Michaela Sugars

From: Andrew Allen
Sent: Friday, September 09, 2022 9:27 AM
To: [redacted]
Subject: Proposed Zoning Bylaw No. 580, 2022

Good morning Mr. Milne,

Confirming that this email has been added to the public record. I would also like to confirm that the Tourist Commercial designation within the Official Community Plan does extend westward to Bay Road and that there is no attempt to use the Zoning Bylaw to amend the Official Community Plan.

Thank you,
Andrew

Andrew Allen, RPP
Director of Planning and Development
Direct 604-740-8464 | Mobile 604-989-7602
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

District of SECHELT

-----Original Message-----
From: [redacted]
Sent: Thursday, September 08, 2022 5:02 PM
To: Planning <Planning@Sechelt.ca>
Subject: Proposed Zoning Bylaw No. 580, 2022

To be added to the public record of consultation on proposed Zoning Bylaw No. 580.

Please note that I object to the rezoning of those three residential properties on Highway 101, immediately south of Bay Road in Davis Bay, from their current zoning of Residential 1 to a proposed zoning of C-3, Regional Commercial Three Zone. This proposal will have devasting negative impacts on adjoining residential properties on Whitaker Road and upslope properties on Bay Road and Laurel. It will also intensify the commercial activity in the area which is directly opposite of the OCP Neighbourhood Plan. Using a Zoning Bylaw to amend the Official Community Plan is sleazy and corrupt.
This community has been very vocal in previous years with regard to the development of the commercial areas of Davis Bay. The residential zoning on Highway 101 was explicitly intended to bracket and halt the creep of commercial zoning.

Please note as well that I totally object to the maximum height allowance of
14 metres in the proposed C-3 zoning. This is 2 metres higher than the C-4 zoning in downtown Sechelt!! What is that about? [That is a rhetorical question - I am quite aware of the of maximum height allowances will confer financial benefits on specific property owners and developers.]

Bruce Milne

5135 Davis Bay Road,
Sechelt, British Columbia

September 9th, 2022

Mayor and Council:

My initial comments on the proposed Bylaw 580 are Attachment A. These were hand delivered to the District of Sechelt office earlier in the week and handed directly to Andrew Allen.

Just this morning I have become aware of a staff report dated September 7, 2022 "Re: Short-Term Rental Bylaw Amendments" on the September 7th, 2022 Regular Council agenda. In addition to my comments in Attachment A, I make the following comment.

The staff report of September 7th states that the proposed amendments have "been in the public realm" as an acceptable reason for adding them to the bylaw at third reading. The only "public realm" that I know of is in staff reports presented at council meetings. I do not believe that they have ever been presented directly to the public. I have followed the various Council agendas and minutes to track this issue and I doubt that other residents have had the time or patience to do so on an issue that could so profoundly affect them. I cannot piece together what the final product will look like without a cut and paste job.

This whole issue has been dealt with in a piecemeal and eleventh hour manner, sadly compromising the ability of the public to be informed of significant regulatory land use changes that could affect them into the foreseeable future. Does this matter to staff and Council? Apparently not?

Judy Skogstad
6188 Mika Road
West Sechelt

RECEIVED
SEP 0 8 2022
DISTRICT OF SECHELT

Attachment A:

Mayor and Council

Re: Public Hearing comments on proposed Bylaw 580

While proposed Bylaw 580 has positives, I have concerns regarding the proposed density in the R2 zone in West Sechelt, Urban Agriculture, the Short Term Rental issue, and Cannabis for medical purposes. These concerns, which were largely expressed after the open house in May, are being reiterated as a matter of public record for the hearing.

1. The Proposed R2 zone:

I do not want the type of density being proposed in the R2 zone in Bylaw 580, and I find no support for this type of zoning in the Official Community Plan (OCP).

Proposed Density

I choose to live where I do as I am not enclosed by buildings and parking on adjacent lots.

I purchased a lot with a registered building scheme (Lots 60-85, DL4295) Plan LMP 33306. There are a number of clauses that are inconsistent with the proposed R2 Zone. They include the following: *"No more than one dwelling for one family or household unit shall be erected, maintained as occupied on any one Lot". No dwelling shall be smaller than 1800 square feet if a rancher or 2300 sq. ft. if a two storey dwelling. "Modular dwellings, mobile homes and prefabricated homes are not permitted on any of the Lots."* The registered building scheme conflicts with the proposed R2 zone which permits a second dwelling, limits it to 120 sq. m (approximately 1300 sq. ft) and potentially permits prefabricated homes. Either the zoning should reinforce the covenant, or the covenant's continued applicability should be addressed with owners of the affected parcels and the developer prior to adoption of a new zoning bylaw.

A second dwelling of 120 sq. m. may be appropriate in the proposed R1 and RU1 zones where the parcel size requirement for subdivision is one-half acre and larger. I do not think it is appropriate on a parcel less than one-quarter acre in size on which there could also be a secondary suite of unlimited size. At the very least, the size of accessory detached dwellings could be different for different parcel sizes.

OCP Policies

The only reference in the Official Community Plan to Accessory Dwellings such as laneway houses is in conjunction with other housing types such as townhouses on 4000 sq. m. lots in West Sechelt and in the Village Center where laneways do exist. In West Sechelt, a site specific rezoning and development permit would be required to achieve compatibility with adjacent residences. There are also other policies to implement the objectives respecting housing mix and density in areas served by a community sewer system and therefore the introduction of accessory dwellings to achieve these objectives is questionable.

The proposed R2 zone eliminates the need for site specific zoning, introduces a size limit of 120 sq. m. instead of the 90 sq. m. typical of laneway houses, and brings into question the applicability of Development Permit 8. Did the OCP intend that all parcels pre-zoned for accessory dwellings would require a development permit?

A concurrent OCP amendment should be undertaken to address the introduction of accessory dwellings and associated issues such as secondary access and parking, accessory dwelling size relative to parcel size, and measures to achieve compatibility with adjacent residential development.

2. Urban Agriculture

(a) Growing of Food.

I do not support commercial greenhouses and the sale of food on all residential parcels regardless of their size. Road side stands will draw traffic into residential streets and there are other avenues in the community for marketing produce.

(b) Poultry and Rabbits

I grew up on a farm that included a production of 500 chickens, and not even a few would be permitted near our house. I do not want this to occur where I now live.

The proposed setbacks for structures and enclosures, including those for the keeping of manure, are minimal. Enforcement of measures that deter predators and prevent the smell of manure spreading to adjacent properties will be difficult and likely require additional staff resources.

I suggest that there be a minimum parcel size of 2000 (instead of the 1 ha under Bylaw 25) and the setbacks in Bylaw 25 of 7.5 meters be maintained.

(c) Apiculture – Beekeeping

I do not support Apiculture on residential lots that are 750 sq. m. and larger as it is an attractant for bears which exist in our residential areas and fences and hedges will not keep them out.

(d) Short Term Residential Rentals (STR)

I do not support the language in the current draft of Bylaw 580. On-site residents are not specifically required. The definition of Dwelling describes a structure that is used or *intended to be used* - i.e. it does not require that it be in use as a residence for it to be a principal land use.

It appears that Short Term Rentals which are listed as an accessory use cannot occur within Accessory Dwellings. The zoning bylaw clarifies this in the definition of Home Based Business (also an accessory use) but not for Short Term Rentals. I am supportive as accessory dwellings not being used for Short Term Rentals as they should be used for affordable housing and not for commercial purposes.

3. Cannabis in Residences

I would like this general provision of the bylaw revisited with a wording change to limit cultivation for the residents' personal medical use of cannabis products. Designated growers for a number of users are producing commercial quantities of cannabis.

4. Public Consultation Process

In my view, the public consultation process has been inadequate for a bylaw that is complex and has far reaching consequences. The zoom meetings and the open house in May were the only opportunities to obtain information from staff. The bylaw was incomplete at that time as it did not fully address the issue of Short Term Rentals. It appears that Short Term Rentals are still not fully addressed as recommendations from the June 15th Council meeting have not been incorporated into Bylaw 580. Changes that include an increase in the size of accessory dwellings to 120 sq. m. and a change in the proposed zoning of Wakefield Road have occurred since the May public meetings.

Official Community Plans are subject to interpretation, and if it is questionable that zoning changes are in compliance with an OCP, then concurrent OCP amendments should be undertaken. This does not mean opening up the whole plan – but updating where there is change over the past decade.

Bylaw 25 has been in effect for 35 years and is due to be replaced. A few more months at this point to deal with identified issues is warranted. Future councils will need to work with the bylaw and involvement of a new council in the adoption process will be beneficial to that council.

Judy Skogstad

6188 Mika Road

West Sechelt

Date: September 6, 2022
Re: Proposed Zoning Bylaw 580, 2022 (District of Sechelt, BC)

Thank you for the opportunity to submit this document in consideration at the September 8, 2022 Public Hearing regarding proposed Zoning Bylaw 580, 2022.

The PFLA is a non-profit organization dedicated to the responsible stewardship of B.C.'s Private Managed Forest lands (Class 7). PFLA members are passionate about sustainable forest practices and strive to balance environmental values, community interests and economic realities. The lands are governed by the BC Private Managed Forest Land Act and associated regulations plus >30 pieces of statute at the provincial and federal levels.

This BC Assessment Class 7 property classification was established in 1988 to encourage private landowners in B.C. to manage their lands for long-term sustainable harvest. The focus for private forest land in the Managed Forest Program is to ensure long term forest cover and protect key public environmental values—fish habitat, water quality, soil productivity, critical wildlife habitat and timely reforestation.

After review of the proposed Zoning Bylaw 580, 2022 we find several pieces that are in direct conflict with the paramountcy of the provincial Private Managed Forest Land Act (PMFLA) and regulations. Specifically, our association is very concerned that Section 21 of the PMFLA (https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03080_01) is not being reasonably considered in this drafting of the proposed bylaws:

Restriction on local government authority regarding uses of private managed forest land

> **21** (1)A local government must not do any of the following in respect of land that is private managed forest land if doing so would have the effect of restricting, directly or indirectly, a forest management activity:
>
> (a) adopt a bylaw under any enactment;
> (b) issue a permit under section 8 (3) (l) *[authority in relation to buildings and other structures]* of the *Community Charter* or Division 1 *[Building Regulation]* of Part 9 *[Regional Districts: Specific Service Powers]* of the *Local Government Act*;

> (c) issue a permit under Part 14 *[Planning and Land Use Management]* of the *Local Government Act*.
>
> (2) For certainty, this section applies if the bylaw or permit would have the effect described in subsection (1) even though the bylaw or permit does not directly apply to land referred to in that subsection

There are further concerns that the District of Sechelt is currently proposing a definition of silviculture as "the use of land for growing, cultivation, protection and harvesting of forest products" while excluding the current very robust definition of other forest management activities. Currently the Private Managed Forest Land Regulations (B.C. Reg. 240/2015 https://www.bclaws.gov.bc.ca/civix/document/id/lc/statreg/371_2004) clearly defines the forest management activities of these lands being extensively broader in scope and scale, and clearly defines "silviculture" as per standard professional forestry language as being distinct to timber harvest activities:

> Forest management activities include the following:
>
> (a) silviculture and timber harvesting activities;
> (b) transportation, delivery, handling and sale;
> (c) dryland sorting and scaling;
> (d) road, bridge and trail construction and maintenance;
> (e) drilling and blasting;
> (f) aggregate production and processing;
> (g) storage and repair of equipment and vehicles;
> (h) slash and prescribed burning;
> (i) treatment of noxious weeds, introduced plants, competing vegetation, other pests and damaging agents;
> (j) protection of forest crops including but not limited to fire protection and suppression and wildlife management;
> (k) safety and security measures;
> (l) water storage, including reservoirs for providing water for fire protection purposes or other use;
> (m) agroforestry and silvopasture systems;
> (n) soil production, improvement or processing;
> (o) site rehabilitation and improvement;
> (p) disposal of wood waste;
> (q) harvesting and sale of botanical forest products;
> (r) portable processing of forest resources;
> (s) one dwelling per registered parcel unless additional dwellings are permitted under applicable local bylaws;
> (t) forest management administration, including accommodation of personnel.

