



ELECTORAL AREA SERVICES COMMITTEE

Thursday, January 18, 2024

TO BE HELD

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

AGENDA

CALL TO ORDER 9:30 a.m.

AGENDA

1. Adoption of Agenda

Page 1

PRESENTATIONS AND DELEGATIONS

REPORTS

2. Zoning Amendment Bylaw No. 722.6 (268 Stella Maris Road) –
Consideration of Third Reading – Electoral Area F
Planner I
Electoral Area F - Rural Planning (Voting – A, B, D, E, F)

Annex A
pp 2 - 35

3. Development Variance Permit DVP00090 (1504 Tideview Road) -
Electoral Area F
Planning Technician
Electoral Area F - Rural Planning (Voting – A, B, D, E, F)

Annex B
pp 36 - 45

4. Development Variance Permit DVP00095 (4141 Francis
Peninsula Road) – Electoral Area A
Planner II
Electoral Area A - Rural Planning (Voting – A, B, D, E, F)

Annex C
pp 46 - 54

5. Ports Monitors Committee Meeting Minutes of December 11, 2023
Ports Service (Voting – B, D, E, F)

Annex D
pp 55 - 57

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

TO: Electoral Area Services Committee – January 18, 2024

AUTHOR: Alana Wittman, Planner II

SUBJECT: **Zoning Amendment Bylaw No. 722.6 (268 Stella Maris Road) – Consideration of Third Reading**

RECOMMENDATIONS

- (1) **THAT the report titled Zoning Amendment Bylaw No. 722.6 (268 Stella Maris Road) – Consideration of Third Reading be received;**
 - (2) **AND THAT Zoning Amendment Bylaw No. 722.6 be forwarded to the Board for Third Reading;**
 - (3) **AND FURTHER THAT prior to adoption of Zoning Amendment Bylaw No. 722.6, the following conditions be met:**
 - **Approval by the Ministry of Transportation and Infrastructure pursuant to Section 52 of the *Transportation Act*;**
 - **Payment of Affordable Housing Contribution valued at \$120,000 be secured by transfer of funds, or registration of a *Land Title Act* Section 219 covenant that requires the payment of the Affordable Housing Contribution prior to consideration of subdivision.**
-

BACKGROUND

The Sunshine Coast Regional District (SCRD) received a Zoning Bylaw Amendment application to amend the zoning (from RU1 to R2) and subdivision district (from I to C) of a property at 268 Stella Maris Road in Area F - West Howe Sound. The purpose of Zoning Amendment Bylaw No. 722.6 (Attachment A) is to enable a future residential subdivision. The conceptual subdivision plan, which envisages a total of up to 16 lots, is provided in Attachment B.

On July 27, 2023, the SCRD Board adopted Resolution 224/23 as follows:

Recommendation No. 6 *Zoning Amendment Bylaw No. 722.6 (268 Stella Maris Road)*

THAT the report titled Zoning Amendment Bylaw No. 722.6 (268 Stella Maris Road) – Consideration of First and Second Readings be received for information;

AND THAT Zoning Amendment Bylaw No. 722.6 be forwarded to the Board for First and Second Readings;

AND THAT a Public Hearing to consider Amendment Zoning Bylaw No. 722.6 be arranged;

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

Pursuant to this resolution, a public hearing was held on October 17, 2023. This report provides a summary of the public hearing and recommends Third Reading and Conditional Adoption of the bylaw.

Table 1: Application Summary

Legal Description	BLOCK 15 EXCEPT: PART DEDICATED FOR ROAD ON PLAN LMP4631; DISTRICT LOT 1402 PLAN 737
PID	010-536-418
Electoral Area	Area F (West Howe Sound)
Parcel Area	3.84 Hectares
OCP Designation	Residential
Current Zoning	Residential Rural One (RU1)
Current Subdivision District	I (4 ha minimum)
Proposed Zoning	Residential Two (R2)
Proposed Subdivision District	C (0.2 ha minimum)

Discussion

Public Hearing Summary

A public hearing to consider the proposed bylaw was held at the Eric Cardinall Hall on October 17, 2023. Approximately ten people attended the meeting. Written submissions received before noon (12:00 PM) on the day of the public hearing also form part of the public record. A Public Hearing Report, including minutes from the Public Hearing and all written submissions are provided in Attachment C.

The following is a summary of main comment themes shared through verbal and written Public Hearing submissions:

- Traffic – concerns about increased number of vehicles on residential roads and pedestrian safety given the lack of sidewalks.
 - Staff Comment: The Ministry of Transportation and Infrastructure (MOTI) is responsible for local road network planning in the SCRD. Staff will provide MOTI with the Public Hearing feedback from the community on traffic concerns and MOTI approval will be required prior to the adoption of Bylaw 722.6.
- Proposed Zoning – both support and opposition to changing the zoning to R2.
- Proposed Subdivision District - both support and opposition to changing the subdivision district to “C” which enables lots of 0.2 ha (half acre) or larger.
- Land Alteration – concern regarding the impact of development on aquifer recharge and increased runoff and erosion should stormwater management be inadequate.
 - Staff Comment: The subject parcel contains Development Permit Areas (DPA), including DPA 5 (Aquifer Protection and Stormwater Management), that must be addressed through issuance of a permit as a condition of subdivision before any land alteration can take place.

West Howe Sound Official Community Plan – Affordable Housing Policy 7.3.4(ii)

OCP Policy 7.3.4(ii) requires that a contribution to affordable housing be made in the form of housing unit, land, or money for all OCP or Zoning Bylaw Amendments applications where development will create a total of more than 3 lots outside of village hubs or similar settlement cluster areas.

Based on the revised conceptual subdivision plan provided by the applicant, the contribution was determined for up to \$120,000. The applicant would need to pay the contribution in full to the SCRDC prior to the bylaw being adopted or register a Section 219 *Land Title Act* covenant on title that requires the contribution be paid prior to consideration of subdivision.

Staff intend for the contribution to be used to fund further policy development related to community amenity contributions / development-related financing with an emphasis on actioning affordable housing initiatives. Should this application proceed to adoption, a future staff report will seek Board direction on how to allocate the proposed contribution.

Timeline for Next Steps

If the Board gives the proposed bylaw Third Reading, the SCRDC will send a referral to MOTI. Approval from MOTI, in accordance with Section 52 of the *Transportation Act*, for a bylaw within a radius of 800 metres from the intersection of a controlled access highway, would be needed prior to adoption. As stated above, the applicant would also need to pay the affordable housing contribution in full to the SCRDC or register a Section 219 covenant on title prior to adoption.

STRATEGIC PLAN AND RELATED POLICIES

N/A

CONCLUSION

The SCRDC received a Zoning Bylaw Amendment application to amend the zoning (RU1 to R2) and Subdivision District (I to C) at 268 Stella Maris Road in Area F - West Howe Sound. The purpose of the zoning bylaw amendment is to enable the proposed subdivision and future residential development. This proposal is consistent with the West Howe Sound Official Community Plan.

Staff recommend that *Sunshine Coast Regional District Zoning Bylaw Amendment 722.6* be presented to the Board for Third Reading. Prior to adoption, MOTI approval is required in accordance with Section 52 of the *Transportation Act* and the applicant will need to pay the affordable housing contribution in full to the SCRDC or register a Section 219 covenant on title.

ATTACHMENTS

Attachment A – Zoning Amendment Bylaw 722.6
Attachment B – Preliminary Subdivision Plan
Attachment C – Public Hearing Report

Reviewed by:			
Manager	X – J. Jackson	CFO/Finance	X - T.Perreault
GM	X – I. Hall	Legislative	X - S.Reid
CAO	X - D. McKinley	Assistant Manager	X - K. Jones

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 722.6

A bylaw to amend the *Sunshine Coast Regional District Zoning Bylaw No. 722, 2019*

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

PART A – CITATION

1. This bylaw may be cited as *Sunshine Coast Regional District Zoning Amendment Bylaw No. 722.6, 2023*.

PART B – AMENDMENT

2. *Sunshine Coast Regional District Zoning Bylaw No. 722, 2019* is hereby amended as follows:
 - a. Amend Schedule A by rezoning BLOCK 15 EXCEPT: PART DEDICATED FOR ROAD ON PLAN LMP4631; DISTRICT LOT 1402 PLAN 737 from RU1 (Residential Rural One) to R2 (Residential Two)
 - b. Amend Schedule B by re-designating BLOCK 15 EXCEPT: PART DEDICATED FOR ROAD ON PLAN LMP4631; DISTRICT LOT 1402 PLAN 737 from Subdivision District I to Subdivision District C

