

SUNSHINE COAST REGIONAL DISTRICT
(EGMONT / PENDER HARBOUR (AREA A))
ADVISORY PLANNING COMMISSION MEETING AGENDA
Wednesday, March 29, 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. Egmont/Pender Harbour (Area A) APC Minutes of June 29, 2022
July - December 2022 & January, February 2023 Meetings Cancelled Pages 1 - 2
3. Halfmoon Bay (Area B) APC Minutes of June 28, 2022
July - December 2022 & January, February 2023 Meetings Cancelled pp 3 - 4
4. Roberts Creek (Area D) APC Minutes of June 20, 2022
July - December 2022 & January, February 2023 Meetings Cancelled pp 5 - 6
5. Elphinstone (Area E) APC Minutes of June 22, 2022
July - December 2022 & January, February 2023 Meetings Cancelled pp 7 - 9
6. West Howe Sound (Area F) APC Minutes of June 28 & November 22, 2022
July – October & December, 2022 & January, February 2023 Meetings Cancelled pp 10 - 18

BUSINESS ARISING FROM MINUTES AND UNFINISHED BUSINESS

REPORTS

7. Board Policy - Official Community Plan Amendments pp 19 - 28
8. Development Variance Permit DVP00084 (12820 Alexander Road) pp 29 - 38

NEW BUSINESS

DIRECTORS REPORT

NEXT MEETING

ADJOURNMENT

SUNSHINE COAST REGIONAL DISTRICT

**AREA A - EGMONT/PENDER HARBOUR
ADVISORY PLANNING COMMISSION**

June 29, 2022

RECOMMENDATIONS FROM THE AREA "A" ADVISORY PLANNING COMMISSION MEETING
HELD ELECTRONICALLY VIA ZOOM

PRESENT:	Chair	Peter Robson
	Members	Yovhan Burega Jane McOuat Dennis Burnham Tom Silvey Janet Dickin Gordon Littlejohn Catherine McEachern
ALSO PRESENT:	Electoral Area A Director	Leonard Lee (Non-Voting Board Liaison)
	Senior Planner	Yuli Siao
	Recording Secretary	Kelly Kammerle
REGRETS:	Members	Alex Thomson Alan Skelley Sean McAllistar

CALL TO ORDER 7:15 p.m.

AGENDA The agenda was adopted as presented.

MINUTES

Area A Minutes

The Egmont/Pender Harbour (Area A) APC Minutes of November 24, 2021 were approved as circulated.

The following minutes were received for information:

- Halfmoon Bay (Area B) APC Minutes of November 30, 2021 & January 25, February 22 & March 22, 2022
- Roberts Creek (Area D) APC Minutes of February 28, 2022
- Elphinstone (Area E) APC Minutes of January 26, 2022
- West Howe Sound (Area F) APC Minutes of January 25, 2022

REPORTS

The Area A APC discussed the draft of Zoning Bylaw 722 with SCRD Senior Planner.

Discussion Points:

- Bylaw 722 does not apply to Electoral Area A
- Is there concern that the OCP may have to change current Zoning Bylaws?
- Secondary suites permitted. Bigger auxiliary dwelling units such as carriage house or garden cottage: size increased from 592 ft² (55 m²) to 969 ft² (90 m²)
- Cannabis production is not permitted in residential areas. Medical cannabis is exempt from residential areas.
- Will Electoral Area A Zoning Bylaw 337 be absorbed into Bylaw 722 if so shouldn't we have been included in the discussion from the beginning?
- Climate change support means in a technical way, not financial. Examples: information about water setbacks, green roofs, solar panels and wind turbines.
- A mini-farm in your backyard. Beekeeping and chickens permitted, along with your own farm stand in some areas.

NEW BUSINESS

The APC hopes that the APCs will be consulted and asked for input regarding the current review of Planning Department practises which is undergoing an examination pursuant to the newly received provincial grant in the amount of \$250,000.

DIRECTOR'S REPORT

The Director's report was received.

NEXT MEETING July 27, 2022

ADJOURNMENT 8:45 p.m.

SUNSHINE COAST REGIONAL DISTRICT

HALFMOON BAY (AREA B) ADVISORY PLANNING COMMISSION

June 28, 2022

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

PRESENT:	Vice Chair	Barbara Bolding (Acting Chair)
	Members	Nicole Huska Alda Grames Catherine Ondzik
ALSO PRESENT:	Electoral Area D Director	Lori Pratt (Non-Voting Board Liaison)
	Recording Secretary	Sandy Goldsmith
	SCRD	Yuli Siao (Senior Planner)
	Guests	Meaghan Hennessy Christopher Richmond
REGRETS:	Members	Kelsey Oxley Eleanor Lenz

CALL TO ORDER 7:00 p.m.

AGENDA The agenda was adopted as presented.

MINUTES

Area B Minutes

The Area B APC minutes of March 22, 2022 were adopted as presented.

REPORTS

Proposed new Zoning Bylaw No. 722

SCRD Senior Planner was present to address any questions/concerns regarding the 1st reading draft of Bylaw No 722.