We would be more than willing to discuss the conflicts of the District of Sechelt Proposed Zoning Bylaw 580, 2022 in regards to pre-existing statute. Currently we do not support the wording of these proposed bylaws due to the conflicts presented when respecting the pre-existing statutes governing these lands.

Sincerely,

Meg Hanacek

Megan Hanacek, CEO Private Forest Landowners Association
Phone: 250-902-9331 Email: megan.hanacek@pfla.bc.ca

Michaela Sugars

From: Samuel Hogg
Sent: Thursday, July 21, 2022 8:53 AM
To: [redacted]
Cc: Michaela Sugars
Subject: RE: Draft Zoning Bylaw 580

Dear Al,

Hopefully I can help walk you though the resources we put together for this project, I was forwarded your email.

On the Your Say page, there's a link to this webmap. Using that map you can look up your address on the top right and see the existing zoning (right side) and proposed zoning (left side) on the same map. From the map it looks like your property is changing to R2 from R3. You can read about the R3 zone on page 53 of the old bylaw and the new R2 zone on page 4 of the new bylaw. The new zones are being reorganized, where the R zones step up in complexity from R1 to R5 — that wasn't the case in the previous bylaw.

I hope that helps, and I'm happy to help answer any other questions.

Take care,
Sam Hogg

From: erlenbusch [redacted]
Sent: Thursday, July 21, 2022 8:02 AM
To: Planning <Planning@Sechelt.ca>
Subject: Draft Zoning Bylaw 580

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To the attention of Andrew Allen
Director of Planning and Development
District of Sechelt

I understand you are seeking public feedback regarding the idea of Sechelt Council changing Zoning Bylaws.

As a property owner in West Sechelt I am interested in how proposed changes will effect my property. I have looked at the "Have your Say" website to try and determine this but I am not finding information that addresses this basic question. As far as I can tell two basic pieces of information are either not provided or are, at least to me, not obvious. I don't know if my current zoning will remain the same and I don't know how proposed zoning rules will be different for my property.

In talking to friends and neighbours I am not alone in my desire to obtain such information.

I feel that we are being asked to offer an opinion on proposed Zoning Bylaw 580 without knowing the implications for our property.

In fairness, answers to the two basic questions may be available (will my zoning change, what impact will the new proposed zoning rules have on my property) but the way to obtain the information isn't clear.

I would like to suggest a web site where a property owner could enter their address and get a response that says

"Your current zoning is ******, Your new zoning will be ******"
"The zoning rules for your new zone will be *******"

Al Erlenbusch
6559 Jasper Road

[redacted]

Sent from my Galaxy Tab® E

Michaela Sugars

From: Ian Holl
Sent: Thursday, September 08, 2022 9:50 AM
To: Michaela Sugars
Subject: FW: At this time of revision with Bylaw 580 we look to include silvicultural use for Grey Creek lot 1 and 2..

Public hearing written submission below.

Ian Holl, MCIP, RPP
Development Planning Manager
Direct 604-740-8474 | Office 604-885-1986
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

New Zoning Bylaw 580 has been presented to Council with the intent to replace Zoning Bylaw 25, which was adopted in 1987. Please see this page to read the bylaw, summary and find out about upcoming meetings - yoursaysechelt.ca/zoningrenewal

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From: Albert Eger [redacted]
Sent: Thursday, September 08, 2022 2:46 AM
To: Ian Holl <iholl@sechelt.ca>
Subject: At this time of revision with Bylaw 580 we look to include silvicultural use for Grey Creek lot 1 and 2..

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Helllo Ian:. Previous email sent at 2;25am today included rough notes that are not needed for this request. Please use this copy for the 580 ByLaw process. I hope to attend meeting later tonight. Thank you, Albert

Hello District of Sechlet Attention Mr Ian Holl

Prelude :

The general theme of By Law 580 appears to be that of revision and inclusion, with emphasis on the need to protect neighborhoods, while increasing the supply of dwelling units in the municipality.

Changing the zoning of lots 1 and 2 to RU-1 is welcomed, particularly since the new zoning will allow for an agricultural use as is found immediately to the south in lots 3, 4 and 5 home to the sturgeon farm.

This submission takes the new zoning one step further and requests that lot 1 and 2 be zoned for silvicultural use.

Silvicultural use protects the natural environment, increases the supply of dwelling units for a multitude of natural species that thrive in this narrow 200 foot by 3900 foot ravine, creek bed and conjunction of fresh water from Grey Creek and the surrounding Mt Richardson watershed to the salt water estuary of Sechet Inlet.

These uses are in keeping with the general objectives of ByLaw 580 as noted above, but from an environmental viewpoint. In addition you will quickly see that **precedential zoning permitted silvicultural use** and the

concepts and implementation of **re-wilding land, water and air,** a millennia of evolution, could place the D/S at the forefront of this 21st century focus. .

This latter concept is only introduced to give *a glimpse of the future and is not a part of this request*.

Background precedents:

Review of the pre 1987 zoning of the lots 1 and 2 was R11.

R11, under the SCRD zoning of the late 1970's allowed for agricultural and silvicultural use.

Amalgamation to the D/S, from the SCRD took place late 1987 under By Law 25 .

Amalgamation, amendments and family philosophy of a ravine preserve.

Lots 1 and 2 have only traded once since 1987, to our knowledge, with our family purchase of the two lots in late 1993. Our primary intent was to preserve the nature of these lots carefully and some would say with near passive silivutural use. In keeping with our family philosophy we paid no attention to possibilities of development for three decades.

There may be an argument that since these properties were never candidates for development, that official amendments, springing forth from By law 25 never took place for these lots and that indeed, the pre- zoning of 1987, R11, still prevails.

Re-wilding

As an urban planner, you are quite likely aware that the re-wilding concept is being implemented, daily in the UK.

This concept is beyond the request of this note, but is introduced to demonstrate how vital resource such as lot 1 and 2 could easily be part of the D/S municipal footprint.

Amendment request: ***That the zoning of lots 1 and 2 of Grey Creek include silvicultural use.***

Such zoning would bring us (near) full circle from the turn of the 20th century when the Grey Creel basin was a natural ravine, water concourse and habit for species large, small, winged, finned and 'foot' free.

After the turn of the 20th century the basin was divided into 10 small lots -- about 125 feet wide and as noted about 4,000 feet long in keeping with the seigniorial system as was the habit of the 1910 -14 ? owners.

Return of lot 1 and 2 to **silviculture** take us close to the **original notion of the basin** , with these **lots being the vanguard** and the protected areas of the southern lots being part and part of the **environmental preserve.**

Submitted by .....

Albert F. Eger
Secretary of 413036BC (a Canadian private company)
713 Sullivan Road,
Roberts Creek BC
V0N 2W6

. ..

..

Fw: At this time of revision with Bylaw 580 we look to include silvicultural use for Grey Creek lot 1 and 2..

From: Albert Eger [redacted]

To: [redacted]

Date: Thursday, September 8, 2022 at 02:52 AM PDT

From: Albert Eger <[redacted]
To: Ian Holl <iholl@sechelt.ca>
Sent: Thursday, September 8, 2022 at 02:46:29 AM PDT
Subject: At this time of revision with Bylaw 580 we look to include silvicultural use for Grey Creek lot 1 and 2.

Hello District of Sechlet Attention Mr Ian Holl

Prelude :

The general theme of By Law 580 appears to be that of revision and inclusion, with emphasis on the need to protect neighborhoods, while increasing the supply of dwelling units in the municipality.

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Submitted by .....

Albert F. Eger
Secretary of 413036BC (a Canadian private company)
713 Sullivan Road,
Roberts Creek BC
V0N 2W6

Michaela Sugars

From: Andrew Allen
Sent: Thursday, September 08, 2022 8:02 PM
To: Michaela Sugars
Subject: FW: onlilne Zoom meeting re Bylaw 580 changes

From: as penne [redacted]
Sent: Thursday, September 08, 2022 8:01 PM
To: Council <Council@sechelt.ca>; Planning <Planning@Sechelt.ca>
Subject: onlilne Zoom meeting re Bylaw 580 changes

Hello DoS Council and Mayor

I listened to the speakers at the OCP and 580 bylaw changes carefully tonight and realized there was no comment about bylaw enforcement with regards to the STR situation.

My concern is with a neighboring STR where the owner is not in residence while the house is rented to vacationers, contrary to what she asserts. T his is not a personal vendetta: the neighbors can view her yard from the other side of the fence and if her car is not there, neither is she.

This owner is also non-adherent to water restrictions though I've spoken with her numerous times about that situation. Her usual response suggests that the rules do not apply to her. Since we do not have after-hours bylaw enforcement, there is again no way to enforce her compliance with regards to the water consumption.

Given a personality who believes the confines of local bylaws do not affect her, I am hugely concerned that the ongoing noise/pollution/sense of entitlement by neighboring vacationers will never be properly policed without an after-hours bylaw officer. The STR situation affects the water use hugely and Sechelt full-time residents fully understand that guests who pay $350/night are not going to worry about water use.

Please find the resources for an after-hours bylaw officer: this is crucial to making any new changes with respect to the OCP and the STRs a success.

Sincerely,

ASPenne

Michaela Sugars

From: Samuel Hogg
Sent: Friday, July 29, 2022 9:15 AM
To: [redacted]
Cc: Planning
Subject: RE: 'Proposed' re-zoning

Hi Brendan,

Sorry for the late response, I must have missed this email. I just looked up your address and it looks like two of the three parcels will be remaining R1 (7250 and 7260 Sechelt Inlet Rd), only the third parcel will be becoming RU2 (7240). The new R1 zone is essentially a carryover of the previous R3 zone, the bylaw is being reorganized where the R zones now increase in complexity from R1 to R5.

The new R1 zone allows a second primary dwelling, but only for parcels larger than 4,000m^2. Properties larger than 2,000m^2 are still eligible to build a detached auxiliary dwelling, better understood as a laneway house. The second draft of the bylaw increased the size of this auxiliary dwelling from 90m^2 to 120m^2. I just measured your two R1 properties, and it looks like they are both larger than 2,000m^2.

Here's the density table for the new R1 zone, which can be found in the newest draft of the bylaw.

Density:

1.1.3 The permitted number of dwellings are as follows:

Lot Size	Number of Dwellings
Parcels less than 2,000 m^2	One Single-Detached Dwelling
Parcels 2,000 m^2 or larger	One Single-Detached Dwelling One Detached Accessory Dwelling Unit
Parcels 4,000 m^2 or larger	Two Single Detached Dwellings One Detached Accessory Dwelling Unit

Regarding the RU2 zone, the intention of this bylaw update is to follow the direction of the OCP, and the new RU2 zone is intended for large rural parcels with few services. This change to your property matches the direction of the 2011 OCP, which identifies that one parcel as Rural Residential.

I hope that helps, and I'm happy to answer any more questions.

Take care,
Samuel Hogg

From: B Swan [redacted]
Sent: Thursday, July 28, 2022 8:30 PM
To: Planning <Planning@Sechelt.ca>
Subject: Fwd: 'Proposed' re-zoning

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Hello planning,
I don't seem to be getting any response to my problem in the letter below sent nearly 6 weeks ago. Can they just arbitrarily change my zoning, without any oversight, I would like to know ?

Frustrated,
Brendan Swan

Begin forwarded message:

From: B Swan [redacted]
Subject: 'Proposed' re-zoning
Date: June 16, 2022 at 1:54:44 PM PDT
To: siegers@sechelt.ca, kuester@sechelt.ca
Cc: lamb@sechelt.ca, rowe@sechelt.ca, scott@sechelt.ca, toth@sechelt.ca

To Sechelt Council:

I am the owner of 7240, 7250, and 7260 Sechelt Inlet Road, Sechelt, B.C,

Your "proposed" zoning changes directly affect me and my long term financial stability.Twenty-three years ago I bought this acreage with a long view to my future. I purchased it BECAUSE it was/is zoned R3. The idea being that eventually parents, children and grandchildren may move here. You can see how this arbitrary "proposed" change will reduce the value of these properties to me and to others. This new "proposed" RU2 and R1 zoning change is harmful to me by removing my ability to have an additional dwelling, etc. (not unrealistic on 7.5 acres).

