

**SUNSHINE COAST REGIONAL DISTRICT**  
**ROBERTS CREEK (AREA D)**  
**ADVISORY PLANNING COMMISSION MEETING AGENDA**  
Monday, September 16, 2024 at 7:00 p.m.

Roberts Creek Library Reading Room, 1044 Roberts Creek Road, Roberts Creek, BC

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**CALL TO ORDER**

**AGENDA**

1. Adoption of the Agenda

**DELEGATIONS**

**MINUTES**

2. Roberts Creek (Area D) APC Minutes of July 15, 2024 Pages 1 - 3  
*April and May Meetings Cancelled*
3. Egmont/Pender Harbour (Area A) *APC July 31, 2024 Meeting Cancelled*
4. Halfmoon Bay (Area B) APC Minutes of July 23, 2024 pp 4 - 6
5. Elphinstone (Area E) *APC July 23, 2024 Meeting Cancelled*
6. West Howe Sound (Area F) *APC July 23, 2024 Meeting Cancelled*

**BUSINESS ARISING FROM MINUTES AND UNFINISHED BUSINESS**

**REPORTS**

7. Development Variance Permit (DVP00108) for 3663 Beach Avenue pp 7 - 16

**NEW BUSINESS**

**DIRECTORS REPORT**

**NEXT MEETING**

**ADJOURNMENT**

## SUNSHINE COAST REGIONAL DISTRICT

### HALFMOON BAY (AREA B) ADVISORY PLANNING COMMISSION

July 23, 2024

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RECOMMENDATIONS FROM THE HALFMOON BAY (AREA B) ADVISORY PLANNING COMMISSION MEETING HELD ELECTRONICALLY VIA ZOOM

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<b>PRESENT:</b>	Chair	Nicole Huska
	Members	Len Coombes Bob Baziuk Kim Dougherty Suzette Stevenson Alda Grames Barbara Bolding (recorder)
<b>ALSO PRESENT:</b>	Manager, SCRD Planning and Dev. SCRD Planner II DVP00099 Applicant	Jonathan Jackson Nick Copes Eric Pettit
<b>DELEGATION:</b>	Birch Way Representative	Konstantin Vassev
<b>PUBLIC:</b>		5
<b>ABSENT:</b>	Members	Ellie Lenz Kelsey Oxley Justine Gabias (Director, Area B)

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**CALL TO ORDER** 7:16 p.m.

**AGENDA** The agenda was adopted as presented.

#### MINUTES

##### Halfmoon Bay (Area B) Minutes

The Halfmoon Bay (Area B) APC minutes of June 25, 2024 were approved as presented.

##### Minutes

The following minutes were received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of 26 June, 2024
- Elphinstone (Area E) APC Minutes of 26 June, 2024
- West Howe Sound (Area F) APC Minutes of 25 June, 2024

## REPORTS

### Development Variance Permit DVP00099 (7531 Cove Beach Road) – Electoral Area B

A detailed discussion of issues related to this application occurred. The participation of SCRD staff members was very helpful to our further understanding of many of the circumstances related to it.

The development permit request was considered in 2 parts as outlined in the Staff Report Recommendation.

Regarding Section 5.16.1 (a) to reduce the setback for a structure adjacent to the natural boundary of the ocean from 15 m to 7.5 m, the APC was divided on this request. No members opposed the 7.5 m set back as it has already been approved. However, while a majority of members supported the request for approval of a “structure” (i.e. a pool) in this space, at least 3 members opposed construction of the same.

#### **Reasons:**

Reasons to support a “structure” (i.e. pool) in this space included:

- Construction of a plaza in this space is already approved
- Pool is preferable to a heat reflecting plaza
- Question comes down to a ‘waterscape” vs. a hardscape

Concerns of those opposed to construction of a pool included:

- If the pool is to be part of a heat sink for summer cooling, the possibility of warm water being released into the ocean needs to be assessed by the appropriate agency.
- Pool will increase parcel coverage beyond that which is allowed by current zoning.
- During the design and permit approval process, the owners and architect became aware of the specific bylaws requirements re: definitions of “structures” and of allowable square footage in this zone, and yet seem to have chosen a plan that would lead to overbuilding.
- Pool and fence (per artist’s drawings available on the architect’s website) is not in keeping with the OCP guidelines

Regarding Section 7.9.3 to vary the maximum parcel coverage for a parcel over 3500 m<sup>2</sup> in the RU1 Zone from 15% to 20.5%:

The Halfmoon Bay APC was about evenly divided on this request. We could not reach agreement and so could not make a recommendation.

