

SUNSHINE COAST REGIONAL DISTRICT
WEST HOWE SOUND (AREA F)
ADVISORY PLANNING COMMISSION MEETING AGENDA
Tuesday, March 28, 2023 at 7:00 p.m.

Meeting will be Held Online via ZOOM

CALL TO ORDER

ELECTION OF CHAIR AND VICE CHAIR

AGENDA

1. Adoption of the Agenda

DELEGATIONS

MINUTES

2. West Howe Sound (Area F) APC Minutes of November 22, 2022
December, 2022 & January, February 2023 Meetings Cancelled Pages 1 - 4
3. Egmont/Pender Harbour (Area A) APC *November - December 2022 & January, February 2023 Meetings Cancelled*
4. Halfmoon Bay (Area B) APC *November - December 2022 & January, February 2023 Meetings Cancelled*
5. Roberts Creek (Area D) APC *December 2022 & January, February 2023 Meetings Cancelled*
6. Elphinstone (Area E) APC *December 2022 & January, February 2023 Meetings Cancelled*

BUSINESS ARISING FROM MINUTES AND UNFINISHED BUSINESS

REPORTS

7. Board Policy - Official Community Plan Amendments pp 5 - 14
8. Agricultural Land Commission Application 66833 (SCRD ALR00023) pp 15 - 20

NEW BUSINESS

DIRECTORS REPORT

NEXT MEETING

ADJOURNMENT

SUNSHINE COAST REGIONAL DISTRICT

AREA F – WEST HOWE SOUND ADVISORY PLANNING COMMISSION

November 22, 2022

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

PRESENT:	Vice Chair	Doug MacLennan
	Members	Sarah Macdonald Fred Gazeley
ALSO PRESENT:	Director, Electoral Area F	Kate-Louise Stamford (Non-Voting Board Liaison)
	Planner II, SCRD	Nick Copes
	Recording Secretary	Diane Corbett
	Public	3
REGRETS:	Members	Susan Fitchell Alicia Lavalley
ABSENT:	Member	John Rogers

CALL TO ORDER 7:00 p.m.

Members congratulated previous Area F APC member Kate Stamford on her election by acclamation to the position of SCRD Area F/West Howe Sound Director.

Director Stamford announced that the Alternate Director is Ian Winn.

AGENDA The agenda was adopted as presented.

DELEGATIONS

Gaetan Royer, a planner with CityState, addressed the APC regarding reasons for his support for the Zoning Amendment Bylaw No. 722.4 application for 1747 Storvold Road. He commended the approach of the proposal and remarked that it exhibited social conscience and care, and was worthy of support.

MINUTES

West Howe Sound (Area F) Minutes

The West Howe Sound (Area F) APC minutes of June 28/July 5, 2022 were approved as circulated.

Minutes

The following minutes were received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of June 29, 2022 (under review)
- Halfmoon Bay (Area B) APC Minutes of June 28, 2022
- Roberts Creek (Area D) APC Minutes of June 20 2022
- Elphinstone (Area E) APC Minutes of June 22, 2022

REPORTS

Zoning Amendment Bylaw No. 722.4 for 1747 Storvold Road

The APC discussed the staff report regarding Zoning Amendment Bylaw No. 722.4, to amend Zoning Bylaw 722 to allow for assembly use and two auxiliary dwelling units with a maximum size of 75 m2 each, on a parcel located at 1747 Storvold Road in West Howe Sound.

The Planner gave an overview of the zoning amendment application and responded to questions from APC members and the Director. Points included:

- The property is located within Rural Residential B land use designation and Rural Residential One zoning. It is within G Subdivision District so cannot be subdivided.
- A site-specific Comprehensive Development Zone is proposed.
- An applicant-led public information meeting was held in April 2022.
- A public hearing is not required for zoning amendments, but the Board could decide to schedule a public hearing.
- There would need to be a development permit with a geotechnical study to address slope hazard on the site.
- The application was submitted prior to adoption of Bylaw No. 722, the new and updated zoning bylaw, which includes provision for secondary suites.
- SCRD received correspondence from neighbours with concerns.
- Applicant had proposed mitigation measures and conditions of use to address concerns surrounding assembly, with a limit on number of people, number of gatherings per month, and hours for gatherings. The conditions of use could be included in the Comprehensive Development Zone.

Chad Herschler, applicant, and Joanne Norris, a director of the Art Farm Society, were present to respond to inquiries about the application. It was noted that:

- After the public information meeting, there was an effort to address neighbours' concerns around traffic and noise with a second proposal.
- Concerns received had been around the assembly use and density of the homes.
- The Art Farm has been operating for fourteen years and conducts community-engaged arts, focused on creating collaborative projects with community members. That involves small groups of people coming together. This has been done mostly off the property. Examples of activities include: small classes working on a project; group of elders living with dementia; work with Sechelt Indian Band on projects such as a summer youth program. That is the majority of types of programs the Art Farm would like to officially host and be able to offer more publicly so it becomes more accessible to a wider group of people.
- This would be scaling up of operations. Members are in the process of figuring out the

organizational structure, which has values built into it. The idea is for a cooperative structure that people would buy into.