I formally and strenuously protest these "proposed" zoning changes to MY PROPERTY!

Angry and Unconsulted

Brendan Swan

Michaela Sugars

From: bryce [redacted]
Sent: Monday, August 08, 2022 3:46 PM
To: Planning
Subject: Chickens please

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Hello,

I am a resident in Davis Bay and have been living on the Sunshine Coast my whole life. I am very into gardening and community and would love to be able to have half a dozen laying hens to help feed my family and give my kids the knowledge and know how to provide themselves with healthy food as they grow into adulthood. I am 110% for Sechelt allowing residence to have chickens without roosters. As a family of four with two young boys we go through lots of eggs and with the cost of food these days any little bit helps.

Thank you for your time.

Bryce rudland

Get Outlook for Android

Michaela Sugars

From: Tysor, Carolyn Susannah [redacted]
Sent: Thursday, July 28, 2022 11:49 AM
To: Planning
Subject: corner stores and home based businesses

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Hello Andrew,

I wanted to provide some comments on section 2.7 of the Draft Zoning Bylaw - Home Business.

As written, this section would prohibit corner stores. Corner stores (even when they aren't on a corner) are the lifeblood of thriving, walkable communities and I would love to see them pop up in my neighbourhood here at the top of Trail Avenue as we densify.

I believe section 3 of this Vancouver bylaw could serve as a good model for our community: https://council.vancouver.ca/20160405/documents/phea1-DraftBy-lawZD.pdf

Thank you for your time,

Susannah

—
C. Susannah Tysor
5790 Trail Ave, Sechelt

Michaela Sugars

From: [redacted]
Sent: Tuesday, August 09, 2022 2:18 PM
To: Planning
Subject: Support for Bylaw 580

I support the legalization of Urban Chicken Coops in Sechelt BC.

My husband is a lifelong resident, and I have called Sechelt HOME for 10 years. We host a free produce stand in our neighbourhood, serving residents of Davis Bay and Wilson Creek. People are beside themselves in gratitude for what we are doing. We want to be able to do more. We want to feed our neighbours. The sense of community that the act of food sharing creates, is immeasurable. Our children are growing and flexing their philanthropic muscles.

Sent from my iPhone

Michaela Sugars

From: Catherine Hanson [redacted]
Sent: Thursday, September 08, 2022 3:10 AM
To: Planning
Cc: Catherine & Alf Hanson & Crawley
Subject: Bylaw 580

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This is my formal response for the Public Hearing on the DOS proposed Bylaw 580.

First, and foremost I do **NOT** support this Bylaw for the following reasons:

1.) Parts of the Official Community Plan (OCP) that were used to "justify or support" the direction of Bylaw 580 are missing or have been misinterpreted (eg. increasing density by allowing structures on smaller parcels of land, agricultural use on smaller lots)
2.) Bylaw 580 was **NOT** given a proper consultation or education process for the residents - particularly to any new residents to Sechelt. To justify the abbreviated and rushed consultation process by saying that there was consultation 10 years ago when the OCP was being developed, is spurious reasoning resulting in a bylaw that is flawed. Furthermore, 10 years ago when West Sechelt people were consulted on the OCP, the concept of increasing density on their properties would not have been to add smaller homes. As well, the concept of introducing agricultural elements onto one's property (allowance of chickens, rabbits and bees, and/or greenhouses, and selling them from a kiosk) would not have been top of mind. Let me be clear, the way in which Bylaw 580 is trying to increase density and change land use - particularly in West Sechelt - is not appropriate, nor does it meet the spirit or intent of the OCP.
3.) Where is the data that supports that this increased density will result in increased housing to address the housing shortage? Rather, it is most likely that any additional spaces created will be used for Short Term Rentals. This is not adding to our community - it is changing our neighbourhood negatively. Don't think the OCP intended that either.
4.) Back to Agricultural use - introduction of chickens, rabbits and bees on small lots is just nonsense. I was raised on a farm and that is where chickens, rabbits and bees should stay! There would be an increase in rodents, coyotes, bears and maybe even infections (think avian flu). Not to mention the stench, particularly in the summer. And, did you consider the animals' well being? People may think its a good idea at first but these animals need 24 hour care.
5.) There is no mention, or calculation, of how much additional water and sewage treatment will be required for a.) increased density housing b.) required by chickens, rabbits and bees, c.) required for greenhouses. Again, how can these aspects be justified given our water shortage situation that will be here for a long time. And please note, that being in Stage 4 as this is response is being written, should focus the reality of such an element in the bylaw. A further point on infrastructure is the consequence of increased traffic and parking on an already stressed system.
6.) There is no mention of Enforcement on any elements of the Bylaw. I do not agree with the statement .."it is covered under another regulation". There needs to be a detailed **costed** plan presented with this Bylaw. We, the taxpayers, need to know NOW what the plan is and how much it will cost. Not doing so is hiding information from the taxpayer.
7.) The Bylaw is silent on what additional taxes will be levied to residents, or what happens to property values if this Bylaw is adopted. Again, this needed to be addressed in the consultations. Taxpayers need to know the consequences of this bylaw on their pocketbook.
8.) How does the Bylaw deal with Medical Marijuana in residential areas? Unclear.
9.) Short Term Rentals - very confusing, not clear if the results of the taxpayer funded consultation were considered or not. This is a huge, messy, divisive issue for the community and the Bylaw in its current form adds a further level of confusion. Is this by error or design?

10.) Many people are concerned about this Bylaw. Because of the rushed process, not taking the time to educate, really listening to their questions and concerns, and providing open and transparent feedback, you have created an environment of mistrust of public officials and staff.

Madam Mayor, Councillors and Planning Department - you made a mistake in pushing Bylaw 580 through the way you did. We expect more and, we deserve more from you.
Stop this process and restart with an updated OCP. The Bylaw should NOT be the Policy - and **updated** OCP is the Policy and the Bylaw flows from it. This current process is being undertaken the wrong way around and has created a troublesome product that will cause many headaches and cost more to "tinker" with than if you did it properly.
I encourage you to do it the right way around.

Respectfully,
Catherine Hanson
6233 Oracle Road
Sechelt, B.C.
V7Z 0N7

[redacted]

Date: August 26, 2022
Subject: Zoning Bylaw 580
To: District of Sechelt, Planning Department
From: D. Trotter

This e-mail is in response to the request published in the Coast Reporter to submit written comments on the proposed new zoning bylaw.

Much of the new zoning is on ground that requires rock stacked retaining walls to be put in place before housing construction can begin. The main purpose of these walls is to hold back the fill required to create level ground above the wall. The level ground is necessary to allow a flat concrete pad to be poured which will then act as the footing for the house. The lower heel of the wall is entirely on the owner's property, the wall slopes towards the house, and MoTI's TC-01-10 describes how to position a structure from a retaining wall.

A problem occurs when houses are built on sloping ground. A wall height of 2.0m will often be chosen as this is the maximum height allowable in the new bylaw. A combined system of stepped retaining walls with a ratio not less than 2H:1V has to be used to achieve the 2.0m height. (DoS bylaw 580, Sec. 2.13). Base rock retaining wall thickness (distance from lowest edge of heel to lowest edge of toe) is normally around 1.0m. With proper placement, the heel or outer lower edge would be just centimetres inside the property line. Wall slope is around 5V:1H. Using TEL common engineering practise, all foundations for permanent structures at the crest of the wall have to be outside a line projected upwards at 1.5H:1V from the toe of the bottom wall. Using this criteria, even if failure of the wall occurs, ground movement would involve landscaped portions of the lot only and the structure would remain undisturbed. With this example, and assuming no back slope, the minimum horizontal distance from the lower heel of the wall to the edge of the house and using only the one stepped wall, is in excess of 6m. R3 zone houses on small lots may not have sufficient room. What will often happen is that a 2.0m high retaining wall is insufficient to provide a large enough flat surface for the house. If construction were to proceed this will require an additional wall far enough away that it can be considered a separate entity. Then the additional distance between the two walls requires that the structure be placed very close to the edge of the top wall. This, in fact, is what often happens and an example follows:



Two walls are being used to counteract the slope. Both walls are on the property. The top wall is stepped. The structures are placed right next to the top wall and the eavestroughs overhang the outer edge of the top of the wall. In plan view the structures satisfy the criteria that the rear lot line is a minimum of 5.0m from the back edge. In order to satisfy the requirement that the front property line also requires a minimum of 5.0m to the structure, the porch on the second house had to be shortened. This occurred as the street is not parallel to the back rock wall. The proximity of the house foundations to the crest of the slope leaves no margin of safety of protection for the structure in the event of failure or severe deformation of the slope.

What is referred to as Smale's method has been used in Sechelt to circumvent MoTI's instructions. This consists of placing the houses on cantilever beams. Then if there is wall failure the houses will remain in

place, although a portion might be suspended in mid-air. It is my professional opinion that this is poor engineering practise, and the practise should be stopped. It fails to account for the surcharge placed on the wall and on the soil caused by the weight of the structure. The added surcharge needs to be considered to make sure factors of safety requirements are met. Freedom of information requests reveal this is not done. If MoTI's instructions are followed any added surcharge caused by the weight of the house is considered negligible in calculations since it is kept far enough away. When a retaining wall goes up a global stability analysis is done of the system and a minimum factor of safety of 1.5 is required. This must also be independently checked by a qualified reviewer. If a house is placed close to the wall, design parameters change, factors of safety are lowered, and calculations need to be reworked. MoTI are clear that this should not be done. In summary, "the Ministry does not allow the construction of rock stacked walls in areas where the location and performance of the rock stacked wall will prevent adjacent or dependent structures from performing their intended function in the event of wall failure" (MoTI TC-01-10).

The proposed bylaw as it presently stands does not address the problem of rock stacked walls being placed too close to structures. This creates unsafe safety conditions and puts public property at risk A suitable phrase placed in "Section 2.13 Retaining Walls" of Zoning Bylaw 580 could stop this practise.

D. Trotter



Michaela Sugars

From: Samuel Hogg
Sent: Tuesday, July 26, 2022 3:20 PM
To: Sandy Hook Community Association; Andrew Allen
Cc: Michaela Sugars
Subject: RE: Draft Zoning Bylaw for Second Reading

Thanks so much Kelly, Andrew is away for a few days so I'll take a look at the comments,

Take care,
Sam

From: Sandy Hook Community Association <sandyhookcommunityassociation@gmail.com>
Sent: Tuesday, July 26, 2022 3:18 PM
To: Andrew Allen <Andrew.Allen@sechelt.ca>; Samuel Hogg <SHogg@sechelt.ca>
Subject: Fwd: Draft Zoning Bylaw for Second Reading

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Hi Andrew and Sam,
I am forwarding the review of the second draft of the zoning bylaw by Greg.
Kelly

---------- Forwarded message ---------
From: **darius.gregory** [redacted]
Date: Sun, Jul 24, 2022 at 11:38 AM
Subject: RE: Draft Zoning Bylaw for Second Reading
To: Sandy Hook Community Association <sandyhookcommunityassociation@gmail.com>

I've had an opportunity to review the most recent draft of Zoning Bylaw No. 580. Various content changes have been made from the previous draft, however, the authors have not provided visual 'tracked changes' in the document. Only a few of the provisions in the recent draft were underlined, which presumably indicates they are new provisions - though, many other changes are not denoted or highlighted in any way. This makes the review very difficult. What can be gleaned after perusing the document is that some changes have been made to the draft following the last round of public input while some of the draft remains the same. Hence, some previous questions, comments and suggestions appear ignored or remain unanswered.

The following comments on the latest draft are somewhat more brief than the previously submitted list of comments:

In general, the organization of the draft bylaw (from specific zones to general provisions and ending with definitions) is a complete inversion from current Zoning Bylaw No. 25, making it difficult to compare the two. There appears little rationale for organizing the zoning bylaw in this fashion - other than claims of "modernizing" it.