#### **Reasons:**

Those in support of the request to increase the maximum parcel coverage considered the unique situation described in this application. Key points included:

- SCRD bylaw anomalies that apparently allow up to 35% parcel coverage on smaller parcels
- Application to reduce lot size will increase staff time and SCRD costs. Approval now may create time and cost savings.

- The large eaves of the house do not cover living space, and in fact protect it from summer heating. They provide beneficial cooling effects, which are becoming essential during our increasingly hot summers.

Those opposed to the increase were concerned with the following:

- The increase to the maximum parcel coverage contradicts the previous (310) and the current (722) bylaws applicable to the current zoning of this property. Increased parcel coverage also contradicts OCP principles.
- During the planning and approval process, other designed options were possible but apparently not pursued. The overall site plan was known, but not included with the original permit application. If it had been, adjustments could have been made at the time.
- Both the old and new bylaws (known to any applicant) include overhangs/eaves in area coverage calculations. This may differ other jurisdictions, but it's this region's standard. The calculation method has been, and will continue to be applied to all other permit applicants on the Coast. We need to apply the bylaws consistently.

#### Zoning Amendment Bylaw No. 722.11 for Subdivision of 8000 Birch Way

Discussion touched on water supply, highway/roadway access, and the potential for subdivision of the new lots and covenants. Once again, the presence of SCRD staff was helpful.

#### **Recommendation No. 1**      *Zoning Amendment Bylaw No. 722.11 for Subdivision of 8000 Birch Way*

The Halfmoon Bay APC supports the application for rezoning of 8000 Birch way as outlined in the staff report attached to our meeting agenda.

#### **Reasons:**

- It conforms to the criteria for consideration of a 1 hectare parcel size described in the staff report. Once subdivided, it will still be similar to properties in the neighbourhood.

**NEXT MEETING**      September 17, 2024 by Zoom

**ADJOURNMENT**      9:45 p.m.

**SUNSHINE COAST REGIONAL DISTRICT**

**ROBERTS CREEK (AREA D)  
ADVISORY PLANNING COMMISSION**

**July 15, 2024**

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RECOMMENDATIONS FROM THE ROBERTS CREEK (AREA D) ADVISORY PLANNING COMMISSION MEETING HELD AT THE ROBERTS CREEK LIBRARY READING ROOM LOCATED AT 1044 ROBERTS CREEK ROAD, ROBERTS CREEK, BC

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<b>PRESENT:</b>	Chair	Mike Allegretti
	Members	Erik Mjanes (recorder) Gerald Rainville Robert Hogg Chris Glew Chris Richmond
<b>ALSO PRESENT:</b>	Kelly Backs	Electoral Area D Director (Non-Voting Board Liaison)
	Denise Lofstrom	Applicant
<b>REGRETS</b>		Meaghan Hennessey Lesley-Anne Staats Francesca Hollander Jim Budd Caroline Tarneaud Vicki Dobbyn (recorder)

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**CALL TO ORDER** 7:09 p.m.

**AGENDA** The agenda was adopted as presented.

**MINUTES**

The Roberts Creek (Area D) APC Minutes of March 18, 2024 were approved as circulated.

The following minutes were received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of March 27, 2024
- Halfmoon Bay (Area B) APC Minutes of March 26, 2024
- Elphinstone (Area E) APC Minutes of March 26, 2024
- West Howe Sound (Area F) APC Minutes of May 28, 2024

**REPORTS**

Agricultural Land Commission Application ALR00028 (801 Leek Road)

Prior to committee discussion, the applicant presented an overview of the proposed project and answered questions from APC members. Presentation included an overview of applicant's existing business (Bruinwood Distillery) and background of the current application, including timeline, status of riparian development permit (approved), arborist report, and explanation of notice of intent process vs. application for non-farm use. Applicant provided an overview of proposed use of site, also summarized in the SCRD staff report. ALC application is seeking approval to bring in fill solely for construction of meadery ("lounge").

APC members wished to note that two of the APC members reside in the vicinity of 801 Leek Road. Request was made to note this in the minutes.

