

SUNSHINE COAST REGIONAL DISTRICT
WEST HOWE SOUND (AREA F)
ADVISORY PLANNING COMMISSION MEETING AGENDA
Tuesday, July 25, 2023 at 7:00 p.m.

Meeting will be Held Online via ZOOM

CALL TO ORDER

AGENDA

1. Adoption of the Agenda

DELEGATIONS

MINUTES

2. West Howe Sound (Area F) APC Minutes of May 23, 2023 Pages 1 - 3
3. Egmont/Pender Harbour (Area A) APC *May 31 & June 28, 2023 Meetings Cancelled*
4. Halfmoon Bay (Area B) APC *May 23 & June 27, 2023 Meetings Cancelled*
5. Roberts Creek (Area D) APC *May 15 & June 19, 2023 Meetings Cancelled*
6. Elphinstone (Area E) APC Minutes of June 28, 2023 pp 4 - 6
May 24, 2023 Meeting Cancelled

BUSINESS ARISING FROM MINUTES AND UNFINISHED BUSINESS

REPORTS

7. Regional Growth Framework Baseline Research pp 7 - 8
8. Planning Enhancement Project (PEP) 2 Phase 1 Policy Fix Micro Project:
Amendment Zoning Bylaw No. 722.9 and 337.123 Watercourse and Shoreline
Protection Amendments pp 9 - 20

NEW BUSINESS

DIRECTORS REPORT

NEXT MEETING

ADJOURNMENT

SUNSHINE COAST REGIONAL DISTRICT

AREA F – WEST HOWE SOUND ADVISORY PLANNING COMMISSION

May 23, 2023

RECOMMENDATIONS FROM THE WEST HOWE SOUND (AREA F) ADVISORY PLANNING
COMMISSION MEETING HELD ELECTRONICALLY VIA ZOOM

PRESENT:	Chair	Susan Fitchell
	Members	Ryan Matthews Miyuki Shinkai Katie Thomas
ALSO PRESENT:	Director, Electoral Area F	Kate-Louise Stamford (Non-Voting Board Liaison)
	SCRD Planner II	Alana Wittman (part)
	Recording Secretary	Diane Corbett
	Public	2 (part)
REGRETS:	Members	Jonathan McMorran Kevin Healy
ABSENT:	Members	Tom Fitzgerald Dave Haboosheh

CALL TO ORDER 7:05 pm

AGENDA The agenda was adopted as presented.

MINUTES

West Howe Sound (Area F) Minutes

The West Howe Sound (Area F) APC minutes of April 25, 2023 were approved as circulated.

Minutes

The following minutes were received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of April 26, 2023
- Halfmoon Bay (Area B) APC Minutes of April 25, 2023
- Elphinstone (Area E) APC Minutes of April 26, 2023

REPORTS

Zoning Amendment Bylaw No. 722.6 for 268 Stella Maris Road

The APC discussed the staff report regarding Zoning Amendment Bylaw No. 722.6, a proposal to amend the zoning and subdivision district to enable subdivision and future residential development at 268 Stella Maris Road in West Howe Sound.

Planner II Wittman gave an overview of the current and proposed zoning and the application process, and responded to APC members' inquiries. It was noted the applicant was looking at bringing the zoning into compliance with the Official Community Plan.

Dustin Christmas of Landev Consulting provided comments related to the proposed development in response to APC inquiries. The owner was present as an observer.

Comments from APC members included:

- Attended the public information meeting. Two or three people at the meeting were concerned about even existing traffic, especially in the snow. I do walk the neighbourhood in question quite a bit. I counted the number of cars that did go past me while I walked at different times (4pm, 5pm, a long weekend), cognizant of how much traffic there was. It was one vehicle every 45 minutes. It is possible that what the person at the meeting was concerned about is that quite a few people have put hedges at the edge of the road, and not left an area to get off the road; this can make people nervous. Maybe when subdividing, make sure there's a shoulder to get off the road.
- I favour the R2 zoning because it allows two separate buyers for a property. That would make it quite a bit more affordable. There aren't many of the existing owners in this area who have put in an auxiliary dwelling; but there is a huge cost to that. Not being able to stratify that, with two separate titles, puts a lot of stress on the other buyer if doing something together. R2 does give more options for making it "affordable", for people that are looking to have a bigger property. .5 acre makes it quite expensive.
- If it is to be rezoned and the OCP is supporting it, R2 zoning is preferred. Think it is necessary to allow for those duplex homes, because house prices are ridiculous.
- Regarding traffic: not many cars come down St. Andrews; it is a quiet road. The issue with residents on the road is they are used to a quiet road. Also in recent years a subdivision went through. It has made a bit of a through road section. Sometimes at night some people drive as quickly as they can down the road. The road is really wide; if there is only one car, it makes you drive faster. If you want people to slow down, make the road narrower. If people park on the road, people slow down, and make it safer for pedestrians. It is a bit of a route for cyclists now so they don't have to go around North Road bend.
- People are worried about water supply; we are heading into summer, and it is big issue. Having fourteen homes and more people living in the area: do we have enough water supply? Can we sustain water supply in the summer time? This is a concern of residents in the area.
- I have concerns about the storm water. It might not go to a public hearing because it is a zoning bylaw amendment. If it goes to R2, it might be good idea for the SCRD to do a public hearing – it seems to be a bit scary for people to go to that... it is more of a perceived difference in density.
- On St. Andrews, there are a few houses that were supposed to have 10-year rain retention. But there are a lot of houses that don't retain the water. I am at the beach below St. Andrews; there is a pipe into ocean, with dirty water. There is eelgrass getting

flooded out by mud. Have concern with the slope of the hill coming out of Langdale. It is a steep hill with a lot of blow downs. Have concerns about storm water management. Is anyone looking at: "you have to put in a containment tank, and take rainwater off the house and save it to sprinkle the yard"? Are you looking at making this mandatory? Why isn't SCRD saying "if you build, put in water retention"?

- Regarding storm water management, SCRD doesn't have anything on the footprint of the impermeable area. Maybe SCRD should consider the footprint of the impermeable area, and lots shouldn't be fully impermeable. Water should run into soil rather than ditches and storm drains. Reduce run-off.
- Affordable housing contribution: the report talks about \$6500 per lot. I think that is too small. Policies in Gibsons and Sechelt for a single family lot are looking at \$10,000 per new lot; that is something we should be looking at, especially when looking at house prices now. We have a housing crisis now.
- Occasionally you can go through a process and create a term sheet; it is negotiated with the Regional District and the developer as a way to negotiate things for the community. The developer is allowed to have the zoning amendment if they follow through with the asks for these requests. The housing contribution would be part of that. Request for rainwater retention: if this lot were to be subdivided, then the development would need a covenant that has rainwater retention. Have something for the developer about land left for trails. Requests that have been asked for would go ahead if the zoning goes through.
- Looking between the dotted yellow and the gray-coloured lots (north of the subject parcel, page 18 of agenda), it is really steep, but once down around Langdale Creek, there are incredible trails. A lot of the land is owned by MOTI down there. Trails going through there over to Langdale Creek area could create quite a trail network.
- The primary affordable housing contribution, created between staff and applicant, is not enough for development of a new lot. These days rental is \$2000+ per month. Have it higher.
- APC received comments from member by email before the meeting:
 - I do support carriage houses on these sites to give some diversity of use.
 - The terrain is quite steep so I expect that tree retention will be difficult. It would be beneficial to break up the ongoing clear cut sense up along there if there could be a cluster of trees that are maintained, but customizing some of the building envelopes and/or a commitment to planting as part of the development works, even if it is lower canopy plantings to break up the hillside.
 - I think stormwater features will be critical on that hillside as there have been issues of wash out below; this can be achieved if integrated with proper sediment and erosion control measures.

DIRECTOR'S REPORT

The Director's report was received.

NEXT MEETING Tuesday, June 27, 2023

ADJOURNMENT 8:52 pm

SUNSHINE COAST REGIONAL DISTRICT

AREA E – ELPHINSTONE ADVISORY PLANNING COMMISSION

June 28, 2023

RECOMMENDATIONS FROM THE AREA E ADVISORY PLANNING COMMISSION MEETING
HELD AT FRANK WEST HALL, 1224 CHASTER ROAD, ELPHINSTONE, BC

PRESENT:	Chair	Mary Degan
	Members	Laura Macdonald Nara Brenchley Arne Hermann Clinton McDougall Anthony Paré Michael Sanderson
ALSO PRESENT:	Electoral Area E Director	Donna McMahon (Non-Voting Board Liaison)
	ALR00024 Applicant	Mohammad Charkhchi
	Recording Secretary	Vicki Dobbyn
	Public	2
REGRETS:		Rod Moorcroft

CALL TO ORDER 7:02 p.m.

AGENDA

The agenda was adopted as circulated.