The latest draft bylaw continues to include inconsistent and unnecessary wording, capitalization and syntaxes, some of which are noted as follows:

- The term "Single Unit Dwelling" is introduced under the proposed definition of "Secondary Suite", which is inconsistent with the defined term "Single-Detached Dwelling" used throughout the draft bylaw. In some cases

the word "dwelling" appears on its own and in some cases combined with the word "unit". In some instances one or both words are capitalized, in other instances not.

- Previous comments on the superfluous nature of the word "unit" have not resulted in deleting the term from various provisions of the draft bylaw. Not doing so adds to the bylaw wordiness and invariably results in wording inconsistencies throughout the bylaw, as noted.

- As previously suggested, defined terms should appear throughout the bylaw exactly as they appear in the Definitions section including with full capitalization. As examples, the defined term "Live/Work Unit" should not appear as "Live Work unit" in the bylaw provisions. It should match exactly the defined term. The defined term "Accessory Building or Structure" should not appear as "Accessory Building or structure" or "Accessory Structure" in the bylaw provisions. It should match exactly the defined term. The defined term "Gross Floor Area (GFA)" should not appear as "floor space" in the bylaw provisions. It should match exactly the defined term. A required off-street parking space should not be referred loosely in other provisions as a "parking stall".

- The traditionally used and widely accepted term "Secondary Suite" is proposed to be defined and incorporated into the draft bylaw, but the traditionally used and accepted term "Duplex" is proposed to be re-defined and incorporated as "Two-Unit Dwelling". No rationale is provided why, particularly as it could result in confusion with a single detached dwelling containing a secondary suite, particularly if a secondary suite is to have no floor area limit, as proposed. And, if the term "Dwelling" is to be defined as "Dwelling Unit", does that imply a "Two-Unit Dwelling" be awkwardly referred to as a "Two-Unit Dwelling Unit"?

- The use of a period (.) is inconsistently used in some lists. Periods are used to end lists and not to be randomly and inconsistently placed within lists.

- The definition "Building Height" still is accompanied by certain graphics that are inconsistent with its wording. The wording refers specifically to midpoint of a roof, whereas certain graphic depictions do not.

- Some uses that are proposed to be regulated, such as a vehicle charging station, continue to be undefined.

- Certain proposed definitions appear to deserve re-thinking. For example, the draft definition "Farm Product" refers to a commodity that is produced from a farm but does not include water. Would that exclude watermelons as a farm product? Or does the bylaw envision farmers producing water as a commodity, which must in some way be prohibited?

As with review of the previous draft bylaw, a brief focus is placed on the R1 Zone, General Provisions and Definitions, given their relevance (for the most part) to Sandy Hook:

Although a secondary suite appears as a permitted accessory use under Section 1.1.2, it is confusingly absent under the permitted density provisions of Section 1.1.3. A "Secondary Suite" is a dwelling and, as such, is a matter of density that should be acknowledged under Section 1.1.3.

Under the General Provisions the list of permitted uses in any zone under Section 2.1 does not list "the growing and sales of edible fruit, vegetables, plants, and flowers". The reader must search further into the bylaw under Section 2.9.1 to confirm this, which can lead to confusion and unnecessary searching. To be more user-friendly, a list of permitted uses in any zone should be complete and exhaustive, which may include pointers to additional relevant provisions in other parts of the bylaw.

The recent draft bylaw sets no floor area limit on secondary suites, which first poses the question: 'why even define a "Secondary Suite" without any distinction from a duplex or as more "modernly" defined a "Two-Unit Dwelling"? Further, why specify no floor area limit for a secondary suite under Section 2.3.1(b) and then duplicate the

same provision under Section 2.3.2? Further, why under Section 2.3.3 set a 100m² floor area limit for a caretaker dwelling or live/work unit when proposing no similar floor area limit on a secondary suite? What if a caretaker occupies a secondary suite? In such case the District appears on very tenuous ground attempting to regulating occupants vs land use.

Section 2.4.1 appears awkwardly worded. The Section should expressly state that an accessory building or structure that is attached to a principal building becomes part of the principal building and, as such, must conform to all the bylaw provisions respecting principal buildings. And does it not go without saying under Section 2.4.4 that the gross floor area of accessory buildings is not included in the calculation of gross floor area of principal buildings?

Section 2.4.3 contains awkward wording "and is stated the following table". Also, the table under Section 2.4.3 containing the heading "Minimum Lot Size" would be more appropriately and simply titled "Lot Area" as the minimum lot areas are specifically denoted in the associated column, which include lot area ranges - not just minimums.

Section 2.4.5 exempts farm buildings from the limits on accessory building floor area. Whereas Section 2.9.2 proposes to set an apparent arbitrary and unreasonable 30m² floor area limit on greenhouses accessory to a residential use, regardless of lot area. H
This Section would be completely inconsistent with draft Section 2.9.4, which exempts "urban agriculture" buildings from both floor area and site coverage limits. A more reasonable limit on greenhouse floor area, if there really is need for one when the District is promoting residential food security, should start at 100m² on the smallest lots and be scaled up robustly with lot area. Otherwise, the District should explain its rationale for attempting to severely limit the potential for residential food growing and seasonal production in greenhouses.

It appears the District has pared down its short-term rental (STR) provisions substantially by simply requiring no more than three bedrooms in a dwelling be rented out, that one parking stall be provided per rented bedroom, and that a business license be obtained. No vacation home type of STRs are proposed in the recent draft, which is likely due to a prerequisite Official Community Plan amendment being necessary for issuing temporary use permits for such STRs, as previously proposed.

Section 2.9 concerning "Urban Agriculture" still appears inappropriately worded, as the use can take place on remote residential and rural-residential lots, such as in Sandy Hook. If there is little about Sandy Hook that is "urban", why then refer to permitting a domestically limited form of agriculture in Sandy Hook called "Urban Agriculture". Why not call it what it is intended as - "domestic agriculture"? Similarly, why not refer to "urban hens" what they are intended as, "domestic hens"? And why not define such uses accordingly?

Section 2.9.7(c) should more clearly refer to the provision of an on-site water source.

If the District is to regulate hen enclosures and coops, it would be useful to define and distinguish between the two.

Section 2.9.10 contains inappropriate wording. The heading "Minimum Lot Size" would be more appropriately and simply titled "Lot Area" as the minimum lot areas are specifically denoted in the associated column, which includes lot area ranges - not just minimums.

Under Section 2.10.1, it is not clear how or under what circumstances the average finished grade or average natural grade would ever be used in calculating a floor area ratio.

This review is concluded primarily due to time constraints, however, I am happy to answer any questions or focus further on any specific areas of concern. As such, please do not hesitate to call (604-741-0807) or email me.

Cheers,

Darius Gregory Gebka

Sent from my Galaxy

-------- Original message --------
From: Sandy Hook Community Association <sandyhookcommunityassociation@gmail.com>
Date: 2022-07-20 4:00 p.m. (GMT-08:00)
To: Sandy Hook Community Association <sandyhookcommunityassociation@gmail.com>
Subject: Draft Zoning Bylaw for Second Reading

Hi everyone,
The revised draft zoning bylaw 580 for the second reading is available on the District Website right hand side of the web page under documents. The second reading was scheduled for today.

https://yoursaysechelt.ca/zoningrenewal

Kelly

Michaela Sugars

From: Kerianne Poulsen
Sent: Wednesday, July 20, 2022 6:14 PM
To: Samuel Hogg; Michaela Sugars
Subject: FW: Bylaw 580 negative impact on my lot contributes to housing crisis

Public input…

From: Dean Schutz [redacted]
Sent: Wednesday, July 20, 2022 6:05 PM
To: Council <Council@sechelt.ca>; Darnelda Siegers <Siegers@sechelt.ca>; Janice Kuester <Kuester@sechelt.ca>; Brenda Rowe <Rowe@sechelt.ca>; Alton Toth <Toth@sechelt.ca>; Matt McLean <McLean@sechelt.ca>; Eric Scott <Scott@sechelt.ca>; Tom Lamb <Lamb@sechelt.ca>; Tracy Forster <tforster@sechelt.ca>; Andrew Allen <Andrew.Allen@sechelt.ca>; Ian Holl <iholl@sechelt.ca>
Subject: Bylaw 580 negative impact on my lot contributes to housing crisis

Caution! This message was sent from outside your organization.

Bylaw 580 as proposed will have distinctly unfair and seriously negative impact on my property.
At anytime, but especially during the current unaffordability of housing for many and the housing crisis, the change to DECREASE density on a lot such as mine is wrong and unacceptable. I ask that my lot be included in the R3 zoning given lots of the same current zoning in my immediate vicinity or at the minimum the same variance very recently granted to my neighbours just three doors down Nickerson.

My property at 5588 Nickerson, on the south east corner of Oracle, is currently zoned R1. As is the subdivision across Oracle which was developed at the same time and in concert with the rezoning of my parcel to R1.

The Bylaw 580 will rezone my lot to R2, and across Oracle to R3.

Earlier this year, three lots down from me, 5556/5558 Nickerson was granted a zoning variance and designated R9 with a lot size of 500sqm and min width of 14m . (**Everbrite Ventures Ltd. Rezoning Application – Residential (R-3 to R-1) Zoning Amendment Bylaw No. 25-314, 2021 5556/5558 Nickerson Road)**

With this Bylaw change, my lot will go from having a subdivision potential of five and potentially 6 lots (with a minor additional variance)to a subdivision potential of only 4 lots.
While the granting of Rezoning to my neighbours at 5556/58 Nickerson increased their lot potential from 7 lots to 12.
When my neighbours were granted their rezoning, the staff report the coucil ultimately agreed and voted in favour of stated:

Strategic Plan

The application supports the following Council strategic priorities:

Enhancing Community Livability

The provision of small lot residential housing directly supports priority 3.2:

Providing a mix of housing types throughout the District that provide options for a range of needs and incomes.

Managing Growth Effectively

By supporting development within Primary Growth Areas to more efficiently utilize existing infrastructure this application supports the intent of strategic priority 4:

Commit to managing growth in a way that stewards scarce resources, protects environmentally sensitive areas, and provides appropriate and sustainable housing and employment opportunities.

Policy Implications

Integrated Community Sustainability Plan (ICSP)

This application meets the intent of Sustainable Community Development by being located within the Priority Growth Area and increasing the diversity of housing types.

Official Community Plan

As described previously in this report, this development meets the applicable goals and policies of the OCP.

These same conclusions should be drawn for my lot and my desire to see more density rather than less in future subdivision.

The lots across Oracle that are currently zoned R1 the same as mine, will be granted R2 with a min lot size of 350 sqm and lot width of 9m.

To have similar lots on both sides of me profit from increased density while my lot, with better access via frontage on Oracle, has density decreased is arbitrary, unreasonable, wrong, unfair, and unacceptable.

I ask that my lot is included in the R2 designation and that no other lots in the district should see any decrease in density.

My lot is in an already dense neighbourhood, on a bus line, on an arterial connector road, and close to two schools and other amenities and decreasing density in such cases makes no sense and contributes to the housing crisis.

I look forward to your reply and the changes that are needed to this bylaw.

Thank you.

Dean Schutz

5588 Nickerson Rd,

Sechelt

Michaela Sugars

From: Denise Books [redacted]
Sent: Wednesday, September 07, 2022 11:52 AM
To: Planning; Ian Holl; Samuel Hogg; Darnelda Siegers
Subject: Re: New Zoning Bylaw for Lower Wilson Creek

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Again,

The Rural zoning bylaw description at the time the OCP was created differs considerably from the proposed Rural Zoning Bylaw 580. As Ian Holl explained to us, this old zoning bylaw is outdated for our lots now that we've developed. So is the OCP as council has already indicated. Therefore that makes it clear that the OCP zoning from residential to rural on our properties is significantly outdated. The OCP was designed before most of these properties were purchased or developed. Now that we've developed according to Residential3, Rural1 is an enormous step backwards.

