prejudice or affect the rights and powers of the Regional District in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Lands as if the Agreement had not been executed and delivered by the Transferor.
- 7. The Transferor hereby releases and forever discharges the Regional District, its officers and employees, agents and elected officials from any claims, causes of action, suits, demands, losses, expenses, costs and legal fees whatsoever which the Transferor can or may have against the Regional District for any loss or damage or injury that the Transferor may sustain or suffer arising out of this Agreement or enforcement of same.
- 8. The Transferor covenants and agrees to indemnify and save harmless the Regional District, its officers and employees, agents and elected officials from any and all claims, causes of action, suits, demands, losses, expenses, costs and legal fees whatsoever, howsoever or whenever arising, brought by any person that arises out of the granting of this Agreement or the enforcement of same.
- 9. It is mutually understood, acknowledged and agreed by the parties hereto that the Regional District has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.
- 10. The Transferor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.
- 11. The Transferor shall pay the legal fees of the Regional District in connection with the preparation and registration of this Agreement.

12. The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions herein before set out and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands.
13. The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall be registered in the Lower Mainland Land Title Office pursuant to Section 219 of the Land Title Act as covenants in favour of the Regional District and as a first charge against the title to the Lands.
14. This Agreement shall enure to the benefit of the Regional District and shall be binding upon the Transferor, his heirs, administrators, executors, successors and assigns.
15. Wherever the expressions "Transferor" and "Regional District" are used herein, the same shall be construed as meaning the plural, feminine or body corporate or politic where the context of the parties so require and the rest of the sentence shall be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

IN WITNESS WHEREOF the parties hereto hereby acknowledge that this Agreement has been duly executed and delivered by the Transferor executing Form C (page 1) attached hereto.

END OF DOCUMENT

SCHEDULE 'A'

SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 2 PAGES

By incorporating your electronic signature into this form you are also incorporating your electronic signature into the attached plan and you

(a) represent that you are a subscriber and that you have incorporated your electronic signature to the attached electronic plan in accordance with section 168.73 (3) of the Land Title Act, RSBC 1996 c.250; and

(b) certify the matters set out in section 168.73 (4) of the Land Title Act. Each term used in this representation and certification is to be given the meaning ascribed to it in part 10.1 of the Land Title Act.

Lawrence
Penonzek
P38TNL

Digitally signed by Lawrence
Penonzek P38TNL
DN: c=CA, cn=Lawrence Penonzek
P38TNL, o=BC Land Surveyor,
ou=Verify ID at www.juricert.com/
LKUP.cfm?id=P38TNL
Date: 2014.12.26 15:22:23 -08'00'

1. BC LAND SURVEYOR: (Name, address, phone number)

Lawrence W Penonzek

Box 505

634 Farnham Road

Gibsons

BC V0N 1V0

Ph 604 886 2531

☐ Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: 141-963-6144

Plan Number: EPP47778

This original plan number assignment was done under Commission #: 614

3. CERTIFICATION:

☒ Form 9 ☐ Explanatory Plan ☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on: 2014 December 07 (YYYY/Month/DD) The checklist was filed under ECR#: 169190
The plan was completed and checked on: 2014 December 18 (YYYY/Month/DD)

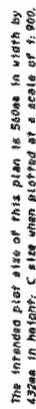
☒ None ☐ Strata Form S

☒ None ☐ Strata Form U1 ☐ Strata Form U1/U2
Arterial Highway ☐4. ALTERATION: ☐

PLAN EPP47778

FOR COVENANT PURPOSES

BCGS 92G, 043



This plan shows horizontal ground-level distances unless otherwise specified to compute grid distances, multiply ground-level distances by the average combined factor of 0.9960023 which has been determined from a mean all-terrain sievier of 66.7 metres.

LEGEND

[illegible]

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The field survey represented by this plan was completed on the 29th day of December, 2014.
Lawrence W. Denonish, MCLE #16.

Beentek Land Surveying Ltd.

ЛАСКОВ, М. РЕНЕЖАНК

O.C. Lead Surveyor
Rev. Eric Gibbons B.C.

Box 522, 61208, M...
VON 1 VO 606-886-2537
1552-988-201 NOL

This plan lies within the Sabine Coalfield District.

1034422 - 1406

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

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

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

029-536-910

LOT 12, BLOCK E, DISTRICT LOT 905, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN EPP47776

STC? YES ☐

3. NATURE OF INTEREST

Modification

CHARGE NO.

CA4317610

ADDITIONAL INFORMATION

of Section 219 Covenant

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

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SUNSHINE COAST REGIONAL DISTRICT

1975 FIELD ROAD

SECHLT

BRITISH COLUMBIA

V0N 3A1

CANADA

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.

Officer Signature(s)

Transferor(s) Signature(s)

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

Name and Title: ANGIE LEGAULT, CORPORATE OFFICE

Name and Title:

Sherry Reid,
A Commissioner for taking
Affidavits for British Columbia
1975 Field Road
Sechelt, B.C. V0N 3A1
604-885-6813


Execution Date		
Y	M	D
18	10	11

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.

Officer Signature(s)

Continued

Signature: 

Execution Date

Transferor / Borrower / Party Signature(s)

Y	M	D
18	10	04

RUSSELL F. CRUM
Barrister & Solicitor
938 GIBSONS WAY, UNIT 100
GIBSONS, BC, V0N 1V7
604-886-0004

[REDACTED]

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.

THIS AGREEMENT dated the day of , 2018.

BETWEEN:

[REDACTED]

(the "Transferor")

AND:

SUNSHINE COAST REGIONAL DISTRICT
1975 Field Road
Sechelt, BC
V0N 3A1

(the "Regional District ")

WHEREAS the Transferor is the registered owner of the Lands defined herein;

AND WHEREAS the Transferor granted to the Regional District Section 219 Covenant No. CA4317610 (hereafter, the "Covenant");

AND WHEREAS the parties wish to modify the Covenant in accordance with this Agreement;

NOW THEREFORE in consideration of the premises, of the sum of TEN DOLLARS (\$10.00) receipt and sufficiency of which from the Regional District is hereby acknowledged by the Transferor, and other good and valuable consideration, THE PARTIES AGREE AS FOLLOWS:

1. The Covenant shall be amended by:
 - (a) deleting section 3 and replacing same with: "The Transferor shall set aside a portion or portions of the Lands totalling 3,000 square metres which shall be maintained available or used solely for farming-related purposes, and which may include construction and use of greenhouses." ; and
 - (b) deleting Section 4.
2. The parties confirm that all other terms and conditions of the Covenant remain unchanged and continue to be binding and enforceable obligations of each of the parties.
3. This Agreement enures to the benefit of and is binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereby acknowledge that this agreement has been duly executed and delivered by executing the Form C attached hereto

END OF DOCUMENT

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

AUTHOR: Graeme Donn – Manager, Recreation Services

SUBJECT: GIBSONS AND DISTRICT AQUATIC FACILITY (GDAF) RE-OPENING

RECOMMENDATION(S)

THAT the report titled **Gibsons and District Aquatic Facility (GDAF) Re-opening** be received;

AND THAT staff proceed with the “Accelerated Restart Option” that would see GDAF restart as soon as possible with modified hours/services;

AND THAT the offer of donation of up to \$5,000 from the Town of Gibsons in support of GDAF restart capital costs be accepted;

AND THAT the 2020-2024 Financial Plan be amended accordingly;

AND FURTHER THAT this recommendation be forwarded to the Regular Board meeting of November 12, 2020.

BACKGROUND

The SCRD Board adopted the following resolution on July 30, 2020:

285/20	<u>Recommendation No. 9</u>	<i>Community Recreation Facilities [615] Budget Implications</i>
--------	------------------------------------	------------------------------------------------------------------

AND THAT the Community Recreation Facilities be restarted as follows:

- Gibsons and Area Community Centre be re-opened at Service Level Two (full opening during the pandemic) effective September through December 2020, while meeting all health and safety guidelines and with limited instructor-led programming;
- Sunshine Coast Arena be re-opened for dry-floor use only September through December 2020, while meeting all health and safety guidelines;
- Gibsons and District Aquatic Facility remain closed (Service Level Zero) through to the end of 2020;

AND FURTHER THAT staff communicate implications and seek public feedback on opening options.

Specific to the Gibsons and District Aquatic Facility (GDAF), the staff report preceding determination of the Recreation restart plan by the Board noted that staff would “evaluate demand at SAC and provide a further recommendation [relating to reopening of GDAF] in late Q3/early Q4.”

Since receiving Board direction in July, staff have worked on a slow, steady and careful approach to restart, following all provincial health orders and guidance. Every effort to manage operating costs has been made in an effort to mitigate the anticipated Recreation Facilities [615] deficit. Extensive public feedback has been received, almost entirely in support of restarting GDAF as soon as possible.

This report provides an update on Recreation restart and provides options for reopening of GDAF.

DISCUSSION

“The New Normal” for Recreation Facilities in BC

Taking into account the Province’s Restart Plan, provincial guidelines from the BC Recreation and Parks Association, ViaSport and the Lifesaving Society, programming options for public recreation facilities in BC in late 2020 are:

1. To reduce physical contact there will be no drop-in use, advanced registration only.
2. Capacity is reduced based on square footage of each space.
3. Changerooms, pool and hot tub open with occupancy limits.
4. Participants will be expected to follow COVID-19 Health Authority protocols:
 - Effective hand hygiene
 - Proper respiratory etiquette
 - Physical distancing (2m)
 - If you are sick do not enter the premises

Implementing these measures in SCRD Recreation facilities has required development of new registration systems, new cleaning protocols (with training, new supplies), new signage and building traffic flow patterns, new staff schedules, programming reviews to map/assess compliance ability, and documentation of all plans and procedures. A review of all of the foregoing is required when any of the federal or provincial sets of guidelines change, or when a new Provincial Health Order is issued. The patience, cooperation and constructive feedback from patrons has been appreciated and has helped with refining systems. Advice from VCH has also been helpful.

Similar exercises are going on in recreation facilities all over BC.

At the present time there have been no cases of COVID-19 exposure associated with SCRD Recreation Facilities reported to SCRD by Health Authorities.

Considerations for Restart of GDAF:

Consideration for restarted operations include:

- Demand: Based on the experience of reopening other facilities customer comfort level, pre-registration and other safety protocols are expected to impact the use of the facility. Despite of this added complexity, demand for aquatic recreation on the Sunshine Coast has been steady and increasing since restart began. Currently 95-100% of intakes from Saturday-Sunday at SAC remain at full capacity (which is reduced from pre-COVID capacity limits) each week. Aquatic Fitness classes are also at full capacity weekly at SAC. Public feedback about GDAF restart indicates there is demand in Gibsons that is specific to Gibsons and is additional to that being seen at SAC and PHAFC. Travel distance to SAC/PHAFC remains a barrier. Addition of Special Olympics and Chinook Swim Club Rentals in the new year at SAC will further impact (reduce) public access at SCRD aquatic facilities.
- For reference, 2019 GDAF Admissions were:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Total
1,170	1,564	1,638	1,632	1,768	1,962	268	979	1,487	1,736	1,774	1,436	17,414

There were 5,938 Aquatic Fitness attendees within the 17,414 GDAF visits in 2019. Not included in the above visits are the 285 participants who registered in swim lessons in 2019 at GDAF.

- Staffing: There are several staffing challenges and considerations that will impact the timing of reopening GDAF. These include, but are not limited to, resignations from several Aquatic staff that are not able to return to the workforce during COVID-19, fewer trained Aquatic Fitness instructors available and multiple part-time staff that vacated their positions to attend post-secondary education.

As of the most recent seniority list, in terms of staff who may be available to support both the Sechelt Aquatic Centre (SAC) and the Gibsons and District Aquatic Facility (GDAF), we currently employ:

- 6 regular, full-time Lifeguards, and 1 temporary full-time,
- 2 regular, part-time Lifeguards, and 1 temporary part-time,
- 25 casual Lifeguards (with a variety of availability restrictions, e.g. attending secondary or post-secondary education; childcare responsibilities)

Some staffing challenges are directly resulting from COVID-19 and market factors (as is being seen in other sectors as well) and follows a regular cycle and is typical of the sector/industry. Staff have initiated recruitment in anticipation of an assumed GDAF January 2021 restart and continued progress on restart at other recreation facilities. If GDAF restart was to proceed sooner than January 2021, modified hours (reduced at GDAF and/or reduced at SAC to redeploy staff) would be required.