MINUTES

Elphinstone (Area E) APC Minutes of April 26, 2023 were approved as circulated.

The following minutes were received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of April 26, 2023
- Halfmoon Bay (Area B) APC Minutes of April 25, 2023
- West Howe Sound (Area F) APC Minutes of April 25 & May 23, 2023

REPORTS

Proposed Agricultural Land Reserve Exclusion (ALC67287, SCRD ALR00024) 508 Pratt Road, Elphinstone

Key points of discussion:

- This report was referred to the APC at the request of the Area E Director as a good learning opportunity about example of the pressures on our ALR.
- The applicant was under the impression that the zoning permitted commercial uses based on a document received from an accountant from the estate from which the property was brought. The estate was handled by the Office of the Public Trustee. The applicant may not have understood the limitations of the ALR designation or the challenges of obtaining an exclusion from the ALR.
- The applicant and his party described uses for the property that they were proposing. It was clarified to the applicant that the APC was not considering uses for the property, but was only considering the application for exclusion from the ALR. It was suggested to the applicant that he research what is permitted in the ALR, that he use the services of a planning consultant to explore permitted uses in the ALR, and that he look at examples locally and in other jurisdictions.
- Members discussed the importance for our community to maintain ALR zoning in order to preserve food security into the future.
- Members requested that the following input from a member be included in the minutes as reasoning for its recommendation:

Regarding the Exclusion Application at 508 Pratt Road:

Elphinstone OCP Objective 1: Preserve Class 1 to 4 Agricultural Land. The property has the following CLI (Canada Land Inventory Ratings for Agricultural Land):

Unimproved Classification: 5:4AWD-3:4W-2:4A

What this means is that without any improvements the land is designated **Class 4** with various limitations (50% with AWD Limitations, 2% with W Limitations and 20% with A Limitations): A- Soil Moisture Deficiency, D-Undesirable Soil Structure, W-Excess Water.

The Agricultural Land Commission looks very closely at the CLI Classification in making a decision. More important for the ALC than the Unimproved Classification is the **"Improved" Classification**. This reflects the assumption that the noted limitations can be overcome with appropriate soil improvement techniques by the owner.

Improved Classification: 5:2AD-3:2WA-2:2AT.

With some type of improvement, even though some of the limitations may still be present, the Improved designation is **Class 2 Soil**.

Elphinstone OCP Objective 5: Protect Existing and Future Agricultural Activities. The property is immediately south of the Banditry Cider Farm/Orchard. The "Plans" submitted, particularly the long-term plan, provide no buffers to either the Banditry Cider Orchard to the north or the agricultural lands to the south.

Elphinstone OCP Objective 6: Support the ALC in protecting agricultural lands and opportunities. The proposed exclusion, if approved, would result in another "island" of non-agricultural residential uses surrounded by ALR lands. The Fircrest Road subdivision will likely

not be viewed by the ALC as a precedent.

Recommendation No.1 *Proposed Agricultural Land Reserve Exclusion (ALC67287, SCRD ALR00024) 508 Pratt Road, Elphinstone*

The Area E APC recommends supporting Option 1 of the report, the staff's recommendation to deny the application.

DIRECTOR'S REPORT

The Director's report was received.

NEXT MEETING JULY 26, 2023

ADJOURNMENT 8:30 p.m.

SUNSHINE COAST REGIONAL DISTRICT REFERRAL

TO: West Howe Sound Advisory Planning Commission - July 17, 2023

AUTHOR: Yuli Siao, Senior Planner

SUBJECT: Regional Growth Framework Baseline Research

RECOMMENDATION

THAT the referral be reviewed and feedback be provided.

This referral is made as per SCRD resolution below regarding the SCRD Regional Growth Framework Baseline Research adopted on June 8, 2023.

The SCRD Regional Growth Framework Baseline Research Reports can be found at:

<https://letstalk.scrd.ca/growth>

Please note that these reports, as in their final form as submitted by the consulting firm which prepared them, are for information only. The SCRD is seeking feedback on accuracy and completeness of the data in the reports, to help to prepare a supplemental document.

