



# **ELECTORAL AREA SERVICES COMMITTEE**

**Thursday, February 15, 2024**

**TO BE HELD**

**IN THE BOARDROOM OF THE SUNSHINE COAST  
REGIONAL DISTRICT OFFICES AT 1975 FIELD ROAD, SECHELT, B.C.**

## **AGENDA**

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**CALL TO ORDER      9:30 a.m.**

### **AGENDA**

1. Adoption of Agenda Pages 1

### **PRESENTATIONS AND DELEGATIONS**

### **REPORTS**

2. Frontage Waiver FRW00022 – 1170 Largo Road, Electoral Area D Annex A  
*Planner II* pp 2 - 5  
**Electoral Area D - Rural Planning (Voting – A, B, D, E, F)**
3. Board Policy for Official Community Plan Amendments Annex B  
*Senior Planner* pp 6 - 39  
**Rural Planning (Voting – A, B, D, E, F)**
4. Contract 18354 Ports Maintenance and Minor Repairs - Increase Annex C  
to Contract Maximum Value pp 40 - 41  
*Capital Projects Coordinator*  
**Ports Service (Voting – B, D, E, F)**

### **COMMUNICATIONS**

### **NEW BUSINESS**

### **IN CAMERA**

That the public be excluded from attendance at the meeting in accordance with Section 90 (1) (a) of the *Community Charter* – “personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.”

### **ADJOURNMENT**

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Electoral Area Services Committee – February 15, 2024

**AUTHOR:** Chris Humphries, Planner II

**SUBJECT:** Frontage Waiver FRW00022 (1170 Largo Road)  
Electoral Area D

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### RECOMMENDATION(S)

**THAT** the report titled Frontage Waiver FRW00022 (1170 Largo Road) – Electoral Area D be received for information;

**AND THAT** the requirement for a minimum 10% of the lot perimeter to front on the highway for proposed Lot 2 be waived.

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### BACKGROUND

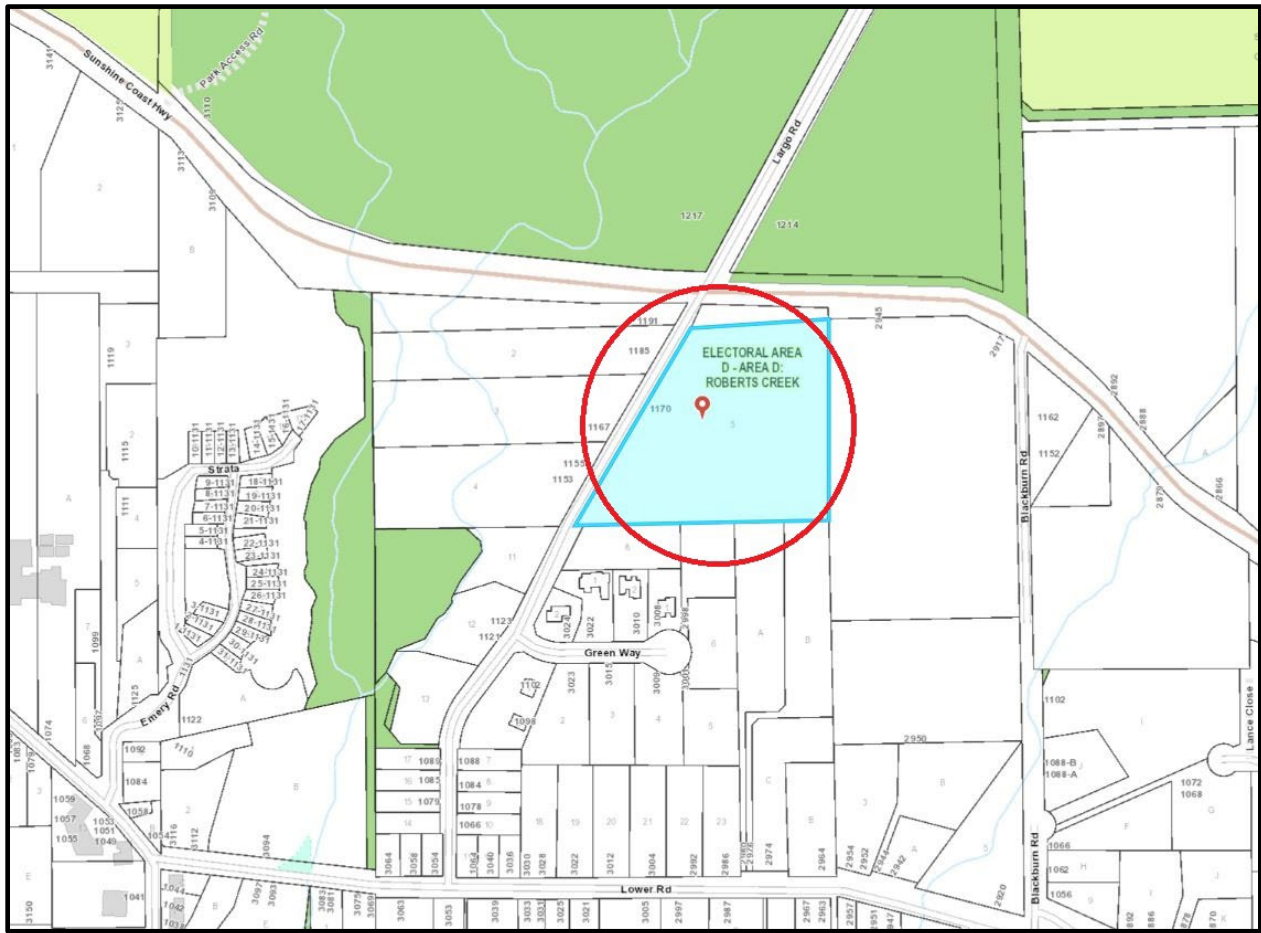
SCRD has received a Frontage Waiver Application in relation to a 4-lot subdivision at 1170 Largo Road in Roberts Creek.

Section 512 of the *Local Government Act* requires all new parcels to have a minimum 10 percent of the perimeter fronting a highway unless a local government waives the requirement. Proposed Lot 2 in the planned subdivision does not meet the 10% perimeter road frontage requirement. To facilitate the proposed subdivision, the applicant is requesting that the SCRD Board consider waiving the road frontage requirement.

The purpose of this report is to provide information on the application and obtain direction from the Electoral Area Services Committee on this request.

*Table 1 – Application Summary*

<b>Owner / Applicant:</b>	Kristin Keith and David Johnson
<b>Parent Parcel Legal Descriptions:</b>	LOT 5 BLOCK A DISTRICT LOT 809 PLAN 8503
<b>Parent Parcel P.I.D.'s:</b>	010-054-511
<b>Civic Address:</b>	1170 Largo Road, Roberts Creek
<b>Subject Parcel Area</b>	3.64 ha
<b>OCP Land Use:</b>	Residential C, Village Amenity Density Bonusing Area, Country Residential
<b>Land Use Zone:</b>	Split zoned: R2, CR1
<b>Subdivision District:</b>	E – 5,000 m <sup>2</sup> average (4,000 m <sup>2</sup> min.) and F - 10,000 m <sup>2</sup> average (8,000 m <sup>2</sup> min.)
<b>Application Intent:</b>	Frontage waiver for proposed Lot 2

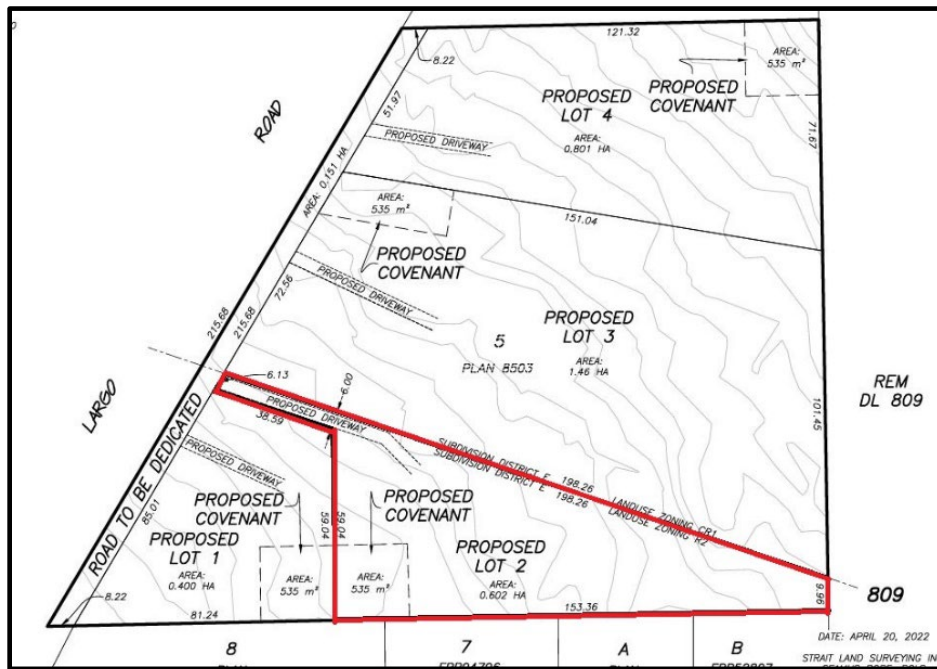


**Figure 1** – Location of subject property proposed for subdivision (circled)

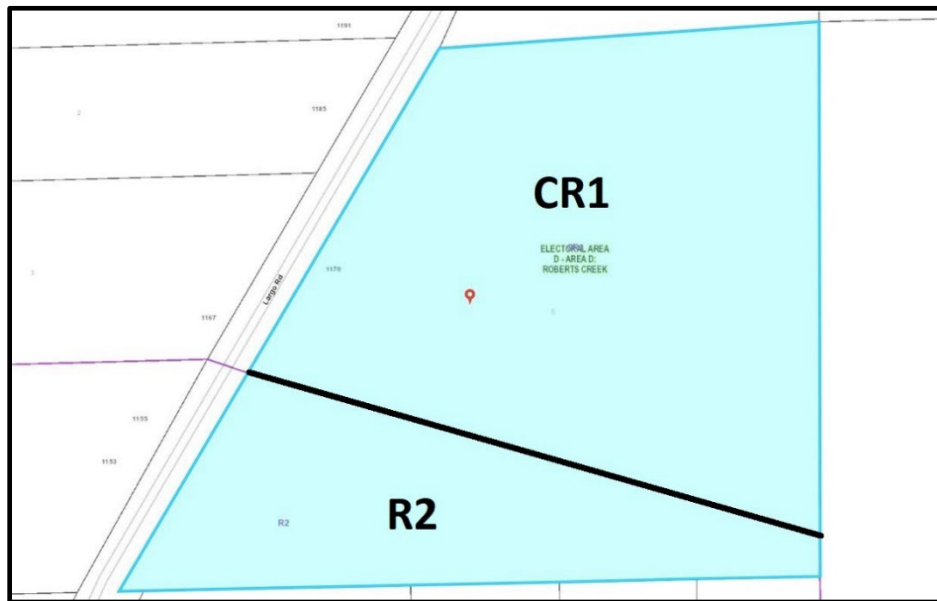
## DISCUSSION

The proposed subdivision would result in the subject parcel at 1170 Largo Road being subdivided into 4 new parcels (Figure 2). The parent parcel is subject to split zoning, split land use designations, and split subdivision districts, with the delineation occurring approximately one third of the way from the southernmost boundary of the lower parent parcel (Figure 3).

The southernmost third of the parent parcel falls within subdivision district E requiring a minimum average parcel size of 5,000 m<sup>2</sup>, and minimum parcel size of 4,000 m<sup>2</sup>. The applicant has brought forth a subdivision application that contains a plan that conforms with this requirement, however, given the triangular shape of that part of the parent parcel under subdivision district E, the resulting proposed lots are also an unusual shape. Ultimately, proposed Lot 2 will have a frontage that does not meet the minimum 10% frontage requirement. As a result of this, proposed Lot 2 contains a panhandle with a frontage that is 6.13 m wide, or 1.32% of the total parcel boundary.



**Figure 2** – Four lot subdivision with proposed lot 2 (bold outline) subject to Frontage Waiver application.



**Figure 3** – The parent parcel is split in terms of zoning, land use designation, and subdivision district (split at thick black line). The southern portion of the property where lot 1 and lot 2 (lot 2 subject to frontage waiver) are located is zoned R2 with Land Use Designations, Residential C and Village Amenity Density Bonusing Area; and Subdivision District E – 5,000 m<sup>2</sup> average (4,000 m<sup>2</sup> min.). The northern portion of the property where proposed lots 3 and lot 4 are located is zoned CR1 with Land Use Designations, Country Residential and Village Amenity Density Bonusing Area; and Subdivision District F – 10,000 m<sup>2</sup> average (8,000 m<sup>2</sup> min.).

*Applicant Rationale for Frontage Waiver*

Aside from the panhandle and associated nonconforming frontage on proposed Lot 2, the overall parcel configuration as proposed is the most usable layout for future landowners. The applicant could alter the plan such that proposed Lots 1 and/or 2 are larger in area and include frontages meeting the minimum permitted frontage, however, due to the boundary that delineates the zoning, land use designations, and subdivision districts, expanding lot 1 and/or 2 further would require, at a minimum, a Zoning Bylaw Amendment. A further alternative would be to change the proposed lot layout of Lots 1 and 2 within the current Subdivision District boundary such that the minimum 10% frontage could be achieved, however, this would lead to both parcels adopting a more narrow, triangular-shaped form and less feasible building envelope.

*Staff Comment*

Staff have reviewed the applicant's proposal and note that proposed Lots 1 and 2 contain zoning that permits two single-unit dwellings. With consideration of the unusual shape and split zoning characteristics of the parent parcel and permitted uses that include two single-unit dwellings, staff concur that proposed parcel configuration, including the proposed Lot 2 road frontage <10%, provides the most ideal solution for long term usability of the parcels.

**CONCLUSION**

A waiver for the 10 percent perimeter frontage requirement is required by the SCRD Board for the proposed subdivision to proceed as proposed.

Staff support this application and recommend issuing the frontage waiver for proposed Lot 2 which will allow the subdivision to proceed and be considered for final approval by the Ministry of Transportation and Infrastructure.

Reviewed by:			
Manager	X – K. Jones	Finance	
GM	X – I. Hall	Legislative	X- S. Reid
CAO	X – D. McKinley	Other	

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Electoral Areas Services Committee – February 15, 2024

**AUTHOR:** Julie Clark, Senior Planner

**SUBJECT:** BOARD POLICY FOR OFFICIAL COMMUNITY PLAN AMENDMENTS

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### RECOMMENDATION(S)

**(1) THAT the report titled Board Policy for Official Community Plan Amendments be received for information;**

**(2) AND THAT the Board Policy for Official Community Plan Amendments be adopted and implemented for immediate use on existing and forthcoming applications.**

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### BACKGROUND

This report brings forward a proposed Board Policy for Official Community Plan Amendments for consideration of adoption. The policy would guide the evaluation of applications in a way that maximizes sustainable community building principles and public benefit.

An Official Community Plan (OCP) Amendment application is required when a proposed development does not conform to the land use designation of the relevant OCP. An amendment is the process of legally changing the OCP land use designation or density on a property through a bylaw amendment. An existing OCP land use designation for a property has been adopted with significant consideration to public input and technical analysis, while looking forward to determine appropriate long-term use. Support for amending an OCP should only be provided when an innovative application is proposed that demonstrates sustainable community building principles and overall public benefit.

Section 460 of the *Local Government Act* stipulates a local government that has adopted an OCP bylaw or a zoning bylaw must consider every application for amendment or a permit relating to the subject bylaws. This means that the SCRD cannot refuse to accept an application to amend the OCP, rather, staff and decision makers rely on the strength of our regulatory tools (policies, strategies, and bylaws) to consider the amendment proposal.

SCRD currently does not have policy direction to guide OCP Amendment application review and approvals. Current OCPs and corresponding bylaws lack explicit direction that would guide consistent negotiations with developers during OCP amendment applications. This policy gap creates challenges with encouraging innovative applications, negotiating adequate public benefit and maintaining a public dialogue that is cohesive with the established community vision. Many SCRD OCPs reference the Focus Areas of the proposed policy in the Vision and Objectives, but do not carry through to implementable direction in the policies. OCP renewal will address this need, however there is a short term need to have this direction in place as soon as possible.

A new policy would provide transparent expectations for applicants and encourage a high standard of design for OCP amendment development proposals. It is intended to enable staff and applicants to work together to negotiate amendment proposals that respond to the OCP vision, goals and policies and ensure application proposals contribute to a resilient, livable and equitable community with sustainable service delivery model for current and future generations. Adopting

a Board Policy for OCP Amendments would provide a consistent lens for considering the pros and cons of applications through technical review, and discussion in committee reports akin to the current Board Policy for Development Variance Permits.

With this awareness, in Q3 2022 the Board directed staff to develop a draft OCP Amendment Board Policy and refer it to Advisory Planning Commissions (APCs) and other agencies for comment.

196/22 **Recommendation No. 2** *Board Policy - Official Community Plan Amendments*

THAT a Board Policy for Official Community Plan amendments be developed and brought back later in Q3 for review and consideration;

AND THAT the draft OCP policy be referred to the Advisory Planning Commissions for feedback;

AND FURTHER THAT the draft OCP policy be referred to Roberts Creek Official Community Plan Committee, Halfmoon Bay Community Association, Pender Harbour and Area Residents Association, District of Sechelt, Town of Gibsons, Sechelt Indian Government District, Halfmoon Bay Environmental Society, and Egmont Community Association for feedback.

This report provides a summary of the relevant referral comments and how the comments were addressed in the proposed policy. The updated proposed Board Policy for OCP Amendments is included in Attachment A for consideration of adoption.

## **DISCUSSION**

### *Referral Responses*

The proposed board policy was referred to SCRD Advisory Planning Commissions (APCs) and other agencies in March to May 2023. APCs received a staff presentation and had the opportunity to consider this item on two consecutive agendas.

APCs in Areas B, D, F recommended that the Board support the proposed policy, with some suggestions for improvement. Area E's recommendations did not express support or refusal, however meeting notes suggest support. Area A APC recommended that the Board should not support the policy as presented, with a list reasons why.

Each set of APC meeting minutes have been reviewed by staff, as well as feedback from other agencies in preparation for refining the proposed policy. Table 1 provides a summary of the key feedback themes relevant to the proposed policy and how staff addressed the feedback in revisions. A copy of referral responses can be found in Attachment B.

In addition, staff observed and are providing comment on several key pieces of feedback, that do not result in a specific change to the proposed policy, as follows:

- *Frustration was expressed that current OCPs are not being adequately implemented or enforced by SCRD.*
  - Staff share this frustration and note there are barriers to implementing parts of the community vision and objectives articulated in current OCPs due to adequate policy and regulation carried through the OCP and their corresponding implementation bylaws to direct development.

- The proposed board policy is an attempt to address this frustration for the interim. This is one of several tools that are needed to close this gap while we renew OCPs.
- *It was noted in multiple referral responses that this policy had the opportunity to strengthen the outcome of OCP amendment applications.*
  - This is the intended outcome of the policy.
- *Area A APC expressed concern the proposed policy framework could limit development and promoted a “one-size-fits-all” approach.*
  - Staff note that the intent of this policy is to promote innovative developments through OCP amendment applications that uphold community vision, support sustainable development and deliver public benefit. The policy is intended to assist with evaluation of OCP amendment applications and promote negotiation with applicants to ensure adequate development thresholds are proposed for consideration. Staff appreciate the concern over the misunderstanding relating to a one-size-fits-all checklist and have addressed this in the theme-related changes below.

*Table 1: APC Referral Comment Summary*

<b>Feedback Theme</b>	<b>Change made (shown in track changes in the policy)</b>
The framework was viewed as a checklist of requirements to meet, with definitions and weighted metrics required.	At the board policy level, a specific prescription or checklist of requirements was not intended or recommended.  Layout Change: added table format to highlight “Areas of Focus” and reduce the appearance of ‘one size fits all checklist’ of requirements.  Eliminated the word “criteria,” added Areas Of Focus and Considerations
Need to underscore that the policy is not a replacement for the OCP, it is in addition to.	Text added to the policy intent to support this understanding.
Specific policy-level additions	A number of additions were made in the policy, seen in track changes / blue

All feedback received for this referral will also be directed to the OCP renewal project as input.

### *Analysis*

Staff have revised the proposed board policy based on the feedback received.

The policy is proposed as a tool that could be implemented immediately to support the review process of OCP Amendment applications. Amendments to the policy could be considered, if necessary, after initial implementation and reassessed after OCP renewal is complete. Staff recommend adoption of the board policy and immediate implementation.

### *Organization and Intergovernmental Implications*

This policy direction is expected to increase the efficiency and clarity in SCRD customer service for OCP amendment applications. This efficiency is expected to save (staff) time and cost internally, as well as result in more resilient, sustainable outcomes for the community and the land.



The efficiency and transparency benefits are directly aligned with the findings and recommendations of the Development Approvals Process Review (DAPR); adoption of this policy is a step in implementing DAPR.

#### *Financial Implications*

There are no direct financial implications associated with this report. It is noted that the proposed Board policy seeks to improve the OCP Amendment review and decision-making process. This could lessen application processing time demands, increasing clarity for applicants, enhance negotiated public benefits and promote innovative community building solutions while ensuring that applications contribute to a sustainable service delivery model.

#### *Timeline for Next Steps*

If the Board approves this policy, staff propose it come into effect immediately, to assess all OCP Amendments currently at the pre-application and full application stages.

#### *Communications Strategy*

Should policy be approved, a media release will be published and the SCRD Planning Applications webpage will be updated. Further, information on this issue will be posted to the SCRD Facebook page. A Let's Talk page is planned to capture any ongoing feedback.

### **STRATEGIC PLAN AND RELATED POLICIES**

A Board Policy on OCP Amendments supports the application of lenses of “service delivery excellence,” “governance excellence”, and “social equity and reconciliation” in the 2023-2027 Board Strategic Plan to the consideration of OCP amendments. Adoption of this policy is an opportunity for activation of the Strategic Plan lenses.

### **CONCLUSION**

A proposed Board Policy is presented after feedback submissions from APCs and other agencies as directed by the Board. Staff recommend approving the Official Community Plan Amendment Board Policy for implementation and immediate use.

### **ATTACHMENTS**

Attachment A – Draft Board Policy for Official Community Plan Amendments

Attachment B – Referral Feedback Summary

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



Division:	Planning and Development	BRD-0340-50
Title:	Official Community Plan Amendment Applications	TBD

## 1. PURPOSE

- 1.1 To ensure the application of sustainable land use planning principles when considering Official Community Plan (OCP) amendment applications within the land use planning jurisdiction of the Sunshine Coast Regional District (SCRD). This policy will be used in addition to OCP(s).
- 1.2 To ensure that fiscally responsible community building objectives are included in the review of OCP amendment applications.
- 1.3 To align OCP amendment applications with SCR D bylaws and policies with an overall balance of public benefit.
- 1.4 To be a transparent, qualitative review tool for applicants, community, staff and decision makers.

## 2. SCOPE

- 2.1 Development proposals that require OCP amendments.

## 3. DEFINITIONS

- 3.1 **“Sustainable land use planning principles”** means the framework and best practices used by land use planning professionals according to their professional associations and ethical obligations. These are professional best practices to meet the needs of communities and the profession.

## 4. POLICY

- 4.1 Sustainable land use planning principles (Schedule A) shall be considered during the review and decision-making process associated with applications to amend OCP bylaws.

## 5. EXCEPTIONS

- 5.1 Not all sustainable land use planning principles apply to all sites, locations and amendment applications. For example, not all applications involve watercourses or agricultural land.

## 6. AUTHORITY TO ACT

- 6.1 The Board has decision-making authority to amend the sustainable land use principles.
- 6.2 SCR D Employees are authorized to apply this policy in the review of all applications to amend OCPs.
- 6.3 The Board retains decision-making powers associated with amendment bylaw readings and adoption.

## 7. REFERENCES (Bylaws, Procedures, Guiding documents)

- 7.1 Part 14 of the *Local Government Act*
- 7.2 SCR D Bylaw No. 522 Planning Fees and Procedures
- 7.3 SCR D Bylaws No. 370, 545, 600, 640, 641, 675, 708 – Official Community Plans
- 7.4 SCR D Bylaws No. 337, 722 – Zoning
- 7.5 SCR D Bylaw No. 329 Subdivision Servicing



## BOARD Policy

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**7.6** SCRD Climate Risk Assessment (2022)

**7.7** Canadian Institute of Planners – Code of Professional Conduct

**7.8** Planning Institute of British Columbia – Code of Ethics and Professional Conduct

Approval Date:		Resolution No.	
Amendment Date:		Resolution No.	
Amendment Date:		Resolution No.	
Amendment Date:		Resolution No.	



## **BOARD Policy**

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### **SCHEDULE A**

#### **SCRD Sustainable Land Use Planning Principles**



## BOARD Policy

Area of Focus	Considerations
<b>Location / Transportation</b>	<ul style="list-style-type: none"><li>• Subject property is located within 500 metres of a major transportation corridor for which <b>public</b> transit services are currently or planned to be provided (applicable to all OCP areas having transit services).</li><li>• Proposed development would limit the number of <b>watercourse</b>-crossings and protect environmentally sensitive areas.</li><li>• Location is not in an identified area of climate vulnerability: sea level rise, storm surge, debris flood.</li><li>• 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.</li><li>• Proposed development is near or directly accessible by transit, to existing or planned commercial development and civic services such as parks, schools, libraries, and recreation centres.</li><li>• Ensure fringe area planning with neighbouring jurisdictions to address priorities.</li><li>• <b>Includes parcel frontage improvements if the development is on an active transportation route.</b></li><li>• <b>If further data is required to understand the impacts of a proposal on the neighbourhood or surrounding local area, the studies are to be commissioned by the applicant.</b></li></ul>
<b>8. Land Use Compatibility and Density</b>	<ul style="list-style-type: none"><li>• Compatibility of <b>the proposed</b> land use with adjacent <b>OCP designated</b> land uses.</li><li>• <b>Suitability of the land for the proposed purpose</b></li><li>• Scale of proposed density with planned density of surrounding area.</li><li>• Proximity of planned and existing utility infrastructure with proposed development.</li><li>• The proposal seeks to implement Complete Communities and low-carbon land use attributes.</li><li>• If located at or near a rural-municipal edge, proposal responds to adjacent municipal land use planning.</li></ul>



## BOARD Policy

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### 9. Community Amenity Contribution

- Proposed development provides a 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.*
- If the CAC involves the donation of land or infrastructure to SCRD, this donation should generally adhere to the following criteria:
  - The land or infrastructure is provided in format acceptable to SCRD.
  - The land or infrastructure is provided in a location acceptable to SCRD that 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.
  - 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.



## BOARD Policy

<b>10. Environmental Enhancement</b>	<ul style="list-style-type: none"><li>• 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.</li><li>• <a href="#">The application proposes to retain sensitive ecosystems for biodiversity, habitat features and connectivity, guided by a registered professional biologist</a></li><li>• The application seeks to reduce Green House Gas (GHG) emissions through design, protection of carbon sinks, and/or proximity that encourages walkability, cycling, and use of transit.</li><li>• The application seeks to enhance and protect farming activities if it is adjacent to agricultural lands and has soils that are suitable for agriculture.</li><li>• The proposal does not result in an exclusion from the Agricultural Land Reserve, unless a 2-for-1 replacement with like or better soil quality is proposed at a location deemed acceptable to SCRD and the Agricultural Land Commission.</li><li>• The application commits to removing invasive plants, <a href="#">preventing further propagation</a>, limiting or correcting previous land alteration practices and provides restoration that enhances native biodiversity.</li><li>• The project permanently protects a wildlife corridor.</li><li>• <a href="#">Aquifer protection measures in place and watercourse restoration in aquifer recharge areas</a></li><li>• The cumulative impact of the proposal in the area is acknowledged and considered in site design.</li></ul>
<b>11. Climate Resilience &amp; Reduction of Greenhouse Gas Emissions</b>	<ul style="list-style-type: none"><li>• The application seeks to contribute to climate resilience efforts in response to the SCRD Climate Risk Assessment and provides benefit to the greater public good, such as:<ul style="list-style-type: none"><li>○ Maximizes retention of existing native trees, soil, and vegetation</li><li>○ <a href="#">Retain water-receiving sites, include measures to reduce the speed of downhill water flow and erosion.</a></li><li>○ Uses climate-resilient planting to grow future shade</li><li>○ Climate-resilience stormwater management</li><li>○ Provides opportunity for rainwater capture/retention</li></ul></li><li>• 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.</li><li>• Project seeks to reduce emissions associated with single occupant vehicle trips and fossil fuel heating.</li></ul>



## BOARD Policy

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<b>12. Community Health and Equity</b>	<ul style="list-style-type: none"><li>• The project applies an equity lens to development.</li><li>• The project is or will be informed by a socio-economically diverse group of people (including, potentially, those who it is intended to serve).</li><li>• The project outcome intends to serve people with barriers to adequate housing or transportation services.</li><li>• The project includes aspects that build social capacity, especially for vulnerable groups.</li><li>• The project considers community childcare needs.</li><li>• The project design promotes and connects safe Active Transportation routes between the proposed location and community amenities.</li><li>• The project design integrates indoor or outdoor community gathering spaces.</li><li>• The project furthers food security by producing or processing local food for a local economy.</li><li>• The project unites affordable housing opportunities with opportunities for growing and/or processing food.</li><li>• The project protects or enhances farmland and soil for future agricultural capability.</li><li>• The project protects or enhances habitat for pollinators.</li></ul>
<b>13. Impact of Amendment on Infrastructure</b>	<ul style="list-style-type: none"><li>• The proposal addresses all servicing requirements, including analysis of downstream impacts to identify necessary infrastructure upgrades.</li><li>• The proposal is located in proximity to existing or planned services.</li><li>• The proposal does not place an undue financial burden on existing or future users.</li><li>• The proposal considers how to reduce impact on community drinking water, transportation networks, sanitary sewer, and stormwater infrastructure.</li><li>• The proposal provides a fiscally responsible benefit toward enhancing public infrastructure for the development or the broader area</li></ul>





## BOARD Policy

<b>14. Affordable Housing</b>	<ul style="list-style-type: none"><li>• The application proposes innovative housing solutions that add to the range of housing affordability options, particularly long-term rental, on the Sunshine Coast in a location that promotes walkability, cycling and transit usage in any of the following ways:<ul style="list-style-type: none"><li>○ Through a registered housing agreement that protects market rental and/or below-market rental.</li><li>○ 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.</li></ul></li><li>• 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.</li><li>• The application involves an affordable housing solution that assists with aging in place for Sunshine Coast residents.</li></ul>
<b>15. Economy</b>	<ul style="list-style-type: none"><li>• 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.</li><li>• The proposed development involves the provision of a use that would be a significant benefit to tourism on the Sunshine Coast, <a href="#">while promoting sustainable development</a>.</li><li>• The proposal propels economic growth that benefits environmental and social community needs, such as climate resilience, culture, heritage, and the provision of housing.</li></ul>
<b>16. Topography</b>	<ul style="list-style-type: none"><li>• 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.</li></ul>
<b>17. Reconciliation</b>	<ul style="list-style-type: none"><li>• The project advances the reconciliation goals of the corresponding Nation through collaboration.</li></ul>
<b>18. Heritage Conservation</b>	<ul style="list-style-type: none"><li>• The full scope of the project is aligned with the <i>Heritage Conservation Act</i></li><li>• The project seeks to protect and enhance a building, site, or natural feature that has heritage value for long-term protection through any combination of bylaw, covenant, designation, public ownership, <a href="#">or First Nations ownership</a>.</li></ul>



## BOARD Policy

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<b>19. Design</b>	<ul style="list-style-type: none"><li>• Proposed development demonstrates a high degree of innovation, creativity and sensitivity in its overall design, including site layout, building design, stormwater management and landscaping.</li><li>• Proposed buildings associated with the development demonstrate leadership for the Sunshine Coast in green-building design or advanced Step Code requirements.</li><li>• Proposed developments adjacent to forested areas should demonstrate a high degree of site, building and landscaping design that is FireSmart, while also considering onsite fire suppression capabilities.</li><li>• Site design and landscaping is designed to preserve significant trees and promote onsite stormwater management and aquifer recharge.</li><li>• The proposal adequately considers emergency response needs including access for protective services.</li></ul>
<b>20. Public Engagement</b>	<p>Conduct and steward a fair, open and accessible public process for amending, implementing and reviewing the proposed OCP Amendment (proposed land use and contributions) through actions such as:</p> <ul style="list-style-type: none"><li>• Design engagement processes that recognize diversity and include of all members of the community; utilize methods that reach all audiences.</li><li>• promote community awareness of the application and decision making-process using plain language.</li><li>• provide adequate and various opportunities for those affected by planning decisions to be informed and contribute to planning processes, such as conducting community consultation before submitting a formal application.</li><li>• Welcome feedback and show how it is used to refine the application.</li></ul>

## **OCP Amendment Draft Policy: Referral Responses**

The following responses were received by SCRD Planning in 2023 in response to the referral of the draft Board Policy for OCP Amendments.

### **Area A APC, March 2023**

Board Policy - Official Community Plan Amendments

Points of Discussion (no recommendations):

- SCRD staff presentation was rushed didn't provide enough information.
- Could staff supply a summary of the presentation in writing to the APC.
- Housing shortages and changes to the rules make it hard for real estate developers.
- Housing and construction costs adds to the problem.
- Area A OCP was adopted in 2018. What wasn't adopted was portion of the bylaw.
- When will Zoning Bylaw 337 be updated in the work plan?

### **Area A APC April 2023, Re Referral**

Re-Referral Board Policy – Official Community Plan Amendments

The Area A APC discussed the staff report regarding Re-Referral Board Policy – Official Community Plan Amendments with the following comments:

- Has the potential to discourage developers as it is too detailed.
- More general terms are needed and should be opened for new ideas from developers.
- Written well but is not practical for all OCP's.

### **Recommendation No.1**      *Re-Referral Board Policy – Official Community Plan Amendments*

The Area A APC recommended that the Board Policy – Official Community Plan

Amendments as presented not be supported for the following reasons:

- A “one size fits all Areas policy” does not seem appropriate for the rural areas, in particular Area A, because we have no public transit and over 50% of homes are recreational or “second” homes where affordable housing (or any increased density) may not be compatible with large minimum are subdivision requirements.
- In an effort to assist with housing and climate change issues, the proposed policy is creating an additional level of compliance, beyond those identified in the OCP. This could deter development initiatives.
- It is hard to discern what “best planning practices” are or where they have come from. They go well beyond the community vision and objectives set out in the Area A OCP, which were developed after extensive community consultation and legally adopted through the public hearing and by-law adoption process. Many of the policies venture into social engineering policies beyond the jurisdictional authority of regional Districts.
- Many terms used in the draft policy have no specific meaning: For example:
  - 2 (e) What are “complete community and low-carbon land use attributes?”
  - 5 (a) “Climate Risk Assessment?”
  - 6 (a) an “equity lens?”
  - How do you define an “equity-deserving group?”
  - “Affordable Housing?”
- The criteria needs to be specific, measurable and relevant to the specific land location.

If this cannot be achieved, it is rather meaningless. Broader wording (closer to that in the DVP amendment policy) would be more relevant.

- The criteria should be prioritized. Which considerations are critical? Which are preferred, but not essential? Are any safe to ignore because they have no relevance? Which are merely desired?
- Suggest adding “compatible with existing nearby community character, land use and density” as a criteria.

## **Area B APC, March 2023**

### March Referral Comments

#### Referral for feedback: Board Policy—Official Community Plan Amendments

The APC discussed the staff report regarding assessment of requests for OCP amendments.

The following concerns/points/issues were noted:

- Recognition of the need for interim and updated guidance for assessing OCP amendment requests.
- This APC needs additional time for a more fulsome discussion of this very important draft. The very limited time within which to discuss the document and provide feedback at this meeting is not sufficient.

The time constraints arose from the:

- Planning Division’s request for presentation time.
- Need to conduct member introductions before proceeding to discussion of the referral, due to the length of time since our last meeting (June 22) and the changes in Commission membership.
- Need to conduct elections for the positions of Chair and Vice Chair.
- In the time that we did have available, the following points were raised:
  - Has the potential to introduce another layer of requirements, open to misinterpretation.
  - Review criteria need clarification; improved definitions e.g. “Affordable” housing is not defined. Affordable housing is not necessarily “attainable”.
  - Too many categories and criteria will cause confusion.
  - Ensure final criteria are specific, measurable, achievable, relevant, time-bound.
  - Test criteria before distribution to confirm that criteria can be applied and results are useful.
  - Some criteria repetitive, duplicated in various categories.
  - Need some kind of criteria weighting system. (Nice to have, must have, Show-Stoppers).
  - How to ensure conditions imposed when granting an amendment are maintained over time, change of ownership etc.

#### **Recommendation No. 1**     *Board Policy—Official Community Plan Amendments*

The Area B APC recommended that the Board Policy—Official Community Plan Amendments be supported subject to the following conditions:

- The APC has sufficient time to identify and discuss its concerns more thoroughly in order to provide meaningful feedback. This means that whether or not there are Planning Division agenda items for the APC meeting next month,
  - a full two-hour meeting be held,
  - that the meeting be devoted to discussion of this referral, and that
  - feedback arising from discussion be received for consideration by the Planning Division.

## **Area B APC April 2023 Re Referral Comments**

### Re-Referral of Board Policy—Official Community Plan Amendments

The APC continued discussion the Staff Report and draft policy that began at the meeting of March 28, 2023.

The following broad concerns/points/issues were noted:

- Many terms lack definitions and/or descriptions of baselines e.g. affordable housing, climate change, environment. Without an understanding of accepted definitions and relevant baselines, it is impossible to move forward and to assess progress or benefit.
- While the documents refer to the need for “innovation” multiple times, it is not clear how innovation would and should be addressed. E.g. How would an innovative proposal that conflicts with the area OCP be dealt with?
- The staff report explicitly states that the policy “...is not a yardstick, prescription or requirement.”, but the format as presented makes it very difficult for any reader to view it as anything other than some type of checklist of requirements.
- The document does not address the cumulative impact of a proposed OCP amendment
- Last sentence of -first paragraph of the Intent should clearly state that the OCP remains an evaluation criterion.
- The document needs to be reorganized/reordered for a more logical flow and to help clarify priorities. Grammar, use of jargon and repetition need to be tightened up. However, there is not much point in providing specific comments at the moment because presumably the document will evolve through a number of iterations. It is frustrating and disappointing to have been told that the only opportunity for APCs to comment is at this very early stage. There are community members who have knowledge and skills to provide helpful editorial comment that would likely be of benefit to the document.

Additional points were noted:

- 4C—Protecting or enhancing farmland is not applicable as most ALR land is forested and not farmable.
- 4F—can’t force landowner to maintain a wildlife corridor.
- 5—Climate/Climate Resilience. Need to quantify (or at least define).
- 5B—Resilient design as a requirement will be a barrier to housing creation.
- 6—Need baseline data to ensure Community Health and Equity is achieved.
- 6—Lead this section with e) Childcare and i) Affordability (and define affordability).