Questions from committee included:

- clarification of LCB rules re: alcohol sales, lounge capacity, noise mitigation.
- status of neighbourhood consultations and feedback to date.
- confirmation that existing topsoil would not be removed from site.
- discussion re: the requirement for 50% of farm products used in alcoholic beverage production be produced by the same farm. Clarification provided that SCRD is responsible for this assessment but would likely defer to ALC expertise when calculating 50% threshold compliance.
- questions about project details (e.g., bear proofing, traffic impacts, parking, fencing).

#### **Key Points of Discussion:**

- Concerns about future use, how to ensure that any future owner(s) is committed to "farming" rather than a commercial enterprise of a different nature.
- Concerns about details of the land use, parking square footage, traffic in/out of Leek Rd and Highway 101.
- Committee members expressed concern that a similar brewery development had been allowed to be established despite community concerns related to non-compliance with certain ALC requirements.
- Support expressed for the proposed use as it leverages Sunshine Coast's tourism potential, contributes to local economic development through niche/boutique business. It is a welcome step towards moving away from dependency on resource-based economic development.
- It was noted that applicant/owner has demonstrated success with a somewhat similar business over last 7 years.
- Smaller scale (max 30 seat lounge) and nature of the business (more winery than pub, focus on high quality, niche product and food) were cited as more suitable for the location than larger, louder commercial operation.
- Since application concerns only approval to add fill for building construction, committee has no concerns with proposal provided that all ALC requirements are met re fill specifications.

#### **Recommendation No. 1**     *Agricultural Land Commission Application ALR00028 (801 Leek Road)*

The Area D ACP supports the application to the ALC and recommends it proceed to the EAS.

## **REPORTS**

Advisory Planning Commission Questionnaire Results Summary was received for information.

## **DIRECTORS REPORT**

Director's Report was received.

**NEXT MEETING**      September 16, 2024

**ADJOURNMENT**      8:30 p.m.

# SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

**TO:** Area D Advisory Planning Commission – September 17, 2024

**AUTHOR:** Sven Koberwitz, Senior Planner

**SUBJECT:** DEVELOPMENT VARIANCE PERMIT DVP00108 FOR 3663 BEACH AVENUE

## RECOMMENDATIONS

- (1) THAT the report titled Development Variance Permit DVP00108 for 3663 Beach Avenue be received;**
- (2) AND THAT the Roberts Creek Advisory Planning Commission review the application and provide recommendations to the SCRD Board;**

## BACKGROUND

The SCRD has received a development variance permit application for 3663 Beach Avenue to facilitate additions and alterations to a single-unit dwelling. The application intends to vary the minimum required Flood Construction Level (FCL) above the natural boundary of the ocean from 2.0 m to 0.27 m.



Figure 1 – Location Map

The purpose of this report is to present the application to the Roberts Creek Advisory Planning Commission for comment.



## Development Variance Permit DVP00108 for 3663 Beach Avenue

<b>Owner / Applicant:</b>	Vernon Construction for 0791143 BC Ltd.
<b>Civic Address:</b>	3663 Beach Avenue
<b>Legal Description:</b>	LOT 3 OF LOT 2 BLOCK C DISTRICT LOT 1321 PLAN 7207
<b>Electoral Area:</b>	D – Roberts Creek
<b>Parcel Area:</b>	~ 974 m <sup>2</sup>
<b>OCP Land Use:</b>	Residential A
<b>Land Use Zone:</b>	Residential 1 (R1)
<b>Application Intent:</b>	To vary the minimum required Flood Construction Level (FCL) above the natural boundary of the ocean from 2.0 m to 0.27 m.

Table 1 - Application Summary

## DISCUSSION

The applicant is proposing renovations and additions to expand the living area in an existing dwelling that is currently located below the minimum FCL required under Section 5.18 in Zoning Bylaw 722.

Zoning Bylaw 722 requires that the underside of any floor system be located at least 2.0 m above the natural boundary of the ocean. The lowest portion of the existing home and proposed addition is located 0.27 m above the natural boundary of the ocean.

### Analysis

The BC Ministry of Environment report, [Guidelines for Management of Coastal Flood Hazard Land Use \(2011\)](#), provides guidance to consider renovation or additions to existing buildings (emphasis added) (p. 22):

*Renovations to existing buildings within the existing footprint of the building are not affected by these guidelines.*

*Additions of up to 25% of the floor area, at the elevation of the existing building can be allowed, provided that the addition is **no closer** to the existing natural boundary than the existing building.*

Zoning Bylaw 722 does not provide exemptions for additions to existing buildings from the required FCL. Therefore, a development variance permit is being sought to offer relief from this requirement.