The APC presented questions/concerns regarding the new bylaw, and these were addressed and discussed:

- the possibility of reducing parcel size of land for growing cannabis to allow for micro cultivators
- closer monitoring and enforcement of bylaws regarding B&Bs.
- more affordable housing available to address employment issues on the Coast

The Senior Planner confirmed that the APC's feedback will be presented to the Electoral Area Services Committee.

UNFINISHED BUSINESS

The APC requests that the SCRD provide a copy of the RAR report and the Development Permit records for the Wood Bay Ridge Rd. subdivision and well as for other subdivision applications in the future.

DIRECTOR'S REPORT

The Director's report was received.

NEXT MEETING July 26, 2022

ADJOURNMENT 8:40 p.m.

SUNSHINE COAST REGIONAL DISTRICT

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

June 20, 2022

RECOMMENDATIONS FROM THE ROBERTS CREEK (AREA D) ADVISORY PLANNING COMMISSION MEETING HELD ELECTRONICALLY

PRESENT:	Chair	Mike Allegretti
	Members	Gerald Rainville Eric Ansley
ALSO PRESENT:	Electoral Area D Director	Andreas Tize (Non-Voting Board Liaison)
	Recording Secretary	Diedra Goodwin
REGRETS/ABSENT:		Meghan Hennessy Nicola Kozakiewicz Chris Richmond Alan Comfort

CALL TO ORDER 7:03 p.m.

AGENDA The agenda was adopted as presented.

MINUTES

The Roberts Creek (Area D) APC Minutes of February 23, 2022 were approved as circulated.

The following minutes were received for information:

- Halfmoon Bay (Area B) APC Minutes of February 22 & March 22, 2022

REPORTS

Proposed new Zoning Bylaw No. 722

Key Points of Discussion:

- It is quite difficult to analyze changes in proposed Bylaw 772 without a side by side comparison with Bylaw 310 on a computer screen.
- It was not obvious which changes were organizational in the new Bylaw and which were substantive.

- Regarding setbacks from roads: Greenhouses are difficult to site for sun exposure and requiring more distance from property lines may make them impossible to have.
- Why not a sliding scale instead of discrete rules? An example found in Section 4.3, Subdivision Requirements, one measure for parcels between 2000 and 3500 square metres, and a different requirement for parcels over 3500 square metre.
- Intentions to increase density in the new Bylaw requires more predictive analysis. By how much would density increase? Will the changes accommodate more housing?
- There is no reference to vacation homes. They create dark neighborhood's prone to increased crime, don't provide the same support to the local economy, and put more pressure on transportation to and from the Sunshine Coast. Can that issue be addressed in the new Bylaw? Or would it not be possible because jurisdiction and of property tax benefit to the Province.
- Replace method of limiting the footprint of a home-based business from "20% of the size of the house". A thousand square foot studio or workshop would require a 5000 square foot house. Many home occupations require a large space. A home office has vastly different requirements from a cabinet shop or a pottery. Parcel coverage is a better metric to use. A Grandfathered-in industrial shop would not be protected if destroyed by natural disaster. It could not be rebuilt to the required size.
- The maximum number of permanently parked vehicles on the property should be considered.
- With bigger setbacks, the tendency will be to put the parking and vehicle noise on the property line. Rules that put parking at lot lines will create more noise and fumes for neighbours.
- What is a care centre? You are allowed a 'second dwelling', or care centre. Page 123 defines care facility but not care centre.
- A glossary is required to define terms.
- How will a provincially granted 'agriculture status' on the land title relate to the new Bylaw?

The Director pointed out that any suggestions received before 3rd reading is part of the adoption process, so having a better way to compare documents or getting more clarity on some issues should not be a problem in order to make subsequent recommendations.

The Area D APC will respond after we have a detailed comparative analysis of the material differences between Bylaw 310 and Bylaw 722.

DIRECTORS REPORT

The Director's Report was received.

NEXT MEETING July 18, 2022

ADJOURNMENT 7:50 p.m.

SUNSHINE COAST REGIONAL DISTRICT

**AREA E – ELPHINSTONE
ADVISORY PLANNING COMMISSION**

June 22, 2022

RECOMMENDATIONS FROM THE AREA E ADVISORY PLANNING COMMISSION MEETING
HELD ELECTRONICALLY

PRESENT:	Chair	Mary Degan
	Members	Rod Moorcroft Nara Brenchley Rick Horsley Karen Mahoney
ALSO PRESENT:	Electoral Area E Director	Donna McMahon (Non-Voting Board Liaison)
	Alternate Area E Director	Lucie McKiernan
	Senior Planner	Yuli Siao
	Recording Secretary	Diedra Goodwin
REGRETS:	Members	Kasha Janota-Bzowska
ABSENT:	Members	Urszula Dragowska Bob Morris Anne Cochran

CALL TO ORDER 7:02 p.m.

AGENDA The agenda was adopted as presented.

MINUTES

Area E Minutes

The Area E APC minutes of January 26, 2022 were approved as circulated.

Minutes

The following minutes were received for information:

- Halfmoon Bay (Area B) APC Minutes of January 25, February 22 & March 22, 2022
- West Howe Sound (Area F) APC Minutes of January 25, 2022

REPORTSProposed new Zoning Bylaw No. 722.

Yuli Siao, Senior Planner presented to the committee.

Comments on the new Bylaw should be received by the end of June, 2022.

Comments from APC Members:

- What are the intentions regarding cannabis growing under the new Bylaw on ALR land? Food production will become more critical in our area. It will be good to save ALR land for food production in preference to cannabis.
- What resources does the RD have to enforce the Bylaw? What will happen with properties that become non-conforming once the new Bylaw takes effect?
- Will there be setbacks applied to growing cannabis near property lines in residential neighborhoods? Setbacks should be large enough to protect neighbours from the odor of cannabis cultivation.
- Definitions of poultry, fowl, roosters, etc. could be clearer.
- Would my birds, including ducks, chickens, one rooster, possibly turkey, on my R2 1/2 acre lot property be grandfathered in under the new Bylaw? A rooster is essential to keep my birds reproducing on site. If roosters are prohibited bringing chickens from off coast will introduce diseases like avian flu. Muscovy ducks are quieter than chickens.
- If noise is an issue regarding roosters, what about vehicle noise at 4 AM?
- Rooster noise really bothers some people.
- We must have roosters or we will not sustain egg production. We don't produce enough of our food, so we must have measures that protect food production.
- Electric fences have not been mentioned and these can be helpful for bee keeping and raising livestock.
- Parking regulations should not lead to having everything paved. Could there be a provision to require a percentage of permeable surfaces, especially on smaller properties?
- Can stormwater issues be addressed in the new Bylaw?
- Can changes to secondary dwelling size allowances be considered in relation to maximum lot coverage. Could there be increased flexibility, e.g. two small houses, instead of a large main dwelling and smaller secondary?

Recommendation No. 1 *Proposed new Zoning Bylaw No. 722*

The Area E APC recommended that the comments provided with respect to Bylaw 722 be considered.

DIRECTOR'S REPORT

The Director's report was received.

NEXT MEETING July 27, 2022

ADJOURNMENT 8:40 p.m.

SUNSHINE COAST REGIONAL DISTRICT

**AREA F – WEST HOWE SOUND
ADVISORY PLANNING COMMISSION**

June 28, 2022

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

PRESENT:	Chair	Susan Fitchell
	Members	Kate-Louise Stamford Sarah Macdonald Alicia Lavalle (part) Fred Gazeley(part)
ALSO PRESENT:	Director, Electoral Area F	Mark Hiltz (Non-Voting Board Liaison)
	Jonathan Jackson Recording Secretary	Manager, Planning & Development Diane Corbett
REGRETS:	Member	Doug MacLennan

CALL TO ORDER 7:03 p.m.

AGENDA The agenda was adopted as presented.

MINUTES

West Howe Sound (Area F) Minutes

The West Howe Sound (Area F) APC minutes of January 25, 2022 were approved as circulated.

Minutes

The following minutes were received for information:

- Halfmoon Bay (Area B) APC Minutes of January 25, February 22 & March 22, 2022
- Roberts Creek (Area D) APC Minutes of February 28, 2022
- Elphinstone (Area E) APC Minutes of January 26, 2022

There was discussion about the new committee format at the SCRD and inquiry about each committee's terms of reference. Members noted their appreciation in previously receiving the Planning and Development Committee minutes within the APC agendas, with the opportunity to learn about what is happening in other electoral areas and about the follow-up by the Board on APC recommendations. It was noted that, unless regional in nature, many planning and development items would be assigned to the new Electoral Area Services Committee.

REPORTS

Proposed New Zoning Bylaw No. 722

Manager of Planning and Development presented an overview of proposed Zoning Bylaw No. 722.

- Proposed Bylaw 722 seeks to implement interim changes that serve as a stepping stone to future comprehensive policy work and that bring the zoning bylaw to a more modern standard. The proposed bylaw is at first reading; there have been two public information meetings. The proposed bylaw has now been referred for comment.
- Proposed Bylaw No. 722 seeks to achieve the following:
 - Incremental increases to housing options, under existing OCPs
 - Begin to address building climate resilience
 - Provide clarifications and user-friendly changes (including format of bylaw)
 - Respond to changing needs of residential agriculture and home-based businesses.
- What is not changing in the proposed zoning bylaw:
 - land use designations
 - zone boundaries
 - subdivision districts and boundaries
 - general land use density framework
 - site specific zoning.
- The proposed bylaw includes more housing options, less design barriers, work from home, support for energy efficiency, adaptation to climate change, clarity on cannabis production retail. There has been an effort to align policies with provincial and federal legislation.
- Proposed housing options and design: allow for a secondary suite (up to 55 sq m/592 sq ft) auxiliary to a single dwelling unit; increased maximum floor area for auxiliary dwelling from 55 sq m to 90 sq m (969 sq ft), carriage house allowed; and remove the 6-metre (19.7 ft) minimum building width requirement for dwellings.
- Housing Options: The intent of increasing the size of the auxiliary dwelling is to create housing/rental options that could house families. Secondary suites would be allowed in any single unit dwelling. The bylaw would allow a secondary suite and a short-term rental in your home.
- Home Based Business: reflect current home working trend; support economic vitality and diversity; is permitted in most zones subject to conditions to prevent nuisance and neighbourhood conflicts.
- Residential agriculture: growing trend on the coast; support agriculture and supplement local food production; agricultural product sale permitted as auxiliary use; backyard bees and chickens permitted subject to conditions.
- Energy Efficiency and climate change adaptability: floor area limit excludes exterior walls, to support energy efficient buildings; height exceptions applied to green roofs,

solar collectors and wind turbines; waterfront setbacks of 15 m consistently applied throughout the zoning bylaw area, to enhance flood protection.

- Cannabis production and retail: land use distinction between medical and non-medical cannabis production removed; permit cannabis retail in commercial zones only
- Next steps: second reading (the target for second reading is Electoral Area Services Committee on July 21); public hearing; third reading; adoption; continue work towards future zoning bylaw and planning policies.

Comments from APC discussion included:

- All three of those (measures regarding housing options) will be helpful; people can buy property together (parents and kids) with the increased size of an auxiliary dwelling.
- How will future OCP policy updates utilize/apply Bylaw No. 722?
- Heartened to see move to 15 metre setback. It is important to have that standard.
- Is there anyone who is contemplating that there be a consistent strategy for the various OCPs to address those issues like housing options in a more fundamental way? How do we as the coast as a whole get to the point of addressing those issues that are more broad and at a deeper level?

Director Hiltz offered comment on the current planning process.

Upon discussion, it became apparent that a number of APC members needed more time to become more familiar with proposed Bylaw No. 722 in order to provide comment that was robust or substantive.

It was determined that the Area F APC would meet again via Zoom to discuss the bylaw in one week.

It was noted people could comment as individuals on the “Let’s Talk” website (<https://letstalk.scrd.ca/bylaw-722>).

Recommendation No. 1 *Proposed Zoning Bylaw No. 722*

The Area F APC recommended support of the intention of Proposed Bylaw No. 722 as stated in the overview, and that we need further time to really study the details of the proposed bylaw to make any specific recommendations.

DIRECTOR’S REPORT

The Director’s report was received.

The meeting was recessed at 9:23 pm and reconvened on July 5, 2022 at 7:00 pm.

The APC continued discussion on the proposed new Zoning Bylaw No. 722

Upon further review of Proposed Zoning Bylaw No. 722, West Howe Sound APC members shared perspectives on the document.

Points from discussion included:

- Am comfortable with our general statement that we support the intention of Proposed Zoning Bylaw No. 722.
- In the “Let’s Talk” website, there are a lot of issues around chickens. There needs to be further clarification around poultry raising, such as the difference between hens and broilers, and information around slaughtering if you have chickens on your property.
- Suggest that issues around chickens and poultry may get sorted through second reading.
- At the very outset of the bylaw, in the Interpretation section, there is reference to the defined terms being in italics, but then no reference to where the definitions are located. There should be directions on where you can find the definitions.
- Some definitions of dwelling units are problematic in some respects; e.g., “auxiliary dwellings” indicates size restrictions in the definition and in the bylaw. There is room to improve the language so it is clearer for the use and the definitions. Definitions, particularly as they relate to things such as dwelling units, etc., should be revisited in relation to the specific provisions in the bylaw that are referenced, so that there is not a duplication of prohibitions and language.
- Definition of “seasonal use” refers to it being six months. Is that consecutive or is it total months?
- The defined terms are italicized. When I read through the definitions, the defined terms are sometimes in italic and sometimes not; needs consistency.
- Climate resiliency – Did not see a lot that really expanded the opportunities. On page 23 of the bylaw regarding construction levels, the wording was around .6m above the provincial standard; a measurement may not be appropriate five years from now. Would like to see it more tightly tied to provincial best practices, flood standards, flood construction levels. Needs to be more “tight”.
- Climate resiliency – There was not a lot of detail regarding using gray water and storm water supply. Maybe have ability to have tanks within setbacks to have fire protection, or, especially in more rural zones, opportunities to bolster our ability to respond to fire using gray water or storm water. Look at more detail around supporting that kind of climate resiliency.
- Housing: restrictions on shipping containers, page 23. Shipping containers would be another opportunity for housing types, with the right regulations. Same with tiny homes. How do tiny homes fit into the definition of mobile homes?
- What is the build-out of the proposed bylaw for Area F in the different zones? It is stated the bylaw would not change density. Getting a sense of potential density with the proposed bylaw may be useful to determine if this is a good direction. Not sure how 722 fits into OCPs. Would the zoning bylaw be impacted by a Regional Growth Strategy? Look at this in more of a big picture way.
- Would question the total prohibition of the shipping container model for auxiliary building. Fire resistance is an excellent characteristic of shipping containers. This structure is used as a fence, for storage at some properties on the highway, and would be extremely efficient as a deterrent to highway noise.
- In correlating Bylaw Nos. 310 and 722, it appears the number of zones and subdivision districts has changed. In 310, it appears there are 15 rural zones and 11 subdivision districts; in 722, there are 11 rural zones and 16 subdivision districts.
- If Bylaw No. 722 is adopted, concern about the development of updated OCPs, and coordinating with regional development plans. Those Big Pictures will have significant impact on this zoning bylaw. Concern: if we proceed with the bylaw, those bigger

pictures get pushed further into the future. If 310 were to stay as is, and the OCP coordination of development plans were pushed to the forefront, it would be a more efficient use of everyone's time. Would be forced to look at the region as a whole. There has to be a vision of the coast as a whole. It is the sort of thing that is easy to allow to percolate as an idea in the background through successive elected officials.

- Important that this goes through. Even to get the base similarity implemented. There are some good ideas here. It gets the regions in a similar space, a baseline for OCP development.
- Concern about the impacts of bees on the neighbourhood if allowed on a fourth of an acre. Retain current lot size restrictions for beekeeping allowed in Bylaw 310. There is a definite impact on neighbouring parcels; the proposed size restrictions seem to be not adequate.
- Imported honeybees have impact on native bees. Would support not allowing them on smaller lots for reasons you've described.
- "Single-unit dwelling" – Members perceived that "single-detached dwelling" would be more understandable or less confusing;
- "Two-unit dwelling" – Members found this term was confusing.
- What would build-out look like if every single detached dwelling had a secondary suite?
- What would be the impact of individual dwellings? What about parking, roads, schools, etc.? What would our communities look like with this flexibility?

Recommendation No. 2 *Area F APC Feedback on Proposed Zoning Bylaw No. 722*

That the Area F APC continues to support the intention of the Proposed Zoning Bylaw No. 722 as stated in the Overview and, upon further review, recommend:

- That the location of the Definitions be included in the Interpretation section at the outset of the bylaw;
- To review the substantive provisions of the bylaw and referenced definitions for clarity;
- To clarify regarding the keeping of chickens, and to clarify "hens" and "broilers" and if there are different impacts between the two, and to clarify regulations around slaughtering poultry;
- To reconsider the keeping of bees lot size restriction, as there is a significant impact by bees to neighbouring parcels and to native flora and fauna, including native bees;
- To scrap the current word "single-unit dwelling" and replace it with "single-detached dwelling".

Recommendation No. 3 *Electoral Area Services Committee Minutes*

The Area F APC recommended that a link be provided in regular APC packages to the latest Electoral Area Services Committee minutes.

NEXT MEETING Tuesday, July 26, 2022

ADJOURNMENT 8:10 p.m.

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 Lavalle
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

Attachments Enclosed:

Report: Draft OCP Amendment Policy

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

Email: Julie.clark@scrd.ca

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 SCR D, this donation should generally adhere to the following criteria:
 - i. The land or infrastructure is provided in a “turn-key” format, acceptable to SCR D.
 - ii. The land or infrastructure is provided in a location acceptable to SCR D 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 SCR D 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 projects 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: Egmont/Pender Harbour Advisory Planning Commission – March 29, 2023

AUTHOR: Nick Copes, Planner II

SUBJECT: Development Variance Permit DVP00084 (12820 Alexander Road)

RECOMMENDATIONS

THAT the report titled Development Variance Permit DVP00084 (12820 Alexander Road) be received;

AND THAT the Egmont/Pender Harbour Advisory Planning Commission support the variance.

On March 16, 2023, the Electoral Area Services Committee recommended to the SCRD Board that Development Variance Permit DVP00084 (12820 Alexander Road) be forwarded to the Area A (Egmont/Pender Harbour) Advisory Planning Commission. Given the timing of this memo, the Board adoption of the EAS recommendation (expected to occur on March 23, 2023) had not yet occurred.

Staff is referring the associated report (included in a separate attachment) to the APC for review and comment. Comments from the APC will be summarized in a future report for the Board's consideration of the variance.

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Electoral Area Services Committee – March 16, 2023

AUTHOR: Nick Copes, Planner II

SUBJECT: Development Variance Permit DVP00084 (12820 Alexander Road)

RECOMMENDATION

- (1) **THAT the report titled Development Variance Permit DVP00084 (12820 Alexander Road) be received for information;**
 - (2) **AND THAT Development Variance Permit DVP00084 to vary Zoning Bylaw 337, Section 611.4 (d) to reduce the setback for a covered deck structure adjacent to an exterior side parcel line from 4.5 m to 1.755 m for the deck pillar and from 2.5 m to 0.767 m for the overhang at 12820 Alexander Road be issued.**
-

BACKGROUND

The SCRDR received a Development Variance Permit application (DVP00084) to reduce the setback for a structure adjacent to an exterior side parcel line from 4.5 m to 1.755 m for the deck pillar and from 2.5 m to 0.767 m for the overhang. This application seeks to permit an existing covered deck built without a permit to remain on the property located at 12820 Alexander Road in Electoral Area A.

The purpose of this report is to present this application to the Electoral Area Services Committee for consideration and decision.

DISCUSSION

Analysis

The property is located at 12820 Alexander Road, zoned R2 and bordered by other R2 properties to the south, the ocean to the east and road allowances to the north and west. The property is approximately 1335 m² and the applicant wishes to retain a recently constructed deck in place. Due to the lot configuration and required setback from the road dedication to the north, the applicant is requesting a variance to accommodate retention of the existing covered deck. The existing structure within the road right of way (shown on aerial photo) will be moved onto the property to a conforming setback.

The proposed development plans are included in Attachment A. Table 1 below provides a summary of the application.

Applicant:	Ryan Miller
Legal Description:	LOT 7 BLOCK 9 DISTRICT LOT 1362 PLAN 12604
PID:	008-840-300
Electoral Area:	Area A
Civic Address:	12820 Alexander Road
Zoning:	R2 (Residential Two)
OCP Land Use:	Residential A
Proposed Use:	To permit retention of an existing deck, as constructed.

Table 1 – Application Summary



Figure 1 - Location Map

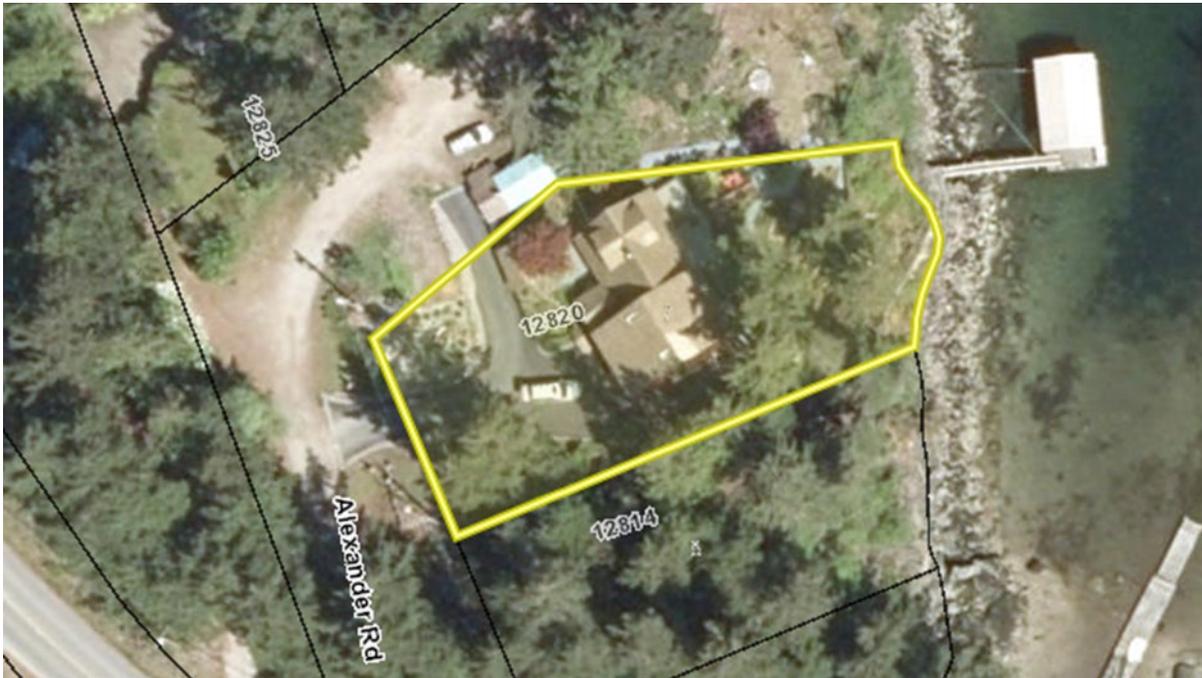


Figure 2: Aerial Photo



Figure 3: Existing Deck, subject of variance proposal

Zoning Bylaw No. 337 Review

Zoning Bylaw No. 337 states the following:

Section 611.4 (d) No structure may be located within 4.5 m of an exterior side parcel line.

Section 514 (2)(a) projections (i.e., eaves) may extend up to 2 m into the setback abutting an exterior side parcel line.

The applicant’s proposal does not meet these required setbacks from the exterior side parcel line and corresponding variances are requested through this application.

Consultation

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

Referral Agency	Comments
SCRD Building Division	The existing covered deck was constructed without a building permit. As a result, a Stop Work Order was issued by the Building Division. A building permit application has since been received. A variance is required to be approved in advance of the issuance of the building permit.
shíshááh Nation	No comments received at time of report writing.
Pender Harbour Fire Department	No concerns.
Ministry of Transportation and Infrastructure (MOTI)	The applicant has applied for a MOTI setback permit. MOTI is working with the applicant to remediate encroachments prior to proceeding with a setback permit.
Neighbouring Property Owners/Occupiers	Notifications were mailed on February 14, 2023 to owners and occupiers of properties within a 50 m radius of the subject property. Comments received prior to the report review deadline are attached for EAS consideration.

Notifications to surrounding properties were completed in accordance with Section 499 of the *Local Government Act* and the Sunshine Coast Regional District Bylaw No. 522. Comments received are attached to the report. Those who consider their interests affected may attend the Electoral Area Services Committee meeting and speak at the call of the Chair.

The applicant is responsible for ensuring all work undertaken complies with the *Heritage Conservation Act*.

Applicant’s Rationale & Planning Analysis

Staff have evaluated this application using SCRD Board policy 13-6410-6 (Development Variance Permits) as criteria. These criteria and the analysis related to the proposal are below.

1. *The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw;*

The intent of the setback for highways (4.5 m) by MOTI is for the purpose of protecting roadway and for the safety and efficiency of highway use. The land designated as roadway and adjacent to the area of the subject lot where variances are requested is an unconstructed portion of road allowance, which extends down a steep wooded embankment and ends at the waterline of Pender Harbour. In this circumstance, the adjacent land is unlikely to be utilized by MOTI for any extension of the existing road, given the steep slope down to the oceanfront. Since the existing covered deck is next to a road allowance the required setback is 4.5 m; however, it is noted that the existing structure's setbacks of 1.755 m (pillar) and 0.767 m (overhang) would meet all setback requirements of a typical building lot's interior side parcel line. Given that the section of the road adjacent to the setback area is undeveloped and likely to remain as such, staff regard the variance reasonably consistent with the intent of the bylaw.