- Additional costs to developer/development. Does the SCRD Board and Planning Department. acknowledge more costs to the developer equals higher cost of housing on the coast?
- How many of these “criteria” does a development have to meet?

**Recommendation No. 1**     *Board Policy - Official Community Plan Amendments*

The Area B APC recommends that more fulsome definitions of terms used in the policy document be incorporated into the document or be cross-referenced with terms that currently exist in other SCRD documents.

**Recommendation No. 2**     *Board Policy - Official Community Plan Amendments*

The Area B APC recommends that staff explain how “innovative criteria” will be considered and incorporated into a review of an amendment application.

**Recommendation No. 3**     *Board Policy - Official Community Plan Amendments*

The Area B APC recommends that:

- a) “Considerations” replace “Criteria” as the second, level 1 heading in the draft policy
- b) The bullets under the level 2 headings 1-10 be changed to a narrative that clearly indicates the items are examples for proponents to consider.

**Recommendation No.4**     *Board Policy - Official Community Plan Amendments*

The Area B APC recommends that **Cumulative Impact** be added to the policy as an additional “Consideration”, and that cumulative impact take into account effects on the:

- Immediate area
- Neighbourhood
- Electoral area
- Other Electoral areas/entire lower Sunshine Coast

**Recommendation No.5**     *Board Policy - Official Community Plan Amendments*

The Area B APC recommends that the wording of the last sentence of the 1<sup>st</sup> paragraph be changed to “...evaluated against the OCP and the criteria below.”

**Recommendation No.6**     *Board Policy - Official Community Plan Amendments*

The Area B APC recommends that a revised draft of this policy be referred to all APCs for a 2<sup>nd</sup> review.

**Area D APC March 2023**

**Board Policy – Official Community Plan Amendments**

SCRD staff member Julie Clark made a presentation with slides to introduce the draft Board Policy, A policy is considered advisable at this time due to key issues and considerations: climate crisis, housing crisis, unlawful land infractions, development boom, and reconciliation. The SCRD has seven Official Community Plans (OCP) that are considered to be infrastructure at various stages of aging. The draft policy is designed to be an interim solution for reviewing OCP

amendment applications before the current OCPs are renewed. The policy is meant to facilitate a transparent, holistic, and consistent review which will enhance negotiations for community benefits, while not being regulatory or prescriptive. Last reviews of the seven OCPs range from 1995 to 2018, with Roberts Creek's OCP last reviewed in 2012. The SCR D is undertaking a three-and-a-half-year funded project for OCP renewal, and a development approvals project is also underway.

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

- Policy is meant to be an SCR D-wide tool.
- There is no suggestion that the core set of values in the current OCP be ignored or replaced.
- The OCP renewal process could be considered as a half-life checkup.
- A Regional Growth report is due to come to the SCR D Board in the second quarter.
- The solution to affordable housing has to come from the Province.
- There will be funding for community engagement in the OCP renewal project.
- The policy is meant to create a framework to guide applications and provide guidelines for setting the bar.
- It is meant to be a living document that may be amended at any time and undergo review every 5-10 years.
- Feedback was generally positive and it seems the criteria outlined in the policy would stop certain applications from going forward.
- The preamble raises questions as how the policy will be applied and there is concern that the criteria would outweigh the values in the OCP.
- There is value in revisiting the OCP to engage the views of current residents.
- The Roberts Creek OCP works well in that there is room for different ideas but the community can always say no if they aren't appropriate.
- The advantage of this policy is that it has a concrete set of boxes to tick that would save time on considering proposals that shouldn't go forward. The policy is driven by staff to make the process more efficient.
- The policy doesn't appear to have any conflict with the current OCP, and in fact strengthens and updates some issues.
- Feedback on the criteria included suggestions to address: drinking water, water conservation, storm water management, tree retention and wildfire suppression.
- Strengthen section 7c related to water supply and conservation.

Storm water management: When a proposal comes forward that would result in the building of roads or structures that could stop/alter the natural drainage of an area and cause water to be collected in such a manner that could possibly result in drastic increases in flow to existing water courses that this problem be considered in the final approval or disapproval of the proposal. In an undisturbed slope water percolates into the soil and slowly moves down slope. The direction of the movement of the water is generally in response to gravity. The building of roads/structures across the slope with their accompanying drainage ditches then intercepts this natural flow and channels the flow into existing water channels, and then increasing their flows. A good example of this problem was seen last year near the eastern boundary of Roberts Creek during an atmospheric river event.

- Water supply: When plans for new subdivisions resulting in new lots are submitted, their impact on the existing water supply system(s) should be considered as one of the criteria for determining whether a proposal is allowed to go forward. It would appear that building permits cannot be withheld due to concerns about problems with water supply

but we should be able to consider concerns about water supply in granting future subdivisions.

- It was acknowledged that the SCRD cannot have tree retention regulations but this issue could be somewhat addressed with setback regulations.
- It was also acknowledged that tree retention and fire suppression may be competing issues.

### **Recommendation No. 1**      *Board Policy – Official Community Plan Amendments*

The Roberts Creek (Area D) APC recommended that the draft policy as a tool for reviewing applications for OCP amendments be supported.

### **Area E APC May 2023** (deferred from April)

### **Board Policy – Official Community Plan Amendments**

This draft policy was referred to the APC for feedback. Feedback included the following key points of discussion regarding OCPs and how they are revised:

- OCPs are usually updated every five to ten years, with the process for each update taking about two years.
- What is the specific process for updating the OCPs? The *Local Government Act* is the starting point, but there are details not covered in the Act.
- The APC would like to see a “roadmap” of how OCPs are reviewed that would include an itemized checklist including how community consultation is achieved and how members for a consulting committee are chosen.
- What is the role of the Elphinstone Community Association in OCP review or other planning matters?
- It was noted that the District of Sechelt has one OCP but there are sections for the different neighbourhoods. It was suggested that in the SCRD OCP updating process one consolidated OCP be developed for sections that are the same in all areas, thereby eliminating the need to duplicate certain sections. OCP sections that are unique for each rural area could be added.
- A unified OCP was just completed in the Cowichan Valley Regional District and this may be a model for the SCRD.
- It is suggested that all APCs get together for discussion.

Following are key points of discussion on the draft policy:

- There was positive support for the draft policy as it indicated a direction to harmonize some sections of OCPs.
- Accessible active transportation promotes sustainable, resilient, and affordable transportation options which have positive environmental impacts. Therefore, the policy needs more emphasis on accessibility for active transportation, that is, non-car transportation that includes cycling and pedestrians.
- There is also a need for connectivity for active transportation, linking neighbourhoods, and providing access to commercial and community locations.
- There is lot of subjective language (for example, “significant” and “appropriate”) so it would be clearer if some metrics were added.
- There should be a requirement for developers to meet the higher levels of the BC Energy Step Code, and include consideration for the carbon emissions under the new provincial Zero Carbon Step Code.



- How will SCRD prioritize the 13 criteria? Which is most important? Is it in the order presented in the draft? Section 4 Environmental Enhancement should be a priority.
- The APC members would like SCRD staff to bring this draft policy to a meeting and give examples of how they would apply it. This would be done by going through an actual application and weighing and assessing the application against the criteria.
- It was noted that there are lots of good ideas in the draft policy.
- Will developers get this policy ahead of time to facilitate getting better applications?
- APC members are grateful for the opportunity the draft policy creates for a more positive development direction and hope these criteria are reflected in the updated OCPs.
- The APC would like to see the final version of the draft policy. It will show up in the agenda for the Electoral Area Services agenda.
- As structured the proposed OCP Amendment Framework is too open to varying interpretation by an applicant preparing an amendment and the municipality reviewing the submission. The framework includes a long list of criteria covering a wide range of planning, quasi planning, and non-planning matters. Greater clarity is required on how it should be interpreted and reviewed. Are the criteria to be interpreted/reviewed subjectively, quantitatively, or both? Will some/all of the criteria be weighted, ranked, scored out of 10, etc. or will some be a simple yes/no response, etc.? A framework that provides consistency in interpretation, preparation and review of an application is essential to successful use by both the municipality and industry when considering an amendment to the senior municipal planning document.

**Recommendation No. 1**      *Board Policy – Official Community Plan Amendments*

The Area E APC recommended that feedback on the draft policy wording be considered as follows (in italics):

**1. Location**

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 *Add “and seeks to redirect vehicular access to a secondary feeder road”*

*Add f) create transportation corridors and trail networks so people can freely and safely move using active transportation.*

**2. Land Use Compatibility and Density**

f) If located at or near a rural-municipal edge, proposal responds to adjacent municipal land use planning *Add “that includes consideration for multi-modal transportation options”*

**4. Environmental Enhancement**

Add g) “The application includes best management practices (BMPs) for Integrated storm management, and also use BMPs for environmental management, road construction (grades), tree preservation, and ensuring stable slopes. Technical information related to these matters should also be included with the application for SCRD review and provided to the APC for its review of the application.

**5. Climate Resilience & Reduction of Greenhouse Gas Emissions**

5. a) iv. *Delete “opportunity”*

**8. Affordable Housing**

8. a) ii. Add *“and creates higher density near transportation hubs.”*

### **Area F March 2023**

#### Board Policy – Official Community Plan Amendments

The APC discussed the staff report regarding Board Policy – Official Community Plan Amendments. The following points were noted:

- It is important to have the local reflection from APC members about what is important to them.
- Need more time; need to see it more than once, given it is a tool that is supposed to be helping us.
- That ½ acre lot requirement decision has created a high cost to buyers, subdivision, the cost of roads.
- Like idea of having a framework. This isn't an exhaustive list. Have points for each subsection. There must be important parts of each of the criteria that should be addressed.
- Great to have the framework, which is very current. Issue: active transportation and transit. Would like to keep this as a hot topic in our area; Port Mellon has no services. The more development is happening in Port Mellon area, things need to change.
- Note regarding community amenity contribution: there is a hard cost for developers. Having huge hoops to jump through has really affected the coast; it will be a downloaded cost to the buyer.
- Have noticed that parkland isn't dedicated. When looking through the criteria, I wonder if that is missing.
- How do we want trails to connect? Does an amenity fit?
- Haven't seen details of Bylaw 722 and am not aware of four or five other documents. Would like to have a closer look at it. Would like to hear other minutes of APCs.
- Like way it is laid out. It is written in language that a regular person can understand, which is very helpful. It is important that it be laid out for staff to economize on staff time.
- We are only a small subset of West Howe Sound. There is a lot of important information in this document; it would be great to get a crowd source opinion. How could we get the opinion of more people? What mechanisms could we leverage?