PART C – ADOPTION

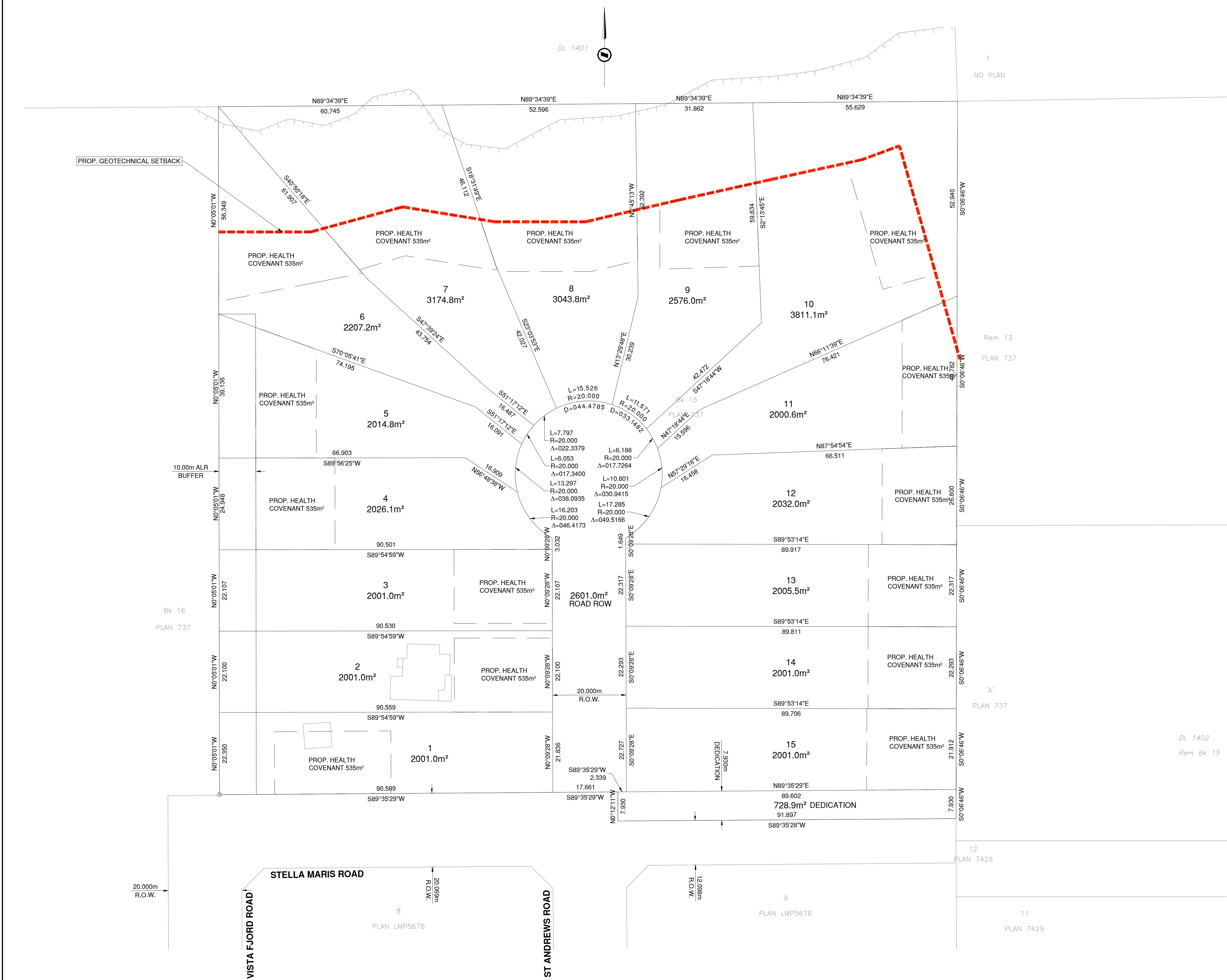
READ A FIRST TIME this	27 TH	DAY OF JULY,	2023
READ A SECOND TIME this	27 TH	DAY OF JULY,	2023
PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this	17 TH	DAY OF OCTOBER,	2023
READ A THIRD TIME this	####	DAY OF,	YEAR
APPROVED PURSUANT TO SECTION 52 OF THE <i>TRANSPORTATION ACT</i> this	####	DAY OF,	YEAR
ADOPTED this	####	DAY OF,	YEAR

 Corporate Officer

 Chair

LEGAL DESCRIPTION:
BLOCK 15 EXCEPT; PART DEDICATED FOR ROAD ON
PLAN LMP 4631; DL 1402 PLAN 737
PID: 010-536-418
CIVIC ADDRESS: 268 STELLA MARIS ROAD

DATUM: ELEVATIONS ARE GEODETIC AND REFER
TO SMARTNET REFERENCE STATIONS BCSE
(RTCM_REF_4021).



NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY

**LANDEV Consulting Inc.**
Engineering & Development Services
WWW.LANDEVCONSULTING.CA
EMAIL: INFO@LANDEVCONSULTING.CA PH: 604-989-7300

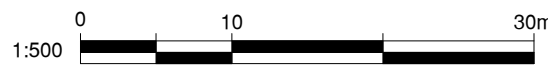
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DRAWING DESCRIPTION
268 STELLA MARIS ROAD, GIBSONS
PROPOSED 15 LOT SUBDIVISION
LOT LAYOUT PLAN

CLIENT
STELLA MARIS COMMUNITY DEVELOPMENT LTD.
4805 DONSDALE DRIVE, EDMONTON ALTA, T6M 2N2

PROJECT No. 2304

SCALE 1:500



DATE	2023-05-08
DESIGN BY	DC
CHECKED BY	SB
SURVEYED BY	BENNETT

DWG. NO.	LL
SHEET. NO.	1 OF 1
REV.	

PLOT DATE: May 8, 2023 - C:\Users\DCandev\Consulting\Dropbox\ANDDEV\PROJECTS\2304 - Hopkins Landing\GAD\Final\2304_Lot Layout.dwg

SUNSHINE COAST REGIONAL DISTRICT

REPORT OF A PUBLIC HEARING HELD AT
Eric Cardinal Hall at 930 Chamberlin Road,
West Howe Sound (Shirley Macey Park)
October 17, 2023

Sunshine Coast Regional District Zoning Amendment Bylaw No. 722.6, 2023.

PRESENT:	Chair, District of Sechelt Director Alternate Chair, Area F Director	A. Toth K. Stamford
ALSO PRESENT:	Corporate Officer Manager, Planning and Development Planner II Applicant Recording Secretary Members of the Public	S. Reid J. Jackson A. Wittman G. Dixon 12+/- (part)

CALL TO ORDER

The public hearing for *Sunshine Coast Regional District Zoning Amendment Bylaw No. 722.6, 2023*. was called to order at 7:05 p.m.

The Chair introduced elected officials and staff in attendance and read prepared remarks with respect to the procedures to be followed at the public hearing.

PRESENTATION OF THE PROPOSED BYLAWS

The Planner II provided a presentation summarizing the proposed bylaw *Sunshine Coast Regional District Zoning Amendment Bylaw No. 722.6, 2023*.

The Chair called a first time for submissions.

PUBLIC SUBMISSIONS AT PUBLIC HEARING

Jim Green, 661 Franklin Road

Spoke in favour of the application, is the authorized agent for the landowner.
Half acre zoning dominates in Hopkins Landing does not exist on this property.
Approximately a 10-acre site with potential ½ acre zoning.
Official Community Plan is the community vision for growth and supports half acre properties.
North side of the property is Agricultural Land Reserve.
Two development permit areas on the property.
Biologist and Geotechnical engineers provided a statement that the property has the capacity for half acre zoning based on their analysis.
Soil groups were looked at for septic systems.
An advocate for rural development, precedent for half acre rural lots.
Community needs to grow to enjoy the rural lifestyle.

Jennifer Marshall, 693 Franklin Road

Understands the issues at hand, supports people in social housing situations and how important it is to create opportunities for land development on larger rural properties.
In support of this application, a gentle densification.

Barry Marshall, 693 Franklin Road

There is a shortage of housing and rental properties on the Sunshine Coast.
The application is within character and its merits are well-known in the general development character.
In support of the application.

The Chair called a second time for submissions.

The Chair called a third time for submissions.

CLOSURE

The Chair called a final time for submissions. There being no further submissions, the Chair announced the public hearing for proposed *Sunshine Coast Regional District Zoning Amendment Bylaw No. 722.6, 2023* closed at 7:25 p.m.

The Chair thanked everyone for attending the public hearing.

Certified fair and correct:

Prepared by:


A. Toth, Chair

GDixon

G. Dixon, Recording Secretary

**WRITTEN SUBMISSIONS RECEIVED
BEFORE NOON ON OCTOBER 17,
2023, IN RESPONSE TO THE
NOTICE OF PUBLIC HEARING**

Received October 16, 2023

Hello Alana

We share the concern Ms Sosnowski

has outlined in her letter to you and hope that you will be able to address those issues in your next meeting on Tuesday.

Please include me with a copy of the minutes of the meeting.

Thank you very much

Gary Meixner

[REDACTED]

----- Forwarded message -----

From: Vivienne Sosnowski [REDACTED]

Date: Sun, Oct 15, 2023, 1:11 p.m.

Subject: Subject: SCRD's alarming By-Law Amendment 722.6 (BYL00047) (Email from Vivienne Sosnowski to SCRD Planner)

To: G. Meixner [REDACTED]

Hello, Ms. Wittman:

I have written before to you on this matter.

However, I have recently measured the narrow, winding rural road with four dangerous 90-degree turns within it - a road which will be the only entry way into the land covered by this amendment. And I offer the SCRD these new calculations which I hope might affect the final decision on this amendment.

The narrow, rural road is 1.1 km long. (It has 3 names, but is only one road joined together, its north and south ends both exiting on North Road).

It was originally designed as a mere cul-de-sac.

There are FOUR 90-degree corners on this road that require constant vigilance by drivers.

That means on average EVERY 275 metres, there is a troublesome 90-degree corner.

I am convinced no-one who drives this road regularly would contemplate adding a possible 200-300 car journeys a day to it. Here are some possible scenarios for the SCRD to consider:

- Seventeen lots zoned R2 = 34 homes = probably 34 households, some of which are allowed in R2 to be care homes.
- 34 homes - probably 68 cars, unless there are teens when there might be 3-4 cars per household. The adults would likely drive in/out twice a day for work, plus some driving in the

the evening to sports, shopping, etc. Weekend trips would probably be comparable as people shop, visit friends, go out to eat, go to sports practices, golfing, social clubs, etc.

- The teens would drive similar journeys no doubt: school, sports and other practices, social lives, shopping.
- The care homes would involve perhaps even more car journeys with workers coming and going one each way every day, social workers and other support workers would be traveling the short, narrow, rural road regularly as well.

I add this up to, in my considered opinion, a very treacherous 200-300 additional car journeys per day on this 1.1k narrow, winding, rural road with four quite alarming 90-degree turns on it. Who would want to drive this road? In winter? Who would want to walk this road - summer or winter? Who would want their children to walk this road in summer, or to the school bus or local bus in winter?

I have hoped for a long time that the area involved would be developed for many reasons but only for perhaps eight single family homes. Why destroy the safety and the quality our environment on the Sunshine Coast is famous for, and one we should be treasuring. Why turn this area into a dangerous, environmentally and life-threatening hazard.

I thank you for considering this email.

I hope the SCRD will in the very near future abandon this very, very scary amendment.

Allbest/Vivienne Sosnowski

PS. I have also written again similarly to Michael Braun at MoTI on this issue to tell him of my road measurements as he tells me MoTI will be involved in the discussion of the rezone.

Ticket Subject: BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Mon Oct 16 20:07:08 2023

Andrew Lamb <s[REDACTED]>

Correspondence added

Subject: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

To: planning@contact.scrd.ca

Date: Mon, 16 Oct 2023 20:06:52 -0700

From: "Andrew Lamb" [REDACTED]

As a (resident and/or landowner) in the SCRD I am writing this e-mail in support of the zoning bylaw amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing.

Sent from my iPhone

Ticket Subject: application for rezone Hopkins Landing

History

Mon Oct 16 21:07:03 2023

[Blane Hagedorn](#)

- Ticket created

Date: Mon, 16 Oct 2023 21:06:44 -0700

To: planning@scrd.ca

Subject: application for rezone Hopkins Landing

From: "Blane Hagedorn"

As a resident landowner in the SCRD i write in support of the zoning bylaw amend ment BYL00047 proposal for 1/2 acre lots in Hopkins Landing ..

Thankyou Blane Hagedorn

History

Mon Oct 16 16:47:49 2023

Correspondence added

Date: Mon, 16 Oct 2023 23:47:38 +0000

Subject: FW: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

To: "planning@contact.scrd.ca" <planning@contact.scrd.ca>

From: "Eric Sweet"

As a long time, sunshine coast resident, and landowner, active community member, and business owner, I am writing this email in support of the zoning bylaw amendment BYL00047 that is proposed for new ½ acre lots in Hopkins Landing.

My Sechelt elementary school best friend of over 45 years lives in Hopkins, and it is a neighborhood that my kids and I enjoy very much. We support this bylaw amendment.

Kind regards,

ERIC SWEET, M.Eng., P.Eng.

PRINCIPAL ENGINEER

Cell:

Ticket Subject: BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Mon Oct 16 21:23:24 2023

Georgee Klein

 - Correspondence added

To: planning@contact.scrd.ca

Subject: Fwd: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

Date: Mon, 16 Oct 2023 22:23:08 -0600

From: "Georgee Klein"

As a landowner in the SCRD I am writing this e-mail in support of the zoning bylaw amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing.

Regards,

Georgina Klein

History

Mon Oct 16 17:11:12 2023

Jason Silverthorne

Correspondence added

From: "Jason Silverthorne" <scmaps@dccnet.com>

Date: Mon, 16 Oct 2023 17:10:57 -0700

To: planning@contact.scrd.ca

Subject: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

As a (resident and/or landowner) in the SCRD I am writing this e-mail in support of the zoning bylaw amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing.

Jason Silverthorne

Vital Signs & Graphics

Ticket Subject: BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Mon Oct 16 16:56:44 2023

- Correspondence added

To: planning@contact.scrd.ca

Subject: Re: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

Date: Mon, 16 Oct 2023 16:56:34 -0700

From: "Jim Green"

Regards / Jim Green

On Oct 16, 2023, at 4:46 PM, Jenny MacDougall via RT <planning@contact.scrd.ca> wrote:

- Hide quoted text -

To whom this may concern;

As a landowner in the SCRD, I am writing this e-mail in support of the zoning bylaw amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing.

Jenny MacDougall

History

Mon Oct 16 15:59:38 2023

steve bouldbee

- Ticket created

Subject: Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

To: "planning@contact.scrd.ca" <planning@contact.scrd.ca>

From: "steve bouldbee"

Date: Mon, 16 Oct 2023 22:59:27 +0000

Hi,

As a landowner and resident in the SCRd I think it's important to create more properties to help with the incredible housing shortage. I am in support of the zoning bylaw amendment BY00047 proposed for 1/2 acre lots in Hopkins landing.

Best regards,

Steve Bouldbee
Halfmoon Bay BC

History

Mon Oct 16 09:55:58 2023 **Vivienne Sosnowski** - Ticket created

From: "Vivienne Sosnowski" <>

Date: Mon, 16 Oct 2023 16:55:21 +0000 (UTC)

To: "publichearings@scrd.ca" <publichearings@scrd.ca>

Subject: SCRD Public Hearing: Written submission regarding alarming By-Law Amendment 722.6 (BYL00047)

TO THE SCRD:

To say that I was both shocked and alarmed when I saw the notice of the above by-law amendment would be an understatement.

To those of you at the SCRD who have not yet visited the site involved, let me explain why - in my opinion - amending this By-law will create an extremely dangerous traffic situation and disastrous environmental effects.

You must understand that the original road was created as a short **rural cul-de-sac**.

Due to the joining a few years ago of both parts of St. Andrews Road, it is now a narrow, winding rural road with:

FOUR dangerous 90-degree turns within it.

Due to various and numerous slopes in the road, **the road is entirely treacherous in winter** not only because of the 90-degree turns but also because it is an accepted fact that this area gets more snow than most in the area due to its geography, i.e. winds sweeping down from Whistler. Also, in the **summer it is no less dangerous** due to trees and undergrowth alongside the road which will be the only entry way into the land covered by this amendment.

And I offer the SCRD these new alarming calculations which I hope will affect the final decision on this amendment.

This narrow, rural road under discussion is **1.1 km** long. (It has 3 names, but is only one road joined together, its north and south ends both exiting on North Road).

That means:

ON average EVERY 275 metres there is a dangerous 90-degree corner

on this road that require constant vigilance by drivers.

I am convinced no-one who drives this road regularly would contemplate adding a possible 200-300 car journeys a day to it, which is my estimate of what this rezoning will create **each day**.

Here are some possible scenarios for the SCRD to consider:

- Seventeen lots zoned R2 = 34 homes = will create 34 households, some of which are allowed in R2 to be designated "care homes".
- 34 homes - will mean probably 68 cars added to the area, more if there are teens in families when there might be 3-4 cars per household. The adults would likely drive in/out twice a day for work, plus some driving in the evening to sports, shopping, etc. Weekend trips would probably be comparable as people shop, visit friends, go out to eat, go to sports practices, golfing, social clubs, etc.
- The teens would drive similar journeys no doubt: school, sports and other practices, social lives, shopping.
- The care homes would involve perhaps even more car journeys with workers coming and going one each way every day, social workers and other support workers would be traveling the short, narrow, rural road regularly as well.

I add this up to, in my considered opinion, **a very treacherous 200-300 additional car journeys per day on this 1.1km narrow, winding, rural road with four quite alarming 90-degree turns on it**. Who would want to drive this road? In winter? Who would want to walk this road - summer or winter? Who would want their children to walk this road in summer, or to the school bus or local bus in winter? We will be trapped in our homes by traffic many times of the day and our roads will be unwalkable - walking our beautiful area helps keep us all healthy. We will be denied health!

I have hoped for a long time that the area involved would be developed for many reasons but only for perhaps eight single family homes. I wonder why the SCRD wants to destroy the safety and the quality of our environment on the Sunshine Coast is famous for, and one we should be treasuring?

Why turn this area into a dangerous, environmentally and life-threatening hazard?

I have not written regarding the possible environmental damage caused to the **important salmon run in LANGDALE CREEK** which abuts the rezone area, but will do in future. I will also be asking for copies of all documents/correspondence in the SCRD on this issue, which I understand is my right to do so.

Thank you for considering my submission.

I hope the SCRD will in the very near future abandon this very, very scary and dangerous amendment. And that MoTi will not allow such a horrendous and dangerous traffic/environmental situation to occur.

Ticket Subject: IMPORTANT ADDENDUM to Sosnowski submission to SCRD Public Hearing Re: By-Law Amendment 722.6 (BYL00047)

History

Tue Oct 17 09:36:03 2023 **Vivienne Sosnowski** <[REDACTED]> - Ticket created
To: "publichearings@scrd.ca" <publichearings@scrd.ca>
From: "Vivienne Sosnowski" <[REDACTED]>
Date: Tue, 17 Oct 2023 16:35:47 +0000 (UTC)
Subject: IMPORTANT ADDENDUM to Sosnowski submission to SCRD Public Hearing Re: By-Law Amendment 722.6 (BYL00047)

TO THE SCRD: Re By-Law Amendment 722.6 (BYL00047):

Regarding the subject dangerous and alarming rezoning proposal which could increase the traffic by 200 to 300 extra car journeys per day along our **NARROW, WINDING, 1.1 K RURAL** road with **FOUR** 90-degree corners, one every 275 metres:

*** There are NO sidewalks and NO shoulders on this road!**

*** In some parts of the narrow road there is almost NO space between the road and dangerous and treacherous extremely steep cliffs! I have not measured exact inches but the cliffs begin almost directly at the edge of the road!**

Allowing this rezone to occur would be a life-threatening act of uncaring and callousness towards the very loyal SCRD citizens who already live here **AND ALSO** for the new inhabitants that would live in the possible new rezone.

Ticket Subject: BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Tue Oct 17 08:30:16 2023 **Ali Khan | Ali Khan Homes <[REDACTED]> - Correspondence added**
Subject: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)
To: "planning@contact.scrd.ca" <planning@contact.scrd.ca>
From: "Ali Khan | Ali Khan Homes" <[REDACTED]>
Date: Tue, 17 Oct 2023 15:30:02 +0000

Hi,

As a landowner in the SCRd I am writing this e-mail in support of the zoning bylaw amendment BYL00047 proposed for 1/2 acre lots in Hopkins Landing.

Thanks,
Ali

Ali Khan
Personal Real Estate Corporation
Royal LePage Sussex
Cell: [REDACTED]
www.AliKhanHomes.com

History

Tue Oct 17 07:11:47 2023 **Bev McKenzie** - Ticket created

To: planning@contact.scrd.ca

From: "Bev McKenzie"

Date: Tue, 17 Oct 2023 07:03:59 -0700

Subject: Planning #213634 BYL00047 Zoning Bylaw / Amendment 010-536-418268 Stella Maris Road

As a resident within the SCRD . I am writing this email in support of the zoning amendment BY00047 proposed for a number of new 1/2 acre lots in the Hopkins Landing area. We are currently looking at property wanting to be closer to the ferry having lived the past 20 years further up the Sunshine Coast. We love this neighborhood, the size of the proposed lots, as well as the proximity to the ferry.

Thank you for considering my input, and I hope that you will take it into account as you deliberate on this important matter.

regards

Beverly McKenzie

Ticket Subject: BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Tue Oct 17 09:50:26 2023 **Jeremy Pinney** [REDACTED] - Correspondence added

To: planning@contact.scrd.ca

From: "Jeremy Pinney" <[REDACTED]>

Date: Tue, 17 Oct 2023 09:49:38 -0700

Subject: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

The area in question seems like a good place to create some housing as it's not likely to cause any negative impact on the existing residents or infrastructure. As a local homeowner it would support it.

Regards, Jeremy Pinney

[REDACTED] (Lower Gibsons)

History

Tue Oct 17 06:37:39 2023 [REDACTED] - Ticket created

From: "John McKenzie" [REDACTED]

To: planning@contact.scrd.ca

Subject: Planning #213634 - BYL00047 Zoning Bylaw Amendment 010-536-418(Re: 268 Stella Maris Road

Date: Tue, 17 Oct 2023 06:37:24 -0700

To Whom it may concern:

I am writing as both a resident of the Sunshine Coast and as a professional Realtor who is very active and involved in selling a significant amount of property within the SCRD. I am very much in support of the zoning amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing. We have a shortage of quality 1/2 acre lots in and around the Gibsons area and this will assist in supplying the demand for lots close to the ferry. There is a serious demand for 1/2 acre lots from people both on and off coast. This will assist with helping to fill that void.

Sincerely,
John McKenzie

Ticket Subject: rezoning

History

Tue Oct 17 04:09:45 2023

Ken Sneddon

- Ticket created

To: planning@contact.scrd.ca

From: "Ken Sneddon"

Date: Tue, 17 Oct 2023 04:09:22 -0700

Subject: rezoning

As a landowner in the SCRD I am writing this email in support of the zoning bylaw amendment
BYL00047 proposed for new 1/2 acre lots in Hopkins Landing

Thankyou Ken Sneddon

Ticket Subject: Stella mara public hearing submission

History

Tue Oct 17 11:53:20 2023 **mark hiltz** - Ticket created

To: publichearings@scrd.ca

From: "mark hiltz"

Date: Tue, 17 Oct 2023 11:53:06 -0700

Subject: Stella mara public hearing submission

Hello

Here are my comments about the Stella Mara rezoning. My name is Mark Hiltz and I live at

My interest in the subdivision and rezoning is the livability and sustainability of the community in which I live.

I support the R2 zoning which allows more affordable housing options. Duplexes are one contribution to the missing middle. West Howe Sound seems to be missing the R2 zoning in its land inventory compared with electoral areas E,D,B.

A concern is that the proposed lot layout such as septic covenant areas has a bias towards single family dwelling being build even if the zoning is R2. A revised layout could make duplex more feasible and desirable for people to build.

Storm water and aquifer protection is a significant concern and this one development is one part in the cumulative effects of development on the water resource. The APC has highlight water issue such as managing / retaining precipitation within lot boundaries. The outlet to the stormwater is to be tied in with existing infrastructure which needs assessment to the suitable of increase flows - no downstream negative effects.

Thank your for listening to comment. Mark

History

Tue Oct 17 11:33:30 2023 **Meghan Unterschultz** [REDACTED] - Ticket created

Date: Tue, 17 Oct 2023 12:33:15 -0600

Subject: Support for SCRD Bylaw Amendment BYL00047

To: planning@contact.scrd.ca

From: "Meghan Unterschultz" [REDACTED]

Hello,

I am writing this email in support of the zoning bylaw amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing.

While I am not currently a resident in the Sunshine Coast Regional District, we are contemplating a move west and we have started scouting out properties. Through friends who live part-time in the area, we were forwarded some information about a possible zoning bylaw amendment to create some new lots near the Langdale Ferry Terminal, which greatly interests me as I expect to have to commute several times a week to Vancouver for work.

With thanks,
Meghan Unterschultz

--

Meghan Unterschultz, CPHR, CFRE
[REDACTED]

Ticket Subject: BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Tue Oct 17 09:45:54 2023

From:

To: "Public Hearing Submissions" <publichearing@scrd.ca>

Subject: FW: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

Date: Tue, 17 Oct 2023 16:45:51 +0000

From:

Sent: Monday, October 16, 2023 4:46 PM

To: Alana Wittman

Subject: Re: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

Ticket URL: (<https://rt5.scrd.ad/contact/Ticket/Display.html?id=213634>) <https://rt5.scrd.ad/contact/Ticket/Display.html?id=213634>

(<https://rt5.scrd.ad/contact/Ticket/Display.html?id=213634>)

As a resident/homeowner in the SCRD I am writing this email in support of zoning bylaw ammendment BYL00047 proposed for new 1/2 acre lots in Hopkins landing.

Thanks Mike husband

On Mon, Oct 16, 2023, 3:49 p.m. Jim Green wrote:

- Show quoted text -

Ticket Subject: Re: Zoning bylaw amendment BYL00047

History

Tue Oct 17 09:58:08 2023

Phil Ragan

- Ticket created

Date: Tue, 17 Oct 2023 16:57:55 +0000

Subject: Re: Zoning bylaw amendment BYL00047

To: "planning@contact.scrd.ca" <planning@contact.scrd.ca>

From: "Phil Ragan" <>

Good morning!

I am a resident and landowner on the Sunshine Coast and I want to encourage the SCRD to look at the zoning bylaws that impose rural principles to developments that, with growing populations, should be more appropriately zoned for suburban residential as the demand for affordable building lots increases.

To that end, I would like to add my support to the zoning bylaw amendment BYL00047 proposed for 1/2 acre lots in Hopkins Landing.

Sincerely,

Phil Ragan

Garden Bay, BC V0N 1S1

Outlook for iOS (<https://aka.ms/oOukef>).

Ticket Subject: Planning #2136341 BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Tue Oct 17 06:00:28 2023

Ticket created

Subject: Planning #2136341 BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

Date: Tue, 17 Oct 2023 07:00:14 -0600

From: "Richard Klein"

To: planning@contact.scrd.ca

As a landowner in the SCRD I am writing this email in support of the Zoning Bylaw Amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing.

Regards,

Rick Klein

Ticket Subject: BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Tue Oct 17 11:25:44 2023

Robbert Miller

- Correspondence added

To: planning@contact.scrd.ca

From: "Robbert Miller"

Date: Tue, 17 Oct 2023 11:25:17 -0700

Subject: Fwd: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

Sent from my iPhone

- Hide quoted text -

- Hide quoted text -

As a (resident and/or landowner) in the SCRd I am writing this e-mail in support of the zoning bylaw amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing.

We feel this is urgently needed due to the housing shortage.

Rob and Marianne Miller

- Hide quoted text -

32

1/1

History

Tue Oct 17 11:02:22 2023

Russ Qureshi <[REDACTED]>

- Correspondence added

Subject: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

Date: Tue, 17 Oct 2023 11:02:08 -0700

From: "Russ Qureshi" [REDACTED]

To: planning@contact.scrd.ca

To Whom it May Concern,

As a (resident and/or landowner) in the SCRD I am writing this e-mail in support of the zoning bylaw amendment BYL00047 proposed for new 1/2 acre lots in Hopkins Landing.

Cheers,

Russ Qureshi

[REDACTED]

Gibsons BC [REDACTED]

Ticket Subject: BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

History

Tue Oct 17 11:43:50 2023 **Tyler Lebel** - Correspondence added
To: planning@contact.scrd.ca
From: "Tyler Lebel"
Date: Tue, 17 Oct 2023 11:43:35 -0700
Subject: [Planning #213634] BYL00047 Zoning Bylaw Amendment 010-536-418 (268 Stella Maris Rd)

Good morning. As a Resident of the lower sunshine coast. I believe we need more subdivisions to help with our shortage of housing. I support the perposed zoning bylaw amendment BYL00047. This would be a great location to add some properties.
Best Regards, Tyler Lebel

Ticket Subject: SCRD Public Hearing Section 486 Zoning Bylaw #722.6 - 268 Stella Maris Road Area F - West Howe Sound

History

Sun Oct 15 12:28:33 2023

To: publichearings@scrd.ca

Date: Sun, 15 Oct 2023 12:28:19 -0700

From:

CC: "BEN MAH"

Subject: SCRD Public Hearing Section 486 Zoning Bylaw #722.6 - 268 Stella Maris Road Area F - West Howe Sound

Planning Department

Sunshine Coast Regional District

1975 Field Road, Sechelt, BC V7Z 0A8

Dear Sirs:

I am writing on behalf of our family and my parents specifically, who reside on [REDACTED] Andrews Road in Gibsons, BC adjacent to the above reference proposal to change zoning from RU1 to R2 and the Subdivision District from "I" to "C".

Given the quality of the neighborhood, the value of the homes and the current lot sizes of the properties adjacent to the above referenced site, we seek confirmation on the points below:

1. **The minimum parcel size shall be NO LESS than the current lot size on St. Andrews and Vista Fjord. Specifically the lot sizes should be consistent with the lot size of the homes #1284-#1312 on St. Andrews Road** (Note all the lot sizes on Vista Fjord facing St. Andrews are also of similar size).
2. **The density of any new homes built on the proposed re-zoned site shall be single family dwelling only, and the size of the proposed homes shall be consistent with and built in accordance to the past zoning laws that govern all the current homes on St. Andrews and Vista Fjord that I reference above.**
3. The integrity of the neighborhood must be maintained and upheld.

As my parents are seniors, please confirm all responses directly to myself. I too am a current owner on St. Andrews Road for the record.

Thanking you in advance.

Regards,

Cliff Mah

CBM Investments, Inc.

[REDACTED]

[REDACTED]

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Electoral Area Services Committee – January 18, 2024

AUTHOR: Devin Rajala, Planning Technician II

SUBJECT: Development Variance Permit DVP00090 (1504 Tideview Road) - Electoral Area F

RECOMMENDATION

- (1) **THAT the report titled Development Variance Permit DVP00090 (1504 Tideview Road) - Electoral Area F be received;**
 - (2) **AND THAT Development Variance Permit DVP00090 (1504 Tideview Road) be issued to vary Zoning Bylaw No. 722 as follows:**
 - (a) Section 5.14.1 (a) to reduce the setback for a structure adjacent to a highway or an internal private road from 5 m to 0 m for the construction of single-family residence.**
-

BACKGROUND

The SCRD received a Development Variance Permit application (DVP00090) for the property at 1504 Tideview Road in Electoral Area F to reduce the setback for structures from a highway or internal private road. This application seeks to permit the construction of a new single-family residence on the property.

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

DISCUSSION

Analysis

The property at 1504 Tideview Road is 394.17 m². It is zoned R1 and bordered by other R1 properties and the ocean to the northeast. Zoning Bylaw No. 722 contains the following regulation:

5.14.1 The setback of building or structure shall be: a) a minimum of 5 m from any portion of a parcel line adjacent to a highway or an internal private road;

It is also noted that MOTI has a 4.5 m setback to a property line fronting a highway (front parcel line), therefore if this Development Variance Permit is approved, the applicant will also require a setback permit from MOTI.

The entirety of the subject parcel is located within the Coastal Slopes Development Permit Area; therefore a development permit will also be required for the construction of the single-family dwelling.

Table 1 below provides a summary of the application.

Table 1 – Application Summary

Applicant:	Scott Keck
Legal Description:	LOT 8 BLOCK C OF BLOCK 13 DISTRICT LOT 1400 PLAN 4697
PID:	011-383-593
Electoral Area:	Area F
Civic Address:	1504 Tideview Road, Gibsons, BC
Zoning:	R1 (Residential One)
OCP Land Use:	Residential
Proposed Use:	To permit the construction of a single-family dwelling. .

Figure 1 - Location Map





Figure 2: Aerial Photo



VIEW FROM TIDEVIEW RD.

Figure 3: Proposed Development subject to Variance

Consultation

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

Referral Agency	Comments
SCRD Building Division	<ul style="list-style-type: none"> BP required to construct the dwelling and parking area upon approval of the DVP.

	<ul style="list-style-type: none"> • It is difficult to confirm whether the proposed building will meet all applicable BCBC requirements based on the limited information provided. • Building Division has not received a BP application.
Squamish Nation	<p>SN's Archaeology Specialist commented that the parcel is <100m from a recorded archaeological site and is in a high potential area along the waterline.</p> <p>An archaeological assessment is required in advance of any ground disturbing activities.</p>
Gibsons & District Volunteer Fire Department	Construction fire safety plan should be developed. Fire department vehicles shall have direct access to at least one face of every building by means of a street, yard or roadway in conformance with the British Columbia Building Code.
Ministry of Transportation and Infrastructure (MOTI)	A setback permit is required.
Neighbouring Property Owners/Occupiers	Notifications were mailed on December 20, 2023 to owners and occupiers of properties within a 50 m radius of the subject property. Comments received prior to the report review deadline are attached for EAS consideration.

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

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

Applicant's Rationale & Planning Analysis

Staff have evaluated this application using SCRD Board Policy 13-6410-6 (Development Variance Permits) as criteria as follows:

1. The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw;
2. The variance should not negatively affect adjacent or nearby properties or public lands;
3. The variance should not be considered a precedent, but should be considered as a unique solution to a unique situation or set of circumstances;
4. The proposed variance represents the best solution for the proposed development after all other options have been considered; and
5. The variance should not negatively affect the natural site characteristics or environmental qualities of the property.

The applicant's response to these criteria and staff analysis related to the proposal are below.

Applicant Rationale

- Due to the extreme slope of the site, consulting engineers have advised to keep the building as close to the road as possible. (Which is within the 5m front setback) to tie the building back into stronger soil.
- Given, the proposed development is effectively a driveway with the structure below road level, and because driveways are typically allowed outside of the setbacks, we feel that the proposed dwelling is in keeping with bylaw's intent to ensure the safety of a structure from vehicular traffic while also meeting the challenge of the site's steep terrain.
- Since the upper level is effectively a driveway, the proposed dwelling results in the view from the street being effectively the same as a proposal that does not encroach within the 5m front yard setback.
- This approach should not adversely affect adjacent or nearby properties or public lands and will create a significantly smaller footprint on the site itself.
- The buildable area for the lot is limited and was furthered reduced when the ocean setback was increased from 7.5m to 15m under Zoning Bylaw No. 722.
- By burying the lower levels into the ground below the parking, the building doesn't project out into the site as far, preserving environmental qualities on the property.

Staff Comment

Staff provide the following comments on the proposed variances and applicant's rationale:

- The reduction of the front parcel line setback from 5.0m to 0m, given the topography of the site, which conceals the structure from the highway, and the nature of the structure, does not create any safety concerns and only has a limited visual impact.
- Given that the variance application is to vary a road setback distance and not a side parcel variance, the effects should be minor on adjacent lots.
- MOTI setback permit decision should address sufficiency of the present highway right-of-way to contain planned road improvements and compatibility of a reduced setback with the Ministry's transportation objectives.
- As the applicant explained, the top of the structure will be leveled with the ground and act as a driveway.
- Given the lot's smaller size and challenging topography, staff support the proposed variance, which provides a design solution for a lot with limited buildable area.
- By burying the lower levels into the ground below the parking, the building doesn't project out into the site as far, providing distance from the natural boundary of the ocean.

The site plan shows a building footprint with a main rectangular section measuring 13.30m by 6.44m and a smaller rectangular section measuring 5.0m by 2.0m attached to the top-left corner. The building is surrounded by a 3.0m setback, indicated by a dashed line. The setbacks are labeled as follows: 3.0m on the top-left, top-right, and bottom-right sides, and 3.0m on the bottom-left side. The building is situated adjacent to Tideview Road on the left and Thornbrough Channel on the right. The plan is titled "SITE PLAN FOR VARIANCE APPLICATION" with a scale of "1" = 10'-0"

Options / Staff Recommendation

Option 1: Issue the permit

Staff recommend this option.

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

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The zoning bylaw regulation would continue to apply, and the auxiliary structures would either be required to be removed or relocated to comply with the required setback.

STRATEGIC PLAN AND RELATED POLICIES

The proposed variance was reviewed and evaluated for conformance with the SCRD Board policy 13-6410-6 (Development Variance Permits) criteria.

CONCLUSION

The proposed development variance permit would facilitate the construction of a single-family residence. Given the lot's smaller size and challenging topography, staff support the proposed variance as a unique design solution for a lot with limited buildable area. Accordingly, staff recommend issuing the development variance permit with the condition that a traffic management plan be developed prior to construction commencing. If approved, the applicant would be required to comply with all relevant permitting processes.

ATTACHMENTS

Attachment A – Comments Received

Reviewed by:			
Manager	X – J. Jackson	Finance	
GM	X – I. Hall	Legislative	X – S. Reid
CAO	X – D. McKinley	Assistant Manager	X – K. Jones

DVP00090 (1504 Tideview Road): Neighbour Comments

1) Ian and Marilyn Crichton

“Tideview Road is a dead end, NOT a through road as depicted on the SCRD map. It ends at our property. It is also a very narrow unmaintained road.

When Scott Keck (applicant) had drilling done on his property this past summer (without informing us) we were cut off from access to our property for 8 hours.

With zero setback, this proposed construction will effectively cut off emergency services to 3 properties.

With ‘0’ setback there will be no area for staging on the development property. This will further obstruct access to the 3 properties beyond 1504 Tideview.

2) Elizabeth Rains and Al Hyland

House would conflict with the character of the neighborhood

The drawing attached to the document shows a house that is extremely out of character with the neighborhood. All homes in the Tideview neighborhood show a historic cottage-like style, significantly unlike the proposed construction. They are back from the road, separated from it by greenery, unlike the proposed construction. Tourists strolling through the area as they wait for the ferry have remarked about the charming rural feeling of the neighborhood. The proposed house would harm that ambience with its stark, city condo-like appearance. Please see the attached images of the closest homes.

Safety concerns: Tideview Road is misrepresented and is not a through-road

The architectural drawing from the applicant misrepresents the appearance of Tideview Road, making it seem wide and evenly paved. In reality, it is a narrow, curving dirt road. We have a neighbor who is on RCMSAR 14 (search and rescue). When someone is in distress at sea, he has to quickly leave the Tideview parking area to provide emergency help. Having a driveway come off of 1504, the narrowest section of Tideview, or having the road blocked by construction equipment, would slow his response time, when every second counts in these life-or-death situations.

Additionally, the map attached to the variance notification is misleading. It suggests that Tideview is a through-road. Rather, Tideview ends at #1512. A one-metre cliff separates the 1512 parking area from our driveway.

We have been told that the applicant intends to have his construction equipment exit Tideview Road through our driveway. Our driveway is neither a through-road nor part of Tideview.

Rather, in the 1970s MOTI designated it as a driveway allowance for my home. Part of the allowance is on my property. We do not allow uninvited vehicles to drive through our property, especially not construction trucks. Please see the attached map, which shows the actual position of Tideview Road.

Plans for house show dangerous tree removal *The variance drawing shows a view corridor looking out on Howe Sound, where now there are many trees. The 1504 property is an extremely steep slope (probably 80 degrees in most places). The trees are keeping the hillside intact. Their removal would compromise the delicate hillside.*

Tideview Road has a history of cave-ins

No other property in the area has a zero variance except 1512 Tideview, where a variance ten years ago allowed construction of a retaining wall. That made the bank unstable. It has caved in twice recently, and the adjacent parking area can no longer be used. The landslide also too out a natural gas line harmed the neighbor's property. The neighborhood is rightfully fearful of any construction done along the steep edge of Tideview. Let's not chance a Seawatch situation here.

The Smith Road – Tideview neighborhood is a harmonious area full of friendly people who always lend each other a hand. We all have a feeling of pride in being part of the Sunshine Coast Regional District. Yet I believe I can speak for everyone who lives near the variance property that we are puzzled by its approach.

The owner of 1504 Tideview has not posted signs about the proposed variance. Nor has he shown the courtesy of visiting his neighbors, who were given a very short response time to the variance application. This has been distressing during the holiday season.

We do not object to the 1504 owner's right to build on the property as it is currently zoned. However, we believe that the SCRD had valid reasons to implement the setback rules for our neighborhood, and we see no reason why they should be vacated in this instance. The purchaser of 1504 knew what he was buying and should have proceeded with building plans that fit the zoning rules. Otherwise, those rules would appear to be either meaningless or an enticement for developers to buy at low prices, push to bend the rules, and make a killing.

3) Eilis Carpentier and Mark Dombowsky

We are writing in regards to a notice alerting us to a development variance permit application (#DVP00090), received in late December 2023. We reside at 1508 Tideview Road and are not in favour of the proposed variance.

The necessity for such a variance is unclear. Other homes built along this road have a set-back of at least five metres. These regulations are public and were available to the developer when they chose to purchase the property.

A primary concern for us is access. If such a variance is allowed, it will affect negatively all those who live beyond the proposed development. The rendering provided of the house proposed at 1504 Tideview would lead one to believe that the road is a normal maintained road when in fact it is bordered by rocks and boulders and is, at its narrowest point, no more than 16 feet across. It is not possible for two cars to pass on this road. Tideview Road is also, crucially, a dead-end and *not* a through-road. Throughout the year, 3 households utilize this road, moving in and out, sometimes with trucks, sometimes with trailers, in an already tight space. Access for emergency vehicles is also already restricted and must not be impeded further.

Another concern is the trustworthiness of the developer and their agents. While seismic work was being done on the developer's behalf, complete disregard was shown for those living here. We were given no notice that such work was going to be undertaken. When attempting to leave our premises the crew consistently told us that they would be "done in 20 minutes." This went on for more than 8 hours. (It was clear the crew simply didn't want to move their vehicles to let us out.) Given this experience, we are worried about the attitude of this developer and the disdain already exhibited towards residents here. With only a single narrow access road, the 3 houses on Tideview would be continuously blocked for the duration of any work being undertaken.

To reiterate, it is extremely unclear why such a variance application has been made or would be considered. No changes have occurred in the landscape or the layout of these lots since the developer purchased them and other houses on Tideview are built with the required set-back. Proper due diligence on the part of developers would disclose the feasibility of any project.

4) *Paweł Kapusta & Maëlle Collin*

We are concerned with the Statutory Notification for Development Variance Permit #DVP00090 (1504 Tideview Road) which we received on December 22nd.

The attached picture in the statutory notification is highly misleading. Tideview Road is a narrow, single-lane, unpaved path with no through-path. Allowing such a variance will heavily impede residents which park their vehicles on this road and any service vehicles which may need to pass through to the end.

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Electoral Area Services Committee – January 18, 2024

AUTHOR: Nick Copes, Planner II

SUBJECT: Development Variance Permit DVP00095 (4141 Francis Peninsula Road) - Electoral Area A

RECOMMENDATION

- (1) **THAT the report titled Development Variance Permit DVP00095 (4141 Francis Peninsula Road) - Electoral Area A be received for information;**
 - (2) **AND THAT Development Variance Permit DVP00095 (4141 Francis Peninsula Road) be issued to vary Zoning Bylaw No. 337 as follows:**
 - (a) **Section 611.4 (a) to reduce the setback for a structure adjacent to a front parcel line from 5 m to 2.36 m for the building and 1.66 m for projections;**
 - (b) **Section 611.4 (c) to reduce the setback for a structure adjacent to a side parcel line from 1.5 m to 1.46 m.**
-

BACKGROUND

The SCRD received a Development Variance Permit application (DVP00095) for the property at 4141 Francis Peninsula Road in Electoral Area A to retroactively reduce the setback for structures from a front and side parcel line. This application seeks to permit an existing shed with attached decks and raised walkway constructed without a permit to remain on the property.

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

DISCUSSION

Analysis

The property at 4141 Francis Peninsula Road is 3067.56 m². It is zoned R2 and bordered by other R2 properties and the ocean to the north.

Zoning Bylaw No. 337 contains the following regulation:

611.4 No structure may be located within:

- (a) 5 metres of a front parcel line;*
- (b) 2 metres of a rear parcel line;*
- (c) 1.5 metres of a side parcel line; or*
- (d) 4.5 metres of an exterior side parcel line.*

The bylaw has siting exemptions for projections which have been accounted for in the determination of the required variances.

MOTI has a 4.5 m setback to a property line fronting a highway (front parcel line), therefore if this Development Variance Permit is approved, the applicant will additionally require a setback permit from MOTI.

The applicant wishes to retain a recently-constructed auxiliary building (a shed with attached decks and raised walkway) constructed within the required 5 m front setback and 1.5 m side setback. The applicant notes that a shed has existed in that location for at least 15 years and it was recently determined that it needed to be rebuilt due to water damage. The existing location was deemed safe for the use intended in a 2006 geotechnical report and was thought to be the most suitable location for the rebuild.

The building department issued a stop work order as construction had started without a building permit. Afterwards it was determined that a Development Variance Permit application was required. While the location is within the Coastal Slopes Development Permit Area a development permit is not required for low importance structures such as sheds.

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

Table 1 – Application Summary

Applicant:	Caroline Pedersen
Legal Description:	LOT A BLOCK 36 DISTRICT LOT 1390 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP38564
PID:	027-717-810
Electoral Area:	Area A
Civic Address:	4141 Francis Peninsula Road
Zoning:	R2 (Single and Two Family Residential)
OCP Land Use:	Residential A
Proposed Use:	To permit the retention of a shed with attached decks and raised walkway. An auxiliary building may be used for storage, office use etc. An auxiliary building may not be used as a dwelling or for overnight accommodations.

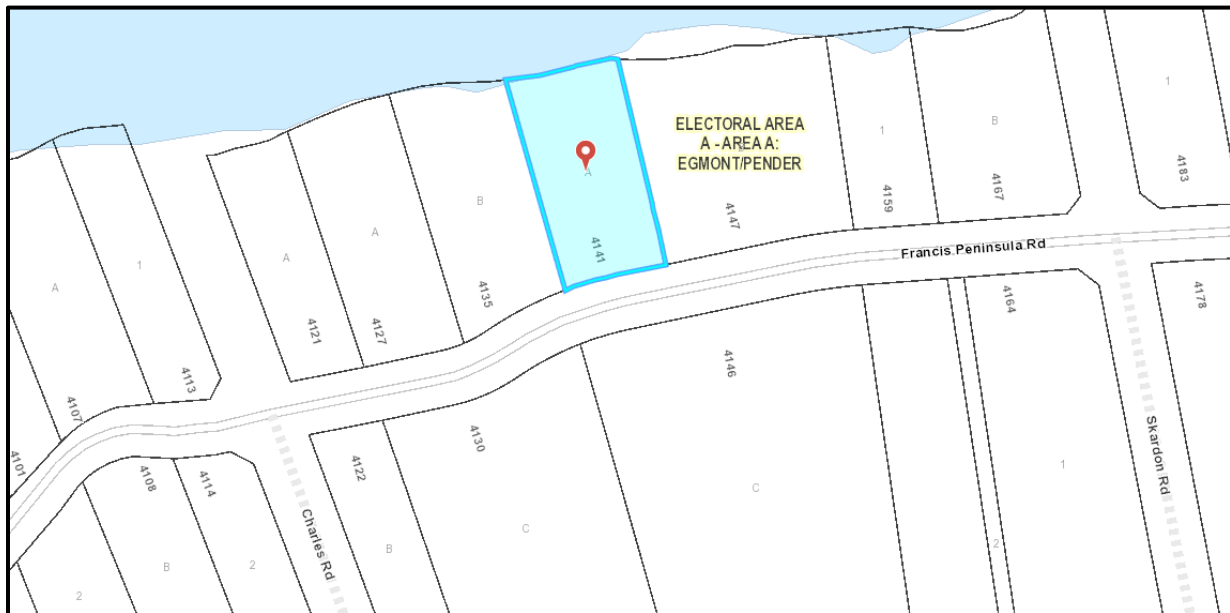


Figure 1 - Location Map

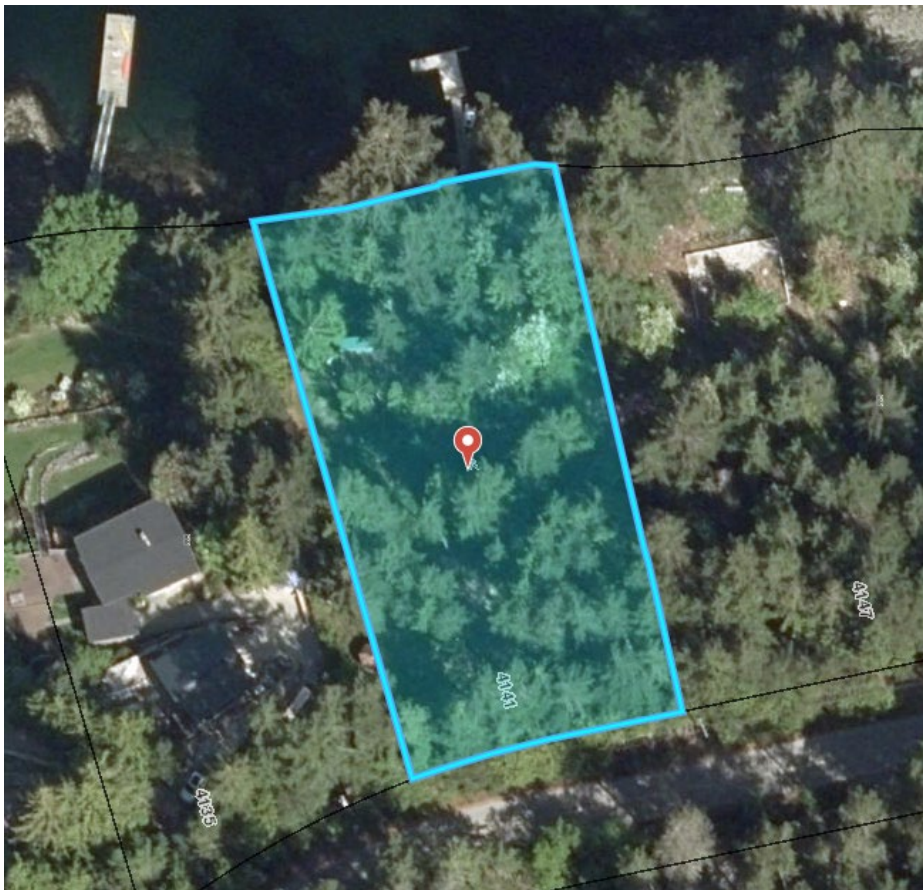


Figure 2: Aerial Photo



Figure 3: Existing Development subject to Variance

Consultation

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

Referral Agency	Comments
SCRD Building Division	<ul style="list-style-type: none"> • A building permit will be required including a Registered Professional for structural requirements. • The east elevation will be required to be of non-combustible cladding and a 45min Fire Resistive Rating to the wall assembly. • Stairs, railings and guards will be required to be BC Building Code compliant. • All other relevant BCBC conditions will apply.
shíshálh Nation	Comments not received at time of report writing.
Pender Harbour Fire Department	No concerns.
Ministry of Transportation and Infrastructure (MOTI)	A setback permit is required. No comments received at time of report writing.
Neighbouring Property Owners/Occupiers	Notifications were mailed on December 20, 2023 to owners and occupiers of properties within a 50 m radius of the subject property. No comments were received prior to the report review deadline.

Notifications to surrounding properties were completed in accordance with Section 499 of the *Local Government Act* and the Sunshine Coast Regional District Bylaw No. 522. No comments

were received prior to the report review deadline. Those who consider their interests affected may attend the Electoral Area Services Committee meeting and speak at the call of the Chair.

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

Applicant's Rationale & Planning Analysis

Staff have evaluated this application using SCRD Board policy 13-6410-6 (Development Variance Permits) as criteria. The criteria includes the following:

1. The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw;
2. The variance should not negatively affect adjacent or nearby properties or public lands;
3. The variance should not be considered a precedent, but should be considered as a unique solution to a unique situation or set of circumstances;
4. The proposed variance represents the best solution for the proposed development after all other options have been considered; and
5. The variance should not negatively affect the natural site characteristics or environmental qualities of the property.

Applicant Rationale

The applicant's rationale in support of the proposed variance include the following key points:

- A shed has existed in this location for at least 15 years and was there when the applicant bought the property in 2009.
- The auxiliary structure, because of its nature as a non-habitable living space can be considered a low-risk structure. Additionally, a geotechnical report has noted the location to be advantageous because it is situated directly on a natural rock foundation, similar in size to the structure, which provides a very firm footing unlikely to be found-elsewhere on the property. As a result, the structure is unlikely to succumb to soil liquefaction or slope collapse. Its construction will follow the guidelines of the geotechnical report.
- The structure does not impinge upon the access easement or the neighbour's access to the property.
- In relation to the setback to the highway, the applicant notes that the structure does not have a negative impact on the roadway as the peak of the shed roof is a few meters below the level of the road and is normally well concealed by trees, though at present, due to BC Hydro trimming trees, it can be seen if one stands above it on the road and looks down.
- The shed only requires a 0.04m reduction to the required setback to the easterly neighbour's property.
- The unique aspects associated with this site include the topography which steeply slopes down from the road, landing perpendicularly upon a large, flat, slightly inclined rock which

lends itself very well to having a small structure upon it. It would be challenging to find another suitable location for this structure as space is limited on the property. The only alternative site is a grassy area where children play, building a shed in such a space would take away that grassy area which is also frequented by deer and may also obstruct parking. Maintaining the location of the shed would result in no further land alteration or negative environmental impact on the property.

Staff Comment

Staff provide the following comments on the proposed variances and applicant's rationale:

- The reduction of the front parcel line setback from 5.0m to 2.36m, given the topography of the site, which conceals the structure from the highway, and the nature of the structure, does not create any safety concerns and only has a limited visual impact.
- MOTI setback permit decision should address sufficiency of the present highway right-of-way and compatibility of a reduced setback with the Ministry's transportation objectives.
- The reduction of the side (east) parcel line from 1.5m to 1.46m is minimal in scope and impact.
- The location of the shed does not impact the access easement on the property, which also serves the property to the east.
- The location of the shed is appropriately sited from a geotechnical perspective and does not result in any further land alteration and related environmental impacts.

Staff are supportive of the requested variance due to fact, it has minimal impact on the highway and neighbouring property to the east; allows for a newly constructed shed to remain in an appropriate location on the site, where a shed has existed for at least 15 years; and does not result in any further land alteration on the property.

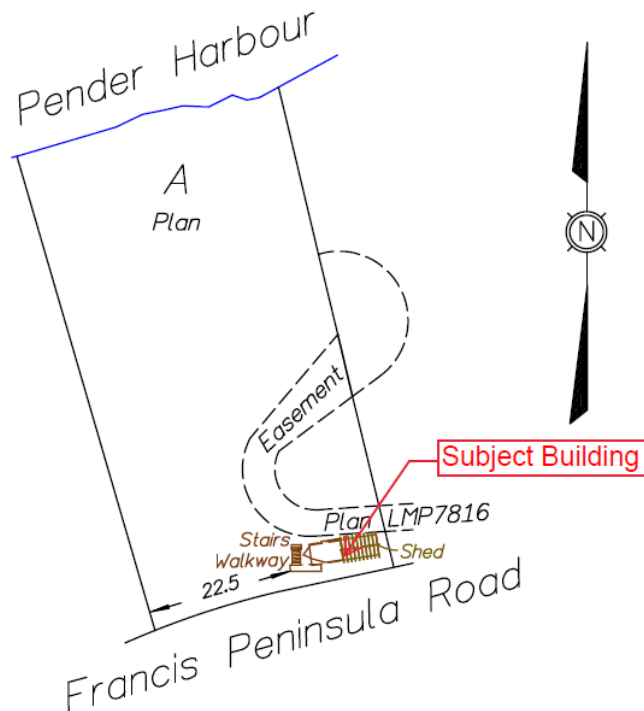


Figure 4: Site Plan (Note: the Site Survey (**Attachment A**) is also attached to the report)

Options / Staff Recommendation

Possible options to consider:

Option 1: Issue the permit

This would permit the proposed residential development on the property to proceed with finalizing permits, including a MOTI setback permit and Building Permit, to retain the existing auxiliary building.

Staff recommend this option.

Option 2: Refer the application to the Area A APC

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

Option 3: Deny the permit

The zoning bylaw regulation would continue to apply, and the auxiliary structures would either be required to be removed or relocated to comply with the required setback.

STRATEGIC PLAN AND RELATED POLICIES

The proposed variance was reviewed and evaluated for conformance with the SCRD Board policy 13-6410-6 (Development Variance Permits) criteria.

CONCLUSION

The proposed development variance permit would facilitate retention of an existing auxiliary structure, built/under construction without a permit. The proposal is the most practical way for the applicant to allow the existing structures to remain. The proposal is reasonable given the history of a shed in this location and the minor nature of the variance. Staff recommend issuing the development variance permit. If approved, the applicant would be required to comply with all relevant permitting processes, including obtaining a MOTI setback permit.

ATTACHMENTS

Attachment A – Survey Plan

Reviewed by:			
Manager	X – J. Jackson	Finance	
GM	X – I. Hall	Legislative	X – S. Reid
CAO	X – D. McKinley	Assistant Manager	X – K. Jones

BC Land Surveyor's Building Location Certificate
Lot A, DL 1390, Gp 1, NWD, Plan BCP38654.

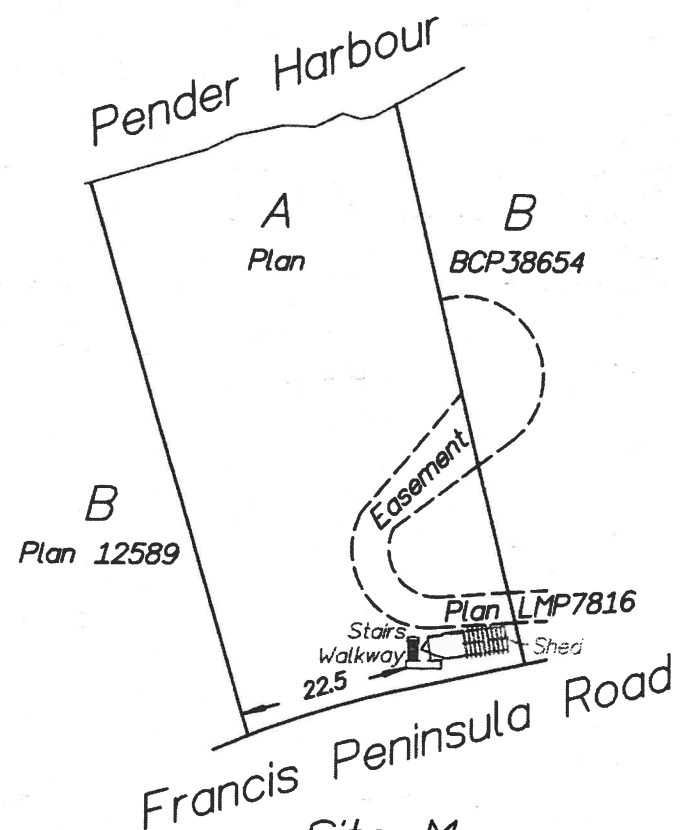
Scale - 1:50



The intended plot size of this plan is 432mm in width by 280mm in height (B size) when plotted at a scale of 1:50.