- **Occupancy Level:** Occupancy will be limited based on maximum numbers permitted in the pool and changerooms. Combined GDAF changeroom capacity is 17 however, up to 24 participants could be admitted depending on the pool activity. Hot tub capacity is anticipated to be limited to 2 (to be confirmed). Maximum daily visitors would be 144 patrons, based on 6 scheduled intakes.
- **Programming Level:** In keeping with the phased approach to restart, staff believe that Lane Swimming & Aquafit (2x week) can be reintroduced in time with GDAF reopening in January, with facility hours of 6:30 a.m. to 1:15 p.m. Monday to Friday. Additional hours of service, Aquatic Fitness classes and Swimming Lessons to be introduced at a later date subject to staffing levels/recruitment success. Modified schedules/programming levels are in place at all facilities.
- **Facility Set-Up:** A protective barrier will be required at the reception counter. Materials required are anticipated to cost approximately \$1,500. The Town of Gibsons has offered to support these costs up to \$5,000 as an assist to restart; staff can pursue this offer and appreciate the gesture of cooperation. A range of signage and building traffic flow changes need to be designed and prepared prior to restart. Sourcing of some materials, such as plexiglass, continues to involve multi-week lead times. Total lead time of 4-6 weeks is suggested.
- **Uncertainty:** The second wave of COVID could lead to new health orders or protocols to be implemented. At the extreme, these could mandate closure of public recreation facilities as has happened recently in Manitoba. Conversely, continued progress on restart could lead to easing of protocols though this seems unlikely to have a material impact in late 2020 based on provincial restart timelines.

Analysis

It is clear that demand exists for aquatic recreation in Gibsons. Occupancy levels and to some extent programming service level is driven by guidelines and orders imposed on SCRD.

Logistical factors influencing restart include staffing and facility set-up. Action on these areas is underway in preparation for an assumed January 2021 restart at GDAF. A guaranteed restart date sooner than January 2021 would require modified / reduced schedules at GDAF and other SCRD aquatic recreation facilities.

Financial Analysis – Restart of GDAF

Within the Corporate Variance Report provided at the October 1, 2020 Corporate and Administrative Services Committee, Community Recreation Services is showing a surplus of \$28,947 up to September 30, 2020. A year-end deficit of \$835,000 was projected in July based on increased operating costs and continued lower-than-expected revenues. Staff continue to work to mitigate a deficit.

A projection of the financial cost for restarting GDAF versus maintaining the facility in a safe, secure closed condition needs to be heavily qualified: factors affecting demand, revenue and expenses are extremely dynamic. Costs for staffing are dependent on hours of service offered (which is itself dependent on recruitment/training success). Whether new revenue is seen

depends on facility-specific demand (e.g. if patrons have a MyPass, or are currently travelling to SAC, their visit to GDAF will not generate any new system revenue).

Currently, approximately \$10,000 is budgeted to maintain GDAF in a closed state for November and December (about \$1,150/week).

Staff estimate approximately \$7,500 will be required to install barriers, additional controls and to purchase required PPE for Staff. Water testing at GDAF prior to opening, as recommended by VCH, is estimated at \$1,500.

A qualified estimate of the *incremental net cost per week* to restart is \$5,000 (note: in July staff reports a range equating to \$4,300 to \$4,900 was reported to the Board; current occupancy limits and safety/cleaning protocols were not known at that time). Thus, assuming demand/revenue is realized, an early December opening would result in an increase to the projected year end Community Recreation Facilities [615] deficit of \$22,500.

Some public input received suggests this figure could be considered an investment in community well-being, including mental health and job creation.

A further qualification on this analysis is that if staff are redeployed from other facilities the aggregate of facility-level financial implications would need to be considered.

Options

1. **Status Quo/Current Board Direction:** staff are working diligently toward an early January 2021 restart of GDAF based on direction provided by the Board.
2. **Accelerated Restart Plan:** the Board could direct that GDAF be restarted as soon as possible, recognizing that recruitment and facility set-up timelines are such that ASAP may be January 2021. An earlier-than-January restart could increase the projected year-end deficit by up to \$22,500. Community support with recruitment (see related action below), accepting the offer of support from Town of Gibsons and help from material suppliers could all make an earlier-than-January restart more likely and reduce year-end financial impacts.
Staff recommend this option.
3. **Target an early December GDAF restart, with resources redistributed between SAC, PHAFC and GDAF:** this approach would see potential service level reductions at SAC or PHAFC to support an increase in service at GDAF. Staff have not fully analyzed the financial implications of scenarios attached to this option (of which there are many); an increase to the year-end deficit is anticipated, potentially in excess of \$22,500. The separate service for PHAFC could also be impacted. This option risks losing momentum with rebuilding patronage at SAC and PHAFC.

Related actions:

Community assistance with recruitment of lifeguards and aquatic fitness instructors is appreciated and invited. If community members know someone with past or related experience or interest in beginning work in aquatic recreation their help in connecting those persons to employment opportunities will assist with any of the options referenced.

Organizational and Intergovernmental Implications

Organizational Impacts

SCRD recreation services rely on trained, qualified staff. Recruitment success is integral to determining service levels. A considerable amount of training and equipment (mainly PPE) will be required to meet new safety standards. There are lead times associated with some required supplies, such as plexiglass. Staff have initiated work on all pieces required for restart in January.

The work associated with recreation restart since July 2020 has been immense. Nearly every system in our facilities has been touched in some way by guidelines and orders related to COVID-19. Staff have proceeded with extreme attention to detail, careful coordination with Health Authorities and national/provincial recreation regulations and on pace with other operators in BC.

Intergovernmental Impacts

The Town of Gibsons has expressed a desire to see GDAF restarted as soon as possible. The Town has offered to assist with capital costs associated with facility barriers/changes needed to meet COVID-19 protocols.

Timeline for next steps or estimated completion date

Hiring and training additional Aquatics Staff to operate GDAF in 2021 is a variable that remains constant and undetermined.

If directed to re-open GDAF, it would take approximately 4-8 weeks to implement. Exact opening dates would be subject to staff availability and timelines for barrier and control installation.

Safety plans and other required documents will also need to be created or updated to reflect the most recent guidance/orders ahead of reopening. Significant staff training will also be required prior to reopening.

Testing of water lines/systems should occur at GDAF prior to reopening (VCH Public Health Officer recommendation). It can take 3-4 weeks to receive results.

Communications Strategy

Information and updates on Recreation Restart are posted to the SCRD website, social media and various advertising streams.

STRATEGIC PLAN AND RELATED POLICIES

N/A – operational matter

CONCLUSION

Based on demand seen at SAC and expressed through public feedback, there is demand for aquatic recreation at GDAF. Work is underway to build staffing and ensure facility set-up is ready for an assumed January 2021 restart at GDAF.

Option to accelerate restart (subject to recruitment success) or to rebalance service levels across facilities exist. These options are anticipated to result in a larger year end deficit for the Community Recreation Facilities [615] service.

SCRD continues to follow all guidance and orders from Health Authorities and national/provincial recreation regulators.

Reviewed by:			
Manager		Finance	X – A. Taylor
GM	X – I. Hall	Legislative	
CAO	X – D. McKinley	Other	

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

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

SUBJECT: COOPERS GREEN HALL PUBLIC CONSULTATION PROCESS

RECOMMENDATION(S)

THAT the report titled Coopers Green Hall Public Consultation Process be received;

AND THAT staff proceed with public participation activities as described in this report, engaging the services of Principle Architecture through an amended contract;

AND FURTHER THAT results be reported to a future Committee prior to Round 2 of the 2021 Budget process.

BACKGROUND

The SCRD Board adopted the following resolution on July 30, 2020:

286/20 **Recommendation No. 16** *Coopers Green Hall Next Steps*

THAT staff consult with Area B community residents, regarding the proposed new hall's location and siting and the proposed scope of the project relative to the Coopers Green Park Management Plan, taking into account the Coopers Green boat ramp, and report back to a future Committee;

AND THAT staff report to a future Committee on the resources required to proceed with consultation regarding a proposed new hall;

AND FURTHER THAT the potential of a cooperative arrangement with the Halfmoon Bay Community Association in regards to the operation of a hall be explored, with results reported to a future Committee.

Staff have proceeded with the work of clauses 2 and 3 above and are reporting back, as directed.

DISCUSSION

Public Participation – Location/Siting and Scope

Public participation analysis reveals several considerations that bear on next steps. Key findings are:

- There is a range of stakeholders touched by this project in different ways: current/prospective hall users (including the Halfmoon Bay Community Association, a partner in the project) will be deeply impacted; park users, including users of the adjacent boat ramp will be somewhat impacted; Halfmoon Bay residents will be somewhat impacted; all rural taxpayers participate in the Parks service and will be impacted if tax funding is used to support the project.
- Development constraints associated with Coopers Green Park (and other prospective sites) add nuance and complexity to questions of *what building?* and *where?* Constraints/considerations include flood construction level, riparian areas, archaeological protection, building code, zoning, etc. A relatively high degree of planning and development knowledge will be required to offer impactful input into next steps. Analysis of many of these factors was undertaken in 2018/2019 (see Attachment A). Updates may be required. The ICIP grant approval carries additional constraints related to location (must be in Halfmoon Bay) and, at a high level, scope.
- The project has a history (and the community's contribution to it is acknowledged). It has been some time (two-plus years) since plans were looked at. The opportunity of grant funding, new information gained, and a new planning context mean that a fresh look can help ensure the maximum value is gained for the community from the opportunity. In engaging with project consultants staff have learned that Bowen Island Municipality underwent a similar review for an ICIP-funded community space project, with positive results.

Based on these considerations, staff recommend an approach that:

1. **Reaches all stakeholders:** a (virtual) public presentation (videotaped) and follow up questionnaire can be delivered that reach all stakeholders, fits with health orders and be time-flexible and weather-resilient.
2. **Compares defined scenarios/options:** seeks to gather information, in terms of preference/priority, between a number of defined options. By defining the options, basic feasibility of concepts can be assured and shown graphically. Constraints affecting the project can be communicated through the options to build knowledge. Even with defined options, remaining open to/capturing ideas outside of those options can (and should) be built in to the public participation approach.

Scenarios to explore:

1. Project as currently designed.
2. Relocate project closer to Redroofs Road in Coopers Green Park (only other feasible location within the park identified to date).

3. Relocate project to Halfmoon Bay Elementary School/Connor Park area; optionally also establishing an open-air pavilion in Coopers Green Park. This option could look at joint use possibilities.
 4. Reducing the scope of the project to limit tax-based support required; could include a phased approach.
 5. Renovate the existing hall.
3. **Leverages existing project knowledge:** continuing to engage with the project design consultant, Principle Architecture, will provide an efficient way forward and assist with continuity. The Community Task Force involved earlier in the project has been disbanded. Former members can be invited to promote the public participation opportunity and draw their networks into the process.

Cooperative Arrangement for Hall Operations

Staff met with representatives of the Halfmoon Bay Community Association on September 3, 2020. The Association confirmed its interest and willingness to explore a cooperative arrangement for operating a future community hall (see letter as Attachment B).

SCRD has a range of agreements for operations of community facilities including Sarah Wray Hall (maintained and operated by Pender Harbour Living Heritage Society) and Pender Harbour Ranger Station (maintained in part and operated by tenant organizations). A different approach, created through a capital contribution and minor ongoing funding is in place at Roberts Creek Elementary School (community room funded by SCRD and operated by SD46).

Once a hall project is confirmed, an agreement that works for both parties and benefits the community can be prepared. Any such agreement needs to address public access, insurance/liability and financial responsibility.

Organizational and Intergovernmental Implications

Coordination and administration of the public participation project will require some staff resources. There are a number of Parks planning projects underway (to identify only a few: asset management planning, parks management planning, Welcome Woods/Connor Park plan, Lower Road/Ocean Beach Esplanade connector trail) and COVID-19 restart planning continues to demand staff attention as health orders/guidance change. The late 2020 and 2021 workplans are essentially full.

Involvement from Planning, Building and Protective Services staff will be sought as part of creating scenarios. Staff made a preliminary check with SD46 staff about comfort level to look at a scenario involving SD46 (or SD46-adjacent) lands at Halfmoon Bay Elementary School, which received a positive response. SD46 would be involved in creating such a scenario.

The shishalh Nation has been an active and valued partner in planning for Coopers Green Hall. Further input from the Nation will be invited as part of next steps. Regardless of site/location and scope, a new Hall remains an opportunity for cultural celebration, interpretation and protection. In considering potential new sites additional archaeological investigation/cultural resource protection planning must be/will be considered.

Opportunities to include childcare space in scenarios could be explored (this would be new scope or a separate project). Staff would make contact with appropriate Ministry staff to gather information.

Financial Implications

Public Participation

Following Board direction, staff would work with Principle Architecture to confirm a scope of work and agreement for work. The Coopers Green Hall design projects has adequate remaining budget available (\$57,000) for the type of planning/design/public participation work contemplated. Principle was selected to provide design services through a competitive bid process (RFP 17 295). A contract amendment would be required to formalize the change in scope.