- This is about a way of living that addresses social and cultural aspects. There is a demand for this way of living, from a family and a community perspective.
- Discussion of the impact of having more people on the land to enable the land to be better used, such as in the case of farming. There is a yearning for different models to be explored. Can appreciate that this is taking a bit of a risk; it isn't a proven model. There are existing models around the country that are working.

Staff noted that after the public information meeting staff had a discussion with Chad and colleagues from the Art Farm. They developed a number of proposals that were included in the agenda package around assembly use, parking, and noise. Applicant was to revise the proposal, and do referrals. Then a draft bylaw would be developed, taking a look at measures for visitors, time for visitors, parking requirements, and other measures. Neighbours would be notified of a public hearing, the next opportunity for comment.

Members of the public left the meeting at 7:52 pm.

The following points were noted:

- It sounds like an amazing idea; I like the idea of having productive use of the land.
- Concern with how the site-specific zoning being contemplated plays out in the future. If the property were to be sold, it would have four houses on it, not in keeping with everyone located around the property. Concern about approaching this on a site-specific basis, especially when the Regional District is looking at approaching affordable housing on a more area-wide basis.
- Concern regarding the idea that this is tied to affordable housing. It was described as supporting affordable housing in modelling a different housing opportunity. You've got the two auxiliary units, and people who have them would buy into them. That is a 750 square-foot home on a five-acre property; not sure how that addresses affordable housing issues in our community, due to how much it would cost for the land. If you need more people on the land, could you do that by secondary suites? That would create flexibility for people to move in and out without buying into it, and addresses food production... and not take away from the cultural vitality. See if it could be accommodated through the existing bylaw.
 - Applicant clarified the model doesn't mean that every housing member would have to buy in. It would be stewarded by the Art Farm, who would become a contributing member.
- Am familiar with what Chad is doing; am in favour as long as meets code and concerns. In favour of rezoning.
- In favour; well put together package. Concern: What is the next step?
- Recommend that we have a public hearing to address neighbours' issues.
- Neighbour to the south won't agree with what they are doing. Neighbour to north is new to area, never lived here. They don't want any other development in the area. They have a right to leave comments at a public hearing after the applicant applies for the rezoning.
- Density is going to be an issue; four dwellings on a five-acre plot is not unreasonable.
- Concern: densification isn't being more addressed at a general level. Why is this Subdivision District G, where you can't subdivide?
- Have general bylaw on dealing with densification.
- Regarding fire protection: it is one thing to be outside the Fire Protection District when you have a dozen people on the property, but more problematic with a gathering of

eighty people at a concert if something goes wrong. They are on their own regarding fire protection, unless the regional district comes in with an approach to densification in that area and extends fire protection to it. Have a time limit for amplified music.

- They have had a lot of gatherings on the farm to date. They don't want to become a nuisance to their neighbours. One neighbour doesn't want any activity. I think 11:00 pm is a bit late; it should follow the Regional District Noise Bylaw. A proposed assembly maximum of eighty attendees seems excessive. Suggest forty attendees; end noise at 9:00 pm. This would be more proactive with respect to neighbours.
- Recommending that there be fewer people seems reasonable. Not being loud seems reasonable. Question: why is SCRD supporting it? Because it is a package, it ticks a lot of options. It isn't really a model going forward; it is down to individuals.

Recommendation No. 1 *Zoning Amendment Bylaw No. 722.4 for 1747 Storvold Road*

Regarding the Zoning Amendment Bylaw No. 722.4 application for 1747 Storvold Road, the Area F APC recommended that:

- a public hearing be scheduled for the zoning amendment bylaw application;
- planning staff consider whether there are alternatives such as secondary suites available in Zoning Bylaw No. 722 that could accommodate the applicant's need for additional residents on the land, without the requirement of the auxiliary buildings being part of the bylaws;
- the Board look at the assembly aspect in the broader sense of the SCRD;
- the assembly part of the application takes into account the safety aspects of larger gatherings; and
- the density be re-examined and discussed before proceeding to have a site-specific zoning.

DIRECTOR'S REPORT

The Director's report was received.

NEXT MEETING Tuesday, January 24, 2023

ADJOURNMENT 8:22 p.m.



REFERRAL

Sent: March 10, 2023

Respond By: March 31, 2023

Referral To:

- | | | |
|---|--|--|
| <input type="checkbox"/> shíshálh Nation | <input type="checkbox"/> Min. of Transportation and Infra. | <input type="checkbox"/> District of Sechelt |
| <input type="checkbox"/> Skwxwú7mesh Nation | <input type="checkbox"/> Agricultural Land Commission | <input type="checkbox"/> Town of Gibsons |
| <input type="checkbox"/> SCRD Building Services | <input type="checkbox"/> Min. of Forests, Lands and Nat. | <input type="checkbox"/> Islands Trust |
| <input type="checkbox"/> SCRD Infrastructure Services | <input type="checkbox"/> School District #46 | <input type="checkbox"/> Vancouver Coastal Health |
| <input type="checkbox"/> SCRD Corporate Services | <input type="checkbox"/> Dept. of Fisheries and Oceans | <input checked="" type="checkbox"/> Advisory Planning Commission |
| <input type="checkbox"/> Natural Resources Advisory | <input type="checkbox"/> Agricultural Area Committee | <input type="checkbox"/> Other: |

Type of Referral: Board Policy

Electoral Area: all

Summary of Referral:

SCRD's 7 OCPs are aging and in need of renewal. Meanwhile, SCRD is experiencing rising numbers of applications to amend OCPs, such as applications to change land use designations or density. Staff observe the need for policy direction in advance of full OCP renewal, to guide applicants, staff, community and decision makers in preparing and evaluating proposed applications toward innovative OCP amendment applications that will benefit the region for the long term.