SCRD Resolution on Regional Growth Framework Baseline Research

THAT the report titled Sunshine Coast Regional District (SCRD) Regional Growth Framework Baseline Research Reports be received for information;

AND THAT the following recommendations be approved as the next steps for the SCRD Regional Growth Framework Baseline Research project:

1. Refer the Sunshine Coast Regional District (SCRD) Regional Growth Framework Baseline Research Reports to other local governments, Islands Trust, Gambier Local Trust Committee, First Nations and Electoral Area Advisory Planning Commissions inviting feedback.
2. Refer the Sunshine Coast Regional District (SCRD) Regional Growth Framework Baseline Research Reports to School District 46, Vancouver Coastal Health, Ministry of Transportation and Infrastructure, Sunshine Coast Resource Centre, Sunshine Coast Community Services Society, Sunshine Coast Farmers' Institute, BC Ferries Corporation, Roberts Creek Official Community Plan Committee, inviting feedback.
3. Continue development of a Let's Talk SCRD page to gather comments and ideas from community groups and the community.
4. Refer the Sunshine Coast Regional District (SCRD) Regional Growth Framework Baseline Research Reports to the SCRD Strategic Planning process.
5. Staff to use the Regional Growth Baseline Framework as a key input for the PEP2 (Official Community Plan Renewal) project.
6. Encourage other local governments to use the Regional Growth Baseline Framework as a key input for any upcoming Official Community Plan updates or renewals.

7. Staff to prepare a set of options for next steps / implementation to consider, beyond integration with strategic plans and Official Community Plans, following receipt of referral comments and Let's Talk input for a timeline of Q3/Q4 2023.

SUNSHINE COAST REGIONAL DISTRICT STAFF MEMO

TO: Advisory Planning Commissions, 2023 Quarter 3

AUTHOR: Alana Wittman, Planner II

Julie Clark, Senior Planner

SUBJECT: PLANNING ENHANCEMENT PROJECT (PEP) 2 PHASE 1 POLICY FIX MICRO
PROJECT: AMENDMENT ZONING BYLAW NO. 722.9 AND 337.123
WATERCOURSE AND SHORELINE PROTECTION AMENDMENTS

RECOMMENDATIONS

THAT the report titled PLANNING ENHANCEMENT PROJECT (PEP) 2 PHASE 1 POLICY
FIX MICRO PROJECT: AMENDMENT ZONING BYLAW NO. 722.9 AND 337.123
WATERCOURSE AND SHORELINE PROTECTION AMENDMENTS be received;

AND THAT the Advisory Planning Commissions review and provide recommendation(s)
to SCRD Board.

This referral is related to proposed changes to SCRD zoning bylaws, as part of initial stages of the PEP 2 (OCP renewal) project. Phase 1 of this project involves several micro projects over the coming months to address urgent policy and regulation needs. The focus of this micro project is updating SCRD riparian regulations to recognize watercourses and shorelines as critical community assets for climate resilience. Staff are interested in APC feedback on these proposed zoning bylaw amendments and expect that the feedback will be insightful for this project as well as other upcoming policy work.

SCRD EAS Committee of the Board is scheduled to review and provide direction on this report on July 21, 2023. You may wish to watch the meeting live or recorded to see the Committee's discussion. <https://www.scrd.ca/agendas/>

If staff receive direction to proceed with the process to amend the zoning bylaws, the intention is to bring the next report to Committee in the fall 2023, after APC referral comments are received. APC referrals for this item are scheduled in July (Areas A,B,E,F) and September (Area D), based on available APC scheduling at the time of report authoring.

Please see the attached report.

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Electoral Area Services Committee – July 20, 2023

AUTHOR: Alana Wittman, Planner II
Julie Clark, Senior Planner

SUBJECT: **PLANNING ENHANCEMENT PROJECT (PEP) 2 PHASE 1 POLICY FIX MICRO PROJECT:
AMENDMENT ZONING BYLAW NO. 722.9 AND 337.123 WATERCOURSE AND
SHORELINE PROTECTION AMENDMENTS**

RECOMMENDATION(S)

- (1) THAT the report titled Planning Enhancement Project (PEP) 2 Phase 1 Policy Fix Micro Project: Amendment Zoning Bylaw No. 722.9 and 337.123 Mitigation Watercourse and Shoreline Protection Amendments be received for information;**
 - (2) AND THAT Zoning Bylaw No. 722.9 and 337.123 be considered for First Reading;**
 - (3) AND FURTHER THAT Zoning Bylaw No. 722 and 337 be referred to agencies and Advisory Planning Commissions for comment.**
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BACKGROUND

The purpose of this report is to present amendments to Zoning Bylaw 722 and 337 to the Board for consideration of First Reading.

The proposed housekeeping amendments will:

1. Align with Provincial legislative requirements and guidelines;
2. Operationalize OCPs; and
3. Enhance consistency, clarity, and efficiency in the development approvals process.