We have a community of established residential properties in this lower Wilson Creek area and to change sporadic properties dotted amongst somewhat dense residential will create a wide array of farming/agriculture related issues. We have some large estate properties, beautifully developed amongst our natural forest which help to regulate the potential of the area from flooding. We have also proven these lots to be developable as Big Maples has purchased and rezoned in opposition to this outdated OCP these exact lots into their densely populated trailer parks further proving this proposed Rural 1 Zoning is completely outdated.

Zoning us R1 would give us the potential we had initially when developing our properties and keep us in line with today's growth and development for our area. We feel Rural is a huge step backwards and so obviously inappropriate for our already developed area and is lacking of any future potential especially in regards to our housing crisis.

Thank you for accepting the R1 zoning instead for our lower Wilson Creek neighbourhood.

Denise & Rick
Hazelnut Lane

From: Denise Books
Sent: August 30, 2022 8:49 AM
To: Planning <planning@sechelt.ca>; Ian Holl <iholl@sechelt.ca>; Samuel Hogg <SHogg@sechelt.ca>
Subject: New Zoning Bylaw for Lower Wilson Creek

We have seriously considered the new Zoning Bylaws and how these changes will affect our property and neighbourhood. We are gravely concerned that this new rural zoning is not suitable for our residentially established neighbourhood here. When the OCP was done, most of these properties stood as vacant

land. This hasn't been the case since shortly after the OCP which makes this rural designation no longer applicable to this area.

Our neighbourhood, all currently zoned R3, is already developed into a nice residential neighbourhood. To have any of these properties changed to Rural Zoning is a significant step backwards for this entire neighbourhood. Not only is this Rural designation not conducive to the close residential homes and quiet neighbourhood we have already established on these lots or the way in which our properties and neighbourhood have already been developed, but it is also not conducive to our land which can't very easily now be converted into lands useful for livestock or farming. As well as reducing the potential subdividing and housing allotment for these properties from our existing zoning allowances (which is not helping the housing crisis any), the rural zoning could introduce a host of livestock and farming related issues in our very closely housed neighbourhood and surrounding high density residential neighbours from farm sounds and smells to around the clock farm activity. It is a redundant zoning for this neighbourhood, with these properties already developed, settled & established.

Concerning too is the fact that the properties in this neighbourhood are the only Residentially zoned & developed properties in the whole District being zoned 'backwards' into Rural 1 zoning (besides the undeveloped rural outskirts of Tuwanek). This would also be the only Rural Zoned areas sporadically placed amongst dense residential. Since we are already established residentially developed properties, we implore you to keep us and this lower part of Wilson Creek zoned as Residential and not send us backwards in time.

The 'push it through now and deal with issues later' process of proceeding (as described by the Mayor at the public zoom meeting regarding the New Zoning Bylaws), will create irreversible and problematic changes within our residential neighbourhood, not so easily ironed out later. There will be an onslaught of issues arise from this sporadic placing of rural zoning amongst this already densely housed neighbourhood.

The DOS has indicated that the OCP is old and will be updated next year, so we implore you not to make this kind of drastic change to these properties in our neighbourhood at this time. There are no Rural Zoning permissions applicable or suitable for this neighbourhood anymore. It is a non-relative outdated zoning for all these properties which if made will just degrade and devalue our entire settled neighbourhood. Waiting until the OCP is updated next year would be a much more logical option.

We request to keep this lower Wilson Creek neighbourhood zoned as Residential, rather than stepping backwards to Rural. We are not farmers nor did we buy into a neighbourhood of farmers (primarily agricultural use'). We are an established residential community.

Thanks,
Denise Burns & Rick Puddester
4424 Hazelnut Lane

Michaela Sugars

From: Andrew Allen
Sent: Thursday, September 08, 2022 7:25 PM
To: Michaela Sugars
Subject: FW: New Zoning Bylaw for Lower Wilson Creek

For the binder:

From: Denise Books [redacted]
Sent: Thursday, September 08, 2022 7:19 PM
To: Planning <Planning@Sechelt.ca>; Ian Holl <iholl@sechelt.ca>; Samuel Hogg <SHogg@sechelt.ca>; Darnelda Siegers <Siegers@sechelt.ca>
Subject: Re: New Zoning Bylaw for Lower Wilson Creek

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Hi, As my visit speech went:

concerning the properties between big maples park and ward court.
the properties are presently zoned residential and should remain residential for the following reasons

1-the sunshine coast is currently having a shortage of housing we should be zoning these properties to accommodate more housing not less, as proven with Big Maples which shared our zoning on the OCP prior to development so we can develop with a bit higher density in mind, while current density wouldn't be affected, the future subdivision potential would and we know our potential from our Big Maple neighbours who were on similar zoned and OCP zoned lots

2-i bought a residential property and have no interest in being zoned rural as it would detrimentally affect the value of my land and diminish the years of work i have spent developing according to the current residential zoning.

3- the rezoning process is to bring the bylaws to conform to the OCP which is now outdated and requires rewriting at this point. at the time of the writing of the current OCP these properties were not developed and have since been developed according to the current residential zoning. to change these properties to ru zoning will create many problems with this established neighbourhood.

4- the RU zoning makes no sense with these properties as we could not legally conform to the Code of Practice for Agricultural Environmental Management

according to The Code of Practice for Agricultural Environmental Management (AEM Code) is a Minister's regulation under the Environmental Management Act that regulates storage and use of manure, other agricultural by-products and materials on agricultural operations. The AEM Code applies to all agricultural operations in British Columbia, from small hobby farms to large commercial operations. An agricultural operation includes raising or keeping livestock, poultry or insects, or growing and harvesting agricultural products on non-residentially-zoned land.

the AEM code states minimum setbacks from wells and property lines. these properties are not able to conform to those setbacks as they are narrow and don't have the necessary space to conform to these provincial laws

With most agriculture permits nullified; the rural zoning is really obsolete for here.

Another point we find necessary to include is that these properties are on shallow wells which any agriculture leaching or run off would be of concern to us. According to the provincial CODE OF PRACTICE FOR AGRICULTURAL ENVIRONMENTAL MANAGEMENT there is a 30m required setback from any drinking water sources before any agricultural activities can be conducted. They also indicate a 15-30m setback from property lines before establishing any agricultural activities. The 1.5m setbacks outlined on the bylaw don't even coincide with setbacks in the SCRD. None of these properties between Ward Court and Big Maples that are being changed from Residential to Rural would be permitted any of the rural activities because of the property widths and relativity to our neighbours, not to mention the upset and conflict this would cause within the community if we had to contend with any agriculture/farming issues from runoffs to smells and noises. We are zoned Residential now, please keep us Residential as we fit all the R1 criteria and none of the Rural 1.

As with many others, we believe the OCP needs to be redone prior to creating the new bylaws. The work and time and money involved to change and fix things later will be costly to us all. Let's do the OCP first, then revisit the Zoning.

Thank you for your time,
Rick and Denise

From: Denise Books [redacted]
Sent: September 7, 2022 11:51 AM
To: Planning <planning@sechelt.ca>; Ian Holl <iholl@sechelt.ca>; Samuel Hogg <SHogg@sechelt.ca>; siegers@sechelt.ca <siegers@sechelt.ca>
Subject: Re: New Zoning Bylaw for Lower Wilson Creek

Hi Again,

The Rural zoning bylaw description at the time the OCP was created differs considerably from the proposed Rural Zoning Bylaw 580. As Ian Holl explained to us, this old zoning bylaw is outdated for our lots now that we've developed. So is the OCP as council has already indicated. Therefore that makes it clear that the OCP zoning from residential to rural on our properties is significantly outdated. The OCP was designed before most of these properties were purchased or developed. Now that we've developed according to Residential3, Rural1 is an enormous step backwards.

We have a community of established residential properties in this lower Wilson Creek area and to change sporadic properties dotted amongst somewhat dense residential will create a wide array of farming/agriculture related issues. We have some large estate properties, beautifully developed amongst our natural forest which help to regulate the potential of the area from flooding. We have also proven these lots to be developable as Big Maples has purchased and rezoned in opposition to this outdated OCP these exact lots into their densely populated trailer parks further proving this proposed Rural 1 Zoning is completely outdated.

Zoning us R1 would give us the potential we had initially when developing our properties and keep us in line with today's growth and development for our area. We feel Rural is a huge step backwards and so obviously inappropriate for our already developed area and is lacking of any future potential especially in regards to our housing crisis.

Thank you for accepting the R1 zoning instead for our lower Wilson Creek neighbourhood.

Denise & Rick
Hazelnut Lane

From: Denise Books
Sent: August 30, 2022 8:49 AM
To: Planning <planning@sechelt.ca>; Ian Holl <iholl@sechelt.ca>; Samuel Hogg <SHogg@sechelt.ca>
Subject: New Zoning Bylaw for Lower Wilson Creek

We have seriously considered the new Zoning Bylaws and how these changes will affect our property and neighbourhood. We are gravely concerned that this new rural zoning is not suitable for our residentially established neighbourhood here. When the OCP was done, most of these properties stood as vacant land. This hasn't been the case since shortly after the OCP which makes this rural designation no longer applicable to this area.

Our neighbourhood, all currently zoned R3, is already developed into a nice residential neighbourhood. To have any of these properties changed to Rural Zoning is a significant step backwards for this entire neighbourhood. Not only is this Rural designation not conducive to the close residential homes and quiet neighbourhood we have already established on these lots or the way in which our properties and neighbourhood have already been developed, but it is also not conducive to our land which can't very easily now be converted into lands useful for livestock or farming. As well as reducing the potential subdividing and housing allotment for these properties from our existing zoning allowances (which is not helping the housing crisis any), the rural zoning could introduce a host of livestock and farming related issues in our very closely housed neighbourhood and surrounding high density residential neighbours from farm sounds and smells to around the clock farm activity. It is a redundant zoning for this neighbourhood, with these properties already developed, settled & established.

Concerning too is the fact that the properties in this neighbourhood are the only Residentially zoned & developed properties in the whole District being zoned 'backwards' into Rural 1 zoning (besides the undeveloped rural outskirts of Tuwanek). This would also be the only Rural Zoned areas sporadically placed amongst dense residential. Since we are already established residentially developed properties, we implore you to keep us and this lower part of Wilson Creek zoned as Residential and not send us backwards in time.

The 'push it through now and deal with issues later' process of proceeding (as described by the Mayor at the public zoom meeting regarding the New Zoning Bylaws), will create irreversible and problematic changes within our residential neighbourhood, not so easily ironed out later. There will be an onslaught of issues arise from this sporadic placing of rural zoning amongst this already densely housed neighbourhood.

The DOS has indicated that the OCP is old and will be updated next year, so we implore you not to make this kind of drastic change to these properties in our neighbourhood at this time. There are no Rural Zoning permissions applicable or suitable for this neighbourhood anymore. It is a non-relative outdated zoning for all

these properties which if made will just degrade and devalue our entire settled neighbourhood. Waiting until the OCP is updated next year would be a much more logical option.

We request to keep this lower Wilson Creek neighbourhood zoned as Residential, rather than stepping backwards to Rural. We are not farmers nor did we buy into a neighbourhood of farmers (primarily agricultural use'). We are an established residential community.

Thanks,
Denise Burns & Rick Puddester
4424 Hazelnut Lane

Michaela Sugars

From: Dianne McLauchlan [redacted]
Sent: Saturday, September 03, 2022 6:29 PM
To: Planning
Cc: [redacted]
Subject: New Zoning Bylaw 580 - Provision to address Noise from Growing Floatplane Traffic

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Bylaw 580: floatplane corridor over land to be Wharf Avenue

This was stipulated in a planning/transportation map that I saw before I moved to the village. It was common knowledge that the planes were to go down Wharf Avenue and use the area around Poise Island for take off and landing and to get to a high elevation thereby reducing their noise impact on the community. There was no significant noise from the floatplanes in the village for me for years when I moved here in 2015. I really appreciated the peace and quiet and being to sleep in and wake up to listen to the birds (especially the eagles that once nested nearby) every morning on my deck for as long as I wanted.