However, the total contract for design services will need to be reviewed in light of next steps. Even if the project proceeds “as-is” additional costs will be incurred based on new work required to update plans currently developed to reflect the 2018 BC Building Code. A revised scope or new location would require additional design resources.

Planning and design costs of up to \$52,500 were identified in the ICIP grant application; subject to grant rules (and caps) the public participation work considered in this report is an eligible grant expense if the project proceeds to construction.

Staff will report back on public participation and design costs as part of ongoing project reporting.

Cooperative Arrangement for Operation

Financial implications for the future management/operation agreement are unknown at the current time. Analysis can be prepared once a project is defined and agreement scoped. Board direction and approval will be required to finalize any agreement.

Timeline for next steps or estimated completion date

On Board direction, staff would proceed with next steps in time for results to feed into the 2021 Annual Budget prior to Round 2 Budget deliberations in early March 2021.

Communications Strategy

This report was shared with shishalh Nation, SD46, and Halfmoon Bay Community Association on publication.

Following Board direction on next steps, a communication plan for public participation will be implemented.

STRATEGIC PLAN AND RELATED POLICIES

The work described in this report aligns with the Strategic Priority around **Engagement and Communications**.

CONCLUSION

Based on public participation analysis, staff recommend a public participation approach that reaches all stakeholders, involves defined scenarios/options while also capturing feedback outside the scenarios, and leverages existing project knowledge.

Proceeding with public participation this winter should allow results to be provided to a future Committee at/before Round 2 of the annual budget process.

The Halfmoon Bay Community Association confirms their interest in a cooperative approach to operating a future hall. Specifics can be explored once the nature of a new hall is known.

ATTACHMENTS

Attachment A – Staff report of September 27, 2018 detailing background on planning process

Attachment B – Letter from Halfmoon Bay Community Association – September 3, 2020

Reviewed by:			
Manager	X - K. Robinson	CFO/Finance	X - T. Perreault
GM		Legislative	
CAO	X - D. McKinley	Purchasing	X - V. Cropp

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Corporate and Administrative Services Committee – September 27, 2018

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

SUBJECT: COOPERS GREEN HALL REPLACEMENT DESIGN – MID-PROJECT UPDATE

RECOMMENDATIONS

THAT the report titled Coopers Green Hall Replacement Design – Mid-Project Update be received;

AND THAT the Coopers Green Hall Replacement Design Task Force be acknowledged and thanked for their service to the community and the Sunshine Coast Regional District;

AND THAT the project budget be amended from \$115,000 to \$127,000 funded from Gas Tax Agreement - Community Works Fund (Area B – Halfmoon Bay);

AND THAT the 2018-2022 Financial Plan be updated accordingly;

AND FURTHER THAT a capital funding plan for a replacement hall in Coopers Green Park be provided to a future Committee in support of an application to the *Investing in Canada Infrastructure Program*.

BACKGROUND

The Sunshine Coast Regional District (SCRD) is planning for the replacement of the community hall located in Coopers Green Park. The park is a key venue for community connection, recreation and social activity for the Halfmoon Bay area and draws visitors from the entire Sunshine Coast. Renewal of the hall is a priority item in the Coopers Green Park Management Plan.

Community consultations on hall replacement were held in winter 2016/2017. In summer 2017 a Coopers Green Hall Replacement Design Community Task Force (Task Force) was recruited through an open call and appointed by the Board. Principle Architecture was contracted as the design consultant.

The Task Force worked through the fall and winter of 2017/2018 and then hosted an open house in March 2018 to gather feedback from the community on a schematic design for a new hall.

More than 40 people attended the open house with a number of follow-up written comments received. This input was very helpful to the Task Force in terms of testing elements of the design. A Public Feedback Summary was prepared and posted on the project website – www.scrd.ca/Coopers-Green.

Based on open house feedback, the Task Force provided further direction to the project architect and the schematic design was revised and finalized. An updated construction cost estimate was also prepared. The schematic design was included in the Planning and Community Development Department Q2 Report.

The final meeting of the Task Force took place on September 19, 2018.

DISCUSSION

Project Next Steps

Principle Architecture is now proceeding with design development. This stage will include design of building systems including a new septic system and examining opportunities to manage construction and maintenance costs through smart design choices.

SCRD Parks will apply to the Board of Variance for relief from setbacks to enable the new hall to be sited in the same location as the current hall.

Dialogue will continue with the shíshálh Nation about opportunities to showcase and interpret the Nation's culture and heritage in the design of the new hall. SCRД values and has benefited from the participation of Director / Councilor Keith Julius as a member of the Task Force.

Task Force Progress

The Task Force composed of Board-appointed volunteers and operating per Board-approved terms of reference has provided valuable input and feedback through the design process. The Task Force met 9 times and hosted a public open house. Community members attended many of the Task Force meetings and were provided opportunities to ask questions or contribute ideas. Agendas and minutes were published on the Coopers Green Park webpage.

With the schematic design confirmed, staff recommend that the Task Force be concluded and members be acknowledged and thanked for their service.

Design Project Budget

The Coopers Green Hall Design project has an approved budget of \$115,000. Currently, \$35,989 has been expended, primarily on design fees and related professional services.

Based on work to date, staff anticipate that an additional \$12,000 will be required to complete the project. This is due to:

- Expenses related to geotechnical, archaeological and land survey exceeded anticipated costs
- Additional design consultant time required during the schematic design phase (107 hours, \$7,500)
- Preparation of an additional construction cost estimate (\$1,500).

Staff recommend that the project budget be amended to \$127,000, with the increase funded from Area B – Halfmoon Bay Gas Tax Agreement - Community Works Fund (CWF). If the project budget is amended, the 2018-2022 Financial Plan will be updated accordingly.

Staff note that some minor costs associated with the next stage of the project such as variance application fee (\$1,000) are not eligible CWF expenses and will be funded as operating expenses.

Status of Construction Budget / Funding

In June 2018 a Class C (+/- 20%) estimate to construct the new hall in Coopers Green Park was \$1,895,000.

A capital budget for construction of a new hall has not been established.

Currently:

- The SCRD is holding \$207,859 in trust raised by the Halfmoon Bay Community Association (formerly the Welcome Beach Community Association) for the purpose of a new / improved hall. The agreement is supported by a Memorandum of Understanding (MOU) that facilitates continued cooperation on fundraising.
- There is a Bear Creek Independent Power Project community amenity contribution in the amount of \$137,046.
- A Narrows Inlet Independent Power Project community amenity contribution in the amount of \$10,000 has been received, along with a commitment to dialogue about a further contribution once project scope is confirmed.
- The Director for Electoral Area B, through Board resolution 209/17 No. 3, committed annual CWF funds to this capital project, at a level of \$100,000 per year for the years 2017, 2018 and 2019. Staff note that funds can be held for this project but, per CWF rules, can only be applied once an asset is being developed and expenditures are incurred.

Looking forward:

- The Community, Culture and Recreation stream of the Canada-BC *Investing in Canada Infrastructure Program* (ICIP) was recently announced and has a first intake deadline of January 23, 2019. This program provides a maximum of 73.33% of eligible project funding. Grant stacking rules apply; CWF would be considered a federal contribution and would not be able to be utilized as part of SCRD's funding contribution.

One of the key requirements of the ICIP grant program is that an applicant must be able to demonstrate that their share of project funding has been, or is being secured, and that a plan is in place to cover any cost overruns beyond budgeted contingencies. Staff recommend that a future report be brought forward with a capital funding plan for construction of the hall, in support of an application to the ICIP.

- As design development is completed, staff will develop a list of meaningful material donations that would assist with the project. SCRD has received indications of interest from a number of suppliers and are aware that the Halfmoon Bay Community Association has been contacted as well. The receipt of donations and gifts, including the issuance of income tax receipts, will be managed by the Finance Department in accordance with Canada Revenue Agency regulations and the SCRD's Donation Policy.

Financial Implications

Currently, Area B has \$213,226 of uncommitted funds in its CWF account available for projects in 2018. An additional \$127,635 will be received in 2019 of which \$100,000 has already been internally committed to this project.

Donations received will be managed in accordance with Canada Revenue Agency standards and SCRD Policy.

Communications Strategy

Staff will provide a copy of this report to members of the Task Force.

Task Force members will be acknowledged and thanked for their volunteer service to the community and to the SCRD.

Staff will continue to provide project updates as detailed design is completed.

STRATEGIC PLAN AND RELATED POLICIES

This project is aligned with the Parks and Recreation Master Plan and Coopers Green Park Management Plan. Recommendations are consistent with the SCRD Donation Policy.

Appropriately leveraging grants and community support contributes to Ensuring Fiscal Sustainability. A clear approach to managing fundraising supports the SCRD Value of Transparency.

CONCLUSION

Staff are working to advance the Coopers Green Hall replacement project. Schematic design is complete and design development is proceeding. Application for relief from setbacks will be made to the Board of Variance. Dialogue will continue with the shíshálh Nation about opportunities to showcase and interpret the Nation's culture and heritage in the design of the new hall.

The Task Force has done a commendable job and is now recommended to be dissolved. Members will be acknowledged and thanked for their contributions.

The replacement design project budget is recommended to be increased by \$12,000 to account for additional costs during the schematic design phase.

Staff recommend that a future report be brought forward with a capital funding plan for construction of the hall, in support of an application to the Community, Culture and Recreation stream of the Canada-BC ICIP.

Reviewed by:			
Manager		CFO/Finance	X-T. Perreault
GM		Legislative	
CAO	X-J. Loveys	Other	



**P.O. Box 1646
Sechelt, BC
V0N 3A0**

Attention Ian Hall, & Dean McKinley,
SCRD Administration Office.
1975 Field Road
Sechelt, BC
V0N 3A1

Dear Sirs

Further to our meeting today this is to formalize Halfmoon Bay Community Association's interest in managing the Coopers Green Hall post Construction.

We would like to work with SCRD, sharing information and forming a mutually beneficial arrangement.

Regards

T. Knight

Terry Knight

Terry Knight. President.
Halfmoon Bay Community Association (HBCoA)
604-885-5034
[HBCoA - Facebook](#)
[HBCoA - Website](#)

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

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

SUBJECT: COOPERS GREEN (TITULS) PARK BOAT LAUNCH

RECOMMENDATION(S)

THAT the report titled Coopers Green (tituls) Park Boat Launch be received;

AND THAT a project proposal for a Sunshine Coast Marine Facilities Study be explored with SCREDO;

AND FURTHER THAT in the short-term and as an interim step:

- 1. The boat launch load limit be clearly communicated;**
 - 2. Staff work with marine transportation service providers to define limited days/hours of service for goods/service movement at the boat launch; and**
 - 3. Provincial approval for an updated management plan be sought.**
-

BACKGROUND

SCRD manages, through a license of occupation granted by the Province, a marine boat launch at Coopers Green Park. For background on this facility, see Attachment A.

There have been questions, ideas, concerns and complaints raised regarding this ramp for many years. This level of interest is reflective of how special/valued the Coopers Green area is, how rare/valuable marine boat launch facilities are and how close together various land uses are located in the area.

In May 2020, SCRD received correspondence from a member of the community concerned about industrial and commercial use of the boat launch. This letter was included on the June Planning and Community Development Committee agenda.

Following publication of this correspondence on an agenda SCRD received a large number of expressions of concern related to the boat launch. Many of these letters, emails and phone calls related to concerns that the launch would be closed or its use restricted.

In July 2020 the Area Director undertook to meet with concerned citizens and community groups and to host a community dialogue (via Zoom) in order to gather information about the boat launch. Staff supported the Director by providing information and by listening to the community dialogue session. A summary of what was heard was prepared by the Director and is included as Attachment B. The Director also received a large number of email and voicemail messages, the themes of which are captured in the summary.