The draft policy proposes a framework for interdisciplinary evaluation that ensures clear direction for managing emerging values as well as those already embedded in SCRD policies and strategic plan: housing affordability, natural asset protection, climate action, reconciliation, water conservation, corridor planning, park land dedication and more.

This is proposed to be a guide for Board decision making, which is also intended to be operationalized via staff: from inquiry management, through pre-application negotiation, technical review and Board reports.

SCRD Board is interested in seeing an updated draft policy after referring it to shíshálh Nation and Skwxwú7mesh Nation, APCs as well as some community organizations. Your feedback is much appreciated.

Julie Clark, Senior Planner
Planning and Development Division
Sunshine Coast Regional District

Phone: (604) 885-6804 (Ext. 6475)

Email: Julie.clark@scrd.ca

Attachments Enclosed:

Report: Draft OCP Amendment Policy

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Special Committee of the Whole – July 26, 2022

AUTHOR: Julie Clark, Senior Planner

SUBJECT: BOARD POLICY - OFFICIAL COMMUNITY PLAN AMENDMENTS

RECOMMENDATIONS

THAT the report titled Board Policy - Official Community Plan Amendments be received;

AND THAT staff be directed to develop a Board Policy for Official Community Plan amendments to be brought back later in Q3 for review and consideration;

AND FURTHER THAT the draft OCP policy be referred to APCs for feedback.

BACKGROUND

At recent public information meetings for Zoning Bylaw 722, staff received feedback that the bylaw update had not gone far enough toward innovative community building to address current crises such as housing shortages and building climate resilience. Staff heard repeated requests related to the urgency for innovation and/or for denser development in some areas and specifically there were calls to “be bold and be brave.”

Legislative Context

[Zoning](#) bylaws are tools to implement local government land use planning visions expressed in official community plans and regional growth strategies; and a hierarchical policy alignment must be maintained. BC’s *Local Government Act* requires official community plans (OCPs) to include a statement of objectives and policies to guide decisions on planning and land use management within the area covered by the plan. To achieve this, OCPs must further include policies and mapping to ensure approximate location, amount, and type of land use and in the case of residential development, also specify the general location and amount of density. In achieving this spatial implementation of land use and density, other factors such as hazardous conditions, environmentally sensitive areas and the phasing of services must also be identified and guided by OCP policy. For these reasons, Zoning Bylaw 722 has a limited scope and cannot directly accomplish some of the requests received from the public during consultation, as it is guided by six different OCPs; all of which are aging policy documents. The result is that procedurally Zoning Bylaw 722 is geared to be a refresh to its predecessor (Bylaw 310) and the call for bolder change that considers the type of community we want to build is part of a deeper policy dive that involves reviewing SCRDs OCPS and ensuring commensurate levels of consultation.

Current Trends in Inquiries and New Applications

SCRD receives applications to amend OCPs from time to time. There is a current trend of initial proposals requesting to deviate from adopted OCPs without demonstrating specific community benefits in return, consideration of planning best practices or the broad array of existing SCRD policies and plans that seek to build a resilient and livable community. These applications take a considerable amount of resource time and often result in community division on how to move forward. SCRD does not have current policy direction that clearly guides OCP amendment applications. This makes it additionally challenging for staff to calm this division by being able to concretely refer to and articulate agreed upon values for the professional recommendations that are being made for the betterment of long-term community-building.

Trends in Recent Application Reviews

Looking back on the last 2-3 years of OCP amendment applications, staff observations about OCP review processes are reflected, as follows:

- One particularly strong application, that achieved many planning best practices and offered a strong community benefit did not get approved, where community dissent strongly influenced decision making;
- Multiple applications were entertained that did not include planning best practices, and from a planning best-practice perspective, likely ought to have been turned down early. While they were not ultimately approved, the length of the process led to community division that was avoidable as well as a substantial use of staff time that could have been better allotted to doing proactive planning work.
- In each of these review processes, a clear policy might have changed the course of the application for the betterment of the community, by providing policy thresholds for which the application would be considered through and by enhancing timing of the review and/or the ultimate decision. Such a policy would benefit applicants (clearer target, consistency, faster process), the community (transparency, potential for better planning outcomes) and SCRD (more efficient processes and improved policy alignment).

OCPs Are Aging Infrastructure

SCRD has seven existing OCPs which are aging. OCPs are key planning 'infrastructure' for the Sunshine Coast. Like physical infrastructure, there are increased risks as these policy documents age. Aging OCPs increase the likelihood that applications to amend them, resulting from development pressure. Amendments, if done well, have the potential to achieve greater land use density or more diverse uses that can result in positive planning outcomes. Careful negotiation is required to ensure the benefit remains with the community for the long-term, and not just for the developer.