Then, just before Covid I was awoken early one morning by low flying planes bombing over my house and they continued early every morning to this day. With Covid, planes stopped for a little while , while the earth stood still and I requested that Harbour Air and Sunshine Coast Air fly their planes down Wharf Avenue (line they know they should) when they started back up.

I asked them to consider that all of us in the village, especially children, were stuck at home and had to work and play there. We all had to pretty much limit our activity to walks around our neighborhood.

As I understand it, floatplanes were used primarily to take loggers up to remote locations North of Porpoise Bay with the occasional flight going south to Victoria or around town for sightseeing.

The floatplanes were then flying low over my house more and more and I expressed my concern to neighbours to find many had concerns and had waged complaints too. Floatplane management now have 60 scheduled commuter flights daily (schedules are on-line) to Nanaimo, Richmond, Victoria, Richmond/Airport and new routes to points up the coast making a loud, sickening, battering and sometimes crashing, window shaking noise overhead - all day long. This is no doubt done in an effort to cut corners to save money on gas and time do they can tell people they can get to Nanaimo or Vancouver in 15 minutes instead of 20. People also wanted to save the time and money and Covid exposure from taking ferries. It is understandable but the environmental, energy and social impacts of taking commuter planes are very unsustainable as well. The people really paying for it are the ones you are directly flying over.

The constant loud noise and extreme visual disruption starting at 7 am is 7 days a week. It is not the kind of noise anyone can get used to or tolerate unless already substantially deaf and/or get up early and spend next to no time at home during the weekday or on the weekends.

Now floatplanes rarely go over Wharf Avenue but fly all over the village “as the crow flies” to their growing number of regular destinations. The floatplane companies don’t take our complaints seriously and tell us to “just move”.

Other cities don't have this problem because the floatplanes come in and head out over open ocean/water (called seaplanes) and are not flying in over land with peoples homes as their flight corridors or utility corridors. Some surrounding newer large residential developments around the village have pushed the air traffic directly on to the village. After all, who would want to buy a new house in a neighborhood with that kind of horrible noise?

The noise from floatplanes echos across the "bowl" of the village and the noise can be over 80 decibels on my deck when a residential neighbourhood maximum is about 50 decibels. When the bigger Harbour Air Otter floatplane starts up at the Lighthouse dock every morning the low vibrating droning sound it makes makes me feel nauseous. The increasing decibels of approaching low flying planes has an exponential noise impact and is startling.

The excessive floatplane traffic has created a serious detrimental condition that will have seriously stigmatized our properties in the village unless properly dealt with.

Noise cancelling headphones don't block the noise. What is happening here is cruel. The devastating health affects of man-made environmental noise on people are registered by the body even if not outrightly noticed. The harms are well documented including stress leading to heart attack, stroke, lack of concentration, depression, etc. Excessive noise from traffic promotes neighbourhood crime and aggression.

People from my street, nearby townhouses, and Greencourt, etc. have complained many times over the last years to me, City Hall and floatplane companies about the growing very disruptive floatplane noise spreading all the way across the village from Wharf Avenue to Ocean Avenue, past Hackett Park. City Hall says it is a Transport Canada issue and planners don't respect the noise bylaw that is supposed to protect the quiet enjoyment of our homes and properties. Transport Canada says it is a municipal planning issue and understandably TC's mandate is only flying safety.

If the village is to be livable and have have more density in the form of infill of laneway homes and two family homes, as indicated in the proposed zoning bylaw, the quality of life in the village must be protected and limits on floatplane traffic, noise and disruption must be put in place and enforced.

If that cannot be done maybe the commuter planes can be re-converted to air based planes and be better managed at the now updated Sechelt Airport.

The residents association is getting reorganized after Covid and has not had the opportunity to get membership going and meet to address issues.

Thank you to Councillors that support this request and put their civic duty to protect the public as an important priority.

Dianne McLauchlan

Sent from my iPhone

Michaela Sugars

From: Don Mann [redacted]
Sent: Wednesday, July 20, 2022 9:38 AM
To: Council
Subject: Tillicum Bay Rd - Executive zoning exemptions.

Caution! This message was sent from outside your organization.

Mayor and Council,

I am writing to provide feedback on the zoning changes that affect my neighbourhood of Tillicum Bay.

I own a 3 acre lot that I believe will be restricted to a 1200 square foot accessory building under the new zoning RU1. My neighbour, a notable CEO, has built half a dozen luxury buildings on his small waterfront property. These structures were built while the current council was in office. My question is how did he get permits for all these buildings? How is it fair for neighbouring properties to have accessory building restrictions that don't seem to apply to him?

Of course, the perception in the community is that because this individual is wealthy and powerful, he can do what he wants.

I am also wondering if the new zoning will include any guidance on lighting? My neighbour, the notable CEO, has installed thousands of lights on his property. He also owns a 10 acre property next to my house and he has installed dozens of electric 'fire torches' that extend up the mountainside. This affects the darkness of my backyard and destroys the rural feel we once had. If you get a chance to look at the properties from the water in the evening, you will be amazed at how bright it is. It feels like a theme park. The neighbourhood is under the impression that there is a Dark Skies policy for our area. I even wrote the DOS asking about this and received a general response indicating there was indeed a Dark Skies policy. My question is this a real policy and if it is, is it enforceable?

Of course, the perception in the community is that because this individual is wealthy and powerful, he can do what he wants. Is that the case?

Sincerely,
Don Mann
5809 Tillicum Bay Rd

ERROLL WILLIAMS
6368 SAMRON ROAD.
COMMENTARY NOTES

1.6 Residential Multiple One Zone (RM1)

Zone Intent:

1.6.1 To provide for a mix of residential housing types, including Apartments, Townhouses and Two-Unit Dwellings.

Permitted Uses:

1.6.2 The permitted principal and accessory uses are as follows:

Principal Uses	Accessory Uses
Apartment Townhouse Two-Unit Dwelling	Home Business

Density:

THIS INDICATES 200Sm/1 UNIT
BYLAW 25 WAS 250Sm/UNIT FOR TOWNHOUSES

1.6.3 Maximum density is 50 units per ha and a Floor Area Ratio of 1.4.

1.6.4 If 100% of the residential units in the development meet the definition of rental housing the maximum density permitted is 100 units per ha and a Floor Area Ratio of 2.8.

NEW CLAUSE WHICH GREATLY IMPACTS ADJACENT HOUSING - DOUBLES DENSITY

Siting

1.6.5 The minimum setbacks from lot lines are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Townhouse	7.5 5.0 m	7.5 5.0 m	3 1.5 m	3 4.0 m
Two-Unit Dwelling	5.0 m	5.0 m	1.5 m	4.0 m
Apartment	7.5 5.0 m	7.5 5.0 m	6 1.5 m	3 4.0 m
Accessory Structure	~~7.5~~ 1.5 m	/ 1.5 m	/ 1.5 m	/ 1.5 m

CONDO OR APARTMENT MEANT

BYLAW 25 REQMTS.

Height

1.6.6 The maximum heights are as follows:

Structure	Maximum Height
Townhouse	10.5' 11.0 m
Two-Unit Dwelling	11.0 m
Apartment	10.5' 12.0 m
Accessory Structure	6 6.5 m

WHY INCREASE AS AFFECTS EXIST'G VIEWS

Lot Coverage:

1.6.7 The maximum lot coverage is 75%.

BYLAW DEFINED INCLUDES BUILDINGS, PARKING & DRIVEWAYS
WHAT DOES BYLAW 580 DEFINE?
CHANGED?

Site Specific Uses

Portion of Lot 12 Block E and F D.L. 4294 Plan 20152 and Lot 1 D.L. 4294 Plan EPP58295 (Mills Road) as shown in figure below:

a) The maximum combined number of Townhouse or Two-Unit Dwellings must not exceed 34 units
b) A maximum of 9 Secondary Suites are permitted
c) Total gross floor area of all buildings not to exceed 4,850 m^2
d) For principal uses, the front and side setbacks are 4.6 m, and the rear setback is 7.5 m.
e) Area subject to site specific regulations a) to d):

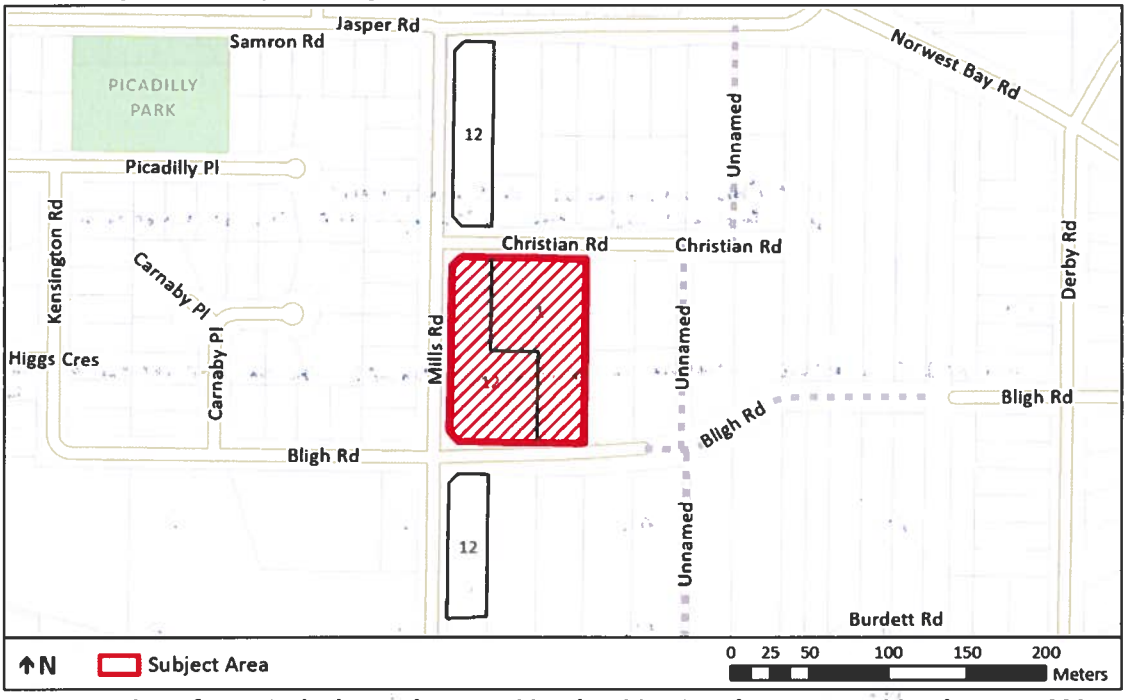


Figure 1: Portion of Lot 12 Block E and F D.L. 4294 Plan 20152 and Lot 1 D.L. 4294 Plan EPP58295

WHAT IS NATURAL GRADE IF LOT MODIFIED - IS YRS AGO BUT NO BUILDING — USE CURRENT DOS CONTOUR MAP?

2.10 Calculating Height and Grade

2.10.1 The lower of the average finished grade or average natural grade, each calculated separately, will be used in building height and floor area ratio calculations. ← GOOD ADDITION

2.10.2 To calculate the average finished grade and average natural grade for the building:

a) calculate the average grade elevation for each wall section having a constant grade along the finished and natural wall section by dividing the grade elevation at each end by 2, then multiply this average grade elevation by the length of that wall section.

b) add the resulting numbers for each section of wall.

c) divide this total number by the total perimeter wall length of the building. This will be the average grade, natural or finished.

2.10.3 Where the undisturbed ground level of natural grade cannot be ascertained because of existing landscaping, buildings or structures, and appears to have been significantly altered, the level of natural grade shall be determined by the Municipal Building Inspector, who may rely on the professional opinion of a British Columbia Land Surveyor on the determination of natural grade at the cost of the property owner.

2.11 Height and Setback Exemptions

2.11.1 Height is regulated in specific zones and the calculation of height excludes the following:

a) spires, domes, and minarets on places of worship.

b) Chimneys.

c) flag poles.

d) communications antennae.

e) solar panels on buildings

f) wind power equipment

g) transmission towers

h) elevators and ventilation machinery

i) farm buildings including silos.

