

## ELECTORAL AREA SERVICES COMMITTEE

Thursday, June 16, 2022 Held Electronically and Transmitted via the SCRD Boardroom, 1975 Field Road, Sechelt, B.C.

## AGENDA

## CALL TO ORDER 9:30 a.m.

### AGENDA

1. Adoption of Agenda

## PRESENTATIONS AND DELEGATIONS

2.	Peter Galbraith, resident of Square Bay Wastewater Area Regarding Square Bay Wastewater Area Frontage Fees <b>(Voting – Electoral Area Directors)</b>	Verbal
	i. <u>Andy Jones-Cox, Greg Gehring, Peter Galbraith, on behalf of</u> <u>the residents of the Square Bay Wastewater Area, dated April</u> <u>29, 2022</u> Regarding Square Bay Wastewater Area Frontage Fees	Annex A pp 1 - 2
	ii. <u>Frank Belfry and Frank Rodgers, on behalf of the residents of</u> <u>the Curran Road Wastewater Area, dated April 29, 2022</u> Regarding Curran Road Area Wastewater Frontage Fees	Annex B pp 3 - 4
REPO	RTS	
3.	Pender Harbour Ranger Station Lease Renewals. Manager, Parks Services <b>(Voting – Electoral Area Directors)</b>	Annex C pp 5 - 7
4.	Development Variance Permit DVP00081 (9517 Brooks Lane) Planner <b>(Voting – Electoral Area Directors)</b>	Annex D pp 8 - 16
5.	Union of BC Municipalities (UBCM) Resolutions Executive Assistant <b>(Voting – Electoral Area Directors)</b>	Annex E pp 17 - 19

### COMMUNICATIONS

6.	<u>Kathleen Suddes, Board Chair, Sunshine Coast Community</u> <u>Forest, dated May 12, 2022</u> Regarding Sunshine Coast Community Forest Ecosystem Based Management and Invitation to Talking Trees Walking Tour	Annex F pp 20 - 21
7.	<u>Ian Winn, Director, Howe Sound Biosphere Region Initiative</u> <u>Society, dated May 15, 2022</u> Regarding Atl'ka7tsem/Howe Sound Biosphere Region Best Management Practices	Annex G pp 22 -29

## **IN CAMERA**

## ADJOURNMENT

## ANNEX A

Sunshine Coast Regional District (email <u>Board@scrd.ca</u>) 1975 Field Road, Sechelt, BC V7Z 0A8

29 April 2022

Attention:- Chair Darnelda Siegers

Re:- Square Bay Wastewater Area Frontage Fees

In a desire to get resolution on this matter, and recognising the SCRD's recent steps to implement improved public engagement, residents of the Square Bay wastewater area wish to reach agreement with the SCRD on Frontage Fees.

In November 2021 the SCRD Infrastructure Services Committee received and discussed a report recommending increasing Frontage Fees to \$400 for 2022 +2% inflation for 2023/24 for most Wastewater areas, including Square Bay. The recommendations were not adopted for wastewater systems in Area B due to a lack of consultation with the affected communities. As a result, the 2022 fees approved by the SCRD Board for Square Bay remained at \$217.42, with most other areas being increased to \$400.

We fully recognise the need to increase Frontage Fees, to assist in accommodating future capital/upgrade requirements. But this matter has dragged on for 2.5 years and it is time to move on.

Accordingly, we suggest the SCRD November 2021 recommendation be adopted (but over a 5 year period), to be implemented as follows:

Year	Square Bay		Notes
			Per current SCRD
2022	\$ 217.42		plans
			Per SCRD Nov 2021
2023	\$	408.00	Report
2024	\$	416.16	2% inflation
2025	\$	424.48	2% inflation
2026	\$	432.97	2% inflation
2027	\$	441.63	2% inflation

As we have stated before, we are supportive of an Asset Management Policy that is applied uniformly to all SCRD assets. However, until an acceptable Financial Strategy for SCRD Asset Management is developed and fully implemented, we believe any discussion of Frontage Fees over the longer term is premature. We understand that our proposal for Square Bay may be suitable for the Curran Road system, and as far as we are aware the other two wastewater areas in Area B are also supportive.

We would like to add that this email has been shared among the owners of the vast majority of the 92 properties in Square Bay, and that none has objected, whereas all who have responded have expressed their specific support for our proposed approach.

Yours Truly

Submitted on behalf of the residents of the Square Bay Wastewater Area

Andy Jones-Cox (andy.jonescox@gmail.com)

Greg Gehring (ggehring@telus.net)

Peter Galbraith (pggpeng@shaw.ca)

cc:-

Dean McKinley Chief Administrative Officer SCRD (dean.mckinley@scrd.ca)

Tina Perreault Chief Financial Officer SCRD (tina.perreault@scrd.ca)

Remko Rosenboom General Manager of Infrastructure Services SCRD (remko.rosenboom@scrd.ca)

Kyle Doyle Manager Asset Management SCRD. (Kyle.Doyle@scrd.ca)

Shane Walkey Manager, Utility Services SCRD (Shane.Walkey@scrd.ca)

## ANNEX B

April 29, 2022

Sunshine Coast Regional District (email <u>Board@scrd.ca</u>) 1975 Field Road, Sechelt, BC V7Z 0A8

Attention: Chair Darnelda Siegers

### Re: Curran Road Area Wastewater Frontage Fees

In a desire to get resolution on this matter and recognising the SCRD's recent steps to implement improved public engagement, residents of the Curran Road wastewater area wish to reach agreement with the SCRD on Frontage Fees.

In November 2021 the SCRD Infrastructure Services Committee received and discussed a report recommending increasing Frontage Fees to \$400 for 2022 +2% inflation for 2023/24 for most Wastewater areas, including Curran Road. The recommendations were not adopted for wastewater systems in Area B due to a lack of consultation with the affected communities. As a result, the 2022 fees approved by the SCRD Board for Curran Road remained at \$253.00, with several other areas being increased to \$400.

We fully recognise the need to increase Frontage Fees, to assist in accommodating future capital/upgrade requirements. But this matter has dragged on for 2.5 years and it is time to move on.

For Curran Rd, our Frontage Fee rate is \$253 per year. The rate increased in 2021 from \$153 per year. In December 2020, we agreed with Area B Director Lori Pratt that the \$253 rate would be a flat rate for 5 years ie to 2025. However, in order to resolve this matter, we suggest the SCRD November 2021 recommendation be adopted (but over a 5 year period), including a transition as follows:

Year	Curran Rd		Notes	
2022	\$ 253.00		Per current Agreement	
			Transition to the Nov 2021	
2023	\$	330.00	Report	
			Per the Nov 2021 Report	
2024	\$	416.16	with 2% inflation	
2025	\$	424.48	2% inflation	
2026	\$	432.97	2% inflation	
2027	\$	441.63	2% inflation	

As we have stated before, we agree to follow an Asset Management policy that is uniformly applied to all SCRD assets. However, until an acceptable Financial Strategy for Asset Management is developed, we believe that any discussion on Frontage Fees over the long term is premature.

We understand that our proposal for Curran Road may be similar for the Square Bay system as well, and we suggest the SCRD approach the other three systems in Area B to hopefully get them aligned.

We suggest that planned public engagement for Curran Road still take place to inform the wastewater users of the plant operations and finances.

We would like to add that this letter has been shared amongst the majority of residents in the Curran Road area who are part of the wastewater specified area. All who have responded, except one, have expressed their specific support for this proposed approach.

Yours Truly

FBefor

Frank Rodgers

On behalf of the residents of the Curran Road Wastewater Area

Frank Belfry (<a href="mailto:frankbelfry@gmail.com">frankbelfry@gmail.com</a>)

Frank Rodgers (rodgers.frank@gmail.com)

Cc:

Dean McKinley Chief Administrative Officer SCRD (dean.mckinley@scrd.ca)

Tina Perrault Chief Financial Officer SCRD (tina.perreault@scrd.ca)

Remko Rosenboom General Manager of Infrastructure Services SCRD

(remko.rosenboom@scrd.ca)

Kyle Doyle Manager Asset Management SCRD. (Kyle.Doyle@scrd.ca)

Shane Walkey Manager, Utility Services SCRD (Shane.Walkey@scrd.ca)

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

**TO:** Electoral Area Services Committee – June 16, 2022

AUTHOR: Kevin Clarkson, Manager, Parks Services

### SUBJECT: PENDER HARBOUR RANGER STATION LEASE RENEWALS

### **RECOMMENDATION(S)**

THAT the report titled Pender Harbour Ranger Station Lease Renewals be received;

AND THAT leases for the Serendipity Child Development Society, Harbour Gallery, Pender Harbour Music Society and Pender Harbour Reading Centre be renewed for a five-year term;

AND FURTHER THAT the SCRD's delegated authorities be authorized to execute the lease renewals.

### BACKGROUND

The SCRD has leased its buildings at the Pender Harbour Cultural Centre/Ranger Station to the Serendipity Child Development Society, Pender Harbour Reading Centre, Harbour Gallery and the Pender Harbour Music Society since the early 1990's.

At the June 27, 2019 SCRD Corporate and Administrative Committee meeting, the Board resolved the following:

THAT the report titled Pender Harbour Ranger Station Lease Renewals be received;

AND THAT leases for the Serendipity Child Development Society, Harbour Gallery and Pender Harbour Reading Centre be renewed for a three year term;

AND FURTHER THAT the SCRD's Delegated Authorities be authorized to execute the lease renewals.

The renewal of these three leases aligned with the existing term of the Pender Harbour Music Society lease, and all four lease agreements expire in August 2022.

The purpose of this report is to obtain Board direction on the four lease renewals for a further 5-year term, from 2022- 2027.

### DISCUSSION

The Pender Harbour Ranger Station premises include buildings, a shed and an adjacent lawn area on the parcel, which is an SCRD park as part of the rural areas Community Parks function [650]. The largest building on the property is a ranger station, originally constructed in 1952 for the BC Forestry Service. Property ownership was transferred to the Regional District in 1986. The buildings are used as the performing art center and teaching facility, a reading room, art gallery and a childcare center. The buildings and park space are also used by community groups for various events. Pender Harbour Ranger Station serves as an asset to the community, as it brings

world-class performances to the Sunshine Coast, represents an important gathering hub for the community and larger region, and provides important family services.

As part of ongoing asset management work, the Regional District is in the process of completing capital asset management planning for community halls, the results of which can be used to guide the future investments of the Ranger Station complex.

### **Options and Analysis**

The new lease agreements recommended for 2022-2027 will have the same standard conditions as the previous lease agreements including:

- The Lessee is responsible for all repair and maintenance related to the interior of the building including plumbing, water heaters, furnaces, electrical, fixtures, exterior grass and gardens and other expenses connected with the occupation of the premises;
- The Lessee will not undertake any alterations or improvements to the premises without the approval of the SCRD;
- The Lessee is responsible for all ongoing costs associated with the operations of the premises including all utilities;
- The Lessee will maintain appropriate insurance coverage;
- The SCRD is responsible for all capital replacements to the existing buildings;
- The SCRD maintain the exterior of the buildings and trees in the park.

All four non-profit organizations continue to uphold the commitments of their respective Lease Agreements and are good tenants. Staff recommend that the delegated authorities be authorized to execute lease agreements with the Serendipity Child Development Society, Pender Harbour Reading Centre, Pender Harbour Music Society and Harbour Gallery Pender Harbour Ranger Station for a further five-year term.

### Financial Implications

The SCRD has been providing Serendipity Child Development Society, Pender Harbour Reading Centre, Harbour Gallery and Pender Harbour Music Society lease agreements for \$5.00 per year for the use of the buildings at the Pender Harbour Cultural Centre.

The not-for-profit organizations are responsible for the repair and maintenance of all matters related to the interior of the building including plumbing, oil furnaces, electrical, fixtures, with reasonable wear and tear to be expected.

As age and use of the Pender Harbour Ranger Station increases, it can be forecasted that medium to long term improvements to safety, energy efficiency and general renovations may be required. The development of asset management / capital plans for the facility are underway. Staff anticipate providing an update to a future Committee on this work. Board direction/decision on a long-term capital plan and related funding implications will be required.

### *Timeline for next steps or estimated completion date*

Staff will work to execute the agreements following Board direction.

### Communications Strategy

Lessees have been consulted regarding the intended renewal of agreements, and indicate a desire to renew the agreement for another five year term.

### STRATEGIC PLAN AND RELATED POLICIES

These agreements continue to support the vision and goals of the 2014 Parks and Recreation Master Plan and the 2019-2023 SCRD's Strategic Plan. Communication and collaboration with a community group facilitates community development and supports SCRD values of collaboration, respect and transparency.

### CONCLUSION

The Serendipity Child Development Society, Pender Harbour Reading Centre, Pender Harbour Music Society and Harbour Gallery have requested to renew their leases for the use of buildings at the Pender Harbour Cultural Centre/Ranger Station (District Lot 1023). Staff recommend that delegated authorities be authorized to execute the Serendipity Child Development Society, Pender Harbour Reading Centre, Pender Harbour Music Society and Harbour Gallery Lease Agreement renewals for a 5-year term.

Reviewed by:			
Manager		CFO/Finance	X - T. Perreault
GM	X – S. Gagnon	Legislative	X – S. Reid
CAO	X – D. McKinley	Risk Management	X - V. Cropp

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

**TO:** Electoral Area Services Committee – June 16, 2022

AUTHOR: Nick Copes, Planner 1

SUBJECT: Development Variance Permit DVP00081 (9517 Brooks Lane)

### RECOMMENDATION

THAT the report titled Development Variance Permit DVP00081 (9517 Brooks Lane) be received;

AND THAT Development Variance Permit DVP00081 to vary Zoning Bylaw No. 310 Section 507 (1)(a) to reduce the required setback from the natural boundary of the ocean, for a building or any part thereof, from 7.5 m to 6.05 m for the purpose of constructing a sundeck and roof overhangs as part of a proposed new single family dwelling located at 9517 Brooks Lane be issued subject to:

- An arborist report with a tree protection plan respecting the three (3) mature trees on the subject property be provided to the SCRD to the satisfaction of the Manager, Planning & Development prior to issuance of the permit;
- Recommended actions from the arborist's report be implemented before commencement of any land alteration;
- A post-development report be provided to SCRD to ensure tree protection measures were achieved during construction; and
- A Restrictive Covenant be registered for long-term protection of the three mature trees prior to issuance of building permit for the subject property. Minimum replacement criteria will additionally be included to ensure the intent of the covenant is upheld in the event that tree health requires removal and replanting in the future.

### BACKGROUND

The SCRD received a Development Variance Permit application (DVP00081) to reduce the setback from the natural boundary of the ocean, from 7.5 m to 6.05 m to facilitate decks and roof overhangs attached to a single family dwelling located at 9517 Brooks Lane in Electoral Area B.

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

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

Applicant:	Kai Jenkins	
Legal Description:	LOT 22 BLOCK A DISTRCIT LOT 2394 PLAN 12343	
PID:	008-905-207	
Electoral Area:	Area B	
Civic Address:	9517 Brooks Lane	
Zoning:	R2 (Residential Two)	
OCP Land Use:	Residential C	
Proposed Use:	Single family dwelling	

#### Table 1: Application Summary

### Figure 1 - Location Map



The property is bordered by R2 properties to the east, the ocean to the south and road dedications to the north and west. The property is approximately 1055 m<sup>2</sup> and the applicant wishes to construct a single family dwelling. Due to the lot configuration and location of three (3) mature conifer trees proposed for retention along the northern side of the subject property, the applicant is requesting a variance to accommodate construction of a new single family home.

### Applicant's Rationale

The applicant had originally submitted a variance application (DVP00076) to reduce the setback to Brooks Lane in order to meet the 7.5 m natural boundary setback. Neighbours expressed concern about the proposal as three mature trees would potentially be impacted. After receiving

this feedback, the applicant withdrew their application, revised their plans and resubmitted this new application (DVP00081) proposing to meet the required 4.5 m setback from Brooks Lane to ensure protection of the trees. The consequence on their narrow parcel is to push their single family development closer to the natural boundary of the ocean. This requires a variance from 7.5 m to 6.05 m from the natural boundary to accommodate the proposed building's deck and roof overhangs. The foundation of the proposed building would meet the minimum required 7.5 m setback. This approach addresses concerns from neighbours, as it would allow protection of the three mature conifer trees and additionally creates more parking on the property. The additional parking at this location is of note given that Brooks Lane is a 6-metre-wide road allowance along the northern boundary of the property, which is narrow in comparison to a typical 20-metre-wide road allowance and significantly limits on-street parking opportunities. While Brooks Road additionally flanks the western boundary of the subject property, parking here is further limited by demand for public parking and access for the waterfront and nearby Smuggler's Cove Provincial Park.

### DISCUSSION

### Analysis

### Zoning Bylaw No. 310

Section 507 of the zoning bylaw states that:

(1) "Notwithstanding any other provisions of this bylaw, no building or any part thereof, except a boathouse located within an inter-tidal zone or within the I9 (Independent Power Project) zone, shall be constructed, reconstructed, moved, located or extended:"

(a) within seven point five (7.5) metres of the natural boundary of the ocean, a lake, swamp or pond with the exception of the natural boundary of the ocean within Electoral Area D;

The applicant's proposal does not meet the required 7.5 m setback from the natural boundary of the ocean.

### Consultation

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

Referral Agency	Comments	
SCRD Building Division	No concerns.	
shíshálh Nation	The Nation requires a Preliminary Field Reconnaissance and Bio-Assessment.	
Halfmoon Bay Fire Department	Referred May 9, 2022. No comments received at time of report writing.	
Ministry of Transportation and Infrastructure	Referred May 9, 2022. No comments received at time of report writing. A construction permit for access from Brooks Lane will likely be required.	

SCRD Parks Division	SCRD Parks observes that local residents use the undeveloped road right of way as a trail for connecting to SCRD Parks. The trail on the road right of way is not related to this application. It is noted that any neighourhood comments about the trail be addressed to MOTI.
Neighbouring Property Owners/Occupiers	Notifications were mailed on May 20, 2022 to owners and occupiers of properties within a 50 m radius of the subject property. Residents were able to submit comments for EAS consideration prior to the report review deadline.

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. Those who consider their interests affected may attend the Electoral Area Services Committee meeting and speak at the call of the Chair. One comment is attached to the report.

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

### 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 <u>defeat</u> the intent of the bylaw standard or <u>significantly depart from</u> <u>the planning principle or objective intended by the bylaw;</u>

The bylaw requires a 7.5 m setback from the natural boundary for a building or any part thereof. A variance to 6.05 m can be considered as minor in nature, especially since it only applies to roof overhangs and decks. The foundation of the home would be at the 7.5 m setback.

It is worth noting that the applicant's proposal would not conform to new provisions being proposed in Zoning Bylaw 722, which include increased setbacks to the natural boundary of the ocean (7.5 to 15 m) and to highways (4.5 to 5 m), in addition to a reduction in setback exemptions to overhangs not adjacent to the natural boundary (2 m to 0.6 m). Given the depth of this property of approximately 20 m at the narrowest point, this property would require a variance for most development under the proposed regulations in Zoning Bylaw 722. The applicant would need to submit a building permit application prior to adoption of Zoning Bylaw 722, in order for the development to be considered under Zoning Bylaw 310.

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

The applicant has sought to address concerns from neighbouring property owners. The applicant's original request to vary the setback from Brooks Lane was withdrawn due to concerns from neighbours relating to the protection of mature trees, parking on the site and ensuring public access in the lane. This new proposal includes a larger setback from Brooks Lane to protect of 3 mature conifers located close to the property line. Furthermore, the additional setback would allow for additional parking spaces on the driveway, further ensuring that parking in Brooks Lane would not be required. Finally, there would be additional separation and privacy between the home and the Brooks Lane right-of-way, which is frequented by pedestrians.

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

This waterfront property is constrained by its narrow depth between road and foreshore. Given the configuration of the lot, a variance request is reasonable in order to build a home.

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

The design of the home reflects the shape of the lot. The updated location reflects the desire to address the neighbours' concerns to retain mature trees. The DVP conditions proposed by staff are intended to secure the short- and long-term tree retention.

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

On this property the following are known site / environmental considerations: a) Coastal Flooding, b) mature trees, c) Heritage Conservation Act requirements and recommendations:

- a) A development permit will be required as part of the home/decks are proposed at a current location that is below a Coastal Geodetic Datum Elevation of 8 m. A coastal flooding assessment was previously completed establishing a Flood Construction Level (FCL) of 4.5 m. The geotechnical engineer has noted that the lowermost slab components would be at an elevation of approximately 5.74 m, well above the FCL. As part of the development permit process, a Section 219 Covenant would be registered to save harmless the SCRD and require conformance with a geotechnical report.
- b) This new proposal includes a larger setback from Brooks Lane to protect of 3 mature conifers located close to the property line. Staff recommend conditions relating to the protection of these trees. Conditions proposed would include an arborist report identifying protection measures during and after construction, and a post development report to ensure protection was upheld during construction. A covenant is proposed to ensure future protection and management of the trees.
- c) The shíshálh Nation has requested a Preliminary Field Review and Bio-Assessment. The applicant has been notified of the nation's requirements and has indicated that they have started the process with the nation for a Preliminary Field Review.

### **Options / Staff Recommendation**

Possible options to consider:

### Option 1: Issue the permit

This would permit the proposed residential development on the property to proceed.

Staff recommend this option.

### Option 2: Refer the application to the Area B 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. This option is not recommended as the applicant has worked collaboratively with staff and the neighbourhood to address concerns.

### Option 3: Deny the permit

The zoning bylaw regulation would continue to apply, and no new development would be permitted on the property without a variance. The applicant could, as an alternative option, seek relief through the SCRD Board of Variance.

### STRATEGIC PLAN AND RELATED POLICIES

N/A

### CONCLUSION

The proposed development variance permit would facilitate the construction of a single family home. The proposal is the most practical way for the applicant to construct a home on the property given the site characteristics and neighbours' concerns.

Staff recommend issuing the development variance permit with conditions, as noted in the recommendation.

### ATTACHMENTS

Attachment A – Proposed development plans

Attachment B – Comment received

Reviewed by:				
Manager	X – J. Jackson	Finance		
GM	X – I. Hall	Legislative		
CAO	X – D. McKinley	Senior Planner	X – J. Clark	





LOT 21 TRAIL BROOKS LANE 126.0 TO REMAIN 38.42 TRAIL OUTLINE OF 20 4.5m SETBACK to BROOKS LANE PROPOSED RESIDENCE 20 DECK DECK 7.5m SETBACK LINE FROM NATURAL BOUNDARY 20'-1 1/2" 6.13 m -TO DECK\_\_ OUTLINE OF DECK ABOVE NATURAL LOT 22 FROM HALFMOON PLAN BAY JAMIE A. MARTIN DESIGN LTD.

GRAPH-TECH DESIGN TEL 604-892-3755 EMAIL: graphtech@shaw.ca SQUAMISH BRITISH COLUMBIA WEB: jamiemartindesigns.com









JAMIE A. MARTIN DESIGNLTD. GRAPH-TECH DESIGN TEL 604-892-3755 EMAIL: graphtech@shaw.ca SQUAMISH BRITISH COLUMBIA WEB: jamiemartindesigns.com 15

6 TOP PLATE 46.83'

**NEW RESIDENCE** LOT-22, BROOKS ROAD, SUNSHINE COAST REGIONAL DISTRICT, B.C.



6 OF 7

## Attachment B

ATTN: Nick Copes

RE: Statutory Notification for Development Variance Permit #DVP00081 (9517 Brooks Lane).

Comments:

Attention: Nick Copes, Planner 1, Planning Department

We are the owners of . We have received the above noted notification and attachments and fully endorse and support this current variance application. We wish our new neighbours well with their project and look forward to their presence in our neighbourhood.

Yours Truly

Gillian B Foster

**Rick S Guiton** 

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

**TO:** Electoral Area Services Committee – June 16, 2022

**AUTHOR:** Christine Armitage, Executive Assistant

SUBJECT: UNION OF BRITISH COLUMBIA MUNICIPALITIES (UBCM) RESOLUTIONS

**RECOMMENDATION(S)** 

THAT the report titled Union of British Columbia Municipalities (UBCM) Resolutions be received for information;

AND THAT the proposed resolutions be approved or amended and submitted to UBCM for consideration at the 2022 UBCM convention prior to the June 30, 2022 deadline.

### BACKGROUND

The UBCM Convention is scheduled to be held in Whistler from September 12-16, 2022. The annual convention provides members with the opportunity to bring forward issues and concerns from their communities through resolutions and debate.

UBCM urges members to submit resolutions through their Area Associations for consideration. The Sunshine Coast Regional District (SCRD) has submitted two resolutions through the Association of Vancouver Island and Coastal Communities (AVICC) as follows:

- 1. Stormwater Management
- 2. Enforcement tools for short-term rentals

Further to the above, at the May 26, 2022, Committee of the Whole meeting, three additional resolutions were identified to be prepared as follows:

**Recommendation No. 4** 2022 Union of British Columbia Municipalities Resolutions

The Committee of the Whole recommended that the report titled 2022 Union of British Columbia Municipalities (UBCM) Resolutions be received for information;

AND THAT resolutions be drafted on the following topics and be brought forward to the Electoral Area Services Committee meeting on June 16, 2022, for consideration of submission to the 2022 UBCM Convention:

- 1. Challenges accessing vehicular GHG emissions data from the Insurance Corporation of British Columbia;
- 2. Shift to non-fuel-based user-pay taxation mechanisms to fund road infrastructure in rural areas of British Columbia;

3. Standardized health and safety rules/regulations to facilitate year-round housing in RV's.

Following Committee of the Whole on May 26, an additional resolution was proposed to be brought forward to advocate for hybrid UBCM conferences.

### DISCUSSION

Staff have prepared draft resolutions for the Committee's consideration and amendment or approval as follows:

### Accessing vehicular GHG emissions data

WHEREAS local governments are unable to obtain accurate data that quantifies the transportation emissions in their municipality or region, to develop local action plans to reduce greenhouse gas emissions from this sector;

AND WHEREAS the CleanBC Roadmap to 2030 targets a 25% reduction in kilometers driven by personal vehicles compared to 2020:

THEREFORE BE IT RESOLVED THAT UBCM request the Province require ICBC to provide access to the detailed registry database that includes vehicle make, model and year, by complete postal code, so a better estimate of greenhouse gas emissions can be determined.

# Shift to non-fuel-based user-pay taxation mechanisms to fund road infrastructure in rural areas of British Columbia

WHEREAS the Ministry of Transportation and Infrastructure is challenged by a lack of funding to adequately upkeep rural roads and highway infrastructure in BC;

AND WHEREAS there is an imperative to move towards electrification and alternative fuels that don't pay into the established road and gas tax funding mechanism, and funding road infrastructure through general tax revenue gives an unfair advantage over more sustainable modes of transportation like rail and active transportation:

THEREFORE BE IT RESOLVED THAT UBCM encourage the provincial government to shift taxation for road infrastructure to a more equitable, user-pay model through alternative funding mechanisms such as tolling, vehicle taxes, or other means that are not reliant on fuel sales.

# Standardize health and safety rules/regulations to facilitate year-round housing in RV's

WHEREAS the province of BC is facing a housing crisis;

AND WHEREAS the Province has jurisdiction and is responsible for housing in BC;

AND WHEREAS the British Columbia Building Code, the *Motor Vehicle Act*, and the *Manufactured Home Park Tenancy Act* create an unclear regulatory environment for Local Governments:

THEREFORE BE IT RESOLVED THAT UBCM encourage the Province to recognize RVs used for year-round living, including the development of guidelines for best practices for ensuring health and safety for the use of RVs for year-round living, and the inclusion of specific strategies within the BC Housing Action Plan that seek permanent shelter solutions.

### Hybrid UBCM conferences

WHEREAS UBCM has recognized the importance of reducing GHG emissions in response to the global climate emergency;

AND WHEREAS UBCM was established with the goal of providing a common voice for all member local governments across the province, and to represent issues with senior government:

THEREFORE BE IT RESOLVED THAT UBCM establish membership options for remote attendance that gives access to all speeches and informational presentations, and to online voting for table officers, in an effort to reduce GHG emissions associated with travel and accommodation.

Timeline for next steps or estimated completion date

Resolutions must be submitted to UBCM by June 30, 2022.

### STRATEGIC PLAN AND RELATED POLICIES

Submission of resolutions to UBCM is consistent with the SCRD strategic focus areas for Advocacy, and Regional Collaboration and Partnership.

### CONCLUSION

Resolutions forwarded to UBCM must be endorsed by Board resolution. Staff recommend the Committee amend or approve the proposed resolutions which will be forwarded to the June 23 Board meeting for endorsement before sending them to UBCM in time for the June 30 resolution submission deadline.

Reviewed by:				
Manager		Finance		
GM		Legislative	X – S. Reid	
CAO	X – D. McKinley	Other		

## ANNEX F



May 12, 2022

Board of Directors Sunshine Coast Regional District 1975 Field Road Sechelt BC, VON 3A1 Sent by email: board@scrd.ca

Dear SCRD Board of Directors,

This time last year, we referred our 2021-2025 Community Forest Operating Plan to yourselves, other local governments, and community groups for feedback. This year we have not added any areas to our Operating Plan and so last year's Operating Plan still stands, and we would like to take the opportunity to reach out to stakeholders to keep you up to date with our progress. Our relationship and consultation with you, as representatives of the SCRD and also as community leaders, is an essential part of our planning and responsible forest stewardship.

The Sunshine Coast Community Forest has begun transitioning to Ecosystem Based Management as our approach to forestry. This is a voluntary, proactive approach to develop a "made on the Sunshine Coast" forest management model that will incorporate the best science with community and indigenous values. Ecosystem Based Management methodology aims to sustain healthy ecosystems, to maintain and support biodiversity, to provide economic opportunity and to retain future options both ecological and economic; to be sustainable, to respect and reflect knowledge and understanding, and to be adaptive to changing conditions.

The Community Forest has initiated a tenure wide landscape analysis and Ecosystem Based Management plan guided by Laurie Kremsater (planner and trainer on Great Bear Rainforest) and Warren Hansen, our manager and registered professional forester. Scientific knowledge, indigenous traditional knowledge, and community values beyond timber values will be considered to redetermine our annual allowable cut, deferrals, old growth recruitment, watershed, wildlife, cultural, recreational, other non-timber use areas, and other ecological strategies.

Concurrent to our Ecosystem Based Management development is the re-booting of Community Engagement for Informed public participation in Community Forest decision making. We are in the process of contracting/hiring a Community Engagement Coordinator to establish and facilitate Community Advisory Panel(s) and envision having the coordinator begin working this spring.

As 2022 progresses, we are focused on:

- Continuing the tenure wide landscape analysis,
- Community engagement,
- Harvesting in approved blocks,

- Supporting community recreation, and
- Providing educational opportunities.

We would welcome an opportunity to present to the Board of Directors the progress we have made in the foundations for Ecosystem Based Management and in engaging the community in planning forests for the future. We would be happy to host an in-person or Zoom workshop, or attend a regularly scheduled Board meeting.

We would also like to invite SCRD Directors to join us for a Talking Trees Walking Tour lead by Cultural Ambassadors and Guides Candace Campo and Richard Till of Talaysay Tours on May 29<sup>th</sup>, 2022 at 11:00am in Halfmoon Bay. Talaysay Tours offers authentic Aboriginal cultural and eco-tourism experiences in and around Vancouver, Squamish and the Sunshine Coast and virtual tours via Zoom. We believe that accessible knowledge about forests and human relationships with forests, new and old, is an important part of community-led planning for future forests. We are sponsoring three of their tours for the community at large this season. One of these already took place with a full house of 20 people in attendance. We hope some of you are able to join us in this experience.

Thank you, Very sincerely

Kathleen Suddes Board Chair Sunshine Community Forest

> Unit 213 - 5710 Teredo Street, Sechelt, BC, VON 3A0 604 885 7809 | info1@sccf.ca | www.sccf.ca

> > 21



May 15, 2022

Board Directors Sunshine Coast Regional District

Dear Board Directors,

### Subject: Best Management Practices for Marine Docks

With significant changes in weather patterns, the risks of damage to marine docks and structures from king tides and storm surges is increasing. Delicate foreshore habitats can also suffer from the storms and from damage caused by poorly constructed and maintained docks and structures in the marine environment.

The application process through regulatory authorities for private property owners to obtain a permit to construct or maintain a dock is quite rigorous. However, there is a significant lack of resources for property owners to reference to guide them in best practices for construction or maintenance.

In the *Átl'<u>k</u>a7tsem/Howe Sound Biosphere Region* there are many local governments that receive referrals from the provincial regulatory and permit granting authorities and these governments may or may not have their own documented best practices for marine docks that they can recommend be provided to the permit applicant. These best practices should provide information and guidance on:

- Development, Construction and Maintenance
- Accessibility
- Foreshore protection
- Navigation
- First Nations interests

The *Átl'<u>k</u>a7tsem/Howe Sound Biosphere Region* Best Management Practices (BMPs) (*see attached*) for marine docks (including wharfs, piers, floats, buildings and associated pilings and moorages) within the Átl'<u>k</u>a7tsem/Howe Sound Biosphere Region, is a compilation of best management practices from Federal and B.C. Provincial authorities, Islands Trust, and the Rights and Titles Department of the shishalh Nation.

The BMPs are intended to help minimize and mitigate impacts to marine foreshore and nearshore habitats by promoting responsible and appropriate development, construction and maintenance of marine docks. The BMPs are also intended to ensure proponents follow measures and designs that conform to Sections 34 through 37 of the Federal Fisheries Act. Adherence to the BMPs will contribute to efforts to protect the cultural and heritage resources within First Nations territories.

Continued...

WWW.HOWESOUNDBRI.ORG



The *Átl'<u>k</u>a7tsem/Howe Sound Biosphere Region Society* has prepared this document for the benefit of proponents wishing to build a new facility or maintain an existing facility. The Ocean Watch Action Committee recommends that local governments include reference to this document in the referral process in your response to dock permitting applications. In addition to the attached document, an online version of the BMPs can be found on the *Átl'<u>k</u>a7tsem/Howe Sound Biosphere Region Society* website -

https://www.howesoundbri.org/webinars/2021/3/31/best-practices-for-marine-dock-management

Thank you for your support in protecting our marine environment.

For any questions or further information please contact:

ForWim

Director, Howe Sound Biosphere Region Initiative Society, c: 604 989-3337 h: 604 886-9475

iwinn@hotmail.ca

Howe Sound Biosphere Region Initiative Society Box 465 Lions Bay, B.C. VON2E0

WWW.HOWESOUNDBRI.ORG



### Atl'ka7tsem/Howe Sound Biosphere Region Best Management Practices for Marine Docks

### Definitions:

The *Atl'ka7tsem/Howe Sound Biosphere Region* Best Management Practices (BMPs) for marine docks (including wharfs, piers, floats, buildings and associated pilings and moorages) within the Atl'ka7tsem/Howe Sound Biosphere Region (*refer to map*), is a compilation of best management practices from Federal and B.C. Provincial authorities, Islands Trust, and the Rights and Titles Department of the shishalh Nation.

The BMPs are intended to help minimize and mitigate impacts to marine foreshore and nearshore habitats by promoting responsible and appropriate development, construction and maintenance of marine docks.

The BMPs are also intended to ensure proponents follow measures and designs that conform to Sections 34 through 37 of the Federal Fisheries Act.

Adherence to the BMPs will contribute to efforts to protect the cultural and heritage resources within First Nations territories.

#### Best Management Practices:

### **Development, Construction and Maintenance**

1. Wherever possible, proponents are encouraged to research existing opportunities for moorage prior to constructing new docks and to develop dock facilities that can facilitate numerous upland owners (Community Docks).

In pursuing multi-owner/use facilities the footprint on the sub/inter tidal habitats is minimized. These types of facilities also help to alleviate potential cumulative impacts from high density, individual dock infrastructures.

2. No critical habitats can be impacted within the immediate vicinity of the proposed dock/float structure. Critical habitats are defined in the Canadian Species at Risk Act (SC 2002, c.29) as:

'the habitat that is necessary for the survival or recovery of a listed wildlife species and that is identified as the species' critical habitat in the recovery strategy or in an action plan for the species."

And more explicitly for a marine environment is defined as:

"habitat that is important for: (a) sustaining a subsistence, commercial, or recreational fishery, or (b) any species at risk (e.g., terrestrial or aquatic Provincial red- and bluelisted species, those designated by the Committee on the Status of Endangered Wildlife in Canada, or those SARA-listed species), or (c) because of its relative rareness, productivity, or sensitivity (e.g. eelgrass meadows, kelp forests, foreshore salt marsh vegetation, herring spawning habitat, and potential forage fish spawning beach habitat)".

A Qualified Environmental Professional may be required to provide an assessment and opinion on the risks of any dock/float structures on critical habitat(s).

3. Design of a dock should not include components that block the free movement of water along the shoreline. Crib foundations or solid core structures made of cement or steel sheeting should

be avoided as these types of structures result in large areas of vegetation removal and erosion in sensitive shoreline habitats and riparian areas.

Buildings such as boathouses are discouraged due to concerns over structures casting shadows over the marine area that will impact eelgrass habitats and the inherent pollution risks of them being used to store hazardous and caustic contaminants.

All building codes and bylaws administered by all levels of government must be adhered to for all structures.

The applicant is responsible to determine and submit all relevant applications.

4. In order to mitigate shading of eelgrass habitats, docks should be aligned in a north-south direction to the maximum extent that is practicable. However, this may not be possible or practicable at many sites as property boundaries may limit alternate orientations. In this case, dock height becomes the most critical factor. Dock alignment must not impede vessel navigation.

5. Although distances may vary according to jurisdictions, all structures should be a minimum of 5.0 meters from the side property line (6.0 meters if adjacent to a dedicated public beach access or park) and at least 10 meters from any existing dock or structures, consistent with Federal requirements under Transport Canada's *Navigable Waters Protection Act*. Applicant must consult with local authorities.

6. When designing dock/float structures, the bottom of all floats should be a minimum of 1.5 meters above the seabed during the lowest water level or tide.

With consideration that the negative impact on eelgrass coverage from floating docks is significantly higher than from elevated docks, floating docks should be avoided if possible. To decrease the impact from docks on eelgrass, the recommendation and common design of docks is to place floating docks only at water depths which exceed the natural maximum depth distribution of eelgrass in the area, and to use an elevated dock as a walkway out to the floating dock.

This minimum depth is required to ensure bottom flora and fauna are not adversely impacted by shading and/or propeller wash or scouring from moored vessels.

7. Access ramps or walkways should be a minimum of 1.0 meters above the highest high-water mark of the tide and a maximum width of 1.2 meters. Docks should not exceed a maximum width of 1.5 meters. In situations where this is not physically possible, design variations supported by the appropriate Qualified Environmental Professionals should be provided.

8. In order to mitigate shading of eelgrass habitats, decking materials must allow for a minimum of 43% open space allowing for light penetration to the water surface. Various materials shaped in the form of grids, grates, and lattices to allow for light passage may be used. All efforts should be made in order to minimize artificial lighting and to maximize natural lighting around the dock structure.

9. The use of encased, wrapped or unwrapped expanded polystyrene (eg. Styrofoam) to keep docks afloat should not be used for new construction and repairs.

Degraded and fragmented polystyrene (eg. Styrofoam) is a source of secondary microplastics and a significant contributor to marine environment pollution.

2

### References:

<u>sources-fate-and-effects-of-microplastics-in-the-marine-environment-part-2-of-a-global-assessment-en.pdf (gesamp.org)</u>

### Science assessment of plastic pollution - Canada.ca

Polystyrene floats on existing docks that are showing evidence of breakdown should be replaced using an alternative material.

See Appendix A for recommendations for alternative materials to polystyrene floatation.

10. Pile driving is the preferred method of pile installation. All pile driving must meet current Fisheries and Oceans regulations.

Wrapping piles to encourage herring spawn and to provide sea life habitat is recommended.

11. Steel is the preferred material, although concrete, treated or recycled timber piles are acceptable but should be used with caution. Detailed information on treated wood options can be obtained online from the Fisheries and Oceans Canada website (*Guidelines to Protect Fish and Fish Habitat from Treated Wood Used in the Aquatic Environment in the Pacific Region*).

12. Construction must never include the use of native beach materials (boulders, cobble, gravel, sand, logs).

#### Accessibility

13. Design of a dock should not unduly impede public access along the foreshore. Between high water and low water mark, structures cannot block public access along a beach or foreshore area, unless reasonable alternative means of passage are available to enable going around or across the structure (e.g. stairs over a dock).

14. Access to the beach for construction purposes is to be from the adjacent upland property wherever possible. Where upland access is not possible and/or the use of heavy equipment is required to access the dock location, marine access during construction may be preferred. The advice of a Qualified Environmental Professional and approval of Fisheries and Oceans Canada should be obtained by the applicant.

15. Dock/float structure and the vessel to be moored at the structure should not be allowed to rest on the seabed during the lowest water period of the year.

### Foreshore Protection

16. The upland design of the dock including anchor points should not disturb the riparian area except at the immediate footprint. All efforts should be made to maximize riparian cover adjacent to the dock to reduce erosion and exposure to the foreshore.

17. Filling, dredging, or blasting at or below the High Water Mark is not recommended. If necessary, the work must conform to all government regulations and the applicant is responsible to determine and submit all relevant applications.

18. Works along the upland/water interface must be conducted when the site is not wetted by the tide. All work is to be conducted in a manner that does not result in the deposit of toxic or deleterious substances (sediment, un-cured concrete, fuel, lubricants, paints, stains) into waters frequented by fish. This includes refueling of machinery and washing of buckets and hand tools.

19. To maximize the protection of fish and fish habitat, marine foreshore construction activities should take place during the time periods when the timing windows of least risk are open. Timing windows are updated annually on the Fisheries and Oceans Canada website.

### **Navigation**

20. Transport Canada enforces rules and regulations as stipulated in the <u>Canadian Navigable</u> <u>Waters Act</u> (CNWA). Specifically, (<u>Minor Works Order</u>) Section 4 details requirements and regulations for docks and boathouses. If a proponent is able to construct a dock that meets all the highlighted criteria, the work is pre-approved under the CNWA and is not subject to the requirement of the submission of an application for review and approval.

Alternately if a dock is unable to meet all the criteria outlined in the Order , (<u>*Minor Works Order*</u>), the proponent would be required to <u>Apply for an approval</u> to Transport Canada (TC), or seek authorization through the public resolution process.

### First Nations interests

21. By nature, locations for docks are also often high potential archaeological areas and thus its important particularly for new dock installations that archaeology is considered and assessed EARLY. The entire shoreline contains good potential for archaeological features along the foreshore and in the intertidal zone.

22. Access or construction along the shoreline requires at least 45 days advance notification sent to the First Nations authority in the area of work and its Rights and Title Department to ensure cultural sites are not impacted or disturbed. A Preliminary Field Reconnaissance (PFR) for archaeology may be required, and provincial permitting times average 6 months. A PFR is a field survey to assess the archaeological resource potential of the area, and to identify the need and appropriate scope of further studies and is to be performed by a Qualified Professional Archaeologist.

23. Improvements to existing docks may also require a PFR or archaeological assessment, particularly if none was conducted prior to the original construction.

24. Archaeological surveys should be conducted at the lowest possible tide, to ensure thorough observation of the intertidal zone.

25. Access to sub/intertidal resources should not be impeded or restricted by any dock/float structure.

This ensures First Nations maintain their rights to access for the harvest of marine resources for food, social and ceremonial purposes.

### <u>General</u>

26. It is important to highlight the effects that climate change is contributing to the increasing intensity of storms and storm surges throughout the Howe Sound Biosphere Region. Where possible, to avoid damage to a dock during storm season, the floats should be removed from the sea and all boats sent to safe harborages. Seasonal installation as opposed to permanent placement should be encouraged.

27. Applications for Docks may require reviews and approvals by the federal, provincial, local governments and First Nations authorities. The applicant is responsible to determine and submit all relevant applications.

### Acknowledgements:

The *Atl'ka7tsem/Howe Sound Biosphere Region Initiative Society* has compiled these Best Management Practices (BMPs) from a number of sources and wishes to acknowledge and thank these organizations for their contributions:

- 1. shishalh First Nation Best Management Practices for Marine Docks-version 20180605 <u>BMPs\_marine\_docks\_Update\_Final\_27Jun18.pdf (shishalh.com)</u>
- B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development Land Use Operational Policy for Private Moorage. Effective date: January 21, 2019. <u>SECTION 3 (gov.bc.ca)</u> specific reference to Appendix 3 – Requirements and Best Management Practices
- 3. Islands Trust A Landowner's Guide to Protecting Shoreline Ecosystems. August 2014.. Landowners-Guide-September-draft-revised.pdf (islandstrust.bc.ca)
- 4. Fisheries and Oceans Canada <u>A modernized Fisheries Act for Canada (dfo-mpo.gc.ca)</u> June 2019. Specific reference to Projects Near Water – Guiding documents
- 5. Transport Canada <u>Canadian Navigable Waters Act.</u> 2019, c. 28, s. 46

### Attachments:

- 1. Atl'ka7tsem/Howe Sound Biosphere Region Initiative map
- 2. Appendix A: Recommendations for alternative materials to polystyrene floatation.

## Appendix A:

## Recommendations for alternative materials to polystyrene floatation.

### <u>History</u>

For centuries anything that needed to float on water was made from wood. In the mid-20<sup>th</sup> century though the introduction of plastics included many consumer products made from polystyrene (<u>https://en.wikipedia.org/wiki/Polystyrene</u>).

## Current state

The buoyancy properties of expanded polystyrene (EPS) made it a choice for the floatation components of docks and floats. However it's bead like structure will break down into micro particles under abrasion and impact.

These micro beads will continue to float on water and is a major source of pollution in aquatic environments.

### **References:**

sources-fate-and-effects-of-microplastics-in-the-marine-environment-part-2-of-a-globalassessment-en.pdf (gesamp.org)

Science assessment of plastic pollution - Canada.ca

## Alternatives to polystyrene – examples provided for reference only

## 1. Floats that use wood construction

Timber and concrete Dock Building (squamishnationmarinegroup.com)

### 2. Floats that use high density polyethylene (HDPE) materials

Rotational moulded float sections <u>Roto Moulding | New Wave Docks</u> Modular floating docks <u>Our Products - Improve Your Candock Docks | Candock</u>

### 3. Floats that use encapsulated polystyrene

HDPE Float Welding | Squamish Nation Marine Group

### 4. Floats that use HDPE thick wall pipe

HDPE pipe with aluminum crossers (tie bars) <u>HDPE Pipe Docks</u> (kropfindustrial.com)

5. <u>Remediation of existing floatation systems</u> In some cases it's possible to remediate non-encased EPS floats with an encasement of a spray coating.

Canadian Aquaculture Styrofoam®-Encasement (dfo-mpo.gc.ca)