**Development Variance Permit DVP00108 for 3663 Beach Avenue**

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The proposed addition of 26.4 m<sup>2</sup> represents 12.6% of the existing floor area and is no closer to the natural boundary of the ocean.

*Variance Criteria*

Staff have evaluated this application using SCRD Board Policy 13-6410-6 (Development Variance Permits) as criteria as follows:

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;

*The bylaw intends to regulate new development and ensure it is safe from flood hazards. In this case, the bylaw does not consider additions to existing buildings. Staff do not consider that an addition of 12.6% of floor area is excessive.*

2. The variance should not negatively affect adjacent or nearby properties or public lands;

*The requested variance related to FCL does not negatively impact nearby properties or public lands.*

3. The variance should not be considered a precedent, but should be considered as a unique solution to a unique situation or set of circumstances;

*This variance does set a precedent that the SCRD is supportive of additions to existing buildings that are affected by natural hazards. However, this aligns with provincial guidance and is limited by parameters provided in provincial guideline documents.*

4. The proposed variance represents the best solution for the proposed development after all other options have been considered; and

*Staff discussed raising the elevation of the proposed development. However, due to the split-level design, this would create significant issues and require much more extensive reconstruction of the existing building.*

5. The variance should not negatively affect the natural site characteristics or environmental qualities of the property.

*The variance does not negatively affect the natural site characteristics or environmental qualities of the property.*

*Official Community Plan (OCP)*

The subject property is affected by the following development permit areas described in the Roberts Creek OCP:

*DPA #2D - Low Channel Confinement (Fan)*

A geotechnical assessment has been received that indicates there is no hazard mitigation required due to the presence of Flume Creek.

*DPA #1A - Coastal Flooding*

Under the Provincial [Guidelines for Management of Coastal Flood Hazard Land Use \(2011\)](#) an addition of up to 25% of the existing floor area is permitted.

*DPA #5 - Shoreline*

The proposed development is sited more than 15 m from the natural boundary and therefore outside this development permit area.

*Timeline for next steps or estimated completion date*

This application will be considered by the SCRD Board at an upcoming meeting of the Electoral Area Services Committee.

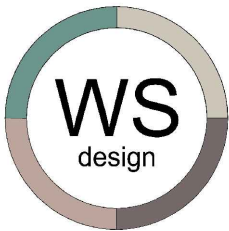
**CONCLUSION**

Planning staff are seeking a recommendation from the Advisory Planning Commission for future consideration by the SCRD Board.

Staff support the application as it aligns with provincial guidance on additions and alterations of existing buildings that are impacted by coastal flood hazards.