2.11.2 The exemption applies provided that such structures:

a) occupy no more than 5% of the Lot Area

b) if situated on a building, occupy not more than 15% of the roof area of the Principal Building, except for solar panels, which shall not occupy more than 50% of the roof area nor extend past the plane of the exterior walls below

c) in the case of communications antennae, solar panels, and wind power equipment, project no more than 1.0 m above the roof height.

2.11.3 Heat pumps, central air conditions units and other similar mechanical equipment associated with a single detached, duplex or townhouse, shall not be located in a front yard, or in a side yard, where the minimum required setback is 1.5 m or less, and shall be located a minimum of 4.5 m to side lot lines and a minimum of 3.0 m from a rear lot line, and shall be screened from view from a public street.

2.9.4 Buildings or structures associated with urban agriculture are not included in the calculation of site coverage and/or floor space for accessory buildings or structures.

2.9.5 One roadside stand no larger than 10 m^2 is permitted per lot.

2.9.6 A maximum of 600 m^2 Urban Agriculture is permitted on a parcel zoned for Multi-Unit Residential or Commercial use.

Urban Hens and Rabbits

2.9.7 Urban hens and rabbits are permitted in Residential zones, other than the RM1 and RM2 zones, in conformity with the following regulations:

a) A combined maximum of six hens or rabbits are permitted on a lot less than 2,000 m^2.

b) A maximum of eight hens or rabbits is permitted on a lot equal to or greater than 2,000 m^2.

c) A water source, including supplemental non-potable water, on the Lot.

d) A coop and an enclosure are not permitted within a front yard.

e) A coop is not permitted to be located within 5.0 m of any exterior, interior, or rear lot line.

f) The raising of hens or rabbits shall be conducted in a manner as to not attract wildlife, including a properly constructed enclosure to exclude or deter wildlife predators, storing and providing feed in a secure location not easily accessed by wildlife.

g) The keeping of hens or rabbits shall not contribute to noise, odour, dust, or nuisance to the immediate neighbourhood and must comply with the Property Maintenance Bylaw and Noise Bylaw.

2.9.8 Goats, ducks and roosters and other livestock are permitted on parcels in the RU zones or properties within the Agricultural Land Reserve and AG1 zone.

2.9.9 Properties with hens, ducks or any other permitted livestock or poultry are required to register for a free BC Premises ID (BC PID) assigned by the Ministry of Agriculture.

Apiculture (Beekeeping)

2.9.10 Apiculture is a permitted accessory use in Residential zones, subject to:

a) The maximum number of beehives permitted in Residential zones is dependent upon lot size as follows:

Minimum Lot Size	Number of Hives
Less than 750 m^2	Not permitted
Greater than 750 m^2 to 1500 m^2	2 beehives
Greater than 1500 m^2	4 beehives

2.9.11 An adequate water source for the bees, including supplemental non-potable water, on the Lot, but not within 3.0 m of any exterior, interior, or rear lot line.

2.9.12 The hive entrance must be a minimum of 6.0 m away from any lot line.

2.9.13 Hives shall be located in a rear yard.

2.9.14 The side and rear of the hives must be a minimum of 3.0 m away from any exterior, interior, or rear lot line.

2.9.15 The hive must be located behind a solid fence or hedge that is 2.0 m in height and that runs parallel to the property line.

Cannabis Production WHAT ABOUT PRODUCTION IN HOUSES THAT DO NOT COMPLY? NO MORE BUSINESS LICENSES / CLOSE DOWN

2.16.5 Cannabis Production permitted outside the Agriculture Land Reserve is subject to the following:

a) All production activities must occur within an enclosed facility

b) No outdoor cultivation, production or storage is permitted

c) No building or structure is located within 50 m of any lot line abutting a residential area in the Residential, Residential Multiple, and Commercial Zones.

d) No facility may be located within 300 m of an elementary or secondary school

e) The minimum lot area for a standard production facility is 3,000 m^2, and

f) All facilities must have an odour control system so that any odour associated with cannabis use cannot be detected beyond the property line of the lot on which the cannabis production facility is located.

2.16.6 Cannabis Production on agricultural lands are limited to the AG1 zone and are subject to the following conditions:

a) The use must comply with the provincial Agricultural Land Reserve Use Regulations, as amended from time to time

b) The use is entirely within the Agriculture Land Reserve

c) A maximum of one Health Canada Cannabis Cultivation Licence of any type is permitted on a lot

d) The maximum combined gross floor area of all the buildings associated with a Health Canada Cannabis Standard Cultivation Licence is 1,000 m^2

e) No building or structure is located within 50 m of any lot line

f) No security fencing greater than 1.2 m in height is located within 30 m of any lot line

g) Cannabis cultivation is prohibited in a structure with a base consisting, in part or entirely, of any material that is not soil

h) No building height exceeds 10.5 m, and

i) Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs 3 m, or more, in width and 1.5 m, or more in height.

Cannabis Micro-Cultivation - Agricultural Zones

2.16.7 Cannabis Micro-Cultivation is limited to the AG1 zone and are limited to authorized micro-cultivation and nursery licensed operations only, and are subject to the following conditions:

a) The use must comply with the Agricultural Land Reserve Use Regulation, as amended from time to time

b) The cannabis micro-cultivation use is entirely within the Agriculture Land Reserve

c) A maximum of one Health Canada Cannabis Cultivation License is allowed on a lot

d) The maximum combined gross floor area of the buildings associated with a Health Canada Cannabis Micro-Cultivation License on a lot is 500 m^2

e) No building or structure is located within 100 m of any lot line

f) No security fencing greater than 1.2 m in height is located within 30 m of any lot line

g) Cannabis Micro-Cultivation is prohibited in a structure with a base consisting, in part or entirely, of any material that is not soil

h) No building height exceeds 10.5 m, and

i) Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs 3.0 m, or more, in width and 1.5 m, or more in height.

2.17 Renewable Energy Devices

2.17.1 All solar energy devices in residential and commercial zones shall be attached to a principal or accessory building and shall not project more than 1.0 m beyond the outermost edge of the principal building.

2.17.2 Wind energy devices which generate up to 10 kw are permitted in any zone, on lots 1,000 m^2 or greater in area provided that:

a) only one wind energy device is permitted per Lot

b) the maximum height of the wind energy device (including the blades) is 10.5 m measured from natural grade, and

c) the device is located at least 10 m from any lot line.

2.17.3 Wind energy devices which generate up to 20 kw are permitted in commercial, industrial, and institutional zones on lots 1,000 m^2 or more in area, provided:

a) the maximum height of the wind energy device, including the blades, is 21 m measured from finished grade, and

b) the device is located at least 10 m from any lot line.

2.18 Community Care and Assisted Living

2.18.1 Licensed Community Care Facility or registered assisted living residences under the *Community Care and Assisted Living Act*, as amended, may be located in a Dwelling in any zone:

a) as a day care for no more than 8 persons in care

b) as a residence for no more than 10 persons, not more than 6 of whom are persons in care, and

c) Despite the above the IN1 zone further provides for assisted living opportunities.

2.19 Subdivision Regulations

2.19.1 No Lot shall be created by subdivision unless:

a) The Lot is equal to or greater than the minimum Lot Area or width specified for the zone in which it is located in unless otherwise specified in this bylaw, or

b) The subdivision is a lot consolidation or a realignment of a Lot Line and no additional Lots would be created.

2.19.2 Where this bylaw specifies a minimum and average Lot Area, averaging of Lot Areas to support conservation subdivision design approaches is permitted, provided that:

a) No Lot is less than 10% less than the required minimum Lot area, and

b) The average area of Lots in the subdivision is equal to, or greater than, the average Lot Area specified for the zone.

2.19.3 Lots that consist of two or more parts physically separated by a highway which was dedicated prior to the adoption of this Bylaw may be subdivided along the dividing highway in spite of the fact that the newly created lots fail to meet the minimum lot size requirements of this bylaw, provided that requirements of the authority having jurisdiction are met with respect to the provision of water, method of sewage disposal, and access.

justify the reduced parking requirement, including any relevant restrictions on the hours of operation of these uses; and

c) aside from such reduction, all other requirements of this Bylaw are met.

3.3 Calculation Considerations

3.3.1 Where gross floor area is used as a unit of measurement for the calculation of required parking and loading spaces, it shall include the total floor area on a lot.

3.3.2 When the calculation of parking and loading results in a fractional parking or loading space of 0.5 or more, the number of off-street parking spaces shall be rounded to the nearest whole number.

3.3.3 Where a building contains uses which fall into more than one classification, the required number of parking and loading spaces shall be the sum of the spaces required for each use.

3.3.4 Despite Section 3.2 where the maximum use of parking spaces for two or more premises occurs at different periods of time, and when such premises are on the same lot, the aggregate number of parking spaces required may be reduced to 75% of those otherwise required by this bylaw for such premises.

3.4 Accessible Parking

3.4.1 Where 20 or more parking spaces are required for a building or structure, accessible parking shall be provided as follows:

a) One accessible parking space for the first 20 off-street parking spaces;

b) One accessible parking space for each 50 required of-street parking spaces or portion thereof; and

c) Each accessible parking space shall count as one of the total number of required off-street parking spaces.

3.4.2 All accessible parking spaces shall have a minimum width of 3.7 m in order to allow sufficient access to vehicles by persons confined to wheelchairs. Such spaces shall be located as close as possible to the entrance of the use or structure and shall be reserved and designated for disabled persons and clearly marked for the sole use by disabled persons.

3.5 Design Criteria for Parking Spaces

BYLAW 25 WAS 2.6m. WHY CHANGE AS LOTS OF TRUCKS

3.5.1 Each off-street parking space shall contain a rectangle measuring a minimum of 6.0 m long by 2.5 m wide and where applicable by 2.2 m in height. For parallel parking, the space shall be 7.0 m long.

3.5.2 In any development proposal, no more than 20% of required spaces shall be designated for compact or small cars. Such spaces, if used, shall be no smaller than 4.6 m by 2.5 m and shall be clearly marked for use by compact or small vehicles.

3.5.3 Every parking space shall have vehicular access to the street and in a location convenient to its associated use.

3.5.4 Unobstructed maneuvering aisles shall be provided as outlined in Table 1.

PART 3. PARKING REGULATIONS

3.1 General Parking Requirements

3.1.1 When development occurs on any lot, off-street parking and loading shall be provided and maintained in accordance with the requirements contained in this section.

3.1.2 Except in the case of dwellings located in residential zones, required off-street parking areas may be located on a different lot than the building or use requiring the parking provided that such parking facility is located no more than 90 m from any building or use being served within the commercial core as per Figure 7 and 80% or greater of all required parking is located on the property being developed.

3.1.3 No parking, loading or storage areas shall be located in a required setback on non-Residential zoned land where the abutting property is zoned Residential.

3.1.4 Except in association with Single-Detached Dwellings, Two-Unit Dwellings, and Manufactured Home Parks, off-street parking spaces shall not be accessed directly from a Highway but shall be accessed by a driveway and maneuvering aisle as required.

3.1.5 The provisions of this section shall not apply to buildings, structures, or uses existing on the effective date of this Bylaw, except that:

a) Off-street parking and loading facilities shall be provided and maintained in accordance with the provisions of this section for any addition to buildings or structures or any change or addition to such existing use; and

b) Off-street parking and loading existing on the effective date of the adoption of this Bylaw shall not be reduced below the applicable provisions of this section.

3.2 Shared Parking

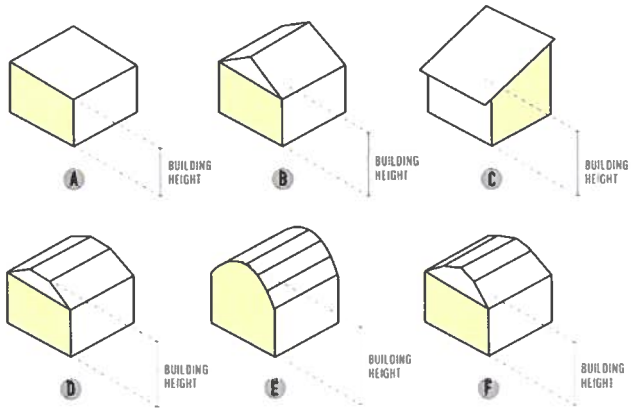
3.2.1 All parking and loading spaces required to be provided under this Part shall be kept available at all times for vehicles operated by persons occupying, using or providing services to the use, building or structure for which the parking is required, unless it can be demonstrated that parking needs for each use occur at different parts of the day, in which case the spaces allocated to a use must be available for that use whenever required.