### **Area F APC April 2023**

#### Board Policy - Official Community Plan Amendments

APC members commented on themes in the minutes of the APCs with regards to the draft Official Community Plan Amendments Board Policy; there were similar ideas and struggles across the APCs, and issues, questions and complexity around “affordable” housing and densification.

#### Re-Referral Board Policy - Official Community Plan Amendments

The APC discussed the re-referred draft Board Policy on Official Community Plan Amendments. The following observations and comments were noted:

- Am wrapping mind around what it means for an OCP to be “renewed”.
- There is a contrast or contradiction to wanting the area to stay this way forever, and needing a place for the grandkids to live. The evolving nature of OCPs is related to having more people. Every person added needs more water.

- Metro Vancouver is more defined, saying: we are going to have x amount of people here over next x years; who will take what? If you want transit and community services, you'll have to accept this many people, and will have to put them on a route that has transit. My experience is there is too much money spent on studies going in circles, rather than saying: here's money for water, or build a trail.
- Water supply issue is something that can be solved, but is an extensive solution. There are opportunities there. There is a need to tie new development to progressing towards more water.
- Inquiry about exploring development of Squamish Nation lands on the Sunshine Coast and consulting with Squamish Nation. Do they have to comply with OCPs? Will the land be exclusively for First Nations? Could that be a source of truly affordable housing for development close to transit?
- Comment received by email prior to meeting was read aloud: Would like to see criteria that more clearly prohibits the planting of invasive species if the property is adjacent to a water source such as stream, creek, river, lake, or ocean, as well as crown land.
- Invasive species are normally an issue whether or not it's a riparian area. It is throwing off the historical balance of what was there before. Would want that criterion broad-based.
- Invasive species are everywhere... It is hard to determine what is an invasive species.
- Like the way the Board Policy is laid out; it is easy to go through.
- Appreciation that staff included for consideration in the report the piece on current trends in inquiries, new applications and recent application reviews.
- I like the idea of being bold in providing housing, and not just densifying to solve the housing problem, but also bringing a community benefit.
- The report seemed to be pointing toward directing applicants to say: additional housing is great, but there needs to be something more, like trails or other community amenities. I didn't like that part of it. Say why would I want this in my neighbourhood, other than the greater good? There are 8 billion people now. Where are you going to put these people?
- This policy requires a bit more responsibility from applicants. They have to read through this amendment policy to see if their desire to create investment is the right place to be. We are asking for stewardship on their part. It will encourage applicants to be more responsible and consider the future of the Sunshine Coast and support for each other's well being.
- Are there any guidelines for potential developers?
- Was unsure of what we were to do with this report. Was unsure about what this is about. Would like more time for discussion and feedback. What was asked for us for this meeting was not intuitive.
- Point 9, Economy: the economy part is important for the next generation to continue; would like to see a bit more detail on that.
- Reconciliation and Heritage Conservation sections: could have more criteria.
- Topography section: perhaps could have more information.
- This will be a guideline to start to fill the gap with the old Official Community Plans.

Interest was expressed in an opportunity to get together with other areas' APCs to hear the presentation of the amendments.

Director Stamford responded to APC members' inquiries and comments. The Director invited APC members to send to her any further ideas they may have on the draft Board policy that she could pass to the Board.

**Recommendation No. 1**      *Board Policy - Official Community Plan Amendments*

The Area F APC recommended support for the outline and the value statements as presented in the report titled Board Policy – Official Community Plan Amendments.

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**Roberts Creek Official Community Plan Committee**

- On the whole, the committee felt that the report aligns well with the objectives of the Roberts Creek OCP.
- the OCPC felt there should be mention that one of Roberts Creek goals is to create a 1500 hectare park or protected area on Mount Elphinstone.
- potential effect additional wells may have on down slope wells, particularly in the case of shallow wells
- What is considered to be “significant” and who would be the one(s) who determined if a CAC is adequate for a development? Would that be staff, the Board or the public?

**Pender Harbour and Area Residents Association**

- Positive response received from Chair, no specific comments.

**Town Of Gibsons**

The Town appreciates the consideration that a proposal would respond to adjacent municipal land uses. Ideally the Town would receive a referral and be able to comment on each case-by-case basis, and coordinate frontage improvements if the development is on an Active Transportation Network route.

The Town is looking forward to working together with the SCRD on a Fringe Area Plan/Agreement to coordinate the protection of Aquifer 560 and creek restoration for proposals that might affect/impact the Aquifer 560 recharge areas as well. It may be helpful to include a criteria/review on how the OCP amendment is affecting Aquifer 560 as well.

## **HMB Environmental Society**

Dear Ms. Clark:

While the Halfmoon Bay Environmental Society supports your desire to devise a set of clear and consistent guidelines for developers, which may make approvals and/or rejections of development permits more efficient, there are a few points with which we take issue:

1. You call the OCPs “aging infrastructure,” suggesting that like lead water-pipes and asbestos insulation they ought to be dug up or torn out and disposed of. We can’t agree. The OCP for Area B, Halfmoon Bay, presents a comprehensive vision for the future of the community put together by citizens who actually live/lived in Halfmoon Bay and who were directed by public consensus to establish criteria for development in Area B. They were looking as far ahead as 2030. One of our Board members asks, “Why does the SCRD need to alter a community plan rather than live by it? It seems to me that it’s the SCRD’s job to enforce the community plan rather than to entertain amendments.”

Another Board member points out that the main problem with the OCP is that it lacks clear targets, metrics, and definitions and there is no mechanism for implementation of its criteria and very little enforcement on the part of the SCRD. “Without clear requirements and enforcement, the vision may be valid but the execution is failing.” Your new criteria do not solve that problem. Enforcement of clear requirements is crucial.

2. A second related criticism we have is that your document is replete with empty and meaningless terminology: “benefit the region,” “managing emerging values,” “natural asset protection,” and “positive outcomes.” Such bureaucratic jargon can mean anything you want, without specifically saying what you mean. Much of the document comes across like paying lip-service to fine and aspirational ideas like “best practices” without providing specific regulations and requirements. What exactly are “positive planning outcomes” and “adequate community benefit”? We want specifics please. It is critical to have clear definitions and requirements.

3. Our Area B OCP says Halfmoon Bay is “Rural by Nature.” That was true in 2014 and it is still true today. Preservation of a “significant tree” or two is not going to keep our area “rural by nature.” You must recognize that Sunshine Coast forests constitute crucially important carbon sinks, that Coastal Douglas Fir are a unique but endangered feature in countering global warming. Their value counts far more than what a developer can get from clearcut logging of sites for a housing development. The recent example we have of the Bayview Hills devastation is a good example of a developer left to interpret the OCP for himself, if he even consulted it. His advertising touted his development as “The British Properties” of Halfmoon Bay. Affordable housing this is not. Your criteria will need some teeth if you expect the citizens of Area B to support them. Planning should not be driven merely by the profit motive of developers. You might consult The Green Bylaws Toolkit available online.

4. We and our constituents believe that no new development permits should be issued until a long-term solution to the water shortage on the Sunshine Coast is found. We believe it is entirely irresponsible to grant developers water hook-ups before water supply is secured. The SCRD is required by law to supply the citizens of the Sunshine Coast with an adequate supply of drinking water. Fix this before issuing permits.

5. A major flaw in the system is the fact that property owners can undermine the values and the vision of the OCP before applying for any permits. They can cut roads, destroy wetlands, and clearcut forests without any approvals or permission since requirements only click into effect after they have applied for a permit. All the damage can be done before any regulation comes into effect. This is preposterous because completely illogical. Start by fixing that problem.

Thank you for asking for our views. We hope you can incorporate them in your plans.

Mary Beth Knechtel, President  
Halfmoon Bay Environmental Society

## HMB Community Development Forum

The Committee of the Halfmoon Bay [Community Development Forum](#) supports the initiative by the SCR D to put in place a policy to guide decisions on proposed amendments to OCPs, noting that a timeline for updating the OCPs has not yet been presented. We also appreciate the opportunity to provide input to this draft policy, which you will find below.

1. We understand that this policy will be used as a 'screening tool' to help clarify what types/forms of development should move forward in the OCP amendment process. We propose that the:
  - a. policy clearly states in the preamble the purpose and intent behind these criteria; make clear that OCP amendment proposals that are reviewed against these criteria will still be subject to the full OCP
  - b. community members confused on what the combined answers show, and planners overwhelmed when analyzing the answers and explaining their decisions.
  - c. How many of these criteria will need to be met for an amendment proposal to move into the full OCP amendment review process?
  - d. Which criteria will be considered 'showstoppers' ie. the answer will determine whether the amendment application will not move forward or not. (This will save the developer and SCR D time and in some cases may reduce community anxiety related to lengthy processes for controversial proposals).
  - e. How will conflicting criteria/trade offs be considered? (e.g. if all of the 'land use compatibility and density' + 'economy' criteria are met, would that trump the others?)
  - f. How will these criteria change in response to recently-announced provincial policy (e.g. the BC Housing Plan) and plans to overhaul legislation (i.e. blanket up-zoning for single family lots)? Although it's not clear whether these sweeping changes would apply to rural lands, it's our understanding that, once passed, the new legislation will mean that when a multi-unit development on a single-family lot is considered by the Board, as long as it meets all the required parameters around setbacks and size, the Board must approve the project.
3. The SCR D should do a desk-top application of the final draft criteria on 1-2 current OCP amendment proposals to test them, given that this policy will be in play for many years. The results can be used to finalize the criteria and make sure they can be applied with useful and understandable decisions.
  - a. For consideration in the upcoming OCP review process, the SCR D should consider developing SMART indicators to accompany each criteria, that the developer, community and SCR D can understand. This will help to eliminate criteria that are too subjective/vague and provide a clear and consistent means for explaining decisions.

## **Squamish Nation**

As reconciliation actions SN recommends Squamish Nation signages and recognition. We expect affordable housing space creation for Squamish Nation members. We also expect job/business opportunity creation for SN members as part of the developmental/construction phase of the project.

Our Climate Action Managers recommend the proponent consider the implementation of climate resilient standards (e.g., HEPA smoke filters, passive cooling, and increased stormwater drainage capacity) for buildings and recommend the building designs to incorporate future climate impacts (increased temperatures, increased risk to fire and smoke, increased rainfall and wind, as well as changes to external flood risks). We also recommend buildings are designed to net zero carbon emissions (considering clean power/heat, building envelope, renewables, and embodied carbon) and the highest sustainability standards as possible (including considerations for water conservation, stormwater management, waste management, transportation, environmental conservation, and food security).

If the development area has not yet been the subject of an initial archaeological assessment, the proponents must engage with a professional archaeologist to complete the appropriate level of assessment. Once the assessment is complete, please update our department with the results.

We understand that the document submitted for assessment is technical in nature and requires legal consultation from our end. As the Nation works on limited capacities, this file will require capacity funding for appropriate review and assessment.





File: SNR23119.01

June 7, 2023

Via: [Julie.Clark@scrd.ca](mailto:Julie.Clark@scrd.ca)

**Julie Clark**

Senior Planner, Planning and Development Division  
Sunshine Coast Regional District  
1975 Field Road, Sechelt BC, V0N 3A1

Dear Julie Clark,

**Re: SNR23119.01 – Proposed OCP Amendment Policy**

We are writing in response to your letter dated January 27, 2023, regarding a proposed policy for OCP Amendments as a guide for Board decision making and staff review, including components such as housing affordability, natural asset protection, climate action, reconciliation, water conservation, corridor planning, and park land dedication.

This project overlaps with the shishálh Nation swiya (world, birthplace, "Territory"). The shishálh Nation have Aboriginal Title and exercise Aboriginal Rights throughout our swiya. In the past, present, and future we have and will continue to use and occupy our swiya, including relying upon the lands, waters, and resources of our swiya to sustain us. Our Aboriginal Title to our swiya includes the right to choose the use to which the land, water, and resources are put, and the right to benefit from such use. Our Title and Rights also include a stewardship responsibility.

We would like to refer you to the shishálh Nation Declaration. It states that "the shishálh Nation, openly and publicly declares that we have Aboriginal Title and Aboriginal Rights to our territory (the Territory), including the lands, waters and resources that have been ours since time immemorial. We have been given the responsibility from the Creator to care for our Territory. Our Territory sustains our people, maintains our indigenous way of life, and is integral to our identity as shishálh. We have always governed ourselves and our Territory and have never relinquished our authority or jurisdiction over such. We have our collective right to live as a distinct people."

Our declaration further states, "We have and continue to hold Aboriginal Title and Aboriginal Rights to the Territory, and we have the right to own, use, occupy, develop and control the lands, waters, air space and resources of the Territory in accordance with shishálh laws, customs, traditions, needs and aspirations."

We would like to reiterate that we continue to have our authority over all of the land and water throughout the swiya. The development of our land and resources shall only proceed when the risks

of impacts on our swiya are well understood and accepted by the shíshálh Nation. Development of our lands and resources requires our consent as articulated in Article 32 of the United Nations Declaration of the Rights of Indigenous People, which contains principles of consultation, cooperation, and consent.

In the decision of the Supreme Court of Canada in the Tsilhqot'in case, the Court stated that Aboriginal title confers:

... the right to decide how the land will be used; the right of enjoyment and occupancy of the land; the right to possess the land; the right to the economic benefits of the land; and the right to proactively use and manage the land. (at para. 73)

The Tsilhqot'in decision affirms the perspectives articulated in our Declaration. Aboriginal Title is real and meaningful, is Territorial in nature, and means that First Nation consent is required for use of our Title lands and resources.

We take our responsibility to steward our swiya, for the benefit of both current and future generations of our people, very seriously.

The July 26, 2022, staff report attached to your January 27, 2023, report refers to the OCP amendment policy as "review criteria only and is not a yardstick, prescription or requirement." This is concerning. The SCRD's strategic plan needs to include the implementation of smart planning to maintain environmental values, while facing rapid growth and dealing with impacts from climate change. A strategic plan would set targets to mitigate risks to biodiversity and climate change. e.g.: Total percent retention in the CDF; protection of wetlands and water receiving sites, connectivity corridors throughout the landscape, etc. A smart strategic plan to manage for environmental values would be based on science and data, and would require input from professional biologists, hydrologists, and First Nations.

## Criteria

### 1. Location

Locations that overlap with wetlands, flooding plains, fish streams, lake outflow, and rare and/or sensitive habitat need to be considered in the design. Many wetlands have been filled by property owners these past few years - it is a serious concern regarding drought and resiliency.

### 2. Land Use Compatibility and Density

The SCRD needs to integrate smart planning for environmental values and climate change in high density designs.

### 3. Community Amenity Contribution

If the CAC involves the donation of land to the SCRD, ecosystem services should be considered with as much weight (or more) as recreational or other community uses, in assessing its impact for the public good.

#### 4. Environmental Enhancement [proposed criteria change to: "Planning for Environmental Values and Climate Change"]

The Sunshine Coast Regional District is a member of the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP). In 2013, the SCRDP signed the CDFCP "Statement of Cooperation" in which the SCRDP "strongly committed to cooperation and partnership for conservation of the CDF" and to "working with the Aboriginal peoples of the CDF, so their unique perspective can contribute to our common efforts." We would like to refer you to this toolkit for local government: [CDFCP Local Government Conservation Planning Guide low res-2.pdf](#). Through this policy work, the shishalh Nation would like to see protection of CDF ecosystems, through the incorporation of ecosystem retention into the development plan with careful attention given to essential wildlife habitat features and habitat connectivity for rare and sensitive plants, wildlife, and ecosystems. In keeping with this commitment, we expect the SCRDP to require applications that fall within the CDF to incorporate significant design and retention for habitat connectivity and essential wildlife habitat attributes based on the recommendations of an RPBio.

We propose the following clarifications/ amendments as described below:

- a) The application proposes to *maintain, protect, and restore* watercourses, aquifers, flora and fauna (particularly those at risk), and other natural features in a manner that provides greater benefit *through ecosystem functions needed to maintain biodiversity and mitigate impacts from climate change* than otherwise required by existing policy or legislation.
- b) In reviewing for walkability, there should be special attention given to trails in retention areas as they can degrade habitat and introduce invasive species. In addition to the GHG-reducing components listed such as protection of carbon sinks, we suggest inclusion of a reduction strategy for household waste and improved recycling/compost programs for subdivisions.
- c) Clarification is needed on what is meant by enhancing soil, as soil fertilization is part of the agricultural process. The main concern for farmers on the Sunshine Coast is often water. The SCRDP can plan to favor water input or increase irrigation of crop fields, retention of natural habitat and ecosystem functions, hydrology, and smart planning.
- d) We have no comment on the ALR subsection.
- e) In addition to removal of existing invasive plants, prevention to stop further propagation of invasive plants should be included in the application.
- f) In addition to wildlife corridors, there should be specific requirements/ buffers around trees, eagles' nests, and other important environmental factors.

#### 5. Climate Resilience & Reduction of Greenhouse Gas Emissions

There should be retention around water receiving sites, and measures to reduce the speed of water flow downhill to reduce erosion.

#### 6. Community Health and Equity

We propose the following clarifications/ amendments as described below:

j) Similar to above, there should be specific criteria on what constitutes “enhanced” soil.

k) Similar to above, there should be specific criteria on what constitutes enhanced habitat for pollinators.

## 7. Impact of Amendment on Infrastructure and Amenities

Our elders have taught us that fresh water is one of our most precious resources. We have articulated our principles for governance of this resource in our Freshwater Management Policy.

Our shíshálh Nation Freshwater Management Policy states: "Water is central to the shíshálh way of life, spirituality, culture, economy, and society. Water has been a source of life for countless past generations of shíshálh people and is essential to the lives of our present and future generations. shíshálh laws speak to the duties we all hold to honour, respect, and protect the water of our Territory. Our Title and Rights include the water resources throughout our Territory. Water, for the shíshálh People, is sacred as it gives life. Our self-determination, as affirmed by United Nations Declaration on the Rights of Indigenous Peoples, includes the practice of our cultural and spiritual relationships with water, and the exercise of authority to govern, use, manage, regulate, recover, conserve, enhance and renew our water sources, without interference. There are a number of areas and watersheds that are particularly critical for water supply, including ts'ukw'um stulu (Chapman and Grey).

Among the specific factors applied to freshwater decision-making are:

- Sustainability and biodiversity – Of critical importance is the long-term sustainability of the freshwater resources, and their role in maintaining the essential biodiversity of our swiya. Integral to sustainability and biodiversity is ensuring there is an adequate, healthy supply of fresh water to sustain all of the uses and natural resources of our swiya on which the shíshálh People rely, and all proposals will be analyzed through this lens. A new challenge that is impacting sustainability and biodiversity is the growing impacts of climate change. Analysis of these longer-term trends and impacts will factor into fresh-water decision-making.
- Maintaining a high standard of water quality and quantity as well as timing of flows – The quality of fresh water in shíshálh swiya has been consistently degraded through relatively unchecked exploitation. This requires that careful consideration of cumulative impacts take place, as well as consideration of how to mitigate existing and ongoing impacts as part of making decisions about new potential uses.
- Maintaining access to sufficient potable drinking water – Sufficient water for human consumption and well-being is a growing challenge in our swiya that projects to potentially reach crisis proportions in the not-too-distant future. Fueling this dilemma is the fact that the Provincial Crown has allowed significant water resources to be taken up, and to date has not produced comprehensive information about how much water they have allowed to be taken up or how this amount relates to the total freshwater resources of our swiya. Proposals for use of fresh water will be carefully considered through an analysis of their relationship to drinking water."

As per our previous letters, including the letter issued on June 23, 2021, we continue to support the water conservation strategies currently encouraged by the SCRD and additional ones proposed

including prohibiting the watering of lawns and the pressure washing of driveways from June 1-Oct 31; water metering (including timely identification and repair of leaks); exploring increased use and storage of rainwater and grey water, and other water conservation strategies.

Subdivision applications must be contingent on the requirements below being met:

- an environmental assessment which shows no impact to be completed.
- the completion of an archeological assessment and ensuring avoidance of sites or working with us on a mitigation plan.
- all required permits will be acquired. The Use Approvals under the Water Sustainability Act and temporary amendment to the Park Use Permit under the Parks Act were obtained in 2022. Shishalh requires the appropriate extensions to be acquired, as outlined in your March 10, 2023 letter.

As outlined in our April 5, 2023, letter, the emergency siphon was intended to be an interim, stop-gap measure only and there is growing concern that this has become the expectation, with an emphasis on increased water volume to facilitate continued development. The Sunshine Coast has surpassed its carrying capacity to provide safe and sanitary drinking water to its citizens, and this integral component must be considered in development plans until the water emergency has been sufficiently addressed.

#### 8. Affordable Housing

While recognizing that residents in apartments may use less water, shishalh has concerns about high-density developments that may contribute to the Sunshine Coast's regional water supply issues as described above. Through selective locations for densification, some of these concerns may be possible to address.

#### 9. Economy

We have no comment on this section.

#### 10. Topography

There should be criteria limiting the removal of trees on steep slopes , which can cause terrain stability hazards.

#### 11. Reconciliation

We appreciate the SCRD engaging with the Nation ahead of implementing policy changes such as this proposed OCP amendment policy. This is an important step in growing our relationship and furthering reconciliation efforts. For more details on specific concerns related to heritage conservation, see section below.

#### 12. Heritage Conservation

shishálh Heritage Policy

Meaningful and comprehensive engagement, and our consent, is required for archaeological work in our swiya, as archaeological and ground-disturbing works have significant cultural implications for our Nation. Please refer to the shíshálh Nation Heritage Policy, available on our website as part of the shíshálh Nation Lands and Resources Decision-Making Policy ([www.shishalh.com/forms-and-documents/](http://www.shishalh.com/forms-and-documents/)). We require applicants to closely read the policy.

#### Due Diligence

Both recorded and unrecorded sites are protected under the Nation's Heritage Policy and the BC Heritage Conservation Act. Please note that there are often lengthy delays in the availability of RAAD archaeological site data updates from the BC Archaeology Branch. The current RAAD database is, in some cases, years behind in updates—meaning there are formally registered new sites that do not yet appear in the database. In the field, to the untrained eye, Heritage/Archaeology Sites and properties can be impossible to identify, but they can be anywhere given long-standing shíshálh history and occupation here on the Coast. In addition, “registered” sites (those captured in RAAD) represent only a fraction of all existing archaeological sites in the swiya. In short, RAAD is currently backlogged, it is not an accurate representation of all existing recorded sites, and it does not delineate any currently unrecorded sites.

To ensure landowners, local governments, and contractors are completing their due diligence regarding archaeological work in their development plans, the parties should contact the Nation's Rights and Title Department as early as possible in their planning processes. The Nation's archaeological site database is more up-to-date, and continues to be updated at frequent, regular intervals. This is one more reason why it is important for landowners and construction companies to submit an application to the Nation's Rights and Title Department at [lilxmit@shishalh.com](mailto:lilxmit@shishalh.com).

#### Preliminary Archaeological Field Reconnaissance (PFR)

Due to the high concentration of recorded and unrecorded archaeological sites in the area, shíshálh Nation will require an archaeological Preliminary Field Reconnaissance (PFR) for any application proposing ground disturbance. PFR is a surface inspection of the area by a trained archaeological professional prior to the commencement of proposed development activities. The PFR study is designed to assess the archaeological potential of the area and inspect for archaeological materials such as stone tools, shell midden, pictographs, and culturally modified trees. It is a surface inspection only; no ground disturbance is involved. A PFR Report will either recommend that no further archaeological survey is required prior to proposed development activities or will clearly outline the level of archaeological study required to proceed with development activities.

A PFR may be commissioned through the shíshálh Nation Rights and Title department at [lilxmit@shishalh.com](mailto:lilxmit@shishalh.com).

#### Archaeological Impact Assessment (AIA)

The shíshálh Nation requires an Archaeological Impact Assessment (AIA) for those developments in which there is a reasonably high expectation of encountering subsurface archaeological materials. Examples of such instances include development activity proposed within, or in proximity to,

registered archaeological sites; developments within, or in proximity to, a location known to the shíshálh as culturally significant; or within an area of raised archaeological potential, (for example, a near a creek or along a marine or lake shoreline). An AIA is conducted under the authority of a Heritage Conservation Act Permit and shíshálh Nation Heritage Inspection Permit. The AIA will allow our team to proactively mitigate any archaeological properties within the proposed development footprint and avoid costly and lengthy delays mid-construction. If the AIA yields positive results, the report will make management recommendations for the Proponent (i.e., avoid, monitor excavations, etc.). If the AIA yields negative results, no further archaeological work would be recommended for the development activity. Please direct the proponent to contact our Rights and Title Department [lilxmit@shishalh.com](mailto:lilxmit@shishalh.com) to commission the AIA as early in the process as possible.

### Stop Works Protocol

All archaeological sites in the Province of British Columbia are protected from any alterations under the Heritage Conservation Act (1996). Commencing development activities within the boundaries of this site, without professional archaeological study is illegal. All development activities and ground disturbance must cease until such time as the homeowner has secured the appropriate Heritage Conservation Act Permits from the Province of British Columbia and have consulted with all concerned First Nations, including the shíshálh Nation. Please notify shíshálh Rights and Title staff at [lilxmit@shishalh.com](mailto:lilxmit@shishalh.com) if there is a known HCA violation, after which an infraction report will be submitted to the Ministry of Forests – Archaeological Branch, Compliance and Enforcement Division. Archaeological studies may be required to mitigate any potential impacts that have occurred to these deposits as a consequence of development activities.

### 13. Design

We have no comment on this section.

### Conclusion

We look forward to this continued collaborative work and to building a sustainable community together. Please do not hesitate to contact Steven Feschuk at [sfeschuk@shishalh.com](mailto:sfeschuk@shishalh.com).

Yours truly,

  
 the hiwus Lenora Joe

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 hewhiwus Shain Jackson

  
 hewhiwus Raquel Joe

  
 hewhiwus Rochelle Jones

  
 hewhiwus Philip Paul

Cc: Sean Maloney, shishalh Nation Chief Administrative Officer

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Electoral Area Services Committee – February 15, 2024

**AUTHOR:** Kelly Koper, Capital Projects Coordinator

**SUBJECT:** **CONTRACT 18354 PORTS MAINTENANCE AND MINOR REPAIRS - INCREASE TO CONTRACT MAXIMUM VALUE**

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### RECOMMENDATION(S)

- (1) THAT the report titled Contract 18354 Ports Maintenance and Minor Repairs - Increase to Maximum Contract Value be received for information;**
  - (2) AND THAT the Contract 18354 with Summerhill Fine Homes Inc. for Ports Maintenance and Minor Repairs, be increased by \$22,034 up to an amount not to exceed \$895,000 (excluding GST);**
  - (3) AND FURTHER THAT the delegated authorities be authorized to execute the contract amendment.**
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### BACKGROUND

In 2021, the Board approved a two-year extension to Contract 18354 with Summerhill Fine Homes Inc. for Ports inspections and minor repairs. At that time, the contract was increased by \$259,466 to a maximum value over the five years (2019-2023) of the contract of \$872,966. This contract will expire on February 29, 2024, and on March 1 the Sunshine Coast Regional District (SCRD) will enter into a new contract for this service, as approved by the Board in November 2023.

The purpose of this report is to request an increase to the maximum value of Contract 18354 Ports Maintenance and Minor Repairs.

### DISCUSSION

Contract 18354 with Summerhill Fine Home Inc. provides for the annual inspections and minor repairs on SCRD ports. Minor repairs are provided by the contractor upon request by the SCRD and are usually identified during annual inspections or as in most cases, as a result of a weather event (e.g. storm) in which infrastructure is damaged and requires immediate repair.

This contract has been managed by several SCRD staff over the past five years, which has inadvertently led to a tracking error on the contract maximum value vs the actual expenditures. In the last year of the contract, requested additional repairs to be conducted by Summerhill Fine Homes Inc, has resulted in an amount payable that exceeds the five-year contract maximum amount by \$22,034. Although the funding for the expenditure exists within the operating budget, Board approval is required to increase the contract maximum value.



As this contract expires in February 2024, no more increases to the contract value are expected.

*Financial Implications*

There are no financial implications of this contract value increase as the Ports [345] operating budget is sufficient to cover the cost associated with the payable.

*Timeline and Next Steps*

Following the Board's decision, staff will proceed with the contract amendment.

**STRATEGIC PLAN AND RELATED POLICIES**

The request to increase the maximum value of the contract aligns with the SCRD Delegation Bylaw No. 710.

**CONCLUSION**

Staff recommend that maximum value of Contract 18 354 for SCRD Ports Maintenance and Minor Repairs be increased by \$22,034 for a total value not to exceed \$895,000 (before GST).

Reviewed by:			
Manager		CFO Finance	X- T. Perreault
GM	X - S. Gagnon	Legislative	
CAO	X - D. McKinley	Purchasing	X - V. Cropp