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

According to the applicant, the adjacent neighbour next to the roadway is not visible and is located beyond a wooded area within the road allowance. The existing end of the useable roadway at the top of the embankment is 18 m from the portion of the covered deck in question, and is not likely to affect the usability, view or operating efficiency of this roadway. Given that there is no neighbouring parcel immediately beside the location of the deck and the fact that the adjacent road allowance is wooded, staff consider the impact on neighbouring properties to be minimal.

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

The applicant notes the unique shape of the property line of the lot alongside the road allowance, creates a narrower point in the subject property at the location of the deck. The applicant aligned the deck with the existing dwelling for aesthetic reasons, resulting only the corner part encroaching into the setback area. Due to the location of the existing home and the shape of the lot, staff believe the variance can be considered a reasonable solution for this situation.

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

The applicant has noted there is little practical use as road for the undeveloped road allowance adjacent to the deck, and therefore the proposed reduced setback would allow more usable area on the subject property and accommodate the as-built design and alignment of the deck. Staff consider the variance a reasonable solution compared to other options such as recessing the deck farther into the property or cutting the corner by altering the supporting column of the deck.

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

The applicant completed a geotechnical report on the property confirming the covered deck structure, as built, to be safe and posing no risk to the adjacent road allowance, owned by MOTI. The applicant has additionally noted that they feel the deck compliments the existing home structure well. Staff have received a retroactive development permit application related to retaining the covered deck. Preliminary review of this submission, which includes a geotechnical report, suggests the deck meets the required setback from the ocean and will be safe for its intended use.

Options / Staff Recommendation

Possible options to consider:

Option 1: Issue the permit

This would permit the proposed residential development on the property to proceed with finalizing permits to retain the existing covered deck.

Staff recommend this option.

Option 2: Refer the application to the Area A APC

The APC would discuss the proposed variance in consideration of the Board's DVP policy and provide a recommendation to the EAS. Further notification is not required with this option.

Option 3: Deny the permit

The zoning bylaw regulation would continue to apply, and the covered deck would either be required to be removed or altered to comply with the required setback. The applicant could, as an alternative option, seek relief through the SCRD Board of Variance if a case of hardship was considered valid.

STRATEGIC PLAN AND RELATED POLICIES

N/A

CONCLUSION

The proposed development variance permit would facilitate retention of an existing covered deck, built without a permit. The proposal is the most practical way for the applicant to allow the existing deck to remain. The proposal is reasonable given the site characteristics and shape of the parcel. If approved, the applicant would be required to comply with all relevant permitting processes.

Staff recommend issuing the development variance permit.