*Attachments*

Attachment A – Site Plan and Drawings



PROJECT: YAMAOKA HOUSE  
3663 BEACH AVE, ROBERTS CREEK

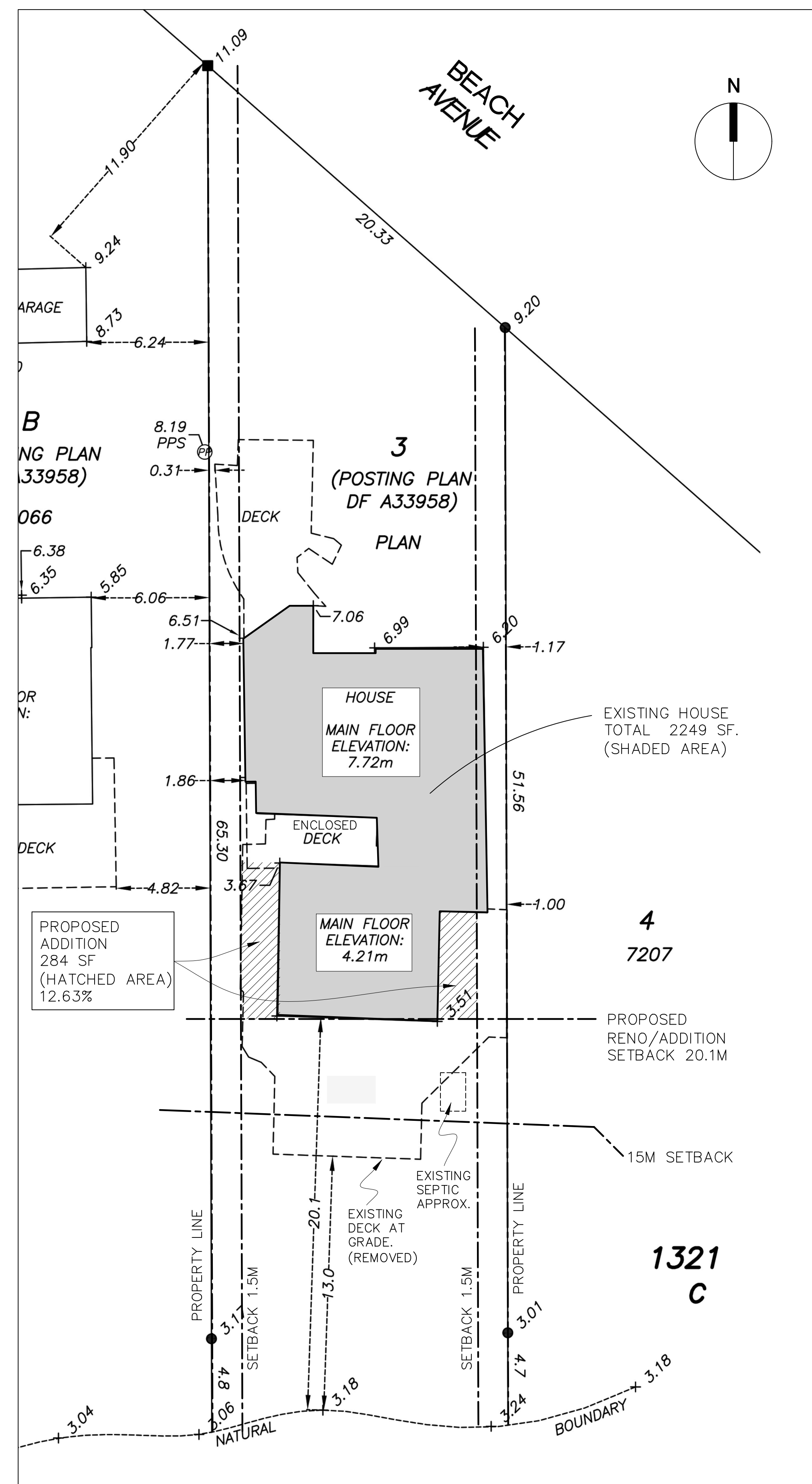
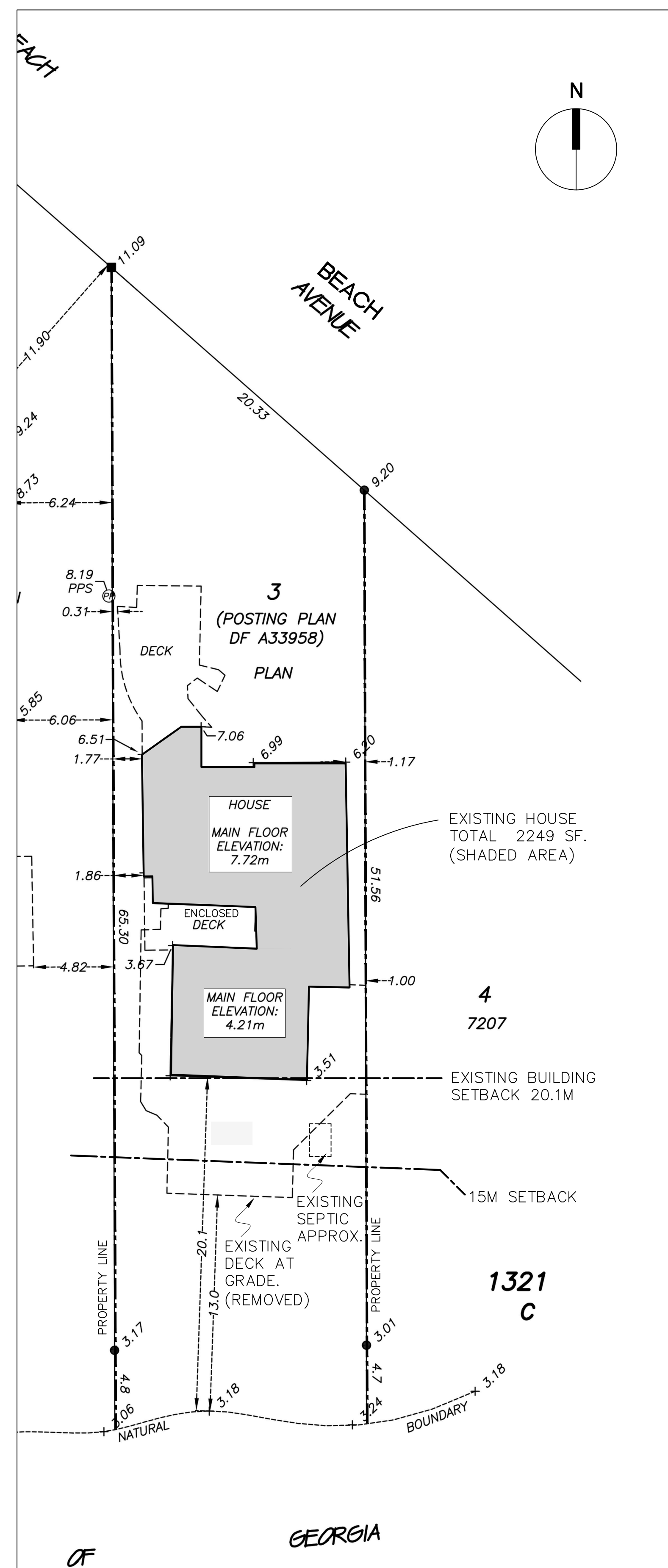
RENOVATION/ADDITION - (VARIANCE PERMIT DRAWINGS)




June 21, 2024

DRAWING LIST

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A 1	SITE PLAN	A 4	SOUTH ELEVATION
A 2	NORTH ELEVATION	A 5	EAST ELEVATION
A 3	WEST ELEVATION		



 	<h1>Property Report</h1> <h2>3663 BEACH AVE</h2>	<p>3/27/2023</p>
<hr/>		
<h3>PARCEL INFORMATION:</h3>		
<p><b>Jurisdiction:</b> AREA D: ROBERTS CREEK</p> <p><b>Folio:</b> 746.02586.000</p> <p><b>File:</b> 010-750-169</p> <p><b>Lot:</b> 3</p> <p><b>Block:</b> C</p> <p><b>Plan:</b> VAP7207</p> <p><b>Distric Lot:</b> 1321</p> <p><b>Approx. Size:</b> 0.097 ha</p>		
		
<hr/>		
<h3>SERVICES:</h3>		
<p><b>Water Service Area:</b> Chapman</p> <p><b>Fire Protection Area:</b> Roberts Creek</p> <p><b>Curbside Collection Service Area:</b> Area D Collection Area</p> <p><b>Sanitary Sewer Service Area:</b> Not in a SCRD service area</p>		
<hr/>		
<h3>SCRD LAND USE INFORMATION:</h3>		
<p><b>OCP Area:</b> Roberts Creek Official Community Plan  <a href="https://www.scrd.ca/Roberts-Creek">https://www.scrd.ca/Roberts-Creek</a></p> <p><b>OCP Landuse:</b>  Residential A  Future Recreation or Public Use Ocean</p> <p><b>Development Permit Area(s):</b>  DPA #1A - Coastal Flooding  DPA #5 - Shoreline  DPA #2D - Low Channel Confinement (Fan)</p> <p><b>Tree Cutting Permit Area(s):</b>  Not in a SCRD Permit Area</p>	<p><b>Zoning Bylaw:</b>  <a href="#">722</a></p> <p><b>Landuse Zone:</b>  R1</p> <p><b>Subdivision District:</b>  C</p>	

Survey:

Seamus Pope, Strait Land Surveying Inc.  
Sechelt, BC. 604-885-3237

### Lot Size

0.095 ha - 941.6 sm

Lot Coverage Allowed 35%:

Existing: 248.6 sm

Proposed: 274.9 sm

Allowed:  $.35 \times 941.6 \text{ sm (lot size)} = 329.5 \text{ sm}$

Height

Existing: 6.40 m

Proposed: 6.40 m

Comments:

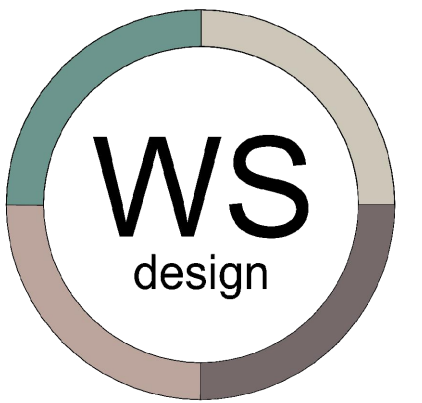
This variance application is for an addition that meets the language provided by the province in the Coastal Flood Hazard Guidelines. Page (22) includes consideration of an allowance for additions of up to 25% floor area provided that the addition is no closer to the existing natural boundary.

### Addition

Allowed 25%

Existing structure: 208.9 sm

Proposed: 26.2 sm (12.6%)



1489 HENDERSON ROAD  
Roberts Creek, B.C. Canada V0N 2W2  
Tel: (604)312-6550 Email: info@ws-design.ca

[illegible]

GENERAL NOTES

PROJECT

YAMAOKA HOUSE

3663 Beach Ave  
Roberts Creek, BC

DRAWING TITLE

## SITE PLAN

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All dimensions shall be verified on site by the contractor before proceeding with the work.

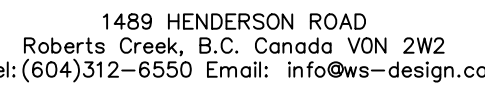
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EDITED	WS	DATE	June 21, 2024
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DRAWING NO.

A-1

OF 5



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GENERAL NOTES



1  
1/4"=1'-0"

PROJECT

YAMAOKA HOUSE

3663 Beach Ave  
Roberts Creek, BC

DRAWING TITLE

NORTH  
ELEVATION

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SCALE	PLOTTED
As Shown	June 21, 2024

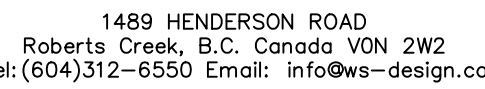
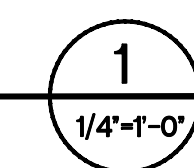
DATE	June 21, 2024
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A-2

DF 5

ISSUED FOR VARIANCE APPL.

GENERAL NOTES

ISSUED FOR VARIANCE APPL.

3663 Beach Ave  
Roberts Creek, BC

DRAWING TITLE

WEST  
ELEVATION

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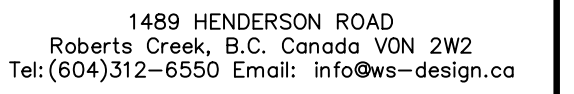
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UNIT	WS	DATE	June 21, 2024

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**A-3**

DF 5

GENERAL NOTES

8- WINDOW TAGS REFER TO WINDOW  
SCHEDULE SHEET A-14 FOR  
DETAILS.

**B-** EXTERIOR DOOR TAGS REFER TO  
DOOR SCHEDULE SHEET A-14  
FOR DETAILS

WHERE APPLICABLE:

MILLWORK, INTERIOR AND  
EXTERIOR FINISHING  
REFER TO INTERIOR/EXTERIOR  
DESIGN SPECIFICATION  
DOCUMENTS FOR DETAILS  
INCLUDING:

- Exterior finishes.
- Interior finishes.
- Kitchen, Baths.
- Flooring spec.
- Paints and Stains.
- Appliances.
- Lighting fixtures.
- Plumbing fixtures.
- Casings and Mouldings.
- General Millwork.
- General Hardware.

PROJECT

3663 Beach Ave  
Roberts Creek, BC

DRAWING TITLE

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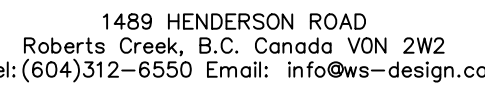
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ISSUED FOR VARIANCE APPL.



GENERAL NOTES

8- WINDOW TAGS REFER TO WINDOW  
SCHEDULE SHEET A-14 FOR  
DETAILS.

8- EXTERIOR DOOR TAGS REFER TO  
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- Plumbing fixtures.
- Casings and Mouldings.
- General Millwork.
- General Hardware.

PROJECT

3663 Beach Ave  
Roberts Creek, BC

DRAWING TITLE

EAST  
ELEVATION

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SCALE	PLOTTED
As Shown	June 21, 2024

DATE	June 21, 2024
DATED	DATE
WS	June 21, 2024

RAWING NO.

DF 5



1  
1/4"=1'-0"

ISSUED FOR VARIANCE APPL.