If such applications are approved without a rigorous consideration for the appropriateness of the proposed use and density at the subject location and negotiation of adequate community benefit, an increase in future community challenges is likely to result from the unplanned land use. Such challenges may include climate impacts, social equity concerns, land use and neighbourhood conflicts, as well as long-term inefficiencies, inabilities or cost impacts to providing community infrastructure and services.

Despite these challenges, developer-initiated OCP amendments can present a significant opportunity to shape land use patterns and decisions in a positive way that support long term community benefits, if there is policy to support rigorously reviewed and negotiated outcomes.

Urgency

Staff share the community's sense of urgency to meaningfully address the many environmental, social and economic challenges facing the Sunshine Coast and are eager to embark on this critical community conversation. Future comprehensive updates to SCRD's seven OCPs will form the legacy of our community for future generations, but it will take time, resources and deep community conversations to inform decision making and ensure we get it right (a multi-year renewal project has been approved to commence later this year/following completion of the zoning bylaw project).

Proposed Bylaw 722 is intended as a steppingstone to this larger metric of upcoming planning work and the recent Regional Growth Baseline Work serves as a compass to guide the way. Despite these efforts, recent climatic events, housing demand and developer willingness suggest that there is an urgent need to consider how and when we consider amendments to SCRD's OCPs in the interim.

Such processes move at the speed of legislated requirements, community relationships and trust, as well as the provision and availability of resources. SCRD is committed to that deep work, yet there is a practical and urgent need to apply increased rigor to OCP amendment applications now, with a framework of criteria for negotiating that is consistently carried through from the beginning of an inquiry to decision making.

Following up on the above-noted recent community feedback and operational observations, staff have decided to propose to develop a Board Policy to guide the review of OCP amendment applications to help ensure the decisions we make today, build a legacy that we are proud to pass onto future generations. The purpose of this report is to provide information and obtain direction from the Electoral Area Directors on developing a Board Policy that provides an assessment criterion for Official Community Plan Amendment applications.

DISCUSSION

Analysis

In response to requests to "be bold and brave", noting recent application review trends and the increase in inquiries and applications for OCP amendments that depart significantly from existing OCPs, staff propose to develop a Board Policy for OCP amendments, akin to the current DVP Board Policy. The proposed policy is intended to encourage and reward innovative OCP amendment applications that will benefit the region for the long term. This tool is proposed to be:

- an interim solution for the duration of time before new OCPs and regional growth strategy are completed (it would be reassessed at this time);
- A guide for the Board which is operationalized with staff: from inquiry management, through pre-application negotiation, technical review and Board reports;
- A signal to the development community of growing expectations for rural density proposals, foreshadowing new OCP principles and policies;
- Foster transparency: gives the development community the framework needed to build stronger proposals before approaching SCRD, and a common frame of reference for negotiation;

- An evaluation framework that unites land use planning best practices, community wishes, staff technical review and Board decision making; and
- A framework for interdisciplinary evaluation that ensures clear direction for managing emerging values as well as those already embedded in SCRD policies and strategic plan: housing affordability, natural asset protection, climate action, reconciliation, water conservation, corridor planning, park land dedication and more.

A draft policy is attached for reference and to provide an example of the anticipated framework and content. The intent of this policy is to recognize the need to consider OCP amendment applications in advance of comprehensive OCP updates and policy harmonization and provide a framework to guide and encourage the implementation of planning best practices through these applications. **It is important to note that the policy provides review criteria only and is not a yardstick, prescription or requirement.**

An alternative approach, taken by some local governments, would be to hold such OCP amendments in abeyance until OCPs and other guiding documents are updated. Given the urgency of need for action specifically around climate resilience and housing on the Coast, such an approach is not recommended as it may bar much-needed innovative community-building solutions from advancing. By developing this policy framework now, there is an opportunity to strive for land use development excellence and be regional leaders in considering innovative solutions, while harnessing appropriate community benefits. If guided by innovative policy, OCP amendment applications can also be pioneering solutions that may be considered more broadly in future OCP work.

Organization, Intergovernmental and Financial Implications

- A stronger framework of policies and regulations (regional growth strategy, modern OCPs, modern zoning and development bylaws) are needed to drive the expectations for excellence in rural development that meets the current and future needs of the Sunshine Coast;
- When in place, such a framework steers the marketplace to do the biggest refinements to their development proposals before submitting an application, rather than refining mostly through the public review process (Public Information Meetings, Public Hearings, etc.) of an OCP amendment;
- This work should be borne primarily by the applicant and to a much lesser degree by staff, decision makers and community. It is expected that implementing a high quality, transparent framework for evaluating OCP amendment applications will reduce staff processing time, help support SCRD Board decision making and reduce community division;
- Inadequate applications and potential subsequent approvals represent financial, legal and reputation risks to SCRD;
- Developing and implementing such a Board policy would be a signal of the internal and external culture shift required to meet the challenges of our time; and
- Risks of not implementing a framework is anticipated to prolong the time of receiving (potentially) inadequate applications that must run their course, taking more staff, Board and community time.
- The only anticipated direct financial implication to the adoption of such a policy would be a slightly positive effect of allowing re-allocation of existing, budgeted staff time to required proactive planning work (no net budget impact; potential for faster progress on Board-directed projects).