These amendments were identified through the Sunshine Coast Regional District (SCRD) Planning Enhancement Project 2 (PEP2). PEP2 is a multi-year project to review and update the SCRD's Official Community Plans (OCP) and all related bylaws and policies that operationalize the OCPs.

An update on this project, including reference to forthcoming proposals for emergency micro-policy amendments, was provided to the May 18 Electoral Areas Services Committee. Several emergency policy fixes are underway. SCRD recently repealed the Board Policy on Geotechnical Risk as it was outdated and misaligned with current Provincial Geotechnical best practices. Additionally, an OCP Amendment Board Policy is under development to foster best practices in developing and reviewing OCP amendment applications.

Policy Context

SCRD land use policies (OCPs) express a strong commitment to protecting sensitive ecological areas, which is not fully operationalized through the zoning bylaws. In proposing to fix this gap,

the zoning amendments would implement a key element of the community's vision. This fix has significant benefit to the community and SCRD: by protecting green infrastructure, we strategically foster climate resilience and mitigate organizational risk.

Clarity & Efficiency

In addition, the proposed amendments enhance efficiency in the development approval process by providing consistency with provincial regulations and guidelines as well as amongst SCRD Electoral Areas. This consistency creates regulatory clarity for developers, property owners, and staff. Such improvements to SCRD's policy framework have been identified as a need through the Development Approvals Process Review (DAPR).

DISCUSSION

Analysis

Currently, SCRD's two Zoning Bylaws 337 and 722 are not aligned with each other or provincial requirements and guidelines when it comes to development regulations related to sites containing or adjacent to waterbodies and watercourses. Of note, both Zoning Bylaw 337 and 722 currently allow for Streamside Protection and Enhancement Areas (SPEAs) to be considered developable area at time of subdivision.

SCRD Planning staff have received direct guidance from Provincial Riparian Biologists that zoning amendments to rectify this policy conflict are required. Similarly, Zoning Bylaw 337 and 722 do not consistently apply setbacks from waterbodies and watercourses, and neither bylaw provides adequate protection from development adjacent to SPEAs.

Specific proposed changes include:

1. Parcel area calculation in Bylaw 722 and Bylaw 337;
2. Buffer from SPEA in Bylaw 722 and Bylaw 337; and
3. Enhanced setbacks from waterbodies and watercourses in Bylaw 337.

Proposed Amendment 1: Parcel Area Calculation

Staff propose amendments to Bylaw 722, Section 4.3.1 as well as Bylaw 337, Sections 402 and 404, related to calculating parcel area when subdividing land. The proposed amendment aims to enhance climate resilience through protection of natural assets and reduce the organizational risk of approving proposed lots that are susceptible to increasingly frequent and intense precipitation events (atmospheric rivers). By aligning SCRD policies with provincial regulations and best practices, subdivision application processing times could be reduced by providing clear expectations to applicants and limiting back-and-forth referrals between SCRD Planning and the Provincial Riparian Areas Protection Regulation (RAPR) Team.

Proposed amendment to Bylaw 722, Section 4.3.1:

Current:

The calculation of minimum parcel area shall not include:

- a) Area to be used for community sewer field and equipment;

- b) Area to be dedicated for public open space, park or returned to the Province, except as permitted by the *Strata Property Act*; or
- c) Area to be dedicated as a highway

Proposed Add:

- d) Area of land covered by flowing or standing water, including, without limitation, a lake, pond, river, creek, spring, ravine, or wetland, whether or not usually containing water;
- e) Area of land that contains a Stream Protection and Enhancement Area (SPEA), as established under the *Provincial Riparian Areas Protection Regulations*.

Proposed amendment to Bylaw 337, Section 402

Current:

The minimum parcel area shall be determined by:

- (1) the minimum average parcel size, the minimum individual parcel size, the minimum usable parcel area and other subdivision options in the applicable subdivision district;
- (2) the minimum site area required under this bylaw for the intended use of the parcel; and
- (3) the servicing requirements applying to the parcel.

Proposed Add:

- (4) excluding the following areas from the calculation of minimum parcel area
 - (i) area to be used for community sewer field and equipment;
 - (ii) area to be dedicated for public open space, park or returned to the Province, except as permitted by the *Strata Property Act*;
 - (iii) area to be dedicated as a highway;
 - (iv) area of land covered by flowing or standing water, including, without limitation, a lake, pond, river, creek, spring, ravine, or wetland, whether or not usually containing water; or
 - (v) area of land that contains a Stream Protection and Enhancement Area (SPEA), as established under the *Provincial Riparian Areas Protection Regulations*.

