PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE



Thursday, January 11, 2018 SCRD Boardroom, 1975 Field Road, Sechelt, B.C.

AGENDA

CALL TO ORDER 9:30 a.m.

AGENDA

Adoption of Agenda 1.

PETITIONS AND DELEGATIONS

2.	James Lau, Applicant, Development Variance Permit Application DVP00020 Regarding Development Variance Permit Application DVP00020	Verbal
REPO	RTS	
3.	Planning Technician - Development Variance Permit DVP00020 (Lau) Electoral Area B (Rural Planning) (Voting – A, B, D, E, F)	Annex A pp. 1 - 8
4.	Manager, Planning and Development – Provincial Referral 2411961 for a Community Institutional Use (Scouts Properties) – Electoral Area A Electoral Area A (Rural Planning) (Voting – A, B, D, E, F)	Annex B pp. 9 - 26
5.	Senior Planner – SCRD Zoning Bylaw Amendment No. 310.177, 2018 for changing Subdivision District from I to G for Elphinstone Crossing Estate Phase Two (Rockford) Electoral Area E (Rural Planning) (Voting – A, B, D, E, F)	Annex C pp. 27 - 36
6.	Senior Planner – SCRD Zoning Amendment Bylaw No. 310.173, 2017 (BC Ferries, Langdale Ferry Terminal), Electoral Area F Electoral Area F (Rural Planning) (Voting – A, B, D, E, F)	Annex D pp. 37 - 52
7.	Parks Planning Coordinator – Statutory Right of Way – District Lot 1312 Electoral Area D (Rural Planning) (Voting – A, B, D, E, F)	Annex E pp. 53 - 56
8.	Parks Planning Coordinator – License of Occupation No. 240598 Renewal - Dakota Ridge (Community Parks) (Voting – A, B, D, E, F)	Annex F pp. 57 - 58
9.	Deputy Corporate Officer - 2018 Resolutions to the Association of Vancouver Island and Coastal Communities (AVICC) (Voting – AII)	Annex G pp. 59 - 60
COMM	IUNICATIONS	
10.	Shirley Higginson, Vaucroft Improvement District, dated December 12, 2017 Regarding Request for Letter of Support for FireSmart Project funding	Annex H pp. 61

application for the BC Rural Dividend Program.

11.	Doug Findlater, Mayor, City of West Kelowna, dated December 13, 2017 Regarding Request for Letter of Support for Tax Revenue on Cannabis Sales for Local Governments.	Annex I pp. 62
12.	Corrine Roesler, Acting Director, Strengthening Farming Program, Ministry of Agriculture, dated December 14, 2017 Regarding Invitation to Agricultural Advisory Committee Workshops.	Annex J pp. 63

NEW BUSINESS

IN CAMERA

ADJOURNMENT

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 11, 2018

AUTHOR: Sven Koberwitz, Planning Technician

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION DVP00020 (LAU) - AREA B

RECOMMENDATIONS

THAT the report titled Development Variance Permit Application DVP00020 (Lau) - Area B be received;

AND THAT Development Variance Permit DVP00020 to vary the natural boundary setback from 7.5 metres to 6.93 metres, as per Section 507.1(a) of Zoning Bylaw No. 310, be denied.

BACKGROUND

The SCRD has received a development variance application to vary the natural boundary setback to enable the siting of an existing deck (Attachment A). Building permits were issued in June 2014 for an addition to a dwelling located at 8233 Redrooffs Road, however the deck was not indicated on plans submitted with the building permit application. Prior to completing the active building permit the property owner must address the construction of the unauthorized deck.



Figure 1 - Location of Subject Property

The subject property is located along the Halfmoon Bay shoreline just west of Frances Road. The topography is steep from the road down to the ocean. The only development on the property consists of an older dwelling close to the shoreline. The building is partially sited within the 7.5 metre natural boundary setback and considered to be legally non-conforming.

Owner / Applicant:	James Lau
Civic Address:	8233 Redrooffs Road
Legal Description:	Lot 4 Block 8 District Lot 1326 Plan 7274 PID: 010-678-808
Electoral Area:	B - Halfmoon Bay
Parcel Area:	6,151 sq. m
OCP Land Use:	Residential C
Land Use Zone:	R1
Application Intent:	To vary the natural boundary setback from 7.5 metres to 6.93 metres, as per Section 507.1(a) of Zoning Bylaw No. 310 to enable the siting of an existing attached deck.

Table 1 - Application Summary

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

DISCUSSION

Analysis

Zoning Bylaw No. 310 requires that all buildings and any part thereof be sited at least 7.5 metres from the present natural boundary of the ocean. There are no exemptions for attached decks.

A building permit application for an addition to an existing dwelling was reviewed by planning staff and determined to meet the setback requirements based on the drawings that were submitted with the application. The drawings did not include a deck nor doors to indicate access to a deck (Attachment B).

Due to the proximity of the proposed addition to the natural boundary a site survey was required to confirm that the addition was sited appropriately and did not extend into the natural boundary setback. The addition of the deck was brought to Planning staff's attention by the Building Division upon receipt of the site survey. It was determined that the deck was sited at 6.93 metres from the natural boundary, in contravention of the Zoning Bylaw.

The required setback was easily achievable and would have been required had the applicant included the deck with the original building permit application. There appears to be no discernible reason why the deck cannot be modified to meet the 7.5 metres setback. It should be noted that the dwelling features two other previously-existing decks that are also sited within 7.5 metres of the natural boundary but considered to be legally non-conforming due to age.

Halfmoon Bay Official Community Plan

Development Permit Areas 1A: Coastal Flooding and 1B: Coastal Slopes affect the property.

In regards to the Coastal Slopes DPA the deck addition is considered a low-importance structure as per the BC Building Code and an exemption is provided in the OCP. The Coastal Flooding DPA is not applicable since no additional floor area is being considered at this time.



Figure 2 - Area of deck encroaching into natural boundary setback (approximation). Existing legally non-conforming deck in background.

Options

Possible options to consider:

Option 1: Deny the permit.

This would require the owner to modify the deck to conform to the 7.5 metre natural boundary setback as per Zoning Bylaw No. 310.

Planning staff recommend this option.

Option 2: Issue the permit.

This would enable the deck to remain as constructed. A variance to the natural boundary setback would enable the Building Division to finalize and close the active building permit.

Consultation

The development variance permit application has been referred to the following agencies, departments, and parties:

Referral Agency, Department, or Party	Comments	
SCRD Building Division	Variance must be issued prior to closing of building permit.	
Halfmoon Bay Advisory Planning Commission	The APC recommended support of the development variance permit application at a meeting on October 24, 2017 meeting.	
shíshálh Nation	Referral sent September 19, 2017. No comments have been received to date.	
Neighbouring Property Owners/Occupiers	Notifications were distributed on September 14, 2017 to owners and occupiers of properties within a 50 metre radius of the subject property. No comments have been received to date.	

Table 2 - Consultation Summary

The Halfmoon Bay Advisory Planning Commission recommended approval of this application at its meeting on October 24, 2017. The application was supported due to the relatively small area of the deck that encroaches into the setback.

STRATEGIC PLAN AND RELATED POLICIES

N/A

CONCLUSION

The SCRD has received a development variance permit to vary the natural boundary setback from 7.5 metres to 6.93 metres, as per Section 507.1(a) of Zoning Bylaw No. 310 to enable the siting of an existing attached deck. The deck was constructed without permission and sited within the 7.5 metre natural boundary setback that applies to all buildings and any part thereof.

Planning staff believe the deck should have been constructed in compliance with the zoning bylaw despite the relatively small encroachment.

Planning staff do not support this application.

Attachments

Attachment A - Site Survey

Attachment B - Original Building Permit Application Drawings Attachment C - Variance Criteria

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

Attachment A





ALL DISTANCES ARE IN METRES.

DIMENSIONS OF THE LOT ARE FROM FIELD TIES TO SURVEY MONUMENTS AND FROM PLAN 7274.

LOCATION: 8223 REDROOFFS ROAD, HALFMOON BAY, BC. PID: 010-678-808

LOT 4 MAY BE AFFECTED BY THE FOLLOWING ENCUMBRANCES:

• RESTRICTIVE COVENANT GB38414

THIS PLAN WAS PREPARED THE EXCLUSIVE USE OF JAMES LAU.

COPYRIGHT 2017.

REVISED: JUNE 22, 2017 DATE: APRIL 5, 2017

STRAIT LAND SURVEYING INC. SEAMUS POPE, BCLS BOX 61 (5689 DOLPHIN ST) SECHELT, BC VON 3A0 T. 604.885.3237

17086-807



Variance Criteria

1. Undue Hardship.

Access to my cabin is a big problem for my site, not just a big problem, but almost an insurmountable problem for me. Experience shows that several contractors, including one of the most reputable contractors of Sunshine Coast walked away from work there.

The access involved going down a deep slope of about 600 linear feet with a vertical drop of 150feet(Exhibit 1: Survey I). It makes delivery of building material a major, major undertaking. Every piece of material must be handcarried down the entire distance to the cabin. It takes man power and undue costs beyond the ability of a small owner. Some bigger, more bulky and heavier building supplies are impossible to be delivered. There is physical hardship.

The only viable alternative is by barge, and which we could have the financial resources to do it once was during the initial start up of the renovation.

To correct the subject variance which we contend is extremely minor and non-structural, it will put the property owner into <u>undue financial hardship</u>.

2. The requested variance does not result in any inappropriate development of the site in that:

a) regulations require that no structure of a building should protrude into the 7.5 meter setback from natural boundaries. The subject variance only involves protrusion of the sundeck by a small triangular area of 1 sq meter (approx 10sf). Please see Exhibit 2: Survey No II attached. The entire sundeck measures only 6ft x 12 ft(Exhibit 3: four photos) and is not a violation nor an inappropriate development of the site.

b) the density of the development is not changed or increased

c) no other setback requirements are violated.

d) no existing use are changed or added

3. The subject variance has in no physical shape, or form, or use any material that do anything to change or affect the natural environment.

4. The subject variance conforms with all setback requirements from neighbouring property, and therefore does not affect the use and enjoyment of the adjacent lands.

5. The subject variance does not involve changing any existing or future use of the land.

The subject variance is not interior space, it does not increase the density of the development. Adding a deck is permitted under the by-law. In no way does the subject variance defeat the intent of the by-law.

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

- **TO:** Planning and Community Development Committee January 11, 2018
- **AUTHOR:** Andrew Allen, Manager, Planning and Development
- SUBJECT: PROVINCIAL REFERRAL 2411961 FOR A COMMUNITY INSTITUTIONAL USE (SCOUTS PROPERTIES) ELECTORAL AREA A

RECOMMENDATIONS

- 1. THAT the report titled Provincial Referral 2411961 for a Community Institutional use (Scouts Properties) Electoral Area A be received;
- 2. AND THAT the following comments be forwarded to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development:
 - a. Subject to the following conditions, SCRD has no objections to the community institutional use on Mixal Lake, Provincial File 2411961:
 - i. Mixal Lake is not zoned. The existing institutional use reflects the upland public assembly use.
 - ii. SCRD will require a building permit and/or a development variance permit if any structures are constructed to access the moorage facilities.
 - iii. Water quality should not be impacted by maintenance or construction activities, materials or fuel storage.
 - iv. The proponent should implement both Provincial and *shíshálh* Nation's Best Management Practices for building and maintaining moorage facilities and in particular the most stringent of any overlapping policy to protect the foreshore ecosystems.
 - v. The old dock and construction materials shall be disposed of appropriately.
 - vi. Public access to the lake foreshore should be maintained.
- 3. AND THAT this report be forwarded to the January 2018 Egmont/Pender Harbour Advisory Planning Commission for consideration and recommendations received from the APC be forwarded to the Province as late information;
- 4. AND FURTHER THAT this recommendation be forwarded to the Regular Board meeting of January 11, 2018.

Page 2 of 5

BACKGROUND

SCRD received a Provincial referral from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) for an existing community institutional use located in Mixal Lake, Pender Harbour. The referral is enclosed for reference as Attachment A. A location map and application summary is provided below.

The purpose of this report is to provide information on the referral and a response to FLNRORD. The referral is enclosed for reference as Attachment A. A location map, image, and application summary is provided below.



Figure 1 – Location Map – referral application area shown in red.

Proponent:	Scouts Properties
Purpose:	Community Institutional
Tenure Type:	Licence
Size:	1.34 ha +/-
Location:	Mixal Lake
Legal Description:	Unsurveyed foreshore or land covered by water being part of the bed of Mixal Lake, Group 1, New Westminster District
Electoral Area:	A – Egmont / Pender Harbour
OCP Land Use:	Public Recreation, Future Public Recreation, and Private Recreation

Staff Report to Planning and Community Development Committee - January 11, 2018 Provincial Referral 2411961 for a Community Institutional use (Scouts Properties) – Electoral Area A

Page 3 of 5

Land Use Zone:	Upland PA1, Lake has no zone
Comment deadline:	January 25, 2018

Table 1 - Application Summary

Site and Surrounding Uses

Camp Burley is a Scouts property located on Mixal Lake, Pender Harbour. The application area is on the western shore of Mixal Lake. Within the application area are two floating docks and two old docks connected to the shore. The area has never had a Provincial tenure, although the upland property has. The proponent intends on replacing one of the existing docks with a wheelchair-accessible U-shaped dock.

Three properties upland from the referral application area are either SCRD-owned Park or Provincial land. The SCRD-owned Mixal Lake Park runs along the northwest shore of Mixal Lake. The other two properties are Provincial land and have been used by Scouts (Bonaguro Camp and Adams Camp) for a few decades. Across the lake is a 26-hectare private property.

There are currently two docks which were built in the early 1990's, and the Adams dock was replaced approximately five years ago. A wheelchair-accessible cabin was built two years ago.

DISCUSSION

Egmont/Pender Harbour Official Community Plan (OCP)

The Egmont/Pender Harbour OCP, Bylaw No. 432, designates the upland properties as Public Recreation, Future Public Recreation, and Private Recreation. The application is consistent with the upland land use designations.

Bylaw No. 708, the proposed new OCP, designates the upland properties as Community Recreation and Conservation. The proposal is consistent with upland land use designation in proposed Bylaw No. 708.

The proponent hired a gualified environmental professional to complete an assessment in the riparian area which included an assessment of the western painted turtle habitat. The proponent will forward the report to staff once available.

Zoning Bylaw No. 337, 1990

Bylaw No. 337 does not appoint a zone to Mixal Lake. Therefore, SCRD requests that the lake use reflect the upland zone. Bylaw No. 337 zones the upland properties PA1 (Park and Assembly). Uses permitted in the PA1 zone include park, assembly, ground level parking, one dwelling unit auxiliary to the principal use, and fish and wildlife habitat protection areas.

No structure, parking, locating or storage area can be located within 7.5 metres of Mixal Lake.

The lake use reflects the upland use recreation, camp and assembly use.

Page 4 of 5

Analysis

The area has been used as a Scouts camp for a long period of time, likely several decades. Upgrades to the docks were completed on an as-needed basis. A tenure has not been issued for the docks or floats on Mixal Lake and thus the proponent has applied to the Province for permission.

Mixal Lake is not zoned. The existing institutional use reflects the upland public assembly use and is therefore consistent with the OCP and Zoning Bylaw No. 337.

The dock is proposed to be built off-site and floated into place. SCRD will require a building permit and/or a development variance permit if any structures are constructed to access the moorage facilities.

Water guality and lake health should be maintained. The proponent should ensure that water guality is not impacted by construction, maintenance or deconstruction activities, materials or fuel storage. Provincial and shíshálh Nation's Best Management Practices for building and maintaining moorage facilities should be implemented and in particular the most stringent of any overlapping policy to protect the foreshore ecosystems. Should the Province approve the tenure and dock replacement, the old dock should be disposed of appropriately.

Public access to the lake foreshore should be maintained.

Options

The Province requests SCRD choose one of the following options in response to the referral:

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

Staff recommend Option 3, subject to comments outlined in the Recommendations.

Consultation

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

On February 13, 2017, the proponent completed a preliminary archaeological reconnaissance study to address shíshálh Nation comments. The archaeologist concluded that no further archaeological work is recommended with the Camp Burley dock replacement project or the proposed tent-camping sites northwest of the dock. (The proposed tent-camping sites northwest of the dock are not part of this referral.)

Due to the timing of referral receipt, it was not forwarded to the Egmont/Pender Harbour Advisory Planning Commission (APC) for consideration in December. Staff recommends that this report be forwarded to the January Egmont/Pender Harbour APC for consideration and recommendations from the APC be forwarded to the Province as late information.

Timeline for next steps or estimated completion date

The Province extended the deadline to comment on this referral to January 25, 2018, in order to obtain a Board Resolution. The Resolution will be forwarded to FLNRORD and final permission will be made by the Province.

To meet the comment deadline, staff recommends that this recommendation be forwarded to the Regular Board meeting of January 11, 2018.

STRATEGIC PLAN AND RELATED POLICIES

Protecting lake health, water quality and supporting best management practices for building, maintaining, and decommissioning moorage facilities is aligned with SCRD's Strategic Plan Value of Embedding Environmental Leadership.

CONCLUSION

The SCRD has been provided with an opportunity to comment on a Provincial referral to tenure an existing institutional use for a Scouts Camp Burley on Mixal Lake, which includes two docks anchored to the upland properties and two floating docks.

Staff recommend responding with no objection to the institutional use, subject to conditions outlined in the Recommendations.