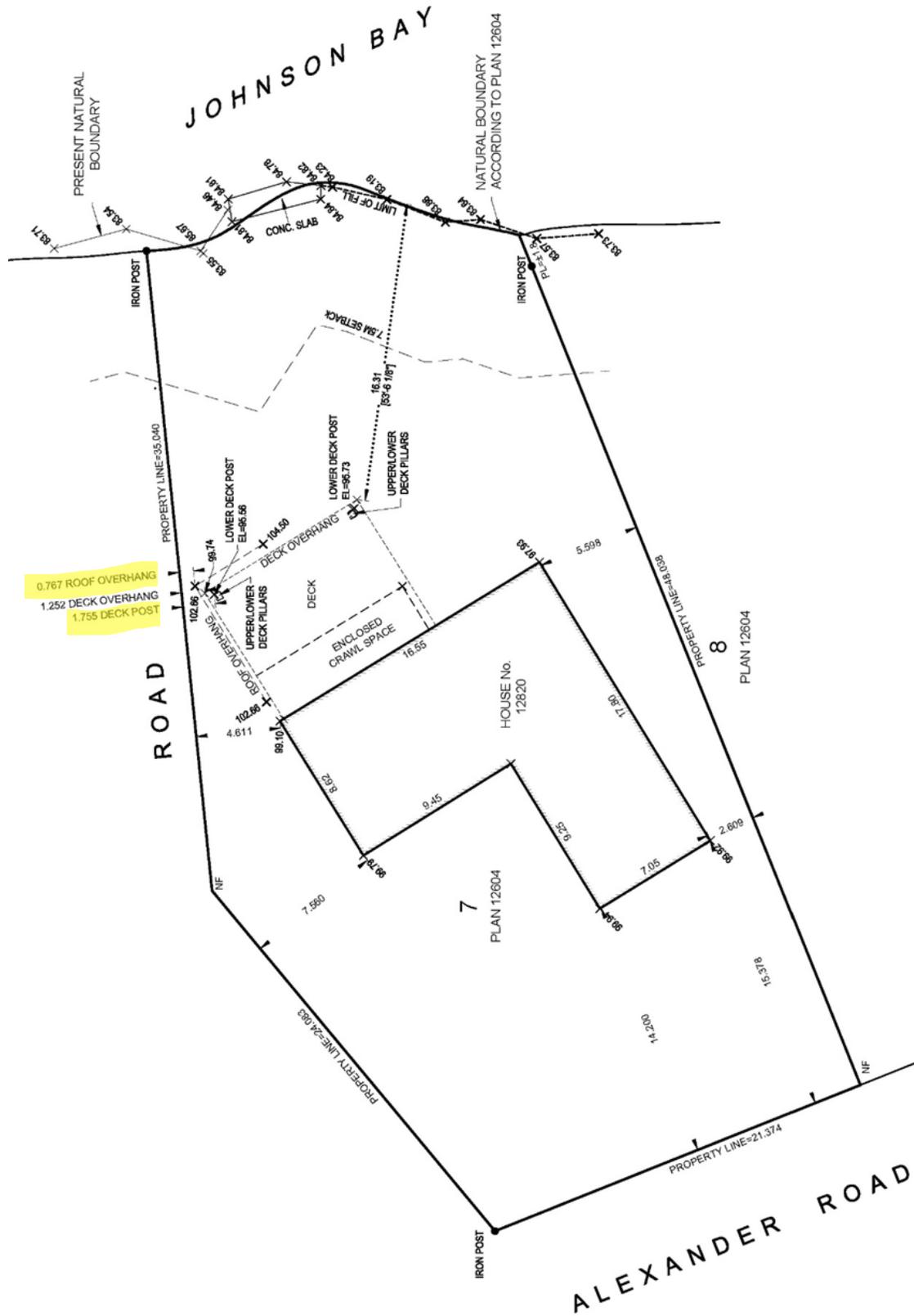
ATTACHMENTS

Attachment A – Survey Plan

Attachment B – Comments received

Reviewed by:			
Manager	X – J. Jackson	Finance	
GM	X – I. Hall	Legislative	X – S. Reid
CAO	X – D. McKinley	Senior Planner	X – Y. Siao

Attachment A – Survey Plan



Summary of comments received for DVP00084

I wanted to send in an email supporting the proposed variance of the revised deck at 12820 Alexander Road in Madeira Park. I saw what the property looked like prior to the new owners cleaning it up, repairing and changing the deck and the improvements look great. The deck fits nicely on the property. I hope they can continue to complete the project. – Alannah Kedra

I am one of the two owners of the lot next to Ryan Miller's lot at 12820 Alexander Road (we own 12814 Alexander Road). I received the letter from the SCRD regarding the "Statutory Notification for Development Variance Permit #DVP00084)" and both Kevin Hart (other owner of our lot) and I wanted to let you know that we are in full support of the variance in question and these are good improvements to the area/neighbourhood. – Rob Short

I am a neighbour to this property and have noticed the improvements over the last year. I wish more houses in the community did this sort of improvement on their property. The deck is so much better looking than the original one and looks beautiful. I fully support the variance. – Duncan Robertson

This is in response to the request by my neighbor for a variance application for an extension of a deck located at 12820 Alexander Road in Madeira Park. Please note I am the neighbor facing directly across from 12820 Alexander Road in Gerrans Bay. The current owners have done a nice job with the design of the deck. Since the property is on a cliff I feel their deck size is a perfect addition to their home. It really looks great from the bay and a huge improvement over the deck that was originally there. – Michelle

Growth on the Sunshine Coast is now more crucial than ever. With a fast rising population that is contingent on new homeowners willing to put more effort and commitment into their homes on the Sunshine Coast to not only enhance the beauty of our area but to have good exposure to share the growth with more people wishing to move to the coast. – Wolf Kaessler

I am a direct/close neighbor of Ryan and Chris Miller at 12820 Alexander Road. Since purchasing the property in 2021, they have made beautiful improvements to the landscaping, their home and the neighborhood which has had a positive impact on our neighborhood. The deck in question is stunning to look at and does not impede on any views in the neighborhood. The granting of the variance would have no effect on any adjoining properties. I am recommending you grant the variance for the deck on the basis that it is not impeding on any other property or views. Granting the variance will not be materially detrimental to the public welfare or injurious to the property. Ryan and Chris have become wonderful neighbours in our neighborhood. They have been responsible, helpful, friendly, and caring. – Lauri Barker

Here at Coastal Summit Home Renovations, our team has been privileged to be a part of the various projects that the Miller family has been generous enough to utilize our team and family to help grow their vision of a home on the Sunshine coast! Not only have they supported local businesses in the Pender and surrounding area, they have been able to grow the relationships around them on the coast with healthy communication and immense ethics! We implore you to provide any assistance necessary to further not only the growth of a new supporting family, but to please also take into consideration the families the Millers have helped by providing the opportunities. – Nicholas Pellizzari, Coastal Summit Home Renovations LTD

I'm inquiring to provide some necessary feedback to assist The Miller's in their DP Application. The Miller family reached out to us more than two years ago to hopefully assist them in renovating their home. Since then we have established a beautiful relationship to keep growing the vision of the Millers and help them get comfortable on the coast. The neighbours have been extremely beneficial to the support of our company by watching the progress and commenting over the length of the project of how amazing the end product will be. I hope that you can consider their application in good faith that they will continue to support our community and help the growth around them. – Nicholas Pellizzari