DISCUSSION

Analysis

Community Perspectives

Key takeaways from the Director's information gathering and staff's listening are:

1. The boat ramp area is valued by the community. How and why it is valued varies:
 - a. For recreational boaters, the ramp allows access to prime fishing and boating locations.
 - b. For residents of Thormanby and Merry Islands, the ramp enables movement of cost-effective goods and services (some of which are essential) – location enabling short transit time is key.
 - c. Users of Coopers Green (tituls) Park value access to the beach and to water. Many members of the community who provided information into the process this summer explicitly recognized all three of these clusters of value, even if they primarily spoke from one perspective.
2. In some ways or at some times, there is synergy between the ramp and the park: washrooms, picnic space, semi-natural play areas and parking support recreational boaters.
3. In some ways or at some times, there is conflict or competition between the ramp and the park: traffic noise, congestion, boating activity near a swimming beach and limited parking may not align with other uses of Coopers Green (tituls) Park. This conflict (especially noise) extends into residential areas adjacent to the Park and is particularly evident for larger and slower (meaning prolonged) or noisier loading/unloading operations. There is concern that with a new community hall in the park, this competition/conflict could increase.
4. There are a number of constraints on the boat ramp:
 - a. The road(s) approaching the ramp are under the jurisdiction of MOTI.
 - b. The ramp exists within a provincial license area; the license carries specific terms (described in Attachment A).
 - c. The foreshore area is a sensitive environment requiring special care; Coopers Green (tituls) Park and area contain known archaeological resources.
 - d. The ramp is engineered for a certain load (25,000 pounds or 11,365 kg – about the weight of a full size truck with 25-foot boat trailer) and is in need of some capital maintenance to ensure continued service.
 - e. Tide conditions impact use of the ramp, including timing for landing of barges on the beach at Thormanby and Merry Islands.
5. There isn't consensus on any one "right place" for a boat ramp to move goods and services. Residents near Coopers Green (tituls) Park do not want a freight movement facility operating nearby operating on 18-hour days, any day of the week/year. Boaters and barge operators have specific weather, depth and access requirements that need to be met for safe and reliable launch and recovery operations.
6. There appears to be openness to exploring the idea of set hours/days of operation for certain types of activity at the ramp.

Economic, Environmental and Social Considerations

- As an asset enabling development and supporting residents on Merry and Thormanby Islands, the boat launch contributes to economic development for the Sunshine Coast region.
- The Coopers Green (tituls) Park ramp may be the only formal marine boat launch on the Sunshine Coast for which no user fee is charged. The costs of operating and maintaining the launch are borne by all rural area ratepayers as participants in the SCRD Community Parks service.
- Maintaining the shortest possible transit distances for land-based and boat/barge-based goods and service movement is helpful to limiting transportation-related pollution including CO_{2e} emissions.
- While the focus of information gathering has been on the Coopers Green area, the sustainability of facilities and environmental capacity for landing barges in other locations (such as Thormanby and Merry Islands) after they are launched from Coopers Green bears some consideration. The total capacity of the marine transportation system needs to be considered when discussing or planning for the launch at Coopers Green.

Regulatory Considerations

- In August 2020, WorkSafe BC reviewed SCRD's operation of the boat launch; no orders were issued. Staff understand that WorkSafe spoke with some transportation service employers in the region about abiding by posting load limits.
- The Province has previously reviewed SCRD's operation of the boat launch; no orders were issued. Provincial administrators have noted that a more detailed management plan (which SCRD would file with the Province for approval) could serve to clarify and support future operation.

Gap Analysis

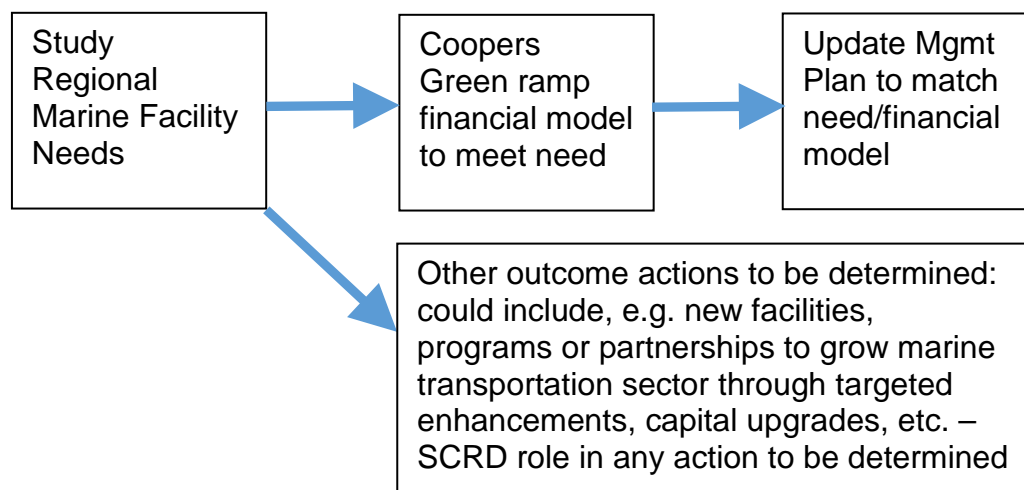
Considering all of the above, three gaps have been identified:

1. **Regional / Area Need:** The Sunshine Coast is lacking a launch facility for heavy goods and services that is within efficient reach of Merry and Thormanby Islands. While Coopers Green is used this way it currently lacks the required load rating to safely and sustainably provides this service and adjacent uses – at least in the current situation without regulated hours of use – create conflict. No research on target/threshold boat launch load ratings and regional needs has been done. Design limitations of various other public and private facilities were captured through this dialogue; no comprehensive look at the “ecosystem” of Sunshine Coast facilities has been undertaken.

2. **Financial Model and Asset Management:** The financial model for operating the boat launch has not been considered. The absence of a user fee externalizes what could be considered personal/private costs of transportation and pushes them to all Parks service taxpayers. As well, the SCRD is now offering a service to users for free which the private sector also provides (at a cost) which could be considered a form of competition. No asset management plan for the ramp has been developed (yet); consequently there are no dedicated financial resources to support future capital maintenance (beyond funds approved in 2020 which address immediate needs). There are logistical, regulatory (terms of license) and equitability questions attached to evolving the financial model.
3. **Clear Expectations:** The current management plan for the boat launch is ambiguous with regard to different types of uses; the Province's perspective on commercial use as being ongoing scheduled and paid is different from what others in the community see as commercial. SCRD could enhance clarity through an improved management plan.

Options

Long-term, staff recommend that the three gaps be addressed, in sequence, with study results potentially leading to new areas of work and opportunity for SCRD and others.



A study of marine facility needs, including economic role and impact is an area where SCREDO's expertise and mandate would be very appropriately deployed. A staff-to-staff discussion about potential SCREDO leadership of a 2021 project has taken place.

Such a study could have in scope the water access at McNair Creek Park near Port Mellon, where staff have been working with Hillside Industrial Park water sublease holders to address spatial conflicts between recreational and industrial uses. A study could also review the implications of climate change and potential adaptation strategies.

If directed by the Board, staff would bring a project proposal forward as part of R1 budget. Identification of grant opportunities can form part of this next step work.

Short-term, appreciating that there is community desire/need to clarify boat launch operations and to address conflict, staff recommend that, as an interim step:

1. The engineered load limit of the ramp be clearly communicated through signage, on the SCRD website and through staff communications with users. This is important public safety and environmental risk management;
2. Staff work with marine service providers to define limited days/hours of service for goods and services movement at the boat launch (which must still comply with load limit of ramp) to be adhered to voluntarily; and
3. Seek provincial approval of an updated management plan that notes days/hours of service for good and services movement.

Organizational and Intergovernmental Implications

Any changes made to how Coopers Green (tituls) Park boat launch is managed are subject to provincial approval. SCRD realizes and takes seriously its obligations under the *Heritage Conservation Act*.

A potential project related to marine facilities presents the opportunity to grow SCRD's working relationship with SCREDO. Involvement from staff in Parks, Planning and Ports is anticipated to be required.

Financial Implications

Staff request time to work with SCREDO on a project proposal that would identify scope and estimated resource requirements. Grant opportunities can also be examined.

Timeline for next steps or estimated completion date

On Board direction, staff are prepared to act on the recommended short term actions in late 2020 through Q1 2021.

Communications Strategy

Through the Area Director, this report was shared on publication with participants in the summer 2020 dialogue.

STRATEGIC PLAN AND RELATED POLICIES

Although primarily operational in nature, the subject matter of this report has consider strategic priorities of Community Resilience and Climate Change Adaptation, Engagement and Communications, Working Together and Asset Stewardship.

CONCLUSION

SCRD operates a marine boat launch at Coopers Green (tituls) Park. Questions and concerns about use and management of the launch arose earlier this year, and similar concerns have persisted for some time.

Based on constraints associated with the ramp and taking into account what was heard through community dialogue, staff recommend that consideration be given to undertaking a forward-looking marine facilities study as part of the 2021 budget process.

In the short term, and as an interim measure, communicating the load limit of the boat launch is recommended, as is defining hours for goods and services movement that is compliant with the load limit and seeking provincial approval to have this reflected in the boat launch management plan.

ATTACHMENTS

Attachment A – Coopers Green Boat Launch – Background Information (July 2020)

Attachment B – Summary of Information Gathered from Community Dialogue (Summer 2020), prepared by Area B Halfmoon Bay Director Lori Pratt

Reviewed by:			
Manager	X - K. Robinson	Finance	
GM		Legislative	X – S. Reid
CAO	X – D. McKinley	Other	



COOPERS GREEN PARK (tituls) BOAT RAMP

INTRODUCTION

The Coopers Green boat ramp is an important community asset that affects different people in different ways. Located in Coopers Green Park, the ramp and adjacent water area are currently used for swimming, SCUBA diving, boating, fishing, kayaking, and to move people, goods and services to and from nearby islands.

The information in this document is intended to help create a shared understanding of how the ramp is managed and some of the factors to consider when thinking about past use, current use and potential future changes.

Specific management changes are not planned for the ramp at this time, however there are challenges associated with the ramp and there is interest from stakeholders and the public to develop a clear plan that will meet multiple interests and needs.

HISTORY

What is known today as Coopers Green has been an important place for the shíshálh Nation since time immemorial. The shashishalhem name for the park is *tituls*, meaning “big rocks.”

A succession of commercial and recreational uses that have included, at various times, boat launching, have existed in the area since at least 1909. In 1985 the upland area was gifted to the Sunshine Coast Regional District (SCRD) for park use.

The current ramp was substantially constructed on the foreshore (also called “land covered by water” in some documents) by the SCRD in 1986. The ramp was designed for launching recreational watercraft and has been maintained to that standard. Major repair work was completed by the SCRD in 2012. There is a long history of community partnership and volunteer contributions in and around Coopers Green.

JURISDICTION

The ramp is located on land owned by the Province of British Columbia and is located within the shishalh swiya. The Ministry of Forests, Lands, Natural Resource Operations and Rural Development has jurisdiction over, or manages, the land covered by water for the Province.

The Ministry of Transportation and Infrastructure is responsible for Fisherman Road, to which the ramp attaches. The map included with this document shows the various areas of jurisdiction.

The SCRD owns and manages Coopers Green Park, on the east side of Fisherman Road, across from the ramp.

ROLE OF THE REGIONAL DISTRICT

The SCRD operates the ramp under a foreshore Licence of Occupation (#242861) from the Province of British Columbia. The licence area covers the majority of the beach area that fronts Coopers Green Park.

The current licence replaces an earlier licence (#239642, granted circa 1985) that came into effect September 14, 2015 with a term of 30 years. These licences are provided through the Province's [Commercial and Institutional Land Use Program](#), which provides use of provincial lands to support community, social and economic goals.

The licence is non-exclusive and is for “public swimming and recreational boating” purposes. This wording dates from December 2015 and clarified the September 2015 purpose of “public recreational.” The amended wording was put in place to reflect SCRD’s management plan for the ramp. The licence and modification letter are included with this information package.

PLANNING

The Coopers Green boat ramp is designated as Marine Transportation in the [Halfmoon Bay Official Community Plan](#) (SCRD Bylaw No. 675). On January 14, 2016, the SCRD Board adopted the [Coopers Green Park Management Plan](#) as a guiding document for the future development of Coopers Green Park. The plan directs that SCRD support the public recreational use of the Coopers Green boat launch as permitted within the existing licence with the Province of British Columbia.

During the Park Management Plan process, the existing Coopers Green water licence with the province was up for renewal and SCRD staff researched the possibility of changing the existing water licence to a commercial (user pay) or industrial licence to accommodate the transportation of goods and materials to the Area B Islands. SCRD was informed that because Coopers Green is part of a ‘Safe Haven Reserve’ for boats in the event of a storm or other emergency, the licence could only be renewed ‘as is’ under a grandfathered clause as government policy does not allow overlapping licences in a Safe Haven Reserve.

During planning done in 2017 and 2018 for a possible rehabilitation or replacement of Coopers Green Hall, public input was received that indicated both a concern for how the ramp was used and a desire for clarity and potential change going forward.

RAMP LOAD LIMIT

An engineering report completed in 2016 set the load limit for the ramp to the weight of a full size truck and 25-foot boat on a trailer (approximately 25,000 pounds). The report outlined more than \$350,000 of repairs that need to take place over five years.

There are a number of sections of the ramp that are failing due to use, weight, settling and natural actions of the ocean. The report states that heavy vehicles should not be permitted on the ramp. Condition is one factor affecting the load rating, but the underlying design of the ramp is not meant for heavier vehicles.