3.2.2 Despite section 3.1.2, where the peak use of off-street vehicle parking spaces for two or more uses on the same lot or adjacent lots occurs at different periods of time, the required number of off-street vehicle parking spaces for such uses in total may be reduced by no more than 25%, provided that the requirements of section 3.2.3 b) are met.

3.2.3 A reduction in the total number of required off-street vehicle parking spaces as described in section 3.2.1 shall only be permitted with approval of the Director of Planning and Development and where:

a) A written report has been submitted to the District by a professional engineer experienced in parking matters, recommending such reduction based on supporting evidence;

b) a covenant in favour of the District is registered against the title of the lot or lots concerned, and limiting the use of the lot(s) to the uses that have been determined to

B	
BASEMENT	means a portion of a building other than a crawlspace, located below the first storey, and no portion of which is situated more than 2.0 m above grade.
BUILDING	means any structure used or intended for supporting or sheltering any use or occupancy. When a structure is divided by party walls located upon lot lines, then each portion of such structure shall be deemed to be a separate building.
BUILDING HEIGHT	means the vertical distance measured from the Average Grade to the mid-point of the roof of a building or structure. 
BUILDING SUPPLY ESTABLISHMENT / CENTRE	means the supply and indoor and/or outdoor storage of materials or fixtures that are incorporated in the structure of a building including hardware, lumber, wall-paneling, and carpet. A building supply establishment excludes concrete mix plants and other building supply manufacturing and processing plants.
BULK FUEL STORAGE AND DISTRIBUTION	means the storage, sale and distribution of petroleum, gasoline, fuel oil, gas, and other flammable liquids.
C	
CAFÉ	means a restaurant where occupancy load is limited to no more than 30 persons and food offered for sale is limited to beverages and baked goods.
CAMPGROUND	means land that has been designed and developed to accommodate persons who wish to camp and not for principal residential dwelling purposes. Excludes manufactured homes as defined in the Manufactured Home Park Tenancy Act and tourist accommodations.
CANNABIS	means cannabis as defined in the *Cannabis Act*.
CANNABIS PRODUCTION	means the manufacturing of cannabis or cannabis products as permitted by the *Cannabis Act*, including a facility used for the cultivation, processing, packaging, storage, distribution, or analytical testing and research of cannabis and cannabis products, but does not include the retail sale of cannabis.
CANNABIS, PERSONAL	means the use of land, buildings, or structures on a lot, for the cultivation of no more than 4 cannabis plants per dwelling situated on the same lot, for consumption by the dwelling's residents, and no other persons.

FIRST STORY DEF. REFERS TO NATURAL GRADE ??

ALCOHOL PRODUCTION FACILITY	means the use of a premises or a building for the production of alcoholic beverages or beverage products with alcoholic content exceeding 1% by volume. It includes a brewery, cidery, distillery, meadery, or winery
APARTMENT	means a building or part of a building containing four or more dwelling units, the occupants of each unit living independently of each other but having common rights of use in hallways, stairs, elevators, yards, or similar facilities. Units may have common or separate access.
AQUACULTURE	means the growing and cultivation of aquatic plants, or fish, for commercial purposes, in any water environment, in man-made containers of water on land, and includes the growing and cultivation of shellfish on, in, or under the foreshore or in the water. Includes the processing, packaging, warehousing and retail sale of fish and plant products produced on site. May also include educational and interpretation programming.
AQUACULTURE PROCESSING	means the treating or preparing of fish, shellfish, mollusks, crustaceans and marine algae and any treatment or use of fish offal for the preparation of fish feed. Includes: a) in respect of fish, shellfish, mollusks, crustaceans and marine algae, the cleaning, smoking, shucking, packaging, cooking or canning, provided that the cleaning smoking, packaging, cooking and canning is carried out within a fully enclosed building permitted in this bylaw, and includes the storage of live fish for holding or breeding purposes, and the storage of oyster shells and includes the storage and any treatment of fish offal for the production of fish feed, provided that the storage and treatment of fish offal is carried out within a fully enclosed building permitted in this bylaw. b) excludes any treatment or preparation not included in this definition and specifically excludes rendering.
ARTIST STUDIO	means a workspace for artists, artisans, craftspeople, including people engaged in the application, teaching, performance of fine arts such as, but not limited to, drawing, dance, vocal or instrumental music, painting, photography, sculpture, and writing. May include the accessory sale of art produced on the premises.
ASSEMBLY	means the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational, or religious purposes but does not include the provision of sleeping or dwelling units; may also include camp assembly on select properties
AUTOMOTIVE COMMERCIAL	means the retail sale of automobiles, trucks, boats, recreational vehicles and related parts and accessories and includes facilities to service, wash or repair them, includes service stations as an auxiliary use but excludes, auto body shops and wrecking yards.
AUTOBODY REPAIR	means premises used for the repair and painting of the bodies of passenger vehicles, motorcycles, snowmobiles, boats, all-terrain vehicles, farm machinery, recreational vehicles, and heavy equipment.
AUTOMOTIVE SERVICE	means the use of premises for the servicing and mechanical repair of passenger vehicles, motorcycles, snowmobiles, boats, all-terrain vehicles and other similar light recreational vehicles including the installation, sale and storage of automobile parts and related accessories, and includes transmission shops, muffler shops, tire shops and auto glass shops. This use does not include body repair shops.

G	
GARAGE	means an accessory building or portion of a principal residential building, designed, and used for the storage of vehicles and household materials by the occupants of the building to which it is accessory.
GARDEN NURSERY	means the use of land or buildings for the growing, harvesting, display, wholesale or retail sale of plants, trees, sod and similar plant materials and the sale of garden accessories, tools, and related products and excludes all other wholesale or retail sales and Cannabis production or sales.
GAS STATION	means a premise used principally for the retail sale of motor fuels, lubricating oils and motor vehicle accessories and the mechanical servicing of motor vehicles and may include the accessory retail sale of other automobile-related products and a car wash, but does not include motor vehicle sales or body repair shops.
GATHERING FOR AN EVENT	means a gathering of people on agricultural land for the purpose of attending: a) wedding, b) music festival, or c) an event, other than: a. agritourism activity, or b. the celebration, by residents of the agricultural land and those persons whom they invite, of a family event for which no fee or other charge is payable in connection with the event by invitees.
GOLF COURSE	includes driving ranges, maintenance facilities, pro shops, club houses serving food and beverages but may include accessory mini-golf facilities.
GRADE, AVERAGE	means the measurement around the perimeter of the building or structure at or directly above or below the outermost projection of the exterior walls. See **Section 2.10**.
GRADE, FINISHED	means the elevation at any point along the surface of a parcel after construction but excluding localized depressions immediately adjacent to building features such as basement window wells, entrance ways and limited patio space.
GRADE, NATURAL	means the surface elevation of a parcel in its existing state, prior to any disturbance, alteration of land, excavation or filling as determined by a British Columbia Land Surveyor.
GREENHOUSE	means a structure, or that portion of a structure, made primarily of glass or other translucent material for the purpose of cultivation or protection of plants.
H	
HIGHWAY	means a street, road, lane, bridge, viaduct, and any other way open to public use, other than a private right of way on private property
HOME BUSINESS	means the accessory use of a dwelling unit (or accessory building where permitted) by at least one resident of the dwelling unit for a business activity that results in a product or service. This does not include body shops, metal fabricating, welding, and repair and maintenance of vehicles, boats, and other equipment.
HOSTEL	means an inexpensive lodging facility and type of tourist accommodation that typically has dormitory-style sleeping arrangements and may offer meals and organized activities.

TIE THESE INTO OTHER REF TO BYLAWS

HOTEL	means a building which contains sleeping units intended for the accommodation of the traveling public and may contain accessory assembly, commerce, entertainment, indoor recreation, or restaurant uses and premises licensed for onsite consumption of alcoholic beverages.
I	
IMPERVIOUS SURFACE	means a hard surface that facilitates run-off of precipitation instead of infiltration into the subsurface.
INDUSTRY, HEAVY	means the processing, manufacturing from raw materials, fabricating, assembling, storing, transporting, or distributing of semi-finished or finished goods, products and materials, or the wrecking and salvaging of goods and materials and includes, but is not limited to: a) manufacturing of wood products, concrete, asphalt, concrete products b) manufacture of prefabricated homes c) construction of boats and marine products d) trucking and shipping facilities, and e) log booming and sorting.
INDUSTRY, LIGHT	means assembling, distributing, fabricating, processing, repairing, servicing, storing, testing, warehousing, wholesaling, testing or transporting of goods, machines or materials, and the fabrication of materials and products from previously manufactured materials, where the primary activity is carried out within a building.
K	
KENNEL	means a building, structure, compound, pen, cage, or other facility where three or more dogs, three or more cats, three or more birds, or any other domestic pets, are boarded, groomed, harboured, trained, rescued, or bred, whether for profit or not.
L	
LANDSCAPING	means the planting of lawns, shrubs, and trees, and the addition of fencing, walkways and paths, patios, and other structures and materials so as to enhance the appearance of a property or where necessary to effectively screen a lot, site, yard or structure. Note: Landscaping may be subject to Development Permit guidelines contained within the Official Community Plan.
LIVE/WORK UNIT	means a Dwelling Unit combining residential use with commercial and/or limited industrial uses contained in a single structure. Uses may include: a) offices b) artist studios c) making, processing, and assembling of products on a small scale.
LIVE-ABOARD	means a marine vessel designed primarily for the purpose of navigation, which is equipped with a sewage holding tank and used incidentally as residential accommodation.
LIQUOR PRIMARY ESTABLISHMENT	means an establishment that holds a license issued under the *Liquor Control and Licensing Act* and includes uses such as a pub, bar, lounge, and manufacturing facilities such as brewery, and distillery.
LOADING SPACE	means a space for the loading or unloading of a vehicle either outside or inside a building or structure, but specifically excludes manoeuvring aisles and other areas providing access to the space.

SHORT-TERM RENTAL	means the commercial provision of temporary overnight accommodation in a dwelling unit for a period of less than 30 days.
SILVICULTURE	means the use of land for growing, cultivation, protection and harvesting of forest products, but excludes the manufacturing or processing of any forest products.
SINGLE-DETACHED DWELLING	means a principal building containing only one primary dwelling unit that may have an attached garage and where permitted by this Bylaw, may include an attached or detached accessory dwelling unit.
SLEEPING UNIT	means one or more habitable rooms containing facilities for living and sleeping but does not include provision for cooking or food preparation.
SOLAR ENERGY DEVICES	means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy and includes solar panels
SPA	means a commercial establishment providing facilities devoted especially to health, fitness, weight loss, beauty, and relaxation
STORAGE YARD	means the use of land for the storage of equipment, goods and products, vehicles, machinery, and materials, either inside or outside of an enclosed building, but does not include a Wrecking Yard.
STOREY	means that portion of a building situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top of such floor and the ceiling above it.
STOREY, FIRST	means the Storey having its floor level not more than 2.0 m above average natural grade. INTENDED
STRUCTURE	means a construction of any kind whether fixed to, supported by, or sunk into land or water but excludes fences and retaining walls less than 1.2 m in height, construction less than 0.6 m in height above or below natural grade and landscaping and paved areas.
T	
TEMPORARY BUILDING	means a building or any part thereof that is authorized by the District to be used for a limited period of time.
TOURIST ACCOMMODATION	means habitable suites or rooms, which are used to provide temporary lodging, for the travelling public on a nightly or weekly rental basis, where the rental occupancy is less than four weeