

DISTRICT OF SECHELT
MINUTES OF PLANNING AND COMMUNITY DEVELOPMENT
COMMITTEE MEETING
Held at 5797 Cowrie Street, Sechelt, BC
Wednesday, February 28, 2018

PRESENT Councillor N. Muller (Chair); Councillors A. Lutes, M. Shanks, D. Siegers

STAFF Director of Planning and Development Services, T. Corbett; Municipal Planner A. Letman; Community Planner A. Thompson (partial attendance); Community Planner M. Stjepovic (partial attendance); Recording Secretary M. Roberts;

1. CALL TO ORDER AND DECLARATION OF CONFLICT

The Chair called the Planning and Community Development Committee Meeting to order at 2:03pm.

2. ADOPTION OF AGENDA

Recommendation No. 1 – Agenda

That the Agenda be adopted.

CARRIED

3. APPOINTMENTS AND DELEGATIONS

3.1 Mr. Bob Sangster, West Sechelt Community Association

Mr. Sangster addressed the Committee regarding the Oceanview Villas. In his presentation he noted the issues the West Sechelt Community Association has identified with the proposal including: a lack of open space, drainage issues, height, the buildings' siting and setbacks, the increase in density compared to the Seaview Villas, and the past use of fill to change the grade of the property. Mr. Sangster then called on his colleague Jamie Petker to give the remainder of the presentation.

Ms. Petker presented further issues identified with the development including: the inappropriate use of land, inadequate parking space and the utilization of an easement for parking, concern with light pollution and noise for the neighbours, lack of green space, and the location of the stairways outside the buildings. Ms. Petker also expressed that the easement should only be used for utilities.

The Chair thanked the delegation for their presentation.

3.2 Ms. Joanne Rykers, Sechelt Seniors Activity Centre

Ms. Rykers addressed the Committee regarding the development variance permit for the Sechelt Seniors Activity Centre. She informed the committee that Mr. Ron Atkinson would deliver the presentation.

In Ron Atkinson's presentation he noted the objective of the expansion of this building is to provide three major upgraded and expanded areas including the kitchen, dining room and office space/administration area. The building was constructed 25 years ago and since then the functions of the Seniors Centre and demand for services has changed. Membership has expanded significantly. If the variance is not approved, the much needed office space will not be built. The setback variance affects only 264 square feet (approx. 25 sq. metres) on the north-west corner of the building. The existing building was constructed in 1993 to the bylaw requirements at that time. The current variance application seeks to maintain the existing building line for the proposed expansion. The Sechelt Seniors Centre has informed the neighbourhood about the expansion plans and has received no negative comments to date.

The Chair thanked Mr. Atkinson for his presentation.

In discussion it was noted that:

- There are no plans to find a larger facility even though the demand is there;
- The variance would allow for better use of the building and provide better services.
- Approving the development permit variance for the expansion would legitimize the existing building which exists in the setback area.

3.3 Ms. Catherine Calder regarding West Porpoise Bay Estates Development

Ms. Calder addressed the Committee regarding the West Porpoise Bay Estates development. She informed the Committee that Johnny Elis would deliver the presentation on behalf of the strata that is neighbouring the West Porpoise Bay Estates development proposal.

Mr. Elis noted that he is a homeowner in the existing strata property. He stated that they are not against the development of the site. However, he is against the increase in the scope of the development and the way it will affect the existing residents. He also noted the lack of information available on the proposed development project. Other issues and impacts presented included: the density, height, slope stability, light and air pollution, privacy, blocking of views, building siting, effects from blasting, and numerous environmental concerns. Mr. Elis also showed photos of an eagles nest on the proposed site and that a tree assessment report should be required before further clearing of the land occurs.

The Chair thanked Mr. Elis for his presentation.

3.4 Ms. Joan Gadsby

Ms. Gadsby addressed the Committee regarding the Oceanview Villas development. In her presentation she noted that she was the original developer of phase 1 of Seaview Villas. She explained that she could not get financing to complete the project due to the financial recession in 2008. Ms. Gadsby had found a joint investor but the property was foreclosed before construction could begin. She noted that currently litigation is pending.

The Chair reminded Ms. Gadsby that her presentation needs to address the development proposal and not the civil litigation dispute.

Ms. Gadsby continued her presentation and said she feels the proposed units are massive, have reduced architecture design, and that the landscaping is not in keeping with the form and character of the neighbourhood. She feels the remaining site deserves the same consideration as the Seaview Villas.

The Chair thanked Ms. Gadsby for her presentation.

4. COMMITTEE / COMMISSION MINUTES AND REPORTS

4.1 Minutes of the Planning and Community Development Committee Meeting of January 24th, 2018 – for receipt

Recommendation No. 2 - Minutes of the Planning and Community Development Committee Meeting of January 24th, 2018 – for receipt

Moved/Seconded

That the Minutes of the Planning and Community Development Committee Meeting of January 24th, 2018, be received.

CARRIED

4.2 Minutes of the Advisory Planning Commission Meeting of January 11th, 2018 for receipt

Recommendation No. 3 - Minutes of the Advisory Planning Commission Meeting of January 11th, 2018 – for receipt

Moved/Seconded

That the Minutes of the Advisory Planning Commission Meeting of January 11th, 2018, be received.

CARRIED

5. NEW BUSINESS

None

6. BUSINESS ITEMS

6.1 **BCS2275 BC Ltd Seaview Villas – Development Variance Permit Application**

Recommendation No. 4 – BCS2275 BC Ltd Seaview Villas – Development Variance Permit Application

Moved/Seconded

That the report from the Community Planner dated January 12th, 2018 regarding the BCS2275 BC Ltd Seaview Villas – Development Variance Permit be received.

CARRIED

In discussion it was noted that:

- The development variance permit is required because the existing strata wants to separate from the Oceanview Villas.
- Unless the development variance permit for the Seaview Villas goes forward, the other development cannot move forward with the current plans.
- The lot lines would have to be adjusted and a type of subdivision would be required. It would be a much more costly and in depth process.
- The building setback requirements are there for a reason;
- If the project continued as one development the setbacks would have been conforming;
- If the existing strata did not request to separate from the second phase of the development, the proposed building sitings for the second phase would be in line with the existing zoning setbacks.
- The variance is to allow the property as presented to be developed as a multi-family property that looks as though it is one instead of two separate entities.

Recommendation No. 5 – BCS2275 BC Ltd Seaview Villas – Development Variance Permit Application

Moved/Seconded

That Zoning Bylaw No. 25, 1987 is varied as follows:

- i. Section 531(1)(d) under the R-4 Residential 4 Zone is varied by reducing the setback from side lot lines for Buildings B and D as shown on Strata Plan BCS2275 from 3.0 metres to 1.5 metres; and

- ii. Section 531(2) under the R-4 Residential 4 Zone is varied by reducing the setback from any lot line for accessory buildings from 1.0 metre 0.4 metres.

DEFEATED

6.2 1042635 B.C. Ltd. – Oceanview Villas Development Permit Application

As the Seaview Villas development variance permit was defeated, Councilor Siegers suggested deferring the consideration of the application for the Oceanview Villas.

Staff responded that the development permit would have to be redesigned if Council does not approve the Seaview Villas variance as the setbacks would have to be increased and the lot lines adjusted.

The Director of Planning explained that it would be beneficial to review the proposal as to clarify some of the issues. It would also be valuable for the applicant if any project revisions were identified.

Recommendation No. 6 – 1042635 B.C. Ltd. – Oceanview Villas Development Permit Application

Moved/Seconded

That the report from the Community Planner dated February 6th, 2018 regarding the 1042635 B.C. Ltd. – Oceanview Villas Development Permit be received.

CARRIED

The Community Planner gave a presentation on the 1042635 B.C. Ltd. – Oceanview Villas Development Permit application.

In discussion it was noted that:

- Staff were directed to look into the height of the retaining wall;
- The height of the buildings is measured from the average grade of the site to the top of the roof;
- The height is measured by the average natural grade of the site without the use of fill;
- The height of each building is calculated based on the location of the building, not the average for the entire site;
- The earlier presentation by Mr. Sangster refutes some of the information in the staff report;
- The staff report needs to address the concerns of the citizens when it goes to Council;
- A report from MP Lightbody provided responses to several of the issues raised;
- There is a misunderstanding or misinformation in the community about the development that needs to be addressed.

- Claims that there are buildings sited on easements is incorrect as there are no easements on the property;
- The only charges on the property are for statutory rights of way for BC Hydro and Fortis gas;
- There is a plan to share the use of an existing accessory building between the stratas so an additional accessory building will not have to be constructed;
- Stormwater management will be dealt with during the servicing agreement stage;
- A civil engineer is currently studying stormwater drainage at the site;
- Concern was raised that the level of the elevation of the units is incorrect because of the fill being used in the development;
- The proposed development will be a strata;
- Height restrictions are measured per building, not the average grade of the entire site;
- The height of the buildings needs to be considered

Recommendation No. 7 – 1042635 B.C. Ltd. – Oceanview Villas Development Permit Application

Moved/Seconded

That consideration of the development permit for Oceanview Villas be tabled.

CARRIED

6.3 Official Community Plan Amendment Bylaw No. 492-21, 2018 (Spectrum of Care)

Recommendation No. 8 – Official Community Plan Amendment Bylaw No. 492-21, 2018 (Spectrum of Care) Application

Moved/Seconded

That the report from the Community Planner dated February 7, 2018 regarding Official Community Plan Amendment Bylaw No. 492-21, 2018 (Spectrum of Care) be received.

CARRIED

The Community Planner gave a presentation on the Official Community Plan Amendment Bylaw No. 492-21, 2018 (Spectrum of Care) application.

Recommendation No. 9 – Official Community Plan Amendment Bylaw No. 492-21, 2018 (Spectrum of Care) Application

Moved/Seconded

That the Committee recommends to Council that the Official Community Plan Amendment Bylaw No. 492-12, 2018 (Spectrum of Care) be given 1st reading.

CARRIED

In discussion it was noted that:

- A public hearing will take place if the proposal moves forward;
- On page 220 of today's agenda in section 5.13.2 reference to Figure 7 is missing;
- The location of Spectrum of Care facilities in civic, institutional, utilities areas, downtown centre, neighbourhood centre or regional centre designations is not clear and needs to be incorporated in to the staff report;
- On page 220 of today's agenda in section 5.13.8 some wording is missing from the first sentence;

Recommendation No. 10 – Official Community Plan Amendment Bylaw No. 492-21, 2018 (Spectrum of Care) Application

Moved/Seconded

That it be recommended to Council that the Official Community Plan Amendment Bylaw No. 492-12, 2018 (Spectrum of Care) has been considered in conjunction with:

- a. District of Sechelt's current Financial Plan;
- b. Sunshine Coast Regional District's Solid Waste Management Plan;
- c. District of Sechelt's 2000 Liquid Waste Management Plan; and
- d. The registration of the District's Waste Water Treatment Plan under the Municipal Waste Water Regulation.

CARRIED

Recommendation No. 11 – Official Community Plan Amendment Bylaw No. 492-21, 2018 (Spectrum of Care) Application

Moved/Seconded

That the Committee recommends to Council that staff be authorized to schedule a Public Hearing for Official Community Plan Amendment Bylaw No. 492-12, 2018 (Spectrum of Care) and that Official Community Plan Amendment Bylaw No. 492-12, 2018 (Spectrum of Care) be sent to the affected persons, organizations, and authorities prior to the Public Hearing.

CARRIED

6.4 Mobius Architecture and Sechelt Seniors Activity Centre Society – Development Variance Permit Application

Recommendation No. 12 – Mobius Architecture and Sechelt Seniors Activity Centre Society – Development Variance Permit Application

Moved/Seconded

That the report from the Municipal Planner dated February 7, 2018 regarding Development Variance Permit Application 2017-08, from the Sechelt Seniors Activity Centre Society, be received.

CARRIED

The Municipal Planner gave a presentation on the Sechelt Seniors Activity Centre development variance permit application. It was noted that there is no variance on title for this property so District staff are unsure what happened in 1992 when the building was constructed.

In discussion it was noted that:

- The existing building is constructed in the current setback;
- The variance will be applied to the entire site of the building, not just the addition;
- The location of the existing building in the setbacks is grandfathered;
- The entire building could be legitimized through the process of the variance permit;
- The neighbours within 50 meters of the property, both residents and owners, have been notified that this will be on the next Council agenda.

Recommendation No. 13 – Mobius Architecture and Sechelt Seniors Activity Centre Society – Development Variance Permit Application

Moved/Seconded

That the Committee recommends to Council the approval of Development Variance Permit No. 2017-08 to vary Zoning Bylaw No. 25, 1987, Part Ten, Section 1005. Siting of Buildings and Structures, for Lot 12, Block Z, District Lot 303, Plan 21832, as follows:

- a. the minimum building setback from the north property line of the Property, is reduced from 7.5 meters to 3.0 meters, for a maximum height of one storey for the Sechelt Seniors Activity Centre located at 5604 Trail Avenue (Lot 12, Block Z, District Lot 303, Plan 21832, P.I.D. 011-555-025); and
- b. Only after the official notification to neighbouring property owners and residents within 50 meters of the subject property has been completed.

CARRIED

6.5 West Porpoise Bay Estates Ltd. – Development Variance Permit and Development Permit Application

Recommendation No. 14 – West Porpoise Bay Estates Ltd. – Development Variance Permit and Development Permit Application

Moved/Seconded

That the report from the Municipal Planner dated February 10, 2018 regarding the West Porpoise Bay Estates Development Variance Permit and Development Permit applications be received.

CARRIED

The Municipal Planner gave a presentation on the West Porpoise Bay Estates development variance permit and development permit application.

In discussion it was noted that:

- Access to the parking for proposed buildings 7, 8, 9, and 10 will be connected by an underground parking garage;
- The neighbouring strata is using a private road to access their properties;
- The road width will be 6 meters with a .5 meter shoulder on each side;
- The buildings proposed are similar in height as the existing buildings;
- The upper section of the stairwell for buildings 8, 9, and 10 are higher than the existing buildings;
- The stairwell that is higher than the other buildings could be changed;
- The community has raised concerns about the height of buildings;
- Concern was expressed about the geotechnical engineer being present for his recommended inspections at the site and how the District ensures compliance.
- During building inspections non-compliance can be exposed;
- There will be no building occupancy until all letters of assurance from engineers have been finalized and received by the District.

Recommendation No. 15 – West Porpoise Bay Estates Ltd. – Development Variance Permit and Development Permit Application

Moved/Seconded

That staff recommendation #2 , be separated and section (a) (i) (ii) be considered at this time.

CARRIED

In discussion it was noted that:

- Buildings 5 and 6 do not impact the views of the neighbouring properties to the extent of buildings 7, 8, 9, and 10;
- The maximum height allowed in the various zones in the District of Sechelt is 10.5 meters unless it is a CD zone;

Recommendation No. 16– West Porpoise Bay Estates Ltd. – Development Variance Permit and Development Permit Application

That Development Variance Permit 2017-07 be approved for the property, Lot 1, DL 304, Plan EPP70047 (PID 030-116-201):

a. that includes the following variances to the maximum allowable Building Height in Section 532 Height of Building, in the R-4- Residential 4 Zone of Zoning Bylaw 25, 1987 from 10.5 metres (measured from the average grade to the mid-point of the roof):

- i. Building #5- increase of 4.8 metres to 15.3 metres;
- ii. Building #6- increase of 5.95 metres to 16.45 metres;

CARRIED

In discussion it was noted that staff need to work with the developer to reduce the height of buildings 7, 8, 9 and 10.

Recommendation No. 17– West Porpoise Bay Estates Ltd. – Development Variance Permit and Development Permit Application

Moved/Seconded

2) That Development Variance Permit 2017-07 be approved for the property, Lot 1, DL 304, Plan EPP70047 (PID 030-116-201):

- a. Provided that no building is higher than two storeys above the level of the paved strata road, adjacent to each building; and,
- b. Subject to notification to neighbouring property owners.

CARRIED

Recommendation No. 18 – West Porpoise Bay Estates Ltd. – Development Variance Permit and Development Permit Application

Moved/Seconded

That the following sections of staff recommendation 2 in the report from the Municipal Planner dated February 10, 2018 regarding the West Porpoise Bay Estates Development Variance Permit and Development Permit applications be referred back to staff to work with the applicant to reduce the height:

- iii. Building #7 increase of 4.5 metres to 15.0 metres;
- iv. Building #8 increase of 6.0 metres to 16.5 metres;
- v. Building #9 increase of 3.25 metres to 13.75 metres;

- vi. Building #10 increase of 1.75 metres to 12.25 metres;

CARRIED

Recommendation No. 19 – West Porpoise Bay Estates Ltd. – Development Permit Application

Moved/Seconded

3) That subject to the issuance of Development Variance Permit 2017-07, that Development Permit 2017-30 be approved for Lot 1, District Lot 304, Group 1, New Westminster District, Plan EPP70047 (PID 030-116-201) with the following conditions:

- a. That the property is developed in accordance with:
 - i. The information, analysis, and recommendations prepared by GeoPacific Consultants Ltd. in:
 - 1. their Geotechnical Report dated July 5, 2017;
 - 2. their letter addressing Development Permit Areas 4 and 5 Guidelines, dated January 25, 2018;
 - 3. their Appendix D: Landslide Assessment Assurance Statement, dated January 26, 2018;

DEALT WITH BY THE FOLLOWING

Recommendation No. 20 – West Porpoise Bay Estates Ltd. –Development Permit Application

Moved/Seconded

That consideration of the following be tabled to a future Committee meeting:

- 3. That subject to the issuance of Development Variance Permit 2017-07, that Development Permit 2017-30 be approved for Lot 1, District Lot 304, Group 1, New Westminster District, Plan EPP70047 (PID 030-116-201) with the following conditions:
 - a. That the property is developed in accordance with:
 - i. The information, analysis, and recommendations prepared by GeoPacific Consultants Ltd. in:
 - 1. their Geotechnical Report dated July 5, 2017;
 - 2. their letter addressing Development Permit Areas 4 and 5 Guidelines, dated January 25, 2018;
 - 3. their Appendix D: Landslide Assessment Assurance Statement, dated January 26, 2018;

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- ii. Architectural Drawings prepared by Tyler Schmidt Architect as follows:
1. Site Roof Plan dated Nov 24 2017;
 2. Site Plans showing Parking Layouts - Levels 96 and 106 - dated Feb 20 2018;
 3. Building Type 1 Typical Floor Plan, dated Dec 7 2017
 4. Elevation Drawings – Building Type 1, - east, west, north, south, dated Dec 7 2017
 5. Cross Sections of Buildings 5 and 6, dated Jan 12 2018;
 6. Building Type 2 Typical Floor Plan, dated Dec 7 2017
 7. Elevation Drawings – Building Type 2, - east, west, north, south, dated Dec 7 2017
 8. Cross Sections of Buildings 7, 8, 9 and 10, dated Jan 12 2018;
 9. Site Elevation Drawing- from Road
 10. 3-D perspective images of the buildings:
 - a. From Porpoise Bay –view of Building 5 and 6;
 - b. Typical strata street view looking north-east from Building 10;
 - c. Typical strata street view looking south-west from Building 7;
 - d. View of Building 7 looking north-west
 11. Building Sections and site plan of Buildings 5 to 10 showing height variances, dated Jan 12, 2017;
 12. Site Plan showing Average Natural Grade Calculations;
- iii. L-1 Landscaping Plan drawing, prepared by Jonathan Lossee Ltd.;
- iv. That the exterior materials consist of cement board plank siding, wood soffits, wood post and beam balcony accents, natural wood and natural stone accents (no vinyl or metal siding). Colours of cement board siding: Mountain Sage, Woodstock Brown, Khaki Brown, Cobble Stone, Timber Bark, Charcoal Grey and Sandstone Beige;
- v. That all onsite exterior lighting be downcast and energy efficient;
- vi. That all units be constructed on one level and be accessible via level walkway and elevator and that the units be constructed to an adaptable standard;
- vii. That the development include the items listed, but not shown on the drawings, in the “Sustainability Report for West Porpoise Bay Estates DP Application” dated February 9, 2017 prepared by RTC Properties Ltd.;

- viii. That a minimum 7.0 metre wide common strata roads (6 metres of pavement) be provided to access all buildings;
 - b. That Landscaping bonding, equivalent to the estimated cost of the landscaping works, in the amount of \$86,378.60, be secured for a period of up two years, after complete installation;
 - c. That a Statutory Right of Way be registered and developed for paved pedestrian public access from Marine Way to the existing waterfront dedicated parks adjacent to the property; and,
4. That prior to issuance of Development Permit 2017-30 that:
- a. A tree protection plan be submitted; and,
 - b. A tree protection covenant be registered on that waterfront portion of the property that is 15 metres upland of the highest high water mark of the Sechelt Inlet shoreline.

CARRIED

6.6 Luch and McCarter – Rezoning Application

Recommendation No. 21 – Luch and McCarter – Rezoning Application

Moved/Seconded

That the report prepared by the Community Planner and Municipal Planner dated February 14, 2018 regarding the rezoning of a property located at 5980 Sechelt Inlet Road from RR-2 Rural 2 Zone to a modified I-6 Industrial 6 Zone be received.

CARRIED

The Community Planner gave a presentation on the Luch and McCarter rezoning application.

In discussion it was noted that:

- There was no rationale provided by the Advisory Planning Commission as to why medical marijuana production or research should not be allowed on the site;
- The applicant was amenable to excluding the use of medical marijuana on the site;
- No sidewalk currently exists at the site;
- A sidewalk would be considered during the subdivision process;
- Engineering suggested that a sidewalk be constructed on the other side of the road, across from the proposed site, to connect an existing sidewalk;
- A single family dwelling located on the site could not be utilized in the future as it

is not permitted in Industrial 6 zoning unless it is repurposed;

- Caretaker suite is a permitted use in the I-6 zone as an accessory use;
- Consideration of the heron population that may frequent the site will be dealt with through an environmental study;
- Heron breeding season may impact the timing of development and building siting.

Recommendation No. 22 – Luch and McCarter – Rezoning Application

Moved/Seconded

That Zoning Amendment Bylaw No 25-292, 2018 (Luch & McCarter) be forwarded to Council for consideration of first reading and referral to Public Hearing for LOT P, DISTRICT LOT 1438, GROUP 1 NEW WESTMINSTER DISTRICT, PLAN BCP36498 (PID 027-523-951), and addressed as 5980 Sechelt Inlet Road and that final adoption be conditional on:

- a) Demolition of the existing single family home;
- b) An issued tree permit with tree protection plan;
- c) Preliminary subdivision layout approval;
- d) Entering into a signed servicing agreement for the extended infrastructure works on the west side of Sechelt Inlet Road;
- e) Excluding the following uses on this property: “crematorium”; “boarding of animals”; “aquaculture processing”; “processing of forest and wood products”; “medical marihuana production”; and “medical marihuana research and development”;
- f) The provision of an Archaeological Preliminary Field Reconnaissance (PFR);
- g) The provision of an environmental assessment and field investigation to verify presence of heron nesting and any other important habitats; and,
- h) The registration of a covenant to maintain a 5.0 m vegetative buffer between the subject property and the adjoining ALR boundary to the south.

CARRIED

7. ADJOURNMENT

That the Planning and Community Development Committee Meeting of February 28th, 2018 be adjourned at 4:15 pm.

CARRIED



Noel Muller, Chair



JoAnne Frank, Corporate Officer