The SCRD has budgeted for some ramp repairs in 2020 and has posted a sign stating the load limit for the ramp. Adherence to the load limit is important for employers as it is connected to WorkSafeBC Occupational Health and Safety Regulations. There may also be vehicle or other insurance implications associated with failing to adhere to posted load limits.

COMMERCIAL USE

SCRD staff have recently confirmed that the Province considers 'commercial use' to be pay-per-use, and has advised the SCRD that use of the ramp for transporting goods is acceptable under the terms of the licence. An inspection by the Province found that SCRD's approach to operation of the ramp is not in contravention of the licence.

Ongoing, scheduled use by a "for hire" barge company would not be acceptable. The SCRD has authority to update the management plan for the ramp, subject to Provincial approval, to introduce, for example, details about limits on goods transportation use (such as specific days/hours of use). The Province has suggested that an updated management plan could help clarify permitted use.

NOISE RESTRICTIONS

The SCRD Noise Control Bylaw No. 597 section 3(a) says: No Person shall cause, permit or allow to be caused any noise which disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity. Section 4(b) Machine Noise and (c) Quiet Hours restrict times for noise-making activities, generally to 7:00 a.m. to 9:00 p.m., with specifics listed in the bylaw.

MARINE TRANSPORTATION ON THE SUNSHINE COAST

The SCRD understands that there are four other commercial use ramps on the Sunshine Coast that have the capacity to load barges. Barge access is required to load service equipment needed for residents on Sunshine Coast islands, such as building supplies, propane and construction equipment.

The most used ramps are located at either ends of the Coast in Earls Cove and in Port Mellon, which is a significant increase in travel distance and cost (3 hours by barge one way) to residents of the islands in the middle of the Sunshine Coast, such as Thormanby and Merry Island. The shishálh Nation has a boat ramp in Sechelt, however it can be steep and difficult for offloading in low tide situations.

The Harbour Authority in Madeira Park also has a ramp that can be used for commercial loading, however the dock can be tight for loading in lower tide situations.

The SCRD is not the authority that regulates marine transportation, the foreshore or land covered by water. Landing of barges (at ramps or elsewhere) is subject to provincial and/or federal regulations. There are a number of sensitive environmental areas on the Sunshine Coast, including in Halfmoon Bay and on Thormanby and Merry Islands.

STAKEHOLDERS

The following is a non-exclusive list of agencies, groups, entities and people who may be interested:

- shishalh Nation
- Province of BC
- Government of Canada (Department of Fisheries and Oceans)
- Sunshine Coast Regional District
- Islands Trust, to the extent that the ramp impacts area islands
- Ratepayers of the Sunshine Coast rural areas (all of whom participate in the Community Parks service through which the ramp is managed)
- Residents of the Coopers Green/Redroofs Road area
- Residents of Thormanby and Merry Islands
- Marine transportation operators
- Contractors, builders and suppliers who require marine transportation facilities to move goods and services
- Fishing/recreation watercraft users
- General public using the licence area for swimming
- Terrestrial, riparian and marine ecosystems; fresh and marine water resources in the area

QUESTIONS TO CONSIDER ABOUT THE FUTURE OF THE RAMP

1. Why does this ramp matter to you/your group?
2. What else should SCRD and other ramp stakeholders know?
3. When we think together as one community about the future of the ramp, what needs be part of a sustainable vision?

For more information:

604-885-6802

Parks.Department@scrd.ca

www.scrd.ca/Coopers-Green

Coopers Green Boat Launch

Feedback Synopsis

Submitted by Lori Pratt, Director Area B

Purpose: to hear concerns, usage, potential solutions for the Coopers Green Boat Launch.

Meetings held

July 4, 2020	North Thormanby Community Association (in person)
July 8, 2020	Barge Operators (in person)
July 15, 2020	Halfmoon Bay Citizens Association (zoom)
July 15, 2020	Small Island Residents Meeting (zoom)
July 20, 2020	Community Meeting (zoom)
July 22, 2020	Vaucroft Improvement District (zoom)
July 25, 2020	Thormanby Island Visit - North & South Island (in person)

Residents spoken with have a variety of histories with the area. 80plus years on the mainland, back to the 1890s and First Nations on the Islands. Participants in meetings included, and feedback was received from residents of the Mainland, Merry Island, Trail Islands, South and North Thormanby Island, business owners and recreational users of the boat launch. Approximately 100 residents were met in person, virtually via Zoom or over the phone.

Emails received: approximately 90.

Themes of discussion

Historical significance – the Coopers Green Park has a long history of activity for the Halfmoon Bay Area, economic and recreational. The island located directly in front of the launch was connected to mainland by a wooden walkway, and had a fuel dock for boating traffic. The Bay was used as a log-sorting area.

Current Signage at Coopers Green – The current signage is confusing and incorrect in regards to the weight per axle of allowed on the ramp.

Safety – commercial and recreational trucks and trailers during summer. Commercial traffic should require traffic control and be fenced off to limit access during loading/unloading. WorkSafe contraventions.

Time of day – commercial traffic and barge can be quite noisy. They have used the ramp during the night and early morning in order to make tides. During the summer, there is an incredible amount of public use of the beach and park during the day, creating potential dangerous situations.

Park Designation – as Coopers Green is a park, is the boat launch part of the park?

Strength of Ramp - once a load limit has been established, use doesn't matter (commercial vs industrial). Core samples were not taken during the last engineering report. Is this a "sea grade" concrete?

Highway – islanders see the launch and water as part of their "highway".

Economic Drivers - Local purchasing and builders. There is No charge of the ramp use. One recent build on N. Thormanby chose to use local contractors and products, rather than a prefabricated cabin. This family would have saved approximately \$100/square foot to purchase a prefab from the Lower Mainland, rather than employing and purchasing locally.

Users - Coast guard, Federal Government, and Prawn Fishers were indicated as other users that did not fit under “recreational”.

Propane - many island residents use propane to heat homes. The caretaker on South Thormanby has a 500 lb. tank, making it necessary for the truck to come over.

Septic – Island properties use septic systems, and while most pump-outs can be planned, emergencies did occur this summer. There were a number of overflowing tanks at the beginning of July, requiring an immediate resolution in the form of vacuum truck.

Tide significance: 2020 tide guide – only 109 high tide landings would be able to occur on Thormanby, without accounting for weather. High Tide is necessary for landing barges on both sides of Thormanby.

Building code requirements – seismic, building code, environmental. When a cabin needs to be updated, the entire cabin will need to be brought up to code. One waterfront cabin was required to be built to 100 year flood level, necessitating rock to be added to the already installed retaining wall. South Thormanby restricts power tool use during the summer. Barge traffic to both sides of Thormanby is discouraged during the summer due to the increase in visitor traffic.

Provincial marine responsibility – the SCRD does not have a service established for launches, this is a provincial marine responsibility. Does the SCRD have zoning that will allow?

Costs – Who is paying for the upkeep?

Brooks Road – Narrow, weather, sheltered, and no infrastructure in place. Very difficult area to maneuver.

Traffic Flow and efficiency of CG. – Park is difficult to maneuver.

Environmental Concerns- GHG emissions increase the further away barges need to travel. There is also the potential of weather changes, making navigation difficult after a trip has been started. The additional distance increases the risk for accidents.

Conclusions

What can be done? Is there another area of the Sunshine Coast that could be used?

One suggestion was to assemble a task group to specifically look at the Boat Launch and provide suggestions to solve this issue. It was almost universally stated that there needs to be a user fee charged for Ramp Use.

Attachments:

February 25, 2016 letter to John S Simson from SCRD

March 21, 2016 Letter to G. Nohr from Buccaneer Bay Holdings

Sunshine Coast Regional District

1975 Field Road
Sechelt, British Columbia
Canada V0N 3A1

P 604.885.6800
F 604.885.7909
Toll free 1.800.687.5753

info@scrd.ca
www.scrd.ca



February 25, 2016

C/O JOHN S SIMSON BUCCANEER BAY HOLDINGS LTD
2768 SEA VIEW RD
VICTORIA BC
V8N1K8

Dear JOHN S SIMSON

Re: COOPERS GREEN BOAT RAMP

The Sunshine Coast Regional District (SCRD) operates a boat ramp at Coopers Green Park under a Licence of Occupation from the Province of British Columbia for public swimming and recreational boating purposes. The boat ramp was designed for launching recreational water craft and has been maintained to that standard. Over the years, the ramp has unofficially been used by industrial operators loading landing barges with heavy trucks, equipment and materials, which is not a permitted use of the ramp.

In 2015, the SCRD commissioned a Park Management Plan for Coopers Green. One of the major issues and concerns leading into the public consultation was industrial use of the ramp for heavy trucks, equipment and materials. These operations cause traffic congestion, tie up the ramp for other users, pose potential risk and are not considered an appropriate use in a park.

On January 14, 2016, the SCRD Board passed a recommendation to 'adopt the Coopers Green Park Management Plan as a guiding document for the future development of Coopers Green Park' and that 'the SCRD support the public recreational use of the Coopers Green boat launch as permitted within the existing water licence with the Province of British Columbia.' This plan can be found at <http://www.scrd.ca/Coopers-Green>.

Commercial industrial use of the Coopers Green boat ramp will not be permitted, which includes the loading of barges with construction materials, aggregate, machinery, dangerous goods and other commercial equipment and supplies. The SCRD will be enforcing this regulation to ensure that this valuable community recreational asset is maintained within the Coopers Green Park.

It is understood and recognized that this will have a significant impact to the Area B Island property owners. As part of the Park Management Plan, Area B Island property owners identified that the Coopers Green boat ramp is the closest public boat ramp to the islands and used for transport of building materials and supplies, as well as propane and vehicle delivery.

ELECTORAL AREAS: A - Egmont, Pender Harbour B - Halfmoon Bay D - Roberts Creek E - Elphinstone F - West Howe Sound

MUNICIPALITIES: District of Sechelt / Sechelt Indian Government District / Town of Gibsons

The closest boat ramps to the Area B Islands are in Secret Cove, Madeira Park and the shishálh Nation (by permission only).

During the Park Management Plan process, the existing Coopers Green water licence with the province was up for renewal and SCRD staff researched the possibility of changing the existing water licence to a commercial (user pay) or industrial licence to accommodate the transportation of these goods and materials to the Area B Islands.

The SCRD was informed that because Coopers Green is part of a 'Safe Haven Reserve' for boats in the event of a storm or other emergency, the licence could only be renewed 'as is' under a grandfathered clause as government policy does not allow overlapping licences in a Safe Haven Reserve.

In September 2015, the Ministry of Forests, Lands and Natural Resource Operations renewed the Licence of Occupation for the Coopers Green foreshore with the SCRD for a period of 30 years for 'public swimming and recreational boating purposes.' The licence states that only the permitted uses of the launch are allowed and other uses may result in a loss of the existing licence.

It is understood that there are three building projects currently underway on Thormanby and Merry Island with previously scheduled transportation schedules. In recognition of the longstanding practices, a transition period is granted until June 1, 2016 for exploring and finding alternative transportation launches for these scheduled projects and any commercial industrial transportation of services and goods.

Thank you for your patience and understanding of the permitted uses of the boat ramp within the Coopers Green Park.

If you have any questions please feel free to contact me at 604-885-6826.

Sincerely,
SUNSHINE COAST REGIONAL DISTRICT



Carolyn Mortensen
Manager, Parks Services

cc: Janette Loveys, Chief Administrative Officer, SCRD
Garry Nohr, Board Chair, SCRD

BUCCANEER BAY HOLDINGS LTD.
2768 Seaview Road
Victoria BC V8N 1K8

March 21, 2016

Garry Nohr - Chair,
Sunshine Coast Regional District
1975 Field Road
Sechelt BC V0N 3A1

Re - Coopers Green Boat Ramp

Dear Garry,

Thank you for taking the time to talk to me last week and for your efforts to come up with a solution for the impending closure of the Coopers Green Boat Ramp.

I am writing to you as the President of Buccaneer Bay Holdings Ltd. (BBH) on South Thormanby Island and on behalf of the 63 cabins on our property owned by individual families, many dating back over or close to 100 years.

The decision by the SCRCD to close Coopers Green boat Ramp to commercial traffic will have a significant negative impact on our 63 families in that building materials, propane, septic servicing vehicles etc. can only be brought to our island by barge.

With the closure of the Coopers Green Boat Ramp slated for June 1, 2016, our 63 families will face significantly higher barging costs as the closest commercial ramp is in Madeira Park and the next closest in Gibsons. The weather is also a factor in barging from either of these locations. As you mentioned there are not any alternative places for a commercial ramp.