All distances are in metres and decimals thereof.

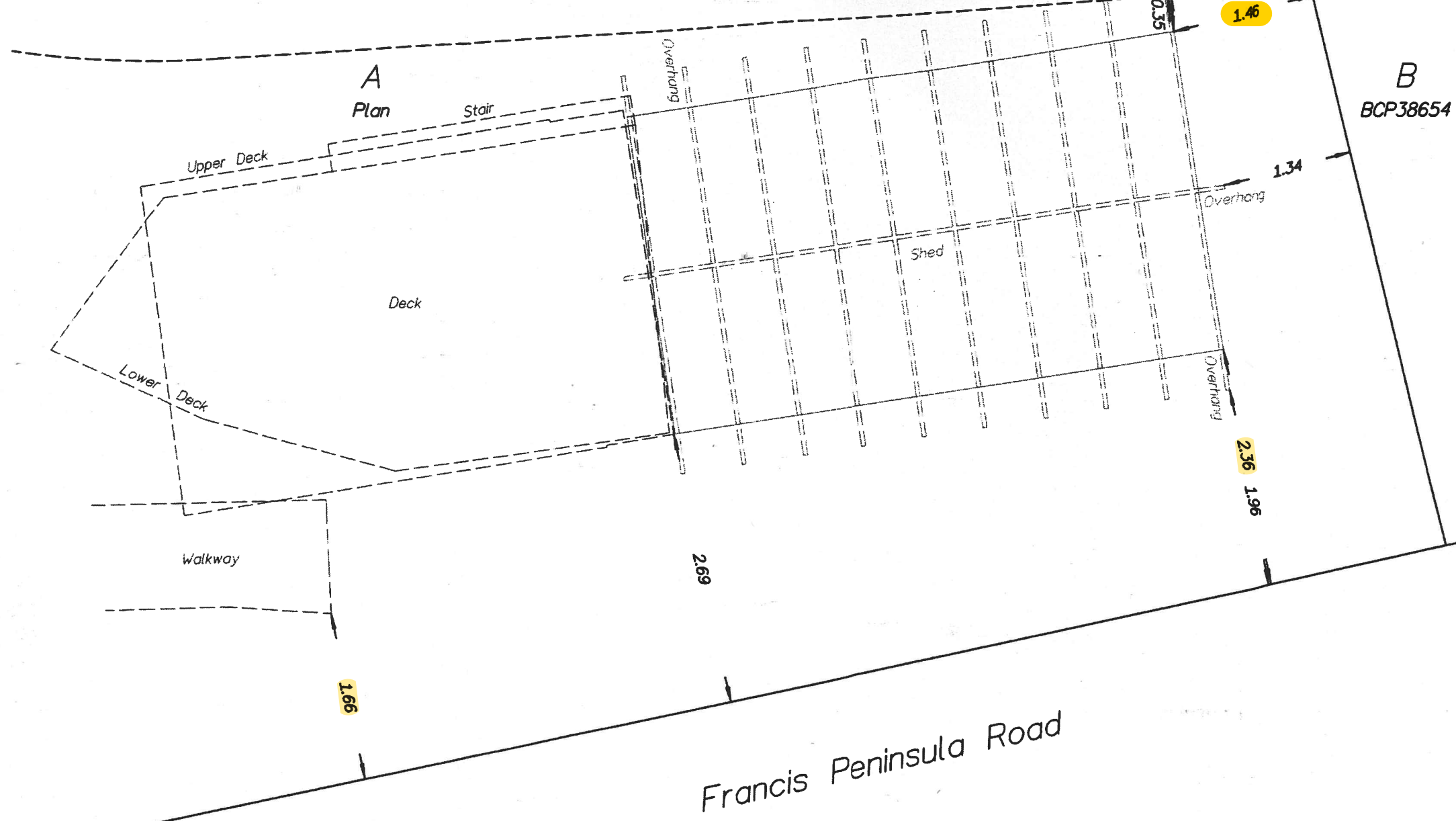
This plan lies within the Sunshine Coast Regional District.



Site Map

Scale of enlargement is 1:1000
at intended plot size of plan

Scale - 1:1000



Certified correct this 1st
day of September, 2023.

[Signature]
BC Land Surveyor ©

PETER M. GORDON
LAND SURVEYING INC.
PO BOX 2329 SECHLT B.C.
VON 3A0 604-885-3286 CELL 604-740-2126
gordonsurveys@dccnet.com

This plan was prepared for building permit purposes and is for the exclusive use of Caroline Pedersen, client.

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the lands. This document shall not be used to define property lines or property corners. We accept no responsibility for unauthorized use.

This document is not valid unless originally signed and sealed.

SUNSHINE COAST REGIONAL DISTRICT

Ports Monitors (POMO) Committee

December 11, 2023

Held at the SCRD Office Cedar Room located at 1975 Field Road,
Sechelt B.C. and electronically via Zoom

MEETING NOTES

PRESENT:	POMO Committee Member (Gambier Harbour)	Bruce Pollock (Chair)
	POMO Committee Member (Halkett Bay)	Rob Cocquyt
	POMO Committee Member (Hopkins Landing)	John Rogers
	POMO Committee Member (Eastbourne)	Trish Cowley
	POMO Committee Member (Port Graves)	Andrew Kennedy
	POMO Committee Member (Keats Landing)	John Richardson
ALSO PRESENT:	SCRD Director, Electoral Area B	J. Gabias (Alt. Liaison)
	SCRD Director, Electoral Area E	D. McMahon
	SCRD GM, Community Services	S. Gagnon
	SCRD, Capital Project Coordinator (Ports)	K. Koper
	SCRD Administrative Assistant/Recorder	A. Adam
	Public	0
REGRETS:	SCRD Director, Electoral Area F	K. Stamford (Liaison)

CALL TO ORDER 1:03 p.m.

WELCOME AND INTRODUCTIONS

Roundtable introductions of Ports Monitors (POMO) Committee members, Elected Official Liaisons, and SCRD staff members in attendance.

ACKNOWLEDGMENT

It was acknowledged that the Ports Monitors (POMO) Committee meeting was held within the traditional territory of the shíshálh and Skwxwú7mesh Nations.

AGENDA

The agenda was amended to add a reflection on the contribution and passing of POMO member Joseph Wright at the end of the Roundtable. The agenda was adopted as amended.

MEETING NOTES

The Ports Monitors (POMO) Committee Meeting Notes of May 29, 2023 were received and accepted as presented.

PORTS MONITORS COMMITTEE APPOINTMENTS UPDATE

The General Manager, Community Services provided a verbal update regarding the status of the Ports Monitors Committee representatives and appointments.

It was noted that there are three vacant positions on the POMO Committee: Halfmoon Bay dock, Vaucroft dock and West Bay dock. Recruitment is ongoing.

Staff will bring a report to the Board for re-appointment of John Richardson and Bruce Pollock to the POMO Committee for an additional two-year term prior to the end of the current term expiring March 2024.

PORTS DIVISION UPDATE

The Capital Projects Coordinator reviewed the staff report that was attached to the agenda package as Annex B.

KEATS LANDING

The Capital Projects Coordinator provided a verbal update on Keats Landing, which has been closed to vehicular traffic for safety reasons. Staff are working with an engineer to determine what repairs are necessary and will be presenting a report to the SCRD Board on the next steps (report anticipated prior to the end of Q1 2024).

POMO members expressed their desire to see the repairs addressed as soon as possible due to the challenges and inconveniences of not having vehicular access presents. Staff were also asked to get further clarity (if possible) on load capacity for the dock, and whether or not golf carts could be permitted. It was noted that the dock is very busy in the summer.

ROUNDTABLE

Justine Gabias, SCRD Director, Electoral Area B (Vaucroft & Halfmoon Bay)

- No updates to report.
- Will continue to recruit community members.

John Richardson, POMO Committee Member (Keats Landing)

- Expressed desire to address repairs as soon as possible to reopen dock to vehicles.

Trish Cowley, POMO Committee Member (Eastbourne)

- The repairs done in the summer were much appreciated.
- Requested that staff provide as much notice as possible for closures and additional information on how long the closure is anticipated for.

Rob Cocquyt, POMO Committee Member (Halkett Bay)

- No concerns.

Andrew Kennedy, POMO Committee Member (Port Graves)

- Wharf in good condition.
- The handrail is weathering on the main wharf. Request for new boards and a fresh coat of paint.

The SCRD Ports Division reported that this is already on the list of repairs planned for Port Graves.

Bruce Pollock, POMO Committee Member (Gambier Harbour)

- All worked well this summer.
- Aware of the cross bracing to be replaced/repared.

Bruce Pollock, POMO Committee Member (West Bay)

- Aware of float to be fixed.

John Rogers, POMO Committee Member (Hopkins Landing)

- Aware of the barricade that was reinstalled on the dock.

Shelley Gagnon, General Manager, Community Services

- RFP for Hopkins Landing rebuild closes this week. This will be awarded in early 2024.

Joesph Wright Recognition

Bruce Pollock shared about the unfortunate passing of Joesph Wright, a member of the POMO Committee, and a very busy man who was involved in many things. He had great achievements as an educator. There will be a memorial at the Gambier Community Hall in the spring. He will be missed.

NEXT MEETING May 2024

ADJOURNMENT 1:45 p.m.