Timeline for next steps or estimated completion date

- If the Board would like to proceed, staff propose to bring a refined draft forward for review in Q4 2022.
- Internal SCRD collaboration and APC referral is planned to refine the draft. It is possible that a special meeting or orientation session for APCs could be conducted in coordination with ongoing work on Bylaw 722.

Communications Strategy

If this policy work proceeds to adoption, staff would prepare a communications plan to notify residents and the development community of the policy framework for OCP amendments.

STRATEGIC PLAN AND RELATED POLICIES

This proposed policy development aligns with many areas of the SCRD's Strategic Plan.

CONCLUSION

SCRD Planning staff has heard requests from the community to be bold and brave in the short term to propel housing solutions in appropriate locations. Staff observe there are an increasing number of OCP amendment inquiries and applications coming forward, some citing housing-creation as their intent, while others have also included broader suggested community benefits. Staff review, community understanding and Board consideration of these applications would be assisted by a more rigorous policy framework to weigh the merits of the application against the implementation of planning best practices to ensure a long-term community-building benefits.

Staff propose to develop a Board Policy for OCP amendments to be used in addition to current OCPs. Staff see this as an interim solution in advance of and during the process of OCP renewal, to raise and clarify application expectations and direct development effort toward multiple urgent community needs.

ATTACHMENTS

Attachment A – Draft Board Policy: Official Community Plan (OCP) Amendments

Reviewed by:			
Manager	X - J. Jackson	Finance	
GM	X - I. Hall X - R. Rosenboom X - S. Gagnon	Legislative	X - S. Reid
CAO	X - D. McKinley	Other	X - Y. Siao X - R. Shay

Sunshine Coast Regional District Official Community Plan Amendment Application Assessment Criteria Board Policy

Intent

This Board Policy is intended to provide guidance to assess the merits of proposed Official Community Plan (OCP) amendment applications in the Sunshine Coast Regional District. Development proposals that require an OCP amendment will be evaluated against the criteria below.

The criteria listed here are a sample of best practices with which to evaluate OCP amendment applications and may not be an exhaustive list. SCRD is open to other innovative criteria that meet the intent of current bylaws, align with SCRD authority and stretch toward sustainable development.

Criteria

1. Location

- a) Subject property is located within 500 metres of a major transportation corridor for which transit services are currently or planned to be provided (applicable to all OCP areas having transit services).
- b) Proposed development would limit the number of crossings of watercourses and seek to protect environmentally sensitive areas.
- c) Location is not in an identified area of climate vulnerability: sea level rise, storm surge, debris flood.
- d) Proposed development eliminates direct vehicular driveway access to the Sunshine Coast Highway and seeks to limit or reduce direct vehicular driveway access to other arterial roads.
- e) Proposed development is in close proximity to or directly accessible by transit, to existing or planned commercial development and civic services such as parks, schools and recreation centres.

2. Land Use Compatibility and Density

- a) Compatibility of land use with adjacent planned land uses.
- b) Appropriateness of proposed density with planned density of surrounding area.
- c) Proximity of planned and existing utility infrastructure with proposed development.
- d) Proposed development provides a housing choice that is appropriately-located and contributes to the range of housing affordability on the Sunshine Coast
- e) The proposal seeks to implement complete community and low-carbon land use attributes.
- f) If located at or near a rural-municipal edge, proposal responds to adjacent municipal land use planning

3. Community Amenity Contribution

- a) Proposed development provides a significant Community Amenity Contribution (CAC), deemed acceptable by SCRD, which benefits the public good and would not otherwise be achievable through established plans, bylaws and policies. *Note: A CAC shall be calculated by the amount of contribution (in-kind or monetary) in addition to all other requirements and payments that are otherwise required by established plans, bylaws, policies and legislation.*

Sunshine Coast Regional District Official Community Plan Amendment Application Assessment Criteria Board Policy

- b) If the CAC involves the donation of land or infrastructure to SCRD, this donation should generally adhere to the following criteria:
 - i. The land or infrastructure is provided in a “turn-key” format, acceptable to SCRD.
 - ii. The land or infrastructure is provided in a location acceptable to SCRD that logically supports existing OCP policies and community needs, with consideration given to promoting the use of transit, walkable community cores, as well as environmental protection and enhancement.
 - iii. A cost-benefit analysis of the asset has been completed to ensure long-term benefit to the public good, which may consider risk mitigation factors, such as maintenance costs.

4. Environmental Enhancement

- a) The application proposes to protect and enhance waterbodies, watercourses, aquifers, flora and fauna (particularly those at risk), and other natural features in a manner that provides greater benefit than otherwise required by existing policy or legislation.
- b) The application seeks to reduce Green House Gases (GHGs) through design, protection of carbon sinks, and/or proximity that encourages walkability, cycling, and use of transit.
- c) If the application involves or is adjacent to agricultural lands it seeks to enhance and protect farming activities and soils that are suitable for agriculture.
- d) The proposal does not result in an exclusion from the Agricultural Land Reserve, unless a 2-for-1 replacement with like or better soil qualities is proposed at a location deemed acceptable to SCRD and the Agricultural Land Commission.
- e) The application commits to removing invasive plants and limiting or correcting previous land alteration practices and provides restoration that enhances native biodiversity.
- f) The project protects an area that is integral to a wildlife corridor.