We ask that the SCRCD consider making arrangements to allow continued use of the Coopers Green Boat Ramp which we understand will require the Province of BC to amend the water lease to allow this.

If full time use will not be an option, we would suggest allowing 2 weekdays in the summer months and weekdays the rest of the year. A requirement to operate within daylight hours. would perhaps alleviate some of the neighbors concerns.

If you would like individual families to write letters of support, we can arrange for this.

Thank you again Garry for your efforts to allow continued commercial use of the Coopers Green Boat Ramp.

Sincerely,

Al Hailey
President, Buccaneer Bay Holdings Ltd.
604-885-5361
alhailey1@gmail.com

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

AUTHOR: Sam Adams – Parks Planning Coordinator

SUBJECT: Dakota Ridge Snowmobile Replacement and UTV Repair Options

RECOMMENDATION(S)

THAT the report titled Dakota Ridge Snowmobile Replacement and UTV Repair Options be received;

AND THAT replacement of snowmobile unit 417 and repair of UTV unit 506 proceed with funding of up to \$29,000 from Dakota Ridge [680] operating reserve;

AND THAT the 2020-2024 Financial Plan be updated accordingly;

AND FURTHER THAT this recommendation be forwarded to the Regular Board meeting of November 12, 2020.

BACKGROUND

Dakota Ridge provides outdoor winter recreation opportunities to residents and visitors of the Sunshine Coast. Staff are currently preparing for the 2020-2021 winter recreation season.

During the off-season (summer and fall) vehicles and machinery that are used to operate the facility are inspected by SCRD Fleet Maintenance for pre-season safety and any required repairs are completed.

Mechanics have determined that the engine on one of the two snowmobiles used at Dakota Ridge has reached the end of its service life and is not recommended for repair/re-deployment. This unit is essential to operations, used for trail set-up, grooming, inspection and emergency response by staff and trained volunteers.

In addition, replacement track parts for the in-service Utility Terrain Vehicle (UTV) are required, as normal use and resulting wear-and-tear has deteriorated the equipment to the point of imminent failure. The UTV is also required for operations at Dakota Ridge, used for set-up, grooming, inspections and for emergency response.

DISCUSSION

The equipment complement at Dakota Ridge includes 2 snowmobiles, 1 UTV and 1 Pisten Bully large groomer. Different sizes of equipment are used on different trail widths. The smallest equipment that is efficient and possible for a given task is selected to reduce wear on the larger equipment. Limited redundancy (having a backup unit) is important for both consistency of operations and for safety.

Analysis

Snowmobile Unit 417 is 13 years old and has 6,000 kilometers on it. Unit 417 was the original snowmobile serviced for Dakota Ridge. Age, a small engine, high mileage and high-output usage in heavy, wet snow conditions over the years have all contributed to current condition and the requirement to replace the asset as soon as possible. The latest inspection indicates that the snowmobile engine is seized, as a result of a shifting heat shield which collapsed and seized the cylinder due to the inability to receive oil. Repair was considered but the cost of repair relative to replacement (at least half of replacement cost) does not present good value when considering the overall age of the snowmobile and likelihood of future major repair costs.

UTV Unit 506 is 4 years old. Routine inspection has revealed that track motion wheels inside the UTV tracks are worn and must be replaced to avoid in-season failure in the field. The repair is typical based on the age and use of the equipment.

While inspections typically occur when equipment is brought down from Dakota Ridge in the spring, this year inspection work was delayed due to COVID-19 demands. The remote nature of operations, essential nature of this equipment to operations and inability to substitute alternatives in the case of a breakdown (unlike service trucks, for example) have led staff to bring forward recommendations at this time.

Organizational and Intergovernmental Implications

This request would typically come as part of the 2021 Financial Planning process, however, the timing of the upcoming season precipitates the need for the equipment replacement and repairs to meet the upcoming service needs.

These projects if approved may become subsequent carry-forwards into 2021, however, the goal is to have the items procured in time for the 2020/2021 season.

Financial Implications

The estimated cost to replace the snowmobile is \$22,000. UTV repair cost is estimated at \$7,000.

Funding is available from the Dakota Ridge [680] operating reserve (uncommitted balance of \$220,820).

An amendment to the 2020-2024 Financial Plan would be required if these items are approved.

Timeline

Pending Board direction, staff are prepared to complete replacement/repair immediately, such that 2020-2021 operations at Dakota Ridge can proceed as planned. Advancing recommendations to the Regular Board Meeting of November 12, 2020 will assist with completing next steps before the season starts.

STRATEGIC PLAN AND RELATED POLICIES

N/A – operational matter.

CONCLUSION

Dakota Ridge provides outdoor recreation opportunities to Sunshine Coast residents and visitors during the winter season.

Through off-season inspection, Fleet has advised that snowmobile Unit 417 is in need of replacement and UTV Unit 506 requires a significant repair. Both pieces of equipment are essential to delivering groomed trails and for emergency response.

Staff recommend that replacement and repair proceeded, at a cost of up to \$29,000 funded from operating reserves. This would require an amendment to the 2020-2024 Financial Plan Bylaw.

Reviewed by:			
Manager	X - K. Robinson	Finance	X - T. Perreault X - A. Taylor
GM	X – I. Hall	Legislative	
CAO	X - D. McKinley	Other	

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

AUTHOR: Kevin Clarkson, Parks Superintendent

SUBJECT: SEAVIEW CEMETERY ADDITIONAL COLUMBARIUM PURCHASE

RECOMMENDATION(S)

THAT the report titled Seaview Cemetery- Additional Columbarium Purchase be received;

AND THAT the purchase and installation of an additional columbarium at the Seaview Cemetery be approved in the amount of \$24,000 and funded from Cemetery [400] operating reserves;

AND FURTHER THAT the 2020-2024 Financial Plan be amended accordingly.

BACKGROUND

SCRD owns and operates Seaview Cemetery. Cemetery services include providing clients with options for burial plots. Caskets and cremated remains are interred in a park setting. Columbarium's (or columbaria, if preferred) provide options for a resting place for a loved one's cremated remains in an above-ground granite vault with individual niches.

Currently at Seaview Cemetery, SCRD has two columbarium's that consist of 24 cremation niches each, for a total of 48 niches.

Following an unexpected recent surge in demand for niches (5 sold in one week), the remaining supply is now 6. This is less than one year's supply based in historical sales.

DISCUSSION

Parks originally anticipated this purchase within the 2021 operating year and planned on including the capital expenditure as an item requested during SCRD Board budgetary considerations. However, based on supply remaining, lead time for installation and potential for service disruption, staff are seeking approval to proceed with purchase as soon as possible. Expansion would provide an additional 24 niches, anticipated to be a 3-4 year supply.

Expansion of the columbarium's is considered in the current Cemetery plan.

Further future expansion will be considered as part of the forthcoming Cemetery Service Business Plan. Cremation and inurnment are an increasingly popular burial choice.

Organizational and Intergovernmental Implications

Installation will be overseen by Parks staff. Seaview Cemetery is the largest operating cemetery on the Sunshine Coast and the only cemetery offering niche inurnment.

Financial Implications

The estimated cost for an additional columbarium is \$24,000.

Operating reserves are in place to support the development (\$307,000 uncommitted balance), with sales of niches (\$1,500 each, as set in fee schedule) fully recovering the capital cost.

Timeline for next steps or estimated completion date

Pending Board direction, installation would occur spring 2021.

Communications Strategy

Once installed, Cemetery communication materials will be updated to reflect the service offering.

STRATEGIC PLAN AND RELATED POLICIES

N/A – operational matter.

CONCLUSION

Recent demand has reduced the available columbarium niche supply at Seaview Cemetery. Based on lead time and forecast demand, staff recommend timely procurement and installation of a third columbarium.

Reserve funds are available to support this need.

Reviewed by:			
Manager	X - K. Robinson	CFO/Finance	X - T. Perreault
GM	X – I. Hall	Legislative	
CAO	X - D. McKinley		

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

AUTHOR: Allen Whittleton, Chief Building Official

SUBJECT: COMMUNICATION PLAN FOR STEP CODE IMPLEMENTATION

RECOMMENDATION(S)

THAT the report titled Communication Plan for Step Code Implementation be received.

BACKGROUND

The SCRD Board adopted the following resolution on July 30, 2020:

287/20 **Recommendation No. 3** *BC Energy Step Code Survey Results Update*

THAT the report titled BC Energy Step Code Survey Results Update be received;

AND THAT staff prepare a communication strategy for the implementation of the BC Energy Step Code and report to a future Committee;

AND FURTHER THAT staff prepare bylaw amendments to implement the BC Energy Step Code to Step 1 for all new Part 3 and Part 9 buildings.

Recommendation No. 4 *BC Energy Step Code*

THAT the BC Energy Step Code report be referred to the Sunshine Coast Regional Economic Development Organization (SCREDO) with a request to coordinate work with Coast Community Builders' Association to support implementation of the Step Code and identify any potential barriers to implementation on the Sunshine Coast.

The directed bylaw amendments are scheduled for adoption this month. Staff have prepared a preliminary communication plan and connected with SCREDO. This report provides an update and is for the Committee's information.

DISCUSSION

Once the SCRD Building Bylaw amendments to include the BC Energy Step Code are adopted, a joint communication strategy with the other local Sunshine Coast Governments can be implemented.

Target audiences will include homeowners, building contractors, the Coast Community Builders' Association, local engineers and building designers and architects. Information will be delivered by email, social media, notification in the local newspaper and by handouts through the Building Inspection Division.

Information provided will focus on awareness of Step Code requirements and where/how to access free training and information through the Energy Step Code Council, which was established by the Province of BC to support the successful implementation of the Energy Step Code.

A cooperative, capacity-building approach will be put forward. Partnership opportunities with Associations, potentially arranged with SCREDO's involvement, will be explored.

Organizational and Intergovernmental Implications

The communication strategy will be implemented in partnership with other local Sunshine Coast governments. Opportunities exist for coordinated advertising and education/awareness materials.

The Province's Energy Step Code Council will be engaged to provide training and resources.

Meanwhile, staff professional development to support Step Code implementation continues.

Financial Implications

No additional financial implications outside of base budget operating expenses will be required. The communications strategy can be delivered within existing/anticipated 2021 budget.

Timeline for next steps or estimated completion date

Upon the adoption of the Building Bylaw No. 687 amendment to include the BC Energy Step Code, the communications strategy will commence.

Staff observe that many target audiences are already aware of the impending change due to engagement conducted prior to bylaw amendment drafting and due to similar changes in many local government jurisdictions in the region/Province.

STRATEGIC PLAN AND RELATED POLICIES

The approach planned support strategic priorities of Regional Collaboration and Partnership and Engagement and Communications.

CONCLUSION

Aligned with timing for Building Bylaw No. 687 and member municipalities' respective building bylaw amendments to reflect Step Code, staff have communications planned to support the introduction of Step 1 by SCRD, Town of Gibsons and District of Sechelt in January 2021.

Coordination with SCREDO is contemplated. A cooperative and capacity building approach will be applied.

Reviewed by:			
Manager		CFO/Finance	X -T.Perreault
GM	X – I. Hall	Legislative	X – S. Reid
CAO	X – D. McKinley	Other	

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – November 12, 2020

AUTHOR: Matt Treit, Manager of Protective Services

SUBJECT: RFP 2011602 - FIRE DEPARTMENT APPARATUS REPLACEMENT AWARD REPORT

RECOMMENDATION(S)

THAT the report titled RFP 2011602 - Fire Department Apparatus Replacement Award Report be received;

AND THAT the project budget be increased from \$350,000 to \$400,789 for the Gibsons & District apparatus replacement, funded from MFA short term loan;

AND THAT the SCRD enter into a contractual agreement with HUB Fire Engines & Equipment Ltd., for the Replacement of the Halfmoon Bay Fire Department tender apparatus in the amount of \$459,806 (excluding GST);

AND THAT the SCRD enter into a contractual agreement with Associated Fire Safety Group, for the Replacement of the Gibsons & District Fire Department initial attack apparatus in the amount of \$400,789 (excluding GST);

AND THAT the 2020-2024 Financial Plan be updated accordingly;

AND FURTHER THAT this recommendation be forwarded to the Regular Board meeting of November 12, 2020.

BACKGROUND

During the 2020 budget process, the SCRD Board approved proposals for replacement of Halfmoon Bay VFD's tender, Gibsons & District VFD's initial attack and Roberts Creek VFD's initial attack vehicles. The three SCRD fire departments cooperated and developed a joint bid with their apparatus replacement projects.

DISCUSSION

An RFQ was published on August 5, 2020 and closed on September 11, 2020. Four addendums were issued.