Proposed amendment to Bylaw 337, Section 404:

Current:

The calculation of average parcel area shall not include land:

- (a) used or dedicated for public open space, park, returned to crown, highway, or community sewer field and equipment; or
- (b) lying beneath a waterbody.

Proposed replacement for (b) and add (c):

- (b) covered by flowing or standing water, including, without limitation, a lake, pond, river, creek, spring, ravine, or wetland, whether or not usually containing water; or
- (C) that contains a Stream Protection and Enhancement Area (SPEA), as established under the *Provincial Riparian Areas Protection Regulations*.

Precedent for the proposed amendment:

- City of Surrey Zoning Bylaw 12000
- District of Mission Consolidated Zoning Bylaw 2940-2020

Proposed Amendment 2: Buffer from Streamside Protection and Enhancement Areas (SPEA)

Staff propose amendments to Bylaw 337, Section 515 and Bylaw 722, Section 5.16 related to protecting the long-term integrity and health of the SPEA. Given that existing and future trees within the SPEA have roots and branches that extend into the developable portion of a property, the proposed bylaw amendment would require all buildings, structures, and hardscaping to be situated a minimum of 5 m away from the SPEA boundary to ensure that there is adequate space for protecting natural assets and ensuring that land alteration activity does not intrude on the SPEA.

This proposal results from Planning, Building and Bylaw staff observations that a lack of regulatory clarity contributes to a pattern of land alteration infractions. Land alteration in the SPEA triggers bylaw compliance investigations and remedial development permit processes, which are time consuming and expensive for property owners and staff alike.

The implementation of a mandatory 5m SPEA buffer will provide community clarity around the protection of critical natural assets. To implement the regulation, the following definition is proposed to be added to Bylaw 337 and 722:

Hardscaping means any human-made element made from inanimate materials like gravel, brick, wood, pavers, stone, concrete, asphalt, or similar material. Examples of hardscaping include landscaped elements (e.g., patio, deck, stone wall, pavers, etc.), retaining walls, roads/parking lots, campground pads, and fill placement.

The amendment is also aimed at providing more efficient processing of development that is adjacent to a SPEA by setting simplified and consistent regulatory expectations. Moreover, the buffer provides protection to the natural features, functions, and conditions in the SPEA; a critical green infrastructure asset that strengthens the region's resilience to climate change impacts.

Proposed amendment to Bylaw 337, Section 515:

- Current: There is no SPEA buffer in Bylaw 337 at this time.
- Proposed Add: Notwithstanding any other provision of this bylaw, and for the purpose of protecting the long-term integrity and health of Streamside Protection and Enhancement Areas (SPEA), no buildings, structures, hardscaping, or any part thereof shall be constructed, reconstructed, moved, located or extended within 5 metres of an established SPEA boundary.

Proposed amendment to Bylaw 722, Section 5.16:

- Current: There is no SPEA buffer in Bylaw 722 at this time.

- Proposed Add: No buildings, structures, hardscaping, or any part thereof shall be constructed, reconstructed, moved, located or extended within 5 metres of an established Streamside Protection and Enhancement Areas (SPEA) boundary.

Local government precedent for more robust SPEA protection:

- City of Abbotsford Streamside Protection Bylaw 1465-2005
- City of Coquitlam Zoning Bylaw 3000

Proposed Amendment 3: Setback from Waterbodies and Watercourses

Staff propose amendments to Bylaw 337, Section 515(1)(a), Section 515(1)(d), and Section 515(1)(e). The proposed amendments are consistent with Zoning Bylaw 722, Section 5.16 setbacks for waterbodies and watercourses. The amendment would promote clear and consistent setback regulations from waterbodies and watercourses across SCRD Electoral Areas. Further, the proposed amendment would strengthen property protection from flooding and facilitate environmental protection, public enjoyment of natural coastline, and reconciliation. These regulations would align with provincial guidelines and best practices and enhance SCRD's approach to building climate resilience and mitigating risk from climate change. This regulatory consistency and enhanced alignment with provincial guidelines and best practices is also envisioned to further enhance SCRD's ability to streamline development approvals.

Proposed amendment to Bylaw 337, Section 515(1)(a):

- Current: 7.5 m of the natural boundary of the ocean
- Proposed Replacement: 15 m of the natural boundary of the ocean

Proposed amendment to Bylaw 337, Section 515(1)(d):

- Current: 7.5 m of the natural boundary of a swamp or pond;
- Proposed Replacement: 17 m of the natural boundary of a swamp or pond;

Proposed amendment to Bylaw 337, Section 515(1)(e):

- Current: 30 metres of the natural boundary of Brittain River, Smanit Creek, Skawaka River, Deserted River, Vancouver River, Seshal Creek, Hunaechin Creek, Stakawus Creek, Potato Creek, Loquilts Creek, Tsuadhdi Creek, Osgood Creek; or 15 metres of the natural boundary of all other watercourses.
- Proposed Replacement: 30 metres of the natural boundary of Brittain River, Smanit Creek, Skawaka River, Deserted River, Vancouver River, Seshal Creek, Hunaechin Creek, Stakawus Creek, Potato Creek, Loquilts Creek, Tsuadhdi Creek, Osgood Creek; or 17 metres of the natural boundary of all other watercourses.

Precedent for the proposed amendment:

- SCRD Zoning Bylaw 722
- District of Sechelt Zoning Bylaw 580
- South Cowichan Zoning Bylaw 3520
- Comox Valley Zoning Bylaw 520

Options

Option 1 Proceed with First Reading for all proposed amendments (staff recommendation)

The proposed amendments provide measures to immediately address organization risk and strengthen community climate resilience, while also facilitating streamlining of development approvals by setting clear and consistent regulations across the regional district's electoral areas. By setting clear and consistent regulations it is additionally hoped that the proposed amendments will lessen the demand on staff for bylaw enforcement and remedial planning applications. Accordingly, staff believe these amendments should be implemented as soon as possible during this early stage of PEP2.

Option 2 Proceed with First Reading for one or more of the proposed amendments

Any proposed amendments that do not move to First Reading now will be revisited during future Official Community Plan renewal work associated with PEP2.

Option 3 Make no changes at this time

Continue development review and approvals based on the current zoning bylaws.

Organizational and Intergovernmental Implications

The proposed amendments to Bylaw 337 and 722 seek alignment with Provincial regulations and guidelines.

Financial Implications

There are no financial implications associated with this report, though it is noted that the proposed amendments seek to create regulatory clarity and simplicity aimed at improving development approval efficiency and lessening demands on bylaw enforcement and planning staff.

Timeline for next steps or estimated completion date

If the Board gives the proposed bylaws First Reading, staff propose to engage with the Advisory Planning Commissions (APCs) and conduct public engagement via Let's Talk throughout Q3, 2023. Following APC and public engagement, consideration of Second Reading would be brought forward in a future staff report. This report would also contain recommendations on whether a public hearing should be held or if consideration should be given to waiving the public hearing, per Section 464(2) of the *Local Government Act*. Third Reading, and Bylaw Adoption are targeted for Q4, 2023.

Communications Strategy

A communications plan is in development.

STRATEGIC PLAN AND RELATED POLICIES

This initiative/proposal can be seen as supporting Strategic Focus Area 4: Climate Change and Resilience in the Board's 2019 – 2023 Strategic Plan.

CONCLUSION

Housekeeping amendments are proposed for Zoning Bylaw 337 and 722. The proposed amendments provide measures to strengthen protection of ecologically sensitive areas including watercourses, and shorelines within SCRD. The proposed amendments provide measures to immediately address organization risk and strengthen community climate resilience, while also facilitating streamlining of development approvals by setting clear and consistent regulations across the regional district's electoral areas that are aligned with Provincial best practices. By setting clear and consistent regulations it is additionally hoped that the proposed amendments will lessen the demand on staff for bylaw enforcement and remedial planning applications. These amendments are therefore recommended to advance in this early stage of PEP2 work. Staff recommend proceeding with First Reading for the proposed amendments.

ATTACHMENT

Appendix A – Amendment Zoning Bylaw No. 722.9

Appendix B – Amendment Zoning Bylaw No. 722.9

Reviewed by:			
Manager	X – J. Jackson	Finance	
A/GM	X – R. Shay	Legislative	
CAO	X – D. McKinley	Risk Management	X – V. Cropp

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 337.123

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

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

PART A – CITATION

1. This bylaw may be cited as *Sunshine Coast Regional District Zoning Amendment Bylaw No. 337.123, 2023*.

PART B – AMENDMENT

2. *Sunshine Coast Regional District Zoning Bylaw No. 337, 1990* is hereby amended as follows:

Insert the following immediately following Section 402(3):

402(4) excluding the following areas from the calculation of minimum parcel area

- (i) area to be used for community sewer field and equipment;
- (ii) area to be dedicated for public open space, park or returned to the Province, except as permitted by the *Strata Property Act*;
- (iii) area to be dedicated as a highway;
- (iv) area of land covered by flowing or standing water, including, without limitation, a lake, pond, river, creek, spring, ravine, or wetland, whether or not usually containing water; or
- (v) area of land that contains a Stream Protection and Enhancement Area (SPEA), as established under the *Provincial Riparian Areas Protection Regulations*.