5. Climate Resilience & Reduction of Greenhouse Gas Emissions

- a) The application seeks to contribute to climate resilience efforts in response to the Climate Risk Assessment and provides benefit to the greater public good, such as:
 - i. Maximizes retention of existing native trees, soil and vegetation
 - ii. Uses climate-resilient planting for future shade
 - iii. Climate-ready stormwater management
 - iv. Provides rainwater capture/retention opportunity
- b) Applications involve innovative climate-resilient design that warrants consideration to support piloting new ideas that could set new standards for climate resilience on the Sunshine Coast.
- c) Project seeks to reduce emissions associated with single occupant vehicle trips and fossil fuel heating.

6. Community Health and Equity

- a) The project applies an equity lens to development.
- b) The project is or will be informed by a socio-economically diverse group of people (including, potentially, those who it is intended to serve).
- c) The project outcome intends to serve people with barriers to adequate housing or transportation services.
- d) The project includes aspects that build social capacity, especially for equity-deserving groups.

Sunshine Coast Regional District Official Community Plan Amendment Application Assessment Criteria Board Policy

- e) The project considers community child care needs.
- f) The project design promotes and connects to safe Active Transportation routes between the proposed location and community amenities.
- g) The project design integrates indoor or outdoor community gathering spaces.
- h) The project furthers food security by producing or processing local food for a local economy.
- i) The project unites affordable housing opportunities with opportunities for growing and/or processing food.
- j) The project protects or enhances farm land and soil for future agricultural capability.
- k) The project protects or enhances habitat for pollinators.

7. Impact of Amendment on Infrastructure and Amenities

- a) The proposal provides a benefit towards enhancing public infrastructure for the development or the larger area.
- b) The location of proposed density is within a logical proximity to the availability of existing or planned SCRD services and utilities.
- c) Proposal demonstrates innovation in or a high-degree of efficiency related to community drinking water.

8. Affordable Housing

- a) The application proposes innovative housing solutions that assist with the provision of affordable housing, particularly long-term rental, on the Sunshine Coast in a location that promotes walkability, cycling and transit usage in any of the following ways:
 - i. Through a registered housing agreement that protects market rental and/or below-market rental.
 - ii. Increases the housing stock of apartments, townhouses and duplexes at an appropriate location and in a manner that will provide more affordable means of homeownership.
- b) The proposed development involves senior level government, a government agency, SCRD, or non-profit backing (collaboration, land or financial partnership) to assist with the provision of affordable housing in a strategic location.
- c) The application involves an affordable housing solution that assists with aging in place for Sunshine Coast residents.

9. Economy

- a) The proposed development involves the construction of an employment-generating use that when complete would provide a significant number of jobs that pay a living wage.
- b) The proposed development involves the provision of a use that would be a significant benefit to tourism on the Sunshine Coast, while ensuring best-practice sustainable development initiatives.
- c) The proposal propels economic growth that benefits environmental and social community needs, such as climate resilience, culture, heritage and the provision of housing.

Sunshine Coast Regional District Official Community Plan Amendment Application Assessment Criteria Board Policy

10. Topography

- a) The proposal is a response to the presence of steep slopes, ravines or flooding hazards that preclude certain uses or types of development and require an OCP amendment to facilitate a use or form of development that is more appropriate for the topography, location, and risks associated with the subject lands.

11. Reconciliation

- a) The project advances the reconciliation goals of the corresponding Nation through collaboration.

12. Heritage Conservation

- a) The full scope of the project is aligned with the *Heritage Conservation Act*
- b) The project seeks to protect and enhance a building, site, or natural feature that has heritage value worthy of long-term protection through any combination of bylaw, covenant, designation, or public ownership

13. Design

- a) Proposed development demonstrates a high degree of innovation, creativity and sensitivity in its overall design, including site layout, building design, stormwater management and landscaping.
- b) Proposed buildings associated with the development demonstrate leadership for the Sunshine Coast in green-building design or advanced Step Code requirements.
- c) Proposed developments adjacent to forested areas should demonstrate a high degree of site, building and landscaping design that is Fire Smart, while also considering onsite fire suppression capabilities.
- d) Site design and landscaping is designed to preserve significant trees and promote onsite stormwater management and aquifer recharge.
- e) The proposal adequately considers emergency response needs including access for protective services.

SUNSHINE COAST REGIONAL DISTRICT STAFF MEMO

TO: West Howe Sound Advisory Planning Commission – March 28, 2023

AUTHOR: Alana Wittman, Planner II

SUBJECT: Agricultural Land Commission Referral Application 66833 (ALR00023) (2005 Port Mellon Highway)

RECOMMENDATIONS

THAT the report titled Agricultural Land Commission Referral Application 66833 (ALR00023) (2005 Port Mellon Highway) be received;

AND THAT the West Howe Sound Advisory Planning Commission review and provide a recommendation to the Sunshine Coast Regional District (SCRD).

On March 16, 2023, the Electoral Area Services Committee (EAS) recommended to the SCRD Board that Agricultural Land Commission (ALC) Referral Application 66833/ALR00023 (2005 Port Mellon Highway) be forwarded to the Area F (West Howe Sound) Advisory Planning Commission (APC). Given the timing of this memo, the Board adoption of the EAS recommendation (expected to occur on March 23, 2023) had not yet occurred.

The attached report is for APC review and comment. Comments from the APC will be summarized in a future report for the Board's consideration, in advanced of SCRD comment on of the Agricultural Land Commission Referral.

Please review the attached staff report and, through the APC minutes, provide a recommendation for the SCRD Board to consider in responding to this ALC referral. APC may choose to include a brief summary of the Commission's rationale for their recommendation in the minutes.

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Electoral Area Services Committee – March 16, 2023

AUTHOR: Alana Wittman, Planner I

SUBJECT: Agricultural Land Commission Application 66833 (SCRD ALR00023)

RECOMMENDATION(S)

- (1) **THAT the report titled Agricultural Land Commission Application 66833 (SCRD ALR00023) be received for information;**
- (2) **AND THAT Agricultural Land Commission Application 66833 for Non-Farm Use be forwarded to the Agricultural Land Commission for review of decision with the following comments:**

The Sunshine Coast Regional District supports retaining the Farm Home Plate Covenant and supports the proposal to amend the siting of the Farm Home Plate Covenant. The amended siting should be informed by Qualified Environmental Professional analysis as per Development Permit Areas on the parcel.

BACKGROUND

SCRD has received a referral from the Agricultural Land Commission (ALC) regarding an application seeking approval to remove or amend the farm home plate covenant at 2005 Port Mellon Highway in Area F (West Howe Sound). The covenant identifies a 0.2 hectare (ha) Farm Home Plate where non-farm use can occur. The home plate covenant was established as a condition of subdivision in 2020.

The referral review process for ALC files requires the following steps:

- local government is the first agency to review the ALC application
- the application is reviewed as it relates to local policy and regulation
- local government has the first opportunity to decide if the application is supported or denied
- if local government does not support the application, the process ends
- if a resolution is forwarded to ALC, the application process proceeds to ALC review for decision

The purpose of this report is to provide information about the Non-Farm Use ALC application 66833 for the Electoral Areas Services Committee to consider and make a recommendation.

Discussion

Analysis – Application Review and Applicant Rationale:

The 7.54 ha parcel located at 2005 Port Mellon Highway is within the Agricultural Land Reserve (ALR). The parcel was created in 2020 when the 54 ha parent parcel subdivided the ALR portion of the parcel (22.6 ha) into three new legal lots. The ALC approved the subdivision subject to seven conditions which seek to encourage farming and not negatively impact the

integrity and agricultural utility of the parcel for farm use. One of the ALC conditions of subdivision was registering a farm home plate covenant on each of the proposed lots for the purpose of restricting residential use, including the principal residence and any accessory residential uses, to the 0.2 ha area on each of the proposed lots.

The applicant has applied to remove or amend the farm home plate covenant on their parcel to allow them to build their principal residence outside of the 0.2 ha covenant area. The applicant submits their intention is to build the primary residence approximately 30 metres (m) outside of the covenant area and build an auxiliary dwelling unit in a different part of the parcel to house a farm hand or volunteer farmer (WWOOFer). The applicant submits removing or amending the covenant area would allow them to expand their planned farming area.

No farm use is current taking place on the parcel; however, a high-level description of their farm plan is described in the application. The plan includes establishing a Community Supported Agricultural business, small scale cidery, and clearing land to establish a 0.6 ha vegetable garden and 1.2 ha to 1.6 ha of fruit and nut trees.

Figure 1 – Context Map of 2005 Port Mellon Highway



Table 1 - Application Summary

File number	ALC 66833 (SCRD File ALC00023)
Civic Address	2005 Port Mellon Highway, Gibsons, BC, V0N 1V6
Legal Description	LOT A DISTRICT LOT 1354 GROUP 1 NEW WESTMINSTER DISTRICT PLAN EPP110387
Electoral Area	F, West Howe Sound
Parcel Area	7.54 hectares
OCP Land Use	Agricultural
Land Use Zone	Agriculture (AG)
Application Intent	Remove or amend restrictive covenant (farm home plate covenant) on their parcel which restricts residential use to a 0.2 ha area.

Analysis - Local Policy Review

The Sunshine Coast Regional District (SCRD) does not have a farm home plate regulation that defines where non-farm use buildings, structures, and activities are located. However, SCRD Zoning Bylaw No. 722 includes regulations pertaining to permitted uses, parcel coverage, and number of and size limitations for dwellings on agricultural land which supports the objective to restrict the impact of residential development within the ALR. The protection of future agricultural capability is supported by the SCRD's West Howe Sound Official Community Plan (OCP), Agricultural Area Plan, and Regional Sustainability Plan. Key policy areas are copied below for reference.

Zoning Bylaw No. 722

SCRD Zoning Bylaw 722, Section 7.17, outlines permitted agricultural and non-agricultural uses on parcels zoned Agricultural (AG). The AG zoning provisions were developed in accordance with the *Agricultural Land Reserve Use Regulation* and are aimed at maintaining the land base for agricultural purposes by restricting residential development. Specifically:

- Per Section 7.17.2, no more than one single-unit-dwelling (primary residence) with a maximum floor area of 350m² and one auxiliary dwelling unit with a maximum floor area of 90m² is permitted per AG parcel.
- Per Section 7.17.5, the maximum parcel coverage for residential buildings and structures and their auxiliary uses is 10%.

West Howe Sound Official Community Plan

Section 4 – Agriculture Land Use:

The West Howe Sound Official Community Plan (OCP) designates this parcel as Agricultural. The OCP objectives and policies in Section 4 speak to the preservation of land for present and future food production. Specifically:

- Objective 5: To protect existing and future agricultural activities from potential conflicting non-agricultural uses within the ALR and the Rural Residential designated lands adjacent to the ALR.
- Objective 6: To support the ALC in protecting agricultural lands and opportunities for present and future uses.
- Objective 7: To support creative approaches with respect to on-site density and land uses that encourages the agricultural use of the land within the ALR.
- Policy 1: A suite within a dwelling or a second dwelling, for farm help or family members, subject to approval by the Regional District and ALC under the *Agricultural Land Commission Act*, shall be permitted.

The farm home plate covenant provides stronger protection of OCP objectives and policies than relying on SCRD Zoning Bylaw 722 to restrict residential development on the ALR parcel. Staff note the covenant does not prevent the applicant from building both a single unit dwelling (primary residence) and auxiliary dwelling unit on the parcel as both dwelling units can be sited in a 0.2 ha area.

Section 12 – Development Permit Areas:

The OCP includes Development Permit Areas (DPA), which are areas where special requirements and guidelines for any development or land alternation of the parcel are in effect. DPAs are an opportunity for the SCRD to assess suitable locations on parcels for development and land alternation to occur.

This parcel includes five DPAs and is within Tree Cutting Permit Area A. The DPAs include, DPA 2A (Creek Corridor), 2D (Low Channel Confinement), 3 (Slope Hazard), 4 (Stream and Riparian Assessment Area), and 5 (Aquifer Protection and Stormwater Management). Future development will require development permit approval and should minimize impact to DPAs, the Tree Cutting Permit Area, and agricultural capability.

Should the ALC approve an amendment to the covenant, the amended location should be informed by qualified professionals associated with each DPA.

Agricultural Area Plan

The SCRD Agricultural Area Plan has six strategic goals to enable agriculture on the Sunshine Coast:

1. Protect farms, improve farming opportunities and expand access to land for agriculture
2. Secure a sustainable water supply for the Sunshine Coast
3. Develop a viable Coastal food system
4. Educate and increase awareness of Coastal food and agriculture
5. Advance and promote sustainable agricultural practices
6. Prepare for and adapt to climate change.

Regional Sustainability Plan

The SCRD Regional Sustainability Plan, We Envision, holds a set of nine land use principles to guide future development on the Sunshine Coast. One principle specifically relates to protecting agricultural land for its intended purpose: “protect and enhance agricultural lands, maintaining a secure and productive land base which conserves habitat, and provides food security and employment.”

Options

On the basis of the referral, staff support the application to amend the farm home plate covenant. The proposal, based on the information provided, does not contravene Zoning Bylaw 722, the OCP, Agricultural Area Plan, or Regional Sustainability Plan.

- 1) **Recommended:** Forward the application to the ALC with the comment that based on the information provided, the SCRD supports retaining the farm home plate covenant and supports the proposal to amend the siting of the farm home plate covenant. The amended siting should be informed by Qualified Environmental Professional analysis as per Development Permit Areas on the parcel. The ALC will review and make a decision. This approach utilizes the mandate and expertise of the ALC.
- 2) Deny the application. This is an option available to SCRD and would terminate the application. Staff do not recommend this option.

Timeline for next steps or estimated completion date

SCRD staff will respond to the ALC referral when the Board's direction is established by resolution.

STRATEGIC PLAN AND RELATED POLICIES

Increase intergovernmental collaboration – the SCRD and ALC have a shared mandate in ensuring compliance with land use bylaws and regulations on this parcel.

CONCLUSION

The SCRD received a referral from the Agricultural Land Commission (ALC) regarding an application seeking approval to remove or amend a covenant at 2005 Port Mellon Highway in Area F (West Howe Sound). The covenant identifies a 0.2 hectare (ha) farm home plate where non-farm use can occur, including residential development. The covenant provides stronger protection of future agricultural capability than SCRD Zoning Bylaw 722 by restricting residential development to a 0.2 ha area.

It is recommended to forward the application to the ALC for decision with the comment that based on the information provided, the SCRD supports retaining the farm home plate covenant and supports the proposal to amend the siting of the farm home plate covenant. The amended siting should be informed by Qualified Environmental Professional analysis as per Development Permit Areas on the parcel.

This approach utilizes the mandate and expertise of the ALC and responds to the lack of equivalent farm home plate regulation.

ATTACHMENTS

Attachment A – Site Plan
Attachment B – Aerial Photo

Reviewed by:			
Manager	X. – J. Jackson	Finance	
GM	X – I. Hall	Legislative	X – S. Reid
CAO	X – D. McKinley	Other	X. – J. Clark