Purchasing received three compliant proposals. Led by Purchasing, the evaluation team consisted of six team members. The evaluation committee reviewed and scored the proposal against the criteria set out in the document. Staff have recommended that a contract be awarded to HUB Fire Engines & Equipment Ltd. for the Halfmoon Bay Volunteer Fire Department, and to Associated Fire Safety Group for the Gibsons & District Volunteer Fire Department as they met the specifications as outlined and are the highest scoring proponents for the above-mentioned projects. Only one bid was received for the Roberts Creek initial attack

vehicle and it was significantly over the allotted budget. It is recommended that the Roberts Creek vehicle replacement bid be revised and resubmitted.

Financial Implications

A contractual agreement with HUB Fire Engines & Equipment Ltd., for the Replacement of the Halfmoon Bay Fire Department tender apparatus in the amount of \$459,806 (including PST, but excluding GST). This is within the approved budget of \$500,000 and this purchase will be funded by \$300,000 from reserves, and \$159,806 from debt.

A contractual agreement with Associated Fire Safety Group, for the Replacement of the Gibsons & District Fire Department initial attack apparatus in the amount of \$400,789 (including PST, but excluding GST). This purchase will funded entirely by debt. This purchase exceeds the budgeted amount of \$350,000 due to some additional options being included with the purchase, and so it will require a budget amendment. This purchase is not funded from reserves because the capital plan requires \$300,000 for a roof replacement in 2021 and the current reserves are insufficient to cover this roof replacement and the cost of this fire apparatus.

Timeline for next steps or estimated completion date

Once a contract is awarded, it is expected that delivery of the fire trucks will occur in twelve months.

STRATEGIC PLAN AND RELATED POLICIES

As part of strategic focus area 2 of the current Strategic Plan, one tactic is to “Develop and implement asset management plan components including asset inventory, condition assessments, levels of service, risk assessments, capital and operational maintenance plans and funding strategies.”

The apparatus replacements are also identified in the fire department 20-year capital plans.

CONCLUSION

It is recommended that the fire department apparatus replacement contracts be awarded for the Halfmoon Bay and Gibsons & District Volunteer Fire Departments. The Roberts Creek Volunteer Fire Department should revise and resubmit a request for proposal.

Reviewed by:			
Manager	X – R. Michael X – R. Daley	Finance	X - A. Taylor
GM		Legislative	
CAO	X – D. McKinley	Purchasing	X - V. Cropp

**SUNSHINE COAST REGIONAL DISTRICT
POLICING AND PUBLIC SAFETY COMMITTEE**

October 15, 2020

MINUTES OF THE SUNSHINE COAST POLICING AND PUBLIC SAFETY COMMITTEE
MEETING HELD IN THE BOARDROOM OF THE SUNSHINE COAST REGIONAL DISTRICT
1975 FIELD ROAD, SECHELT, BC.

PRESENT:

(Voting Members)

Director, Electoral Area F, Chair
Director, Electoral Area A
Director, Electoral Area B
Director, Electoral Area D
Director, Electoral Area E
Mayor, District of Sechelt
Councillor, District of Sechelt
Councillor, Town of Gibsons
SD46

Mark Hiltz
Leonard Lee
Lori Pratt
Andreas Tize
Donna McMahon
Darnelda Siegers
Matt McLean (Alt)
David Croal
Sue Girard

ALSO PRESENT:

(Non-Voting)

RCMP Staff Sergeant
Chief Administrative Officer
Executive Assistant / Recorder
Media
Public

Poppy Hallam
Dean McKinley
Tracey Hincks
1
0

**Directors, staff, and other attendees present for the meeting participated by means of electronic or other communication facilities in accordance with Sunshine Coast Regional District Board Procedures Bylaw 717.*

CALL TO ORDER**1:30 p.m.****AGENDA**

The agenda was adopted as presented.

MINUTES**Recommendation No. 1***Minutes*

The Sunshine Coast Policing and Public Safety Committee recommended that the minutes of July 16, 2020 be received.

REPORTS**Recommendation No. 2** *Monthly Crime Statistics – July - September 2020*

The Sunshine Coast Policing and Public Safety Committee recommended that the RCMP Monthly Crime Statistics for July - September 2020 be received.

RCMP Update

Staff Sergeant Hallam gave an update on local policing and reviewed the monthly crime statistics.

Highlights include:

- *Training has resumed after suspension due to COVID-19.*
- *Noticeable increase in crimes with firearms.*
- *Online crime reporting through the Sunshine Coast RCMP portal is working well.*
- *New Youth Liaison will coordinate with mental health workers and VCH to offer the CAR 67 Program for mental health calls.*
- *Ongoing resource concerns.*
- *Successfully secured two new employees.*

RCMP Vehicle Stationed on Gambier Island

The Committee discussed the possibility of having an RCMP vehicle stationed on Gambier Island. A retired or “miled-out” vehicle could be parked on Gambier Island. RCMP would have the parking area fenced – possibly near the community centre. It would be a community safety vehicle to respond to calls safely or move paramedics around the area. The RCMP would lease the property and pay for fencing costs.

Recommendation No. 3 *Securing Location for RCMP Vehicle on Gambier Island*

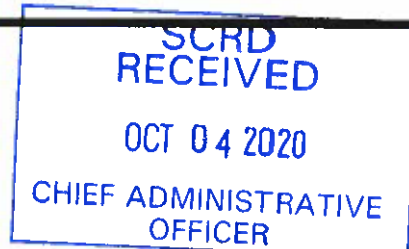
The Sunshine Coast Policing and Public Safety Committee recommended that the SCRD Board send a letter to Islands Trust requesting they reach out to the Gambier Island community to assist in finding a suitable location for the RCMP to park their multi-purpose safety vehicle in close proximity to the New Brighton dock.

ADJOURNMENT 2:50 p.m.

Committee Chair

Tracey Hincks

From: Raquel Kolof [REDACTED] >
Sent: Sunday, October 4, 2020 6:50 PM
To: Board Chair
Subject: restrict cannabis production in the ALR



External Message

Dear SCRD Board and Staff,

I am writing to you to call for a ban on industrial cannabis production on farmland, increased restrictions on large soil based cannabis production in the ALR and a commitment to preserve farmland primarily for soil-based food production. I urge local governments to use their power to restrict large cannabis production on our precious non-renewable resource, our farmland.

Currently, in Area E, on 437 Hough Road, there is a cannabis facility that has had two house fires in the past 3 years, significant drug sales day and night, and emits a strong and pervasive odour of cannabis that can be detected from over 1050 feet away. The federal regulations on filtration and ventilation state; 85 (1) Any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored or tested must be equipped with a system that (a) filters air to prevent the escape of odours associated with cannabis plant material to the outdoors; <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2018-144/FullText.html>. Despite several complaints to local government and the ALC, there has been no discernible change in how this cannabis facility operates.

The current SCRD bylaw setbacks of 1011.7 (2) no building used as a cannabis production facility under Section 1011.5 shall be located within 60 metres of a parcel line and yet this property has had a cannabis facility close to the road, within these setbacks and on a elementary school route for years. The current setbacks need to be increased as they are not effective enough to mitigate noxious odours.

I am concerned that our local government and bylaw officers do not have the capacity to effectively monitor and enforce cannabis operations and that this lack of oversight will lead to wide scale abuse of our farmland.

Every year, more of the produce consumed by British Columbians is coming from sources outside of the country. According to an [article](#) by The Tyee, only about 45 per cent of the vegetables eaten by British Columbians are grown by B.C. farmers. And locally, the [2014 Ag Plan](#) cited that, **at most, we grow 3%** of the food we consume on the coast. Today, one in 50 citizens are involved in agriculture, that number used to be 1 in 3. [Covid has laid bare the danger of a consolidated and concentrated food system.](#) This is an urgent issue for many reasons, including, as cited by Kent Mullinex, "uncertainty of supply as climate change-driven crop production areas collapse, volatility in the world economy, increasing global population, loss of arable land globally, food security, and safety."

A bag of locally raised organic greens sells for \$16 per lb and takes 8 weeks from seed to harvest. Local pastured pork sells for up to \$10 per lb and takes 7 months to raise, plus 4 months in utero. Cannabis is sold for \$1500-\$1800 per lb and takes 4.5 months to grow from clones. ["An acre of soybeans will make farmers \\$500, while an acre of hemp could make them as much as \\$30k"](#). Although significant capital is needed to start a cannabis facility, the same can be said for all types of farms, especially water infrastructure. Cannabis production is significantly more lucrative than traditional farming operations, even if it's just low THC content hemp being grown. If a cannabis producer has enough capital to start a cannabis operation, they can afford to purchase industrial land. Delta Mayor George Harvie noted that cannabis production moved to farmland as a way to cut costs. ["It costs a lot more to establish a recreational marijuana operation in an industrial area than it does in the ALR land, I find it shameful that they're allowed to do that."](#)

Therefore, I ask that the following regulations be put in place to help protect our diminishing agricultural land reserve.

I request that the SCRD, Town of Gibsons and District of Sechelt:

1. cap the number of cannabis facilities that are eligible to operate on ALR land in each district on the Sunshine Coast, with the exception of outdoor field grown cannabis.
2. restrict industrial cannabis production to industrial land.
3. restrict large 'soil-based' cannabis facilities to parcels of 8 hectares or more with increased setbacks over 100 m to mitigate noxious odours, light pollution and toxic leachate to surrounding residences and farms. Clearly the current setbacks are not effective.
4. cap the maximum square footage of soil-based cannabis facilities to 10% of the lot size. This will prevent large facilities from overpowering traditional farming neighborhoods that are also family residences.
5. impose severe penalties for land owners of cannabis companies that fail to install proper air filters and allow noxious odours, leachate, prohibited dumping and removal of soil, and who pollute the groundwater, thereby affecting neighbouring farmland.
6. charge a development cost to every new cannabis facility in the ALR and this development cost be set aside to support soil-based food production in the ALR.
7. ensure indoor cannabis production facilities are subject to the same water restrictions as outdoor food production. At no point should indoor cannabis production facilities be given unrestricted access to municipal water while food farmers are restricted and/or cut off from water use.

I ask that local governments take steps immediately to prohibit large scale industrial cannabis operations in the ALR, with the exception of field grown cannabis. Local governments retain the ability to prohibit and/or regulate if cannabis production is not: outside, in a structure with a soil base, or in a structure constructed (but not altered to increase its size) or authorized for construction before July 2018.

It is unfortunate that the Province, without adequate consultation, moved quickly to deem cannabis production as permitted farm use in May, 2019. Now, a year and a half later, we need to act now and revise our bylaws to prevent more farmland from being destroyed. Some of us attended the May 22, 2019 meeting in Sechelt, where the ALC and Ministry of Agriculture discussed these changes. The statements from the ALC officials made it clear that local governments have the "choice to regulate", with "a lot of discretion" and are able to "create your own ALR within a broad definition of the ALCA."

We need to protect the ALR from being disproportionately bought up and taken over for cannabis production because

- a) ALR land is cheaper than industrial land,
- b) cannabis producers are flocking to the Sunshine Coast for the relatively cheaper land and improved lifestyle, and
- c) cannabis production earns far greater income than any food crop.

"The ALR is a provincial land-use zone in which agriculture is recognized as the priority use. It is the biophysical resource base that supports farm and ranch activities in the province. Farming/ranching of ALR land is encouraged and non-agricultural uses are regulated." - ALC

In 2019, after Cannabis was deemed farm use, Delta lost five million square feet of food producing greenhouse space to cannabis growing. Since May 2019, cannabis growers have taken advantage of more lenient regulations around cannabis production on ALR land.

Pastured Pork is sold for \$8-\$10 per lb and takes 7 months to raise, plus 4 months in utero. Cannabis is sold for \$1500-\$1800 per lb and takes 4.5 months to grow from clones. "An acre of soybeans will make farmers \$500, while an acre of hemp could make them as much as \$30k". Although significant capital is needed to start a cannabis facility, cannabis production is much more lucrative than traditional farming operations, even if it's just low THC content hemp being grown. If a cannabis producer has enough significant capital to start a cannabis operation, they can afford to purchase industrial land. Delta Mayor George Harvie noted that cannabis production moved to farmland as a way to cut costs. "It costs a lot more to establish a recreational marijuana operation in an industrial area than it does in the ALR land. I find it shameful that they're allowed to do that."

KPU's Director of the Institute for Sustainable Food Systems, Kent Mullinix, does not believe the designation of cannabis production as farm use will benefit farmers in any way. "I think it will benefit very few 'farmers'—I am reticent to call them farmers—but mostly benefit big money [and] the already unreasonably wealthy, and further foment the upward pricing pressure on B.C. farmlands." And this is what we are seeing here on the coast, the wealthy and well connected are buying up farmland for cannabis facilities and making the acquisition of farmland an elite sport, out of reach for your average citizen. Half of B.C.'s food supply is imported from outside the province, raising concerns about provincial food security, self-reliance for food production and climate change, according to a 2011 report from the Pacific Institute for Climate Solutions. "Does it make sense to use a precious, non-renewable resource that all of humanity is dependent on so that a few companies can make billions of dollars? No, it does not," said Mullinix.