Replace Section 404(b) with the following:

404(b) covered by flowing or standing water, including, without limitation, a lake, pond, river, creek, spring, ravine, or wetland, whether or not usually containing water; or

Insert the following, immediately following Section 404(b):

404(c) that contains a Stream Protection and Enhancement Area (SPEA), as established under the *Provincial Riparian Areas Protection Regulations*.

Insert the following immediately following Section 515(3):

515(4) Notwithstanding any other provision of this bylaw, and for the purpose of protecting the long-term integrity and health of Streamside Protection and Enhancement Areas (SPEA), no

buildings, structures, hardscaping, or any part thereof shall be constructed, reconstructed, moved, located or extended within 5 metres of an established SPEA boundary.

Insert the following definition in Section 201 immediately following “grade, average natural”:

“hardscaping” means any human-made element made from inanimate materials like gravel, brick, wood, pavers, stone, concrete, asphalt, or similar material. Examples of hardscaping include landscaped elements (e.g., patio, deck, stone wall, pavers, etc.), retaining walls, roads/parking lots, campground pads, and fill placement.

Replace Section 515(1)(a) with the following:

515(1)(a) 15 m of the natural boundary of the ocean

Replace Section 515(1)(d) with the following:

515(1)(d) 17 m of the natural boundary of a swamp or pond;

Replace Section 515(1)(e) with the following:

515(1)(e) 30 metres of the natural boundary of Brittain River, Smanit Creek, Skawaka River, Deserted River, Vancouver River, Seshal Creek, Hunaechin Creek, Stakawus Creek, Potato Creek, Loquilts Creek, Tsuadhdi Creek, Osgood Creek; or 17 metres of the natural boundary of all other watercourses.

PART C – ADOPTION

READ A FIRST TIME this	####	DAY OF,	YEAR
READ A SECOND TIME this	####	DAYOF,	YEAR
PUBLIC HEARING HELD PURSUANT TO THE <i>LOCAL GOVERNMENT ACT</i> this	####	DAY OF,	YEAR
READ A THIRD TIME this	####	DAY OF,	YEAR
ADOPTED this	####	DAY OF,	YEAR

Corporate Officer

Chair

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 722.9

A bylaw to amend the *Sunshine Coast Regional District Zoning Bylaw No. 722, 2019*

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

PART A – CITATION

1. This bylaw may be cited as *Sunshine Coast Regional District Zoning Amendment Bylaw No. 722.9, 2023*.

PART B – AMENDMENT

2. *Sunshine Coast Regional District Zoning Bylaw No. 722, 2019* is hereby amended as follows:

Insert the following immediately following Section 4.3.1(c):

- d) Area of land covered by flowing or standing water, including, without limitation, a lake, pond, river, creek, spring, ravine, or wetland, whether or not usually containing water;
- e) Area of land that contains a Stream Protection and Enhancement Area (SPEA), as established under the Provincial Riparian Areas Protection Regulations.

Insert the following immediately following Section 5.16.2:

5.16.3 No buildings, structures, hardscaping, or any part thereof shall be constructed, reconstructed, moved, located or extended within 5 metres of an established Streamside Protection and Enhancement Areas (SPEA) boundary.

Insert the following definition in Part 12 immediately following “green roof”:

hardscaping: means any human-made element made from inanimate materials like gravel, brick, wood, pavers, stone, concrete, asphalt, or similar material. Examples of hardscaping include landscaped elements (e.g., patio, deck, stone wall, pavers, etc.), retaining walls, roads/parking lots, campground pads, and fill placement.

PART C – ADOPTION

READ A FIRST TIME this ##### DAY OF, YEAR

READ A SECOND TIME this ##### DAYOF, YEAR

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

DAY OF,

YEAR

READ A THIRD TIME this

DAY OF,

YEAR

ADOPTED this

DAY OF,

YEAR

Corporate Officer

Chair