Attachments

Attachment A – Provincial Referral Package 2411961

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

Crown Land Tenure Application

Tracking Number: 100207416



Application Information

If approved, will the authorization be issued to an Individual or Company/Organization? What is your relationship to the company/organization? Company/Organization

Board Member

APPLICANT COMPANY / ORGANIZATION CONTACT INFORMATION

Please enter the contact information of the Individual/Organization who is acting on behalf of the applicant.

Name:	SCOUT PROPERTIES (BC/Yukon)	
Doing Business As:		
Phone:	250-638-6513	
Fax:		
Email:		
BC Incorporation Number:		
Extra Provincial Inc. No:	XS-0064904	
Society Number:		
GST Registration Number:		
Contact Name:	Christopher Edward Jennings	
Mailing Address:	300-3665 Kingsway	
	Vancouver BC V5R 5W2	

CORRESPONDENCE E-MAIL ADDRESS

If you would like to receive correspondence at a different email address than shown above, please provide the correspondence email address here. If left blank, all correspondence will be sent to the above given email address.

Email:

Contact Name: Chris Jennings

ELIGIBILITY

Answer	Warning
Yes	
-	

Please provide us with the following general information about you and your application: **EXISTING TENURE DETAILS**

Yes 0235404 If you have several file numbers, please make a note of at least one of them above. Example numbers: 1234567, 153245, others

ALL SEASONS RESORTS

The All Seasons Resorts Program serves to support the development of Alpine Ski and non-ski resorts on Crown land. For more detailed information on this program please see the operational policy and if you have further questions please contact FrontCounter BC. **Are you applying within an alpine ski resort?** No

WHAT IS YOUR INTENDED USE OF CROWN LAND?

Use the "Add Purpose" button to select a proposed land use from the drop down menu.

If you wish to use Crown land for a short term, low impact activity you may not need to apply for tenure, you may be authorized under the Permissions policy or Private Moorage policy.

To determine if your use is permissible under the Land Act please refer to either the Land Use Policy - Permissions or Land Use Policy - Private Moorage located here.

Purpose	Tenure	Period
Community Institutional	Licence of Occupation	Five to ten years
School/Outdoor Education Facility		
What are you applying for?	Nominal Rent Tenure (I	icence / Lease)
ACCESS TO CROWN LAND		
Please describe how you plan to acces proposed crown land from the closes road:	st public 0235404 to accommod the riparian corridor are	nce of Occupation on the foreshore attached to ate the existing docks. Management Plan to maintain bund Mixal Lake for the protection of ecological features pecies at risk) was previously submitted with renewal of
COMMUNITY INSTITUTIONAL		
		basis to community or institutional groups. Please visit
the Community and Institutional webpage		
Specific Purpose:	School/Outdoor Educat	ion Facility
Period:	Five to ten years	
Tenure:	Licence of Occupation	
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Are you intending to use the land as a shooting range or shooting No club for discharge of firearms?

ADDITIONAL QUESTIONS

In many cases you might require other authorizations or permits in orde	er to complete your project. In order to make that determination
and point you in the right direction please answer the questions below.	
for comments.	
Is the Applicant or any Co-Applicant or their Spouse(s) an employee	Yes
of the Provincial Government of British Columbia?	
Are you planning to cut timber on the Crown Land you are applying for?	No
Are you planning to use an onen fire to hum timber or other	No
Are you planning to use an open fire to burn timber or other materials?	No
Do you want to transport heavy equipment or materials on an	No
existing forest road?	
Are you planning to work in or around water?	Νο
Are you planning to work in or around water?	
Does your operation fall within a park area?	No

LOCATION INFORMATION

Please provide information on the location and shape of your Crown land application area. You can use one or more of the tools provided.

☑ I will upload a PDF, JPG or other digital file(s)

MAP FILES

Your PDF, JPG or other digital file must show your application area in relation to nearby communities, highways, railways or other land marks.

Description	Filename	Purpose
Preliminary Field Reconnaissance report for	Camp Burley Dock Replacemen	Community Institutional
foreshore dock replacement, including maps.		

ATTACHED DOCUMENTS

Document Type	Description	Filename
Development Plan	Development Plan	Camp Burley Vision 2017.pdf
General Location Map	General Location Map included in Preliminary Field Reconnaissance report.	Camp Burley Dock Replacemen
Site Plan	Site Plan included in Preliminary Field Reconnaissance report.	Camp Burley Dock Replacemen

PRIVACY DECLARATION

☑ Check here to indicate that you have read and agree to the privacy declaration stated above.

REFERRAL INFORMATION

Some applications may also be passed on to other agencies, ministries or other affected parties for referral or consultation purposes. A referral or notification is necessary when the approval of your application might affect someone else's rights or resources or those of the citizens of BC. An example of someone who could receive your application for referral purposes is a habitat officer who looks after the fish and wildlife in the area of your application. This does not apply to all applications and is done only when required.

Please enter contact information below for the person who would best answer questions about your application that may arise from anyone who received a referral or notification.

Company / Organization:	SCOUT PROPERTIES (BC/YUKON)
Contact Name:	Christopher Edward Jennings
Contact Address:	300-3665 Kingsway
	Vancouver BC V5R 5W2
Contact Phone:	250-638-6513
Contact Email:	

☑ I hereby consent to the disclosure of the information contained in this application to other agencies, government ministries or other affected parties for referral or First Nation consultation purposes.

IMPORTANT NOTICES

• Once you click 'Next' the application will be locked down and you will NOT be able to edit it any more.

DECLARATION

By submitting this application form, I, declare that the information contained on this form is complete and accurate.

APPLICATION AND ASSOCIATED FEES				
Item	Amount	Taxes	Total	Outstanding Balance
Crown Land Tenure Application Fee	\$250.00	GST @ 5%: \$12.50	\$262.50	\$0.00
OFFICE				
Office to submit application to:	Suri	еу		
PROJECT INFORMATION				
s this application for an activity or project which requires more than one natural resource authorization from the Province of BC?	No			

OFFICE USE ONLY		
Office Surrey	File Number 2411961	Project Number 257771
	Disposition ID 930458	Client Number 8128





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Datum: NAD83 Projection: NAD_1983_BC_Environment_Albers
Key Map of British Columbia
Alberta





Free floating (anchored) swim docks

Bonaguro Camp with old dock (boards on logs)

Fallen logs



0235404

Bee Island

Skull Island

Adams Camp dock

13710 Camp Burley Road, Mixal Lake, Pender Habour, BC Lot 3681, Block B Side View Plan Of Proposed Dock Nov, 2017 Ramp over shorelineHigh Water Low Water ------Floating-U-shaped-Doc Shore line Anchor Sealed floating barrels 10m 0 5 Vertical and Horizontal Scale







SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 11, 2018

AUTHOR: Yuli Siao, Senior Planner

SUBJECT: Sunshine Coast Regional District Zoning Bylaw Amendment No. 310.177, 2018 for amending Subdivision District from I to G for Elphinstone Crossing Estate Phase Two

RECOMMENDATIONS

THAT the report titled Sunshine Coast Regional District Zoning Bylaw Amendment No. 310.177, 2018 for amending Subdivision District from I to G for Elphinstone Crossing Estate Phase Two be received;

AND THAT Zoning Amendment Bylaw No. 310.177, 2018 be forwarded to the Board for first reading;

AND THAT Zoning Amendment Bylaw No. 310.177, 2018 be referred to the West Howe Sound Advisory Planning Commission, Skwxwú7mesh Nation, the Ministry of Transportation and Infrastructure and the Vancouver Coastal Health Authority for comment;

AND FURTHER THAT a Public Information Meeting be held with respect to Zoning Amendment Bylaw No. 310.177, 2018.

BACKGROUND

The SCRD received a Zoning Bylaw amendment application for amending Subdivision District from I to G to facilitate an 18-lot subdivision as the second phase of the Elphinstone Crossing Estate development located in West Howe Sound (Attachment A – Proposed Subdivision Plan). Table 1 below provides a summary of the application.

|--|

Owner/Applicant:	T & L Rockford Enterprises Ltd.	
Legal Description:	DISTRICT LOT 1354 GROUP 1 NEW WESTMINSTER DISTRICT EXCEPT: FIRSTLY; PART IN HIGHWAY PLAN 14999 SECONDLY; PART SUBDIVIDED BY PLAN BCP4076	
PID:	008-073-571	
Electoral Area:	Area F	
Civic Address:	Not Applicable	
Parcel Area:	153.4 Acres (62.1 hectares)	
Existing Land Use Zone:	RU2 and AG	
Existing OCP Land Use:	Rural Residential B and Agricultural	
Proposed Use:	Rural residential and agricultural	

Staff Report to Planning and Community Development Committee – January 11, 2018Sunshine Coast Regional District Zoning Bylaw Amendment No. 310.177, 2018 for
amending Subdivision District from I to G for Elphinstone Crossing Estate Phase
TwoPage 2 of 10

Proposed Land Use Zone:	Unchanged
Proposed OCP Land Use Designation:	Unchanged

Site and Surrounding Uses

The subject property (highlighted in yellow in Figure 1) is located north of the Langdale neighbourhood, southwest of the Williamsons Landing neighbourhood and west of the Port Mellon Highway in West Howe Sound. The terrain of the property generally slopes down from southwest to northeast. The property is surrounded by agricultural, rural residential and resource parcels. A BC hydro right-of-way lies along the west side of the property.

Figure 1 Aerial photo of the subject land



Proposed Uses

The subject parcel lies to the northwest of the first phase of the Elphinstone Crossing Estate development (lots 1-8, Attachment A). As the second phase of this development, the applicant proposes to subdivide the subject parcel (the remaining lands) into 18 lots. This subdivision comprises two parts. The east part of the land contains 5 lots (proposed lots 9-13, Attachment A), and the west part contains 13 lots (proposed lots 14-26, Attachment A). The two parts will border on a new road which is proposed to join with Storvold Road to the south. The 13 lots on the west part range from 2 ha to 3.9 ha. The 5 lots on the east part range from 1.77 ha to 8.31 ha. The uses for these lots will be rural residential or agricultural in accordance with the existing zones in Zoning Bylaw No. 310.

DISCUSSION

West Howe Sound Official Community Plan (OCP) Policies

Rural Residential B Land Use

The west part of the parcel is designated Rural Residential B in the OCP. This designation applies to large rural parcels located mostly outside of the Agricultural Land Reserve and outside of areas serviced by regional water supply, fire protection and solid waste collection. These properties are suited for a variety of rural uses in addition to residential use, such as home occupation, horticulture, agriculture, campground, etc. The density for subdivision purposes under the Rural Residential B designation requires a minimum lot size of either 4 ha or 1.75 ha in accordance with the subdivision districts of the zoning bylaw.

Agricultural Land Use

The east part of the parcel is designated Agricultural in the OCP and within the Agricultural Land Reserve. The objectives of this designation include preserving agricultural land, supporting local food production and maintaining large parcels suitable for small farms. The applicant is concurrently applying to the Agricultural Land Commission (ALC) for approval of this phase of the subdivision. The ALC application for the first phase of the subdivision was submitted in 2007.

Parkland Dedication

Acquiring additional parklands in strategic areas is identified as an objective of the OCP. Section 510 of the *Local Government Act* requires the provision of parkland or payment for park purposes through the subdivision approval process. When the first phase of the subdivision was approved in 2007, the property was determined to be unsuitable for park land dedication purpose, and the applicant provided payment in lieu of parkland based on the entire original lot area covering both phases of the subdivisions. No payment is required for the current phase of subdivision.

Zoning Bylaw No. 310 Land Use Designations

Under Zoning Bylaw No. 310, the subject property has split zoning of Rural Two (RU2) and Agricultural (AG) (Figure 2). The east part of the property (lots 9-13) of the proposed

Staff Report to Planning and Community Development Committee – January 11, 2018Sunshine Coast Regional District Zoning Bylaw Amendment No. 310.177, 2018 forPage 4 of 10amending Subdivision District from I to G for Elphinstone Crossing Estate PhaseTwo

subdivision is zoned AG and is within subdivision district G, and the west part (lots 14-26) is zoned RU2 and is within subdivision district I.

The minimum lot size for subdivision purposes is 4 ha in subdivision district I, and 1.75 in subdivision district G. Based on these subdivision densities, a total of 18 lots can be created for the subject parcel with 7 lots on the west part and 11 on the east. However, the steeper terrain on the west part is more suitable for development of rural residential lots, and the less steep terrain on the east part is more suitable for larger lots and agricultural uses. Based on this concept, the applicant proposes to create 13 smaller lots ranging from 2 ha to 3.9 ha on the west part, and 5 lots on the east part with 3 lots averaging 1.8 ha and two large lots with a size of 7.5 ha and 8.3 ha. The proposed average lot size for the west part is similar to the lots in phase one of the development and those farther to the south abutting Storvold Road. The two large lots, as proposed by the applicant, will be secured by covenants to prevent their further subdivision in the future. As they are located within the Agricultural Land Reserve, the preservation of these lots will be addressed through comments to the Agricultural Land Commission in the referral process.

This configuration will maintain the total number of lots of 18, and helps to optimize land use suitability for both parts of the parcel without affecting the overall density of the property or compatibility with adjacent parcels and land uses.

Since the proposed minimum lot size for the 13 lots on the west part is 2 ha, a zoning amendment to amend the subdivision district from I to G is required. The minimum lot size of the 5 lots on the east part complies with the subdivision district G requirement, and no amendment is required.



Figure 2 Map showing zoning and location

Servicing and Development Considerations

The property is outside of areas serviced by regional water system, refuse collection and fire protection. Sewage treatment and water supply will be handled by individual septic systems and wells on each lot. Requirements of Vancouver Coastal Health Authority with respect to water and sewerage will be implemented through the subdivision approval process. Refuse and other solid waste can be handled by on-site composting and self-hauling to private or SCRD facilities.

The west portions of lots 14-26 are within a BC Hydro right-of-way. BC Hydro requirements such as setback will form parts of the conditions of subdivision approval.

The majority of the parcel is within Development Permit Area 4 for aquifer protection and storm water management, and parts of the parcel are within the Tree Cutting Permit Area and Development Permit Areas 1 for creek systems and 3 for stream riparian assessment. Development permits to address requirements of those Development Permit Areas will be required as part of the conditions for subdivision approval.

Access to the lots of this subdivision will be through a new road that lies between the east and west parts and connects with Storvold Road to the south. The road design will be reviewed by the Ministry of Transportation and Infrastructure (MOTI). As the approval authority of subdivisions, MOTI will enforce its conditions as well as conditions from the SCRD and other agencies prior to approval of the subdivision.

Organization and Intergovernmental Implications

This application will be referred to the West Howe Sound Advisory Planning Commission, Skwxwú7mesh Nation, Ministry of Transportation and Infrastructure, and Vancouver Coastal Health Authority for comment.

Timeline for next steps

A public information meeting will be organized and consultation with agencies and First Nations will occur.

Comments received from the consultation process and public information meeting will be incorporated into another staff report to the Planning and Community Development Committee with recommendations for the second reading of the bylaws and a public hearing to be arranged. After the public hearing conditions of final approval can be presented to the SCRD Board. At that time the Board can decide if it wishes to proceed with adoption of the zoning amendment.

Communication Strategy

Information on this application will be posted on the SCRD website. The public information meeting will be advertised in the local newspaper and notices will be sent to property owners within 100 metres of the site.

STRATEGIC PLAN AND RELATED POLICIES

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

- Incorporate land use planning and policies to support local economic development.
- Create and use an "environmental lens" for planning, policy development, service delivery and monitoring.

CONCLUSION

The proposed amendment of subdivision district will facilitate the second phase of the Elphinstone Crossing Estate subdivision with a variety of lot sizes suitable for rural residential and agricultural uses and maintain the overall density level.

Staff support this application, subject to reviewing comments received after the referral and public consultation process, and recommend that the bylaws be presented to the Board for first reading.

Attachments

Attachment A – Proposed Subdivision Plan

Attachment B – Zoning Amendment Bylaw

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

Staff Report to Planning and Community Development Committee – January 11, 2018Sunshine Coast Regional District Zoning Bylaw Amendment No. 310.177, 2018 for
amending Subdivision District from I to G for Elphinstone Crossing Estate Phase
Two

Attachment A





Two

Attachment B Zoning Amendment Bylaw

SUNSHINE COAST REGIONAL DISTRICT

ZONING AMENDMENT BYLAW No. 310.177, 2018

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

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

PART A – CITATION

1. This bylaw may be cited as the Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.177, 2018.

PART B – AMENDMENT

2. Schedule B of Zoning Bylaw No. 310, 1987 is hereby amended by amending subdivision district from I to G for the west portion of District Lot 1354 Group 1 Westminster District Except: Firstly; Part in Highway Plan 14999 Secondly; Part Subdivided by Plan BCP4076, as depicted on Appendix A, attached to and forming part of this bylaw.

PART C – ADOPTION

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

Chair

Staff Report to Planning and Community Development Committee – January 11, 2018 Sunshine Coast Regional District Zoning Bylaw Amendment No. 310.177, 2018 for Page 10 of 10 amending Subdivision District from I to G for Elphinstone Crossing Estate Phase Two



SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

- **TO:** Planning and Community Development Committee January 11, 2018
- **AUTHOR:** David Rafael, Senior Planner
- SUBJECT: SUNSHINE COAST REGIONAL DISTRICT ZONING AMENDMENT BYLAW NO. 310.173, 2017 (BC FERRIES, LANGDALE FERRY TERMINAL), ELECTORAL AREA F

RECOMMENDATIONS

THAT the report titled Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 (BC Ferries, Langdale Ferry Terminal), Electoral Area F be received;

AND THAT Sunshine Coast Regional District Zoning Amendment Bylaw 310.173, 2017 be amended as follows

- 1. Under Permitted Uses delete "(3) (f) vessel personnel accommodation";
- 2. Delete:
 - e. (4) Plan of Lease for the Langdale Ferry Terminal within Highway, Being Part of Lot 1, Plan 8089; Part of Lot 10, Plan 18562; and part of Port Mellon Highway Dedicated by the Deposit of the Explanatory Plan 3633 and Plan 8089, 18562, 19990, and Plans LMP 6457, LMP 6503, LMP 9502, and LMP 11956, all in D.L. 1401;
 - (5) Lot 7, District Lot 1401, Plan VAP14295; and
- 3. Amend Appendix A to remove reference to Areas 4 and 5;

AND THAT Sunshine Coast Regional District Zoning Amendment Bylaw 310.173, 2017 as amended be forwarded to the Board for Second Reading;

AND THAT, prior to consideration of adoption, an agreement be concluded with BC Ferries regarding Lot 7, District Lot 1401, Plan VAP14295 to resolve:

- 1. Access to the Langdale well; and
- 2. BC Ferries' use of part of the parcel for parking;

AND THAT a Public Hearing to consider *Sunshine Coast Regional District Zoning Amendment Bylaw 310.173, 2017* be scheduled for 7:00 p.m., February 21, 2018, at Eric Cardinall Hall, located at 930 Chamberlin Road, West Howe Sound;

AND FURTHER THAT Director _____ be delegated as the Chair and Director _____ be delegated as the Alternate Chair for the Public Hearing.

BACKGROUND

The SCRD received an application from BC Ferry Services Inc. (BC Ferries) to amend the zoning of part of the Langdale Ferry Terminal site to reflect current and proposed uses. The accreted land application was approved by the Land Title and Survey Authority of BC and the land was amalgamated with Area 2 (Lot 8).

At the Regular Board meeting of June 22, 2017, the following resolutions were adopted:

209/17 <u>Recommendation No. 5</u> Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 (BC Ferries)

> THAT the report titled Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 (BC Ferries), Electoral Area F be received;

> AND THAT Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 be forwarded to the Board for First Reading;

AND THAT Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 be referred to the following:

- a) West Howe Sound Advisory Planning Commission
- b) Skwxwú7mesh Nation
- c) Ministry of Transportation and Infrastructure
- d) Islands Trust, Gambier Island Local Trust Area
- e) Town of Gibsons
- f) Gibsons and District Volunteer Fire Department
- AND THAT a public information meeting be held;

AND FURTHER THAT once comments from referrals and the public information meeting have been received, *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017* be brought to the Planning and Community Development Committee for consideration of Second Reading.

218/17 THAT Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 be read a first time.

Referrals were sent in July, 2017 and the Public Information Meeting was held on October 26, 2017.

The purpose of this report is to provide information on the application and obtain direction on moving forward and scheduling the public hearing.

Staff Report to Planning and Community Development Committee - January 11, 2018Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 (BCFerries, Langdale Ferry Terminal), Electoral Area FPage 3 of 16



Figure 1 – Parcel/Area Boundaries

DISCUSSION

Referral Responses

West Howe Sound Advisory Planning Commission:

At the meeting on June 27, 2017 the following recommendations were adopted:

Recommendation No. 2 Bylaw 310.173 (BC Ferries)

The APC recommended that BC Ferries should provide additional information to justify the request for a 25-metre height limit for buildings/structures, as noted in the staff report.

Recommendation No. 3 Bylaw 310.173 (BC Ferries)

The APC supported Option 1, that first reading be given and engagement proceeds with the lease area included.

Skwxwú7mesh Nation

No concerns and that prior to construction BC Ferries is to provide an archaeological review of the area.

Staff note that BC Ferries have discussed the redevelopment with and is aware of Skwxwú7mesh Nation's requirement for an archeological review prior to construction.

Ministry of Transportation and Infrastructure:

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3) (a) of the *Transportation Act*. The Ministry remains interested in the Lease Area within the road right of way, and notes that this area is not to be included in this rezoning application; there are no concerns regarding its use for overflow.

Staff note that Section 52 approval is required when the subject property is within 800 metres of a controlled access highway; the terminal is within this distance. The approval is preliminary as final approval can only be given after third reading of the bylaw.

Islands Trust:

The response noted that that the marine area is within the within the Gambier Island Local Trust Area of the Islands Trust and located outside the planning areas of the Gambier, Keats or Associated Islands Official Community Plans. The Gambier Island Local Trust Committee has reviewed the proposed zoning amendments and deems Bylaw No. 310.173, 2017 to be consistent with the Islands Trust objective and policy statement.

Town of Gibsons:

No concerns.

Gibsons and District Volunteer Fire Department:

The property should have one single address. Currently it is addressed for Marine Drive, but uses Port Mellon Highway for access. It is preferred to see a Port Mellon Highway civic address.

Access will need to be maintained to the SCRD pump station/well. Efforts should be maintained to ensure there isn't interference with SCRD radio infrastructure attached to that site.

BC Ferries Public Consultation and Public Information Meeting

Information about the Langdale Terminal Development Plan and a copy of the Langdale TDP Phase 1 Engagement Summary can be found on the BC Ferries website here:

http://www.bcferries.com/about/publicconsultation2/terminal-developmentplanning/langdale.html BC Ferries approached public consultation as a two-phase process: the first to understand priorities relating to the draft plan and communicate the functional requirements of the terminal and the second to confirm how public input was used in finalizing the plan.

BC Ferries provided a report (*Langdale TDP Phase 1 Engagement Summary*) with the outcomes of the first phase which included:

- Internal and external stakeholder workshops (including SCRD Transit and Fleet and the Gibsons and District Volunteer Fire Department);
- Mobile booths;
- Public information meeting in support of the Sunshine Coast Regional District (SCRD) rezoning process; and
- Online survey (2,154 responses, survey open from October 14 to 31, 2017).

The responses will inform the design of the Langdale Terminal Development.

Staff consider that most of the engagement feedback, while of interest with respect to the detailed terminal redevelopment, is not directly relevant to consideration of Bylaw Amendment No. 310.173. The following comments and themes were raised at workshops and the mobile booths that can inform Bylaw Amendment No. 310.173:

- Passenger amenities prior to loading need improvements (such as improved waiting areas);
- Support for local food vendor upgrades (such as extended hours, provisions for food vendors);
- Reservation about upgrades that would dramatically change the character of the terminal or exclude local operators;
- Location of market place needs improvement;
- Consolidate centres of activity and amenity, which are currently at opposite ends of the terminal;
- Year round marketplace and more food options;
- Market for foot passengers variety, shopping, more retail options, more food options for locals;
- More shelter for Route 3 (Langdale/Horseshoe Bay) & 13 (Gambier Island);
- Heated waiting area for bus; and
- Better space utilization pay parking, employee parking and additional parking.

The public information meeting for Bylaw Amendment No.310.173 was attended by 28 people. It was an open house format with a series of displays with BC Ferries staff and consultants available to answer questions. The report notes that 35 comments were received (Attachment A). SCRD staff attended and provided a display regarding the planning process and details of Bylaw Amendment No. 310.173; staff notes of discussions with the attendees were provided to BC Ferries for information (Attachment B).

In addition to many of the points raised above, the following issues were also raised:

- Impact on the aquifer and wellhead;
- Water metering;
- Noise concerns;
- Local shops, not chain stores;
- Impact on views; and
- Septic system capacity and functionality.

Additional Information Provided by BC Ferries

Following the public information meeting BC Ferries provided additional information.

It was confirmed that the new terminal building is proposed to be located in the general vicinity of the current transit drop off and foot passenger pick up area on the east side of the existing public parking lot.

The 20 metre building and 25 metre structure height was included to accommodate a standalone Traffic Operations Centre structure, future antennas or cellular towers.

The existing sewage treatment plant is able to handle the liquid waste volume from the proposed new facilities as follows:

- Peak daily capacity of the plant is 248m³;
- Source of demand on the treatment plant was from the terminal and vessels;
- Peak daily demand from 2015 and 2016 flows is 152m³ (61% of plant capacity);
- Average daily demand from 2015 and 2016 can be approximated conservatively at 80m3 (32% of plant capacity).

Regarding the proposed staff accommodation, BC Ferries stated it is not currently building employee dwelling units and requests to remove this proposed use from the bylaw.

Analysis

Staff considered the referral comments and additional information provided by BC Ferries. The following is a summary of the referral comments and analysis.

Well Access

There are outstanding issues regarding access to the well site and of BC Ferries' use of part of the SCRD property for overflow parking. An access agreement and resolution of the use of the parcel for terminal overflow parking needs to be resolved. Linking completion of the agreement to the rezoning application could elevate the importance of resolving the issues. Staff recommend that should Bylaw Amendment No. 310.173 move forward that resolution of these items be conditions to be met before the Bylaw could be adopted. SCRD Utility Services will be involved in next steps.

<u>Water</u>

The Langdale terminal water supply is metered. The SCRD *Well Protection Plan* (July 2017) includes consideration of the Langdale Well which is located on a parcel within the overflow parking area. The Plan notes that the Langdale terminal is within the Langdale Well capture area; the redevelopment location is within the 10-year time of travel area. The focus is on potential impacts of pollutants that could be in surface runoff. The Plan considers potential impacts from the Langdale terminal to have a low likelihood of occurrence.

Wastewater

BC Ferries provided information that indicates the current sewage treatment system has sufficient capacity for the new development. This will be analysed in more detail as part of consideration of a future building permit application when the exact scale of development and septic treatment needs will be known.

<u>Noise</u>

With respect to noise it is considered that the zoning amendments will not significantly change noise from traffic or use of the site. Noise could arise from operational changes, such as increasing the number of ferry sailings, or altering the traffic pattern. If the proposed retail area attracts local residents who are not travelling on the ferry then there could be additional traffic and activity. However this will likely be minimal with respect to normal activity in the Langdale terminal.

Building Heights/Views

The building height is likely to be significantly higher than the existing two storey building. However the proposed building location may reduce its visibility as it will be closer to tree cover and not located on such an open area. The structures (ramp to upper deck and dock structure) are likely to approach 25 metres in height. These structures will be visible which is not unreasonable given the nature of the operation and the need for most of them to be located near the ocean. Staff consider that the proposed building and structure heights are reasonable and would not result in a significant visual intrusion beyond the current site development.

Facility Improvements

There is support for improved terminal user facilities, including retail/food facilities. The SCRD cannot set regulations for the type of retailer or restaurant operator (such as local vs. chain), though size of building space will be regulated.

Proposed Amendments to Bylaw Amendment 310,173, 2017

In light of consultation and review the following amendments to Bylaw Amendment No. 310.173 are recommended:

a) Remove Area 4 (the lease area containing the overflow parking) from consideration for rezoning in light of the Ministry of Transportation and Infrastructure's comments;

- Remove Area 5 (the SCRD Langdale Well parcel) from consideration for rezoning as there is no need to rezone the parcel as the water service is a public utility which is a permitted use in any zone;
- c) Delete "(3) (f) vessel personnel accommodation".

A copy of the Bylaw including the above amendments is included in Attachment C.

Options

Possible options to consider:

Option 1: Bylaw No. 310.173 receives Second Reading as amended and a public hearing is scheduled and consideration of adoption be subject to conditions

Following referrals and public input, amendments are proposed to address concerns raised and clarify aspects of the proposed bylaw amendment.

Several issues raised relate to operational or design aspects that are outside of the scope of Bylaw Amendment No. 310.173. These can be addressed when BC Ferries drafts the Langdale terminal development plan in other forums such as the ferry advisory committee.

Access to and BC Ferries use of the parcel that contains the Langdale well needs to be resolved via an agreement between the SCRD and BC Ferries. Staff recommend that this be a condition to be met prior to the Board considering adoption, should Bylaw Amendment No. 310.173 proceed.

Staff recommend this option.

Option 2: Bylaw No. 310.173 receives Second Reading as amended and a public hearing is scheduled.

An agreement to resolve access to the Langdale well site and the use of the parcel by BC Ferries is an important issue. However it does not need to be linked to the rezoning application.

Organization and Intergovernmental Implications

Water for the Langdale Terminal is provided from the Langdale reservoir. The site is metered and it is anticipated that there is sufficient water to supply the site after it is developed. This will be confirmed when building permit applications are submitted.

BC Ferries is responsible for managing solid waste and recycling on the site. The SCRD shares a waste collection bin that serves the dock for Gambier Island; rezoning will not impact this arrangement. Redevelopment of Langdale terminal is likely to generate significant waste material from demolition and construction.

BC Ferries is encouraged to minimize waste by developing a plan that identifies which materials are recyclable and sorting the construction material by type on site prior to it being removed for recycling or disposal.

The redevelopment of the terminal will have implications for Transit with respect to location of the bus stop, and Sunshine Coast Transit and BC Transit were jointly consulted given the opportunity to provide input. This will be reviewed further as the detailed terminal development plan becomes available.

Financial Implications

The rezoning and redevelopment of the property is likely to alter assessed values. This could impact the apportionment between current residential and industrial/commercial portions of West Howe Sound and the respective taxation. The actual impact will be influenced by the value and final classification BC Assessment gives to the land and improvements of the Langdale terminal parcels.

Timeline for next steps or estimated completion date

If the bylaw proceeds to second reading then a public hearing would be scheduled for early 2018. A report of the hearing will be presented to the SCRD Planning and Community Development Committee with consideration of next steps.

Communications Strategy

If Bylaw No. 310.173 proceeds and a public hearing is scheduled then notices will be placed in two consecutive editions of a local newspaper and on the SCRD website. Notice of the public hearing will also be mailed and delivered to owners and occupiers of property within 100 metres of the subject property boundary.

STRATEGIC PLAN AND RELATED POLICIES

The bylaw amendment process supports the Strategic Plan's values of Collaboration, Respect & Equity and Transparency.

CONCLUSION

Consultation, including a public information meeting to consider Bylaw No. 310.173, along with BC Ferries' engagement regarding development of the Langdale terminal development plan, provided detailed comments on a range of issues. Several are related to operation and design aspects that are outside of the scope of Bylaw 310.173. Some aspects can be addressed as part of the building permit process, such as confirmation of septic treatment capacity of the existing facility.

Amendments to Bylaw 310.173 are proposed in light of BC Ferries additional information and in response to Ministry of Transportation and Infrastructure concerns.

Staff recommend that Bylaw 310.173 receives second reading as amended and a public hearing is scheduled for February 21, 2018 at Eric Cardinall Hall, commencing at 7 p.m.

Attachments

Attachment A – Public Information Meeting (BC Ferries notes)

Attachment B – Public Infomation Meeting (SCRD notes)

Attachment C – Sunshine Coast Regional District Zoning Amendment Bylaw 310.173, 2017

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Reviewed by:			
Manager	X- A. Allen	CFO/Finance	X-T. Perreault
GM	X-I. Hall	Legislative	X – A. Legault
CAO	X- J. Loveys	Mgr Solid Waste Services	X- R. Cooper
		Mgr Utility Services	X – S. Walkey
		Mgr Transportation & Fleet	X-G. Dykstra

ATTACHMENT A

Public Information Meeting (Notes provided by BC Ferries)

Key Issues - what have we missed? (2 comments received)

- Have to wait behind tourists for medical/specialist's appointments
- Too much noise for residents

Key Opportunities - what have we missed? (3 comments received)

- Giving residents "priority" boarding
- Not considering the aquifer
- Impact on residents of Langdale

What other suggestions do you have? Have we missed anything? (3 comments received)

- Langdale wellhead protection
- Is Langdale Terminal water metered? Residents are
- Where is aquifer fed from? Move the wellhead?

What are your priorities? (Representative comments from 27 received)

- Protect the Langdale well aquifer
- Reserved parking for Gambier Keats Islanders
- No Bread Garden, no White Spot, no Starbucks bare bones
- Priority loading for local residents
- Deck railing by Langdale Creek dog walk area
- Noise pollution through Gibsons with later sailings starting January 2 need a bypass
- Road system needs to be addressed as tourist/local population climbs

BC Ferries | DIALOG

ATTACHMENT B

Public Information Meeting (Notes provided by SCRD Staff)

- What type of shops would be included in the retail area? Do not want chains, prefer local independent. We do not need shops for tourists. Discussion about the OCP policy supporting retail (village style) and when/how this came about.
- Concern about smell from septic treatment plant, what plans are there for the septic treatment plant, no notice before it was built.
- Stormwater/drainage problem on Marine outside of terminal; blocked drain? Likely not a BC Ferries matter - they need to contact MoTI but please send SCRD/MoTI the info (location and photos if possible) too.
- Can the overflow parking area be used more effectively such as provide long term parking (three people raised this as an issue), such as for Gambier resident/ property owners.
- Lack of parking limits walk-ons.
- In April there will be free seniors travel on some sailings and this will increase parking requirement; seniors more likely to drive than bus.
- Problem of people parking on Smith Road.
- Concern about access to/from Smith Road if traffic pattern changed such as removing parking lot access to join ferry traffic and have access road (past Smith Rd) becomes two way and join at intersection of Port Mellon Hwy and bypass. Alternative of automatic/staffed gate to stop parking lot vehicle until ferry vehicles are gone was suggested by another person.
- Hourly sailings better than money spent on terminal, put the money towards buying a • new ferry. Discussion about cost of ferry and cost of terminal redevelopment (BC Ferry rep involved). Ferry cost is about 4 times the redevelopment cost.
- Why do we need this redevelopment?
- Pollution and noise from 2nd ferry is a concern.
- Tall building blocking views is a concern.

ATTACHMENT C

SUNSHINE COAST REGIONAL DISTRICT BYLAW NO. 310.173

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

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

PART A – CITATION

1. This bylaw may be cited as the Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017.

PART B – AMENDMENT

- 2. Sunshine Coast Regional District Zoning Bylaw No. 310, 1987 is hereby amended as follows:
 - a. In Section 301 (1) add "M1 Marine Transportation" following "C5 Commercial Five";
 - b. In Section 502 (14), Business Signs in Non-Commercial/Industrial Zones, add ", M1" in the list of zones after "C6";
 - c. In Section 502 (15), Business Signs in Commercial and Industrial Zones, add ", M1" in the list of zones after "C6";
 - d. In Part VIII (Commercial Zones), insert the following in numerical order as follows:
 - "851 M1 Zone (Marine Transportation)
 - 851 On a parcel in an M1 Zone.

Permitted Uses

- 851.1 except as otherwise permitted in Part V of this bylaw the following and no other uses are permitted:
 - marine transportation including the temporary storage of marine vessels (private and/or public);
 - (2) transportation centre including foot passengers, bicyclists, transit, car share, commercial trailer drop, float plane and emergency helicopter services;

Staff Report to Planning and Community Development Committee - January 11, 2018 Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 (BC Ferries, Langdale Ferry Terminal), Electoral Area F Page 14 of 16

Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 Page 2 of 4

- (3) auxiliary to (1) and (2):
 - (a) office;
 - (b) retail;
 - (c) restaurant;
 - (d) mobile vendors, including food trucks;
 - (e) one dwelling for the purpose of housing a caretaker or watchman;
 - (f) surface parking for employees, short and long term public parking;
 - (g) park.

Conditions of Use

851.2 the combined floor area and site area for retail, restaurant and mobile vendor uses shall not exceed 20% of the total building floor area up to a maximum of 835 square metres;

Siting of Structures

- 851.3 no structure shall be located within:
 - (a) 7.5 metres of the front parcel line;
 - (b) 4.5 metres of a side parcel setback;

Height of Buildings and Structures

- 851.4 (a) buildings shall not exceed 20 metres;
 - (b) structures shall not exceed 25 metres;
 - (c) fences within the setback area may not exceed 3 metres;

Parcel Coverage

851.5 the maximum parcel coverage of all buildings and structures shall not exceed 50%;

Buildings Per Parcel

- 851.6 subject to compliance with all other provisions of this bylaw more than one building may be permitted."
- e. Schedule A is hereby amended by rezoning:
 - (1) District Lot 8007, Plan BCP6348;
 - (2) Lot 8, District Lot 1401, Plan 18562;
 - (3) Lot 11, District Lot 1401, Plan 19990;

from R1 (Residential One), RU2 (Rural Two) and W1 (Water One) to M1 (Marine Transportation), as depicted on Appendix A to this Bylaw.

Staff Report to Planning and Community Development Committee - January 11, 2018Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 (BCFerries, Langdale Ferry Terminal), Electoral Area FPage 15 of 16

Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017	Page 3 of 4

PART C - ADOPTION

READ A FIRST TIME this	22	DAY OF JUNE ,	2017
READ A SECOND TIME this	####	DAY OF MONTH ,	YEAR
PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this	####	DAY OF MONTH ,	YEAR
READ A THIRD TIME this	####	DAY OF MONTH ,	YEAR
APPROVED PURSUANT TO SECTION 52 OF THE TRANSPORTATION ACT this	####	DAY OF MONTH ,	YEAR
ADOPTED this	####	DAY OF MONTH ,	YEAR

Corporate Officer

Chair

Staff Report to Planning and Community Development Committee - January 11, 2018Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 (BCFerries, Langdale Ferry Terminal), Electoral Area FPage 16 of 16

Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017

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SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 11, 2018

AUTHOR: Trevor Fawcett, Parks Planning Coordinator

SUBJECT: STATUTORY RIGHT OF WAY – DISTRICT LOT 1312

RECOMMENDATIONS

THAT the report titled Statutory Right of Way – District Lot 1312 be received;

AND THAT the Sunshine Coast Regional District (SCRD) enter into a Statutory Right of Way Agreement through District Lot 1312 for the maintenance of a recreational trail;

AND THAT the SCRD Delegated Authorities be authorized to execute the Statutory Right of Way Agreement.

BACKGROUND

The Board adopted the following recommendation on October 22, 2015:

411/15 **Recommendation No. 5** Agricultural Land Reserve Application # D-59 (Green for 1312 Lands Inc.)

THAT the staff report dated October 1, 2015 and titled "Agricultural Land Reserve Application # D-59 (Green for 1312 Lands Inc.) for Subdivision within the ALR at District Lot 1312, Roberts Creek (Area D)" be received;

AND THAT the Board supports ALR # D-59 as currently proposed with a voluntary community amenity contribution of \$75,000 to be used to support agriculture on the Sunshine Coast;

AND THAT the proponent be advised to submit a rezoning application to amend the zoning designation from Rural Four (Rural Forest) to a more appropriate zoning designation;

AND FURTHER THAT the Board resolution be forwarded to the Agricultural Land Commission and the applicant.

In 2015 District Lot (DL) 1312 was the subject of a non-farm use application (ALR D-59) to allow for subdivision. At that time park dedication and a statutory right of way (SROW) were proposed as amenities and reviewed by Parks and Planning staff. It was determined at that time to consider the amenities as part of the subdivision process. The application was supported by the SCRD Board and approved by the Agricultural Land Commission on May 11, 2016.

A portion of the parcel was rezoned from RU4 to AG as per Zoning Amendment Bylaw No. 310.171, which was adopted on June 22, 2017.

The parcel is currently the subject of a subdivision application (File: 2015-01916) to create eight parcels around 1.85 hectares each and a remainder parcel of around 44.5 hectares; the application received preliminary layout approval from the Ministry of Transportation and Infrastructure's Approving Officer on October 24, 2016.

DISCUSSION

Traversing the north portion of DL1312 is a popular recreational trail used by the equestrian, hiking and biking community. As part of the subdivision of DL1312 the developer has agreed to provide a SROW in favour of the SCRD that provides access to maintain the trail and keeps it open for public use.

The trail travels from the west side of DL1312 to the east side where it terminates at the land dedicated for park in the subdivision plan.

The alignment of the trail in discussion is shown on Attachment A of this report.

Options and Analysis

The existing trail will be classified and signed as a 'Recreational Trail'. Recreational Trails are maintained at a service level consistent with natural trails. Maintenance of the trail by SCRD staff will be limited to bi-annual inspections and responding to public concerns about safety issues.

Organizational and Intergovernmental Implications

As with any SROW the SCRD is assuming liability on private property and will be required to maintain the works within the SROW.

The trail agreement and adjacent park dedication are beneficial to the SCRD as both could potentially be used as part of Phase 2 of the Suncoaster Trail (exact route to be determined) as well as local trail use for a variety of users.

Financial Implications

The cost to prepare a legal survey for the SROW and register with Land Titles will be paid by the developer as part of the subdivision fee.

The addition of 625 metres of trail will require an increase to the Parks operating budget for signage, inspection and management of hazardous trees and clearing of windfall. The annual cost to maintain this trail to the existing SCRD recreational trail service level is \$1500 per year.

Timeline for next steps or estimated completion date

The developer has prepared the legal survey and agreement required for the SROW. The document may be registered with or shortly after the subdivision plan. The developer's solicitor has written a letter of undertaking committing to register the SROW document upon agreement

with SCRD. It is expected that the subdivision will be registered in either late December or early January 2018 and the SROW registered soon after that.

Communications Strategy

Staff have had discussions with the developer of DL1312 who is in favour of the trail passing through their property within a SROW. Signage will be installed informing users that the trail passes through private property and is managed by SCRD.

STRATEGIC PLAN AND RELATED POLICIES

A key priority in the SCRD Strategic Plan is to use an 'environmental lens' for planning and service delivery. Managing this popular trail within a SROW allows SCRD to keep the trail open to the public through private land.

The Parks and Recreation Master Plan recommends that SCRD identify and acquire trail corridors in subdivision and rezoning processes.

CONCLUSION

Entering into a SROW Agreement with the developer of DL 1312 allows the SCRD to keep open and manage a trail popular with the equestrian, hiking and biking community.

Staff recommend approval of the Statutory Right of Way with DL 1312 property developer and that regulated authorities execute the Agreement. Staff will prepare a 2019 budget submission to support signage and maintenance requirements.

Attachment A: Statutory Right of Way Plan EPP77566 - DL 1312

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

Attachment A



SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee - January 11, 2018

AUTHOR: Sam Adams, Parks Planning Coordinator

SUBJECT: LICENSE OF OCCUPATION NO. 240598 RENEWAL – DAKOTA RIDGE

RECOMMENDATIONS

THAT the report titled License of Occupation No. 240598 Renewal – Dakota Ridge be received;

AND THAT the SCRD send a letter to the Ministry of Forests, Lands and Natural Resource Operations and Rural Development noting support for a 10-year renewal of License of Occupation No. 240598 for the parcel of land upon which the Dakota Ridge equipment shed sits;

AND THAT the SCRD Delegated Authorities be authorized to sign the license of occupation renewal.

BACKGROUND

At the July 27, 2006 Regular Board meeting, the SCRD Board adopted the following in-part recommendation:

549/06 Recommendation No. 20 Dakota Ridge

AND THAT staff pursue a joint Crown Land tenancy between the SCRD and shishalh Nation for the Dakota Ridge Equipment Shed site.

On December 3, 2007 the SCRD entered into a 10-year agreement with the Ministry of Forest, Lands and Natural Resource Operations and Rural Development (FLNRORD) for the use of 0.0630 hectares of land on Dakota Ridge for Commercial Recreational purposes. The tenure remains required for Dakota Ridge operations.

DISCUSSION

Construction of the equipment shed was completed in 2007. The shed consists of a steel Quonset hut style building which houses a Piston Bully groomer and snowmobiles for Dakota Ridge operation during the winter.

The existing tenure agreement between the SCRD and FLNRORD expired on December 2, 2017. An extension was granted for the permit renewal and if the SCRD wishes to renew the tenure agreement a renewal application with Board approval must be submitted by February 15, 2018.

The terms of the agreement grants SCRD license of occupation of land for equipment shed purposes stipulates insurance requirements and provides standard mechanisms for dispute resolution.

FINANCIAL IMPLICATIONS

The fee to renew the tenure is \$200.00. To date, maintenance for the structure have been minimal.

STRATEGIC PLAN AND RELATED POLICIES

N/A

INTERGOVERNMENTAL IMPLICATIONS

In order to fulfill the July 27, 2006 Board recommendation a letter was sent to the shishalh Nation on July 6, 2006 inviting participation in a joint tenancy agreement with the Province for the equipment shed on Dakota Ridge. That invitation was declined by the shishalh Nation. However, the Nation was supportive of the Dakota Project and permission was granted to the SCRD for use of the Equipment shed site.

As part of the current renewal process the Province will issue a referral to the shishalh Nation.

CONCLUSION

The equipment shed is within a tenure issued by the Ministry of Forest, Lands and Natural Resource Operations and Rural Development that expired on December 3, 2017 (extension granted to February 15, 2018).

This report recommends that the SCRD Board approves the renewal of this tenure and enable Dakota Ridge operations to continue.

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

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 11, 2018

AUTHOR: Sherry Reid, Deputy Corporate Officer

SUBJECT: 2018 RESOLUTIONS TO THE ASSOCIATION OF VANCOUVER ISLAND AND COASTAL COMMUNITIES (AVICC)

RECOMMENDATIONS

THAT the report titled 2018 Resolutions to the Association of Vancouver Island and Coastal Communities (AVICC) be received;

AND THAT the Planning and Community Development Committee identify resolutions for staff to draft and present to the January 25th Corporate and Administrative Services Committee meeting for consideration.

BACKGROUND

The Association of Vancouver Island and Coastal Communities (AVICC) 2018 annual convention will be held on April 13th to 15th in Victoria. The convention provides members with the opportunity to bring forward issues and concerns from their communities through resolutions and debate.

AVICC is one of five area associations of local governments operating under the umbrella of the Union of BC Municipalities. AVICC represents the interests of the various local governments of Vancouver Island, Sunshine Coast, Powell River and the Central Coast.

DISCUSSION

Options and Analysis

The Union of BC Municipalities (UBCM) urges members to submit resolutions through their Area Associations for consideration. Resolutions endorsed at AVICC will be automatically submitted to UBCM for consideration at the 2018 Fall Convention. Issues that arise after the AVICC annual meeting may be submitted directly to UBCM.

AVICC encourages members to focus resolutions on new issues of provincial or AVICC-wide interest.

Timeline for next steps or estimated completion date

The deadline for submission of resolutions for consideration at the AVICC Annual General Meeting is February 14, 2018. Resolutions must be adopted by the Board no later than the February 8th Board meeting in order to meet AVICC's submission deadline.

AVICC will consider late resolution submissions up to noon on April 11, 2018. Late resolutions will only be considered when the discussion topic arises, or was not known, before the February 14th regular deadline date.

STRATEGIC PLAN AND RELATED POLICIES

Submission of resolutions to AVICC is in alignment with SCRD's strategic value of Collaboration and also supports SCRD's mission to provide leadership and quality services to our community through effective and responsive government.

CONCLUSION

Staff recommend that the Committee identify topics for potential AVICC resolutions to be drafted and brought forward for consideration at the January 25th Corporate and Administrative Services Committee.

Reviewed by:			
Manager		Finance	
GM		Legislative	X – A. Legault
CAO	X – J. Loveys	Other	

ANNEX H

SCRD

RECEIVED

DEC 1 2 2017

CHIEF ADMINISTRATIVE

OFFICER

Vaucroft Improvement District

P.O. Box 755

Sechelt, BC VON 3A0

Email: vidislandbiz@gmail.com

2017-12-12

To the Board of the Sunshine Coast Regional District

RE: Support letter request

We have submitted a request for funding to the BC governments Rural Dividend Program today.

The program is looking for resolutions supporting the project. We would ask the SCRD to support our project by providing us with a letter.

As you know our island does not fall within the Sunshine Coast fire protection. This project entails implementing a FireSmart Project on North Thormanby Island and will assist us with purchasing firefighting equipment as we have very little. We will also be hiring and training youth to help us with vegetation mitigation. We are working with the Ministry of Forests on FireSmart planning.

Should we be successful in our funding request, we plan to share resources and training with the whole island community as well as notify your Emergency Coordinator of the equipment we will obtain for SCRD reference.

We currently have several letters of support including the Islands Trust. We need to send letters of support before the end of January 2018 so ask for your expedient consideration.

Sincere

Shirley Higginson District Administrator

604-613-9488

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ANNEXI



Office of the Mayor 2760 Cameron Road, West Kelowna, British Columbia V1Z 2T6 Tel (778) 797.2210 Fax (778) 797.1001

SCRD DENTINED DEC 1 8 2017 CHIEF ADMINISTRATIVE OFFICER

December 13, 2017

Dear Local Governments of British Columbia,

With cannabis sales becoming legal in 2018, there must be a formal agreement that will divide the tax revenue on cannabis sales in a fair and equitable manner. Current discussions regarding revenue sharing involve the Federal and Provincial governments with no inclusion of local governments. Ultimately, the legalization will entail additional costs for local governments both in social and policing costs. A Federation of Canadian Municipalities (FCM) paper is stating that the impact may affect policing, fire services, building codes, city planning, municipal licensing and standards, public health, social services, communications, law, etc.

City of West Kelowna Mayor and Council is requesting your support, by writing to the Province to lobby them to agree to 50% of the provincial share of the cannabis tax sharing formula be provided to local governments. This is an adequate and equitable share to help support costs and services incurred by local governments.

Thank you for your consideration.

Sincerely, on behalf of Council,

Findlalle

Doug Findlater Mayor



ANNEX J



December 14, 2017

Dear Agricultural Advisory Committee Chair,

Re: Save the date for Agricultural Advisory Committee Workshops Langley – Wednesday, February 21 2018 or Kelowna – Tuesday, February 27 2018 (9:30 am to 4:00 pm)

The Ministry of Agriculture invites you to the eighth biennial Agricultural Advisory Committee (AAC) Workshops. For spring 2018, we are offering two regional events in Langley and Kelowna. Both are free and lunch is provided. Please choose only one to attend, depending on which is most convenient. Full event and registration details will be sent to you and your local government officials and staff in early January.

The workshops bring AAC members together from across the regions and the province to meet and discuss relevant agricultural issues. These sessions are useful to all communities, even those who do not yet have an AAC but are considering beginning an Agricultural Area Plan process.

A complete list of proceedings from AAC workshops held in recent years is available on our website: <u>https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/strengthening-farming/agricultural-advisory-committees</u>.

Previous workshops have invigorated AAC members, generated new ideas, and helped AACs continue to offer effective advice and support to their councils, boards and local trust committees.

Please save the date and watch for complete details in the coming month. If you have any questions in the interim please contact our land use planner, Gregory Bartle directly at <u>Gregory.Bartle@gov.bc.ca</u> or 250.387.9687 (toll free 1.888.221.7141).

I look forward to seeing your representatives at the workshop.

Yours truly,

Corrine Roesler Acting Director, Strengthening Farming Program

Ministry of Agriculture

Innovation and Adaption Services Branch 1767 Angus Campbell Rd Abbotsford, BC V3G 2M3 604 556-3110

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Web Address: http://www.gov.bc.ca/agri/