As of September 2019, 26% of BC's ALR land was being used for cannabis production. Only 5% of BC is ALR land, and half of the ALR is crown land. Only 1.1% of the ALR is suitable for crop production. On the South Coast only 3% of our land is held in the ALR. The Sunshine Coast's total farmland area has steadily decreased from 867 ha in 2006 to 484 ha in 2016. We cannot afford to lose more of the ALR to non-food production. Currently, only 8% of the ALR on the Sunshine Coast is farmed. If we lose more of our ALR to industrial cannabis production we will become even more dependent on a vulnerable and brittle off-coast food supply.

Please ensure that farmers have access, now and in the future, to the essential land and soil required to grow nutrient dense food. Our precarious food security doesn't stand a chance unless we ensure farmland is preserved primarily for local food production. Please help us build a robust, resilient and reliable local food system.

Thank you for your time and consideration.

Sincerely,

Raquel Kolof
Hough Heritage Farm
367 Hough Road
Gibsons
Area E

For your reference:

SCRD Bylaws

1011.5 with a parcel size equal to or exceeding 8 hectares , the additional permitted use is a cannabis production facility

1011.7 (1) unless otherwise provided for under Section 1011.4, all uses listed in Sections 1011.3 and 1011.4 shall not be sited within 15 meters of any parcel line;

Setback

(2) no building used as a cannabis production facility under Section 1011.5 shall be located within 60 metres of a parcel line

Federal Regulations

<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2018-144/FullText.html>

System — filtration and ventilation

85 (1) Any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored or tested must be equipped with a system that

- (a) filters air to prevent the escape of odours associated with cannabis plant material to the outdoors ;
- (b) provides natural or mechanical ventilation with sufficient air exchange to provide clean air and to remove unclean air in order to prevent the contamination of the cannabis or thing that will be used as an ingredient;
- (c) is accessible and, if necessary for its cleaning, maintenance or inspection, is capable of being disassembled;
- (d) is capable of withstanding repeated cleaning; and
- (e) functions in accordance with its intended use.

Provincial/ALR Regulations

<https://www2.gov.bc.ca/gov/content/employment-business/economic-development/support-business-community/sector/cannabis/how>
https://www.bclaws.ca/civix/document/id/complete/statreg/30_2019#section8

Relevant Sections:

Cannabis

8 (1) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced

- (a) outdoors in a field, or
 - (b) inside a structure that, subject to subsection (2), has a base consisting entirely of soil .
- (2) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced inside a structure that meets both of the following conditions:
- (a) the structure was, before July 13, 2018,
 - (i) constructed for the purpose of growing crops inside it, including but not limited to producing cannabis lawfully, or
 - (ii) under construction for the purpose referred to in subparagraph (i), if that construction
 - (A) was being conducted in accordance with all applicable authorizations and enactments, and
 - (B) continues without interruption from the date it began until the date the structure is completed, other than work stoppages considered reasonable in the building industry;
 - (b) The structure has not

UBCM Letter on Cannabis Production

The UBCM Executive discussed the cannabis production issue at their May 2019 meeting and conveyed a [letter \[PDF - 196 KB\]](#) to the Province outlining concerns and a number of questions regarding the lack of consultation, delay in informing local governments and implications for local monitoring and enforcement. A [response \[PDF - 41 KB\]](#) was received in July.

Cannabis Production in the ALR

This information has moved [here](#).

Cannabis Legalization in Your Community: A Primer for Local Governments

UBCM has developed a broad guide examining local areas of responsibility, and other aspects of the non-medical cannabis regime that will impact local governments. The primer also includes a list of resources and provincial contacts.

[2018-10-17 Cannabis Legalization in Your Community.pdf \[PDF - 199 KB\]](#)

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200-1627 Fort Street, Victoria BC V8R 1H8
 Telephone (250) 405-5151 Fax (250) 405-5155
 Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC 1.800.663.7867
 Email information@islandstrust.bc.ca
 Web www.islandstrust.bc.ca



October 2, 2020

File No.: 12-05-6410-03-2020

Via Email: Minister.Transportation@gov.bc.ca

marc.garneau@parl.gc.ca

The Honourable Claire Trevena
 Minister of Transportation and
 Infrastructure
 PO Box 9850 Stn Prov Govt
 Victoria BC V8W 9T5

The Honourable Marc Garneau
 Minister of Transport
 330 Sparks Street
 Ottawa ON K1A 0N5

Re: New Brighton dock – Gambier Island, Howe Sound, British Columbia

Dear Minister Trevena and Minister Garneau:

On behalf of Islands Trust Council, I am writing to request your assistance on an important matter affecting the Gambier Island community in the Islands Trust Area. The community located on the southwest peninsula of Gambier Island, in Howe Sound, is facing the very real prospect of losing its primary port facility, the New Brighton dock. The dock has provided critical public access to the community for over a century. It provides passenger ferry access, local moorage, and is the critical remote access point for basic services, including emergency services. The Islands Trust Council requests your assistance to ensure that this critical public access point is preserved.

The community on Gambier Island's southwest peninsula has no schools, shops, or medical services. Access to these services is by water, via the New Brighton dock. Originally constructed in 1917, the New Brighton dock is the only all-season sheltered port and is the community's primary access point for work, school, supply delivery and emergency services. It is the only port on the island serviced by BC Ferries, designated as route 13. Route 13 is a contracted passenger ferry service, making ten trips to New Brighton dock daily, amounting to upwards of 35,000 people trips annually. The dock is a deep-water port with a pier structure and floats providing moorage for approximately 22 small boats. It is situated within provincial Water Lot 5087 (New Westminster District) and is approached directly by a public road maintained by the Ministry of Transportation and Infrastructure.

In 2001, and then again in 2012, Transport Canada contacted the Gambier Island Community Association ("GICA") and the Sunshine Coast Regional District ("SCRD") and expressed its intention to divest itself of the New Brighton dock. In 2012, in consultation with the GICA, the SCRD communicated its willingness to Transport Canada to enter into negotiations to transfer the dock to the SCRD. Transport Canada transferred ownership of the New Brighton dock to the Skwxwú7mesh Uxwumixw (Squamish Nation) in 2013.

At the time of divestiture, the Squamish Nation was to maintain public access and use of the dock for five years through an Operating Agreement. The Operating Agreement term has now expired and public use and access to the dock is now in question. We have been told that Squamish Nation staff have advised GICA there are several potential private sector buyers interested in the dock, but Squamish Nation Council may also consider public ownership as an option.

.../2

Preserving island communities, culture and environment

Bowen Denman Hornby Gabriola Galiano Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

The New Brighton dock generates no revenue and is not supported by local taxation. The local community is small and does not have the financial or administrative wherewithal to acquire and operate the port. We are very concerned that the sale of the dock to a private entity could result in the end of passenger ferry service, local moorage, and the critical remote access point for emergencies. An additional negative consequence of such a transfer is the possible loss of access to the community's only barge-loading facility, which sits within the same water lot, the development of which was approved by the provincial Ministry of Transportation and Highways in 1998. While that critical piece of infrastructure is completely independent of the New Brighton dock, insofar as the divesture process was concerned, a transfer of Water Lot 5087 to a private sector buyer of the dock may negatively affect the community's use of and access to the barge ramp. We understand that the Province of B.C. is currently the holder of Water Lot 5087; it was not transferred to the Squamish Nation.

Gambier Island's southwest peninsula community has been put in the untenable position of potentially losing its primary public port access. The community has been advocating to federal, provincial, regional elected representatives, and the Squamish Nation Council to support a joint solution.

The community needs a provincial or federal commitment to preserve the New Brighton dock as a public facility. With this in mind, Islands Trust Council requests that the Province of British Columbia or Transport Canada acquire the dock from the Squamish Nation, and/or assist in the acquisition of the dock by a public entity such as the Sunshine Coast Regional District. In this way, the New Brighton dock will be preserved as a critical transportation hub and lifeline for a small, but growing, community in the Islands Trust Area.

Thank you for your consideration of this matter.

Yours truly,



Peter Luckham
Chair, Islands Trust Council
pluckham@islandstrust.bc.ca

Cc: The Honourable Selina Robinson, Minister of Municipal Affairs and Housing
Doug Caul, Deputy Minister, Ministry of Indigenous Relations and Reconciliation
John Allan, Deputy Minister, Ministry of Forests, Lands, Natural Resources and Rural Development
Squamish Nation Council
Sunshine Coast Regional District Board
Nicholas Simons, MLA, Powell River-Sunshine Coast
Patrick Weiler, MP, West Vancouver - Sunshine Coast – Sea to Sky Country
Mark Collins, BC Ferries President and CEO
Gambier Island Local Trust Committee
Islands Trust Council
Islands Trust website



1173558

Dear Mayors, Regional District Chairs and Chief Administrative Officers:

Immunization plays a critical role in preventing disease and protecting the health of all British Columbians. Maximizing the opportunities for people to get immunized against vaccine preventable diseases, including influenza, is a public health priority and especially important during the COVID-19 pandemic.

In order to continue safely delivering immunization services to as many people as possible during the COVID-19 pandemic, our regional health authorities are looking to work in partnership with their local communities to use large public buildings, facilities and indoor spaces, such as recreation centres and sports arenas, as venues for public immunization clinics.

As a result, I am writing to request that your municipality make its large public buildings, facilities and indoor spaces available to public health officials on a temporary basis for immunization clinics in the fall and winter. It is our expectation that these spaces will be used by health authorities in full compliance with health and safety plans and related public health guidance, including requirements for routine cleaning and limiting the number of persons on site at any given time. Health authorities will cover the costs of using these spaces, including those related to additional cleaning.

Local public health officials will be contacting you directly to discuss this request. Please also feel free to reach out to them in advance with any questions. A copy of this letter is being sent to all Mayors, Regional District Chairs and Chief Administrative Officers in British Columbia.

Thank you for supporting immunization and the health of your community.

Sincerely,

Bonnie Henry
MD, MPH, FRCPC
Provincial Health Officer

Minister of Transport



Ministre des Transports

Ottawa, Canada K1A 0N5

Mr. Patrick Weiler, M.P.
West Vancouver-Sunshine Coast-Sea to Sky Country
patrick.weiler@parl.gc.ca

Dear Colleague:

Thank you for your correspondence of September 30, 2020, regarding the New Brighton Dock.

Since 1995, Transport Canada has been divesting its port assets under two different program initiatives, the Port Divestiture Program (PDP), which ran from 1995 to 2014, and the Port Transfer Asset Program (PATP), which started in 2015 and continues to be used to transfer the department's port assets. The New Brighton Dock is a Transport Canada port facility transferred under the PDP to SN New Brighton Dock Ltd., owned by the Squamish Nation. Under the PDP, and now the PATP, ports were divested in order to place decision-making in the hands of local authorities better positioned to operate those facilities in the interests of the communities that they serve.

An overarching transfer agreement between Transport Canada and SN New Brighton Dock Ltd. was reached on November 12, 2013, whereby the company acquired all Transport Canada-owned assets and specified chattel at the facility. In exchange for acquiring the facility, the department provided a funding contribution to assist SN New Brighton Dock Ltd. in operating and maintaining the facility. The contribution funding was expended by SN New Brighton Dock Ltd. on December 12, 2019.

Under this overarching agreement, SN New Brighton Dock Ltd. was required to operate the facility as a public port facility until November 2015. During this period, Transport Canada had limited post-transfer involvement beyond ensuring that the facility remained a public port facility and that the federal contribution funding was spent in accordance with the agreement. SN New Brighton Dock Ltd. has fulfilled its obligation under the transfer agreement; therefore, Transport Canada is not in a position to direct future operations of the facility. Removing federal involvement at the facility in favour of local decision-making was a stated goal of the transfer.

To provide clarity for your question, issues or concerns regarding the future of the facility should be directed to the port owner and operator, SN New Brighton Dock Ltd., as Transport Canada has already relinquished ownership of the facility and has no role in evaluating any future transfer or operations at the dock. Transport Canada also does not have a mandate to reacquire the port nor is a reacquisition aligned with departmental priorities.

Thank you again for writing.

Canada

Yours sincerely,

A handwritten signature in black ink, reading "Marc Garneau". The signature is fluid and cursive, with the first name "Marc" and last name "Garneau" clearly distinguishable.

The Honourable Marc Garneau, P.C., M.P.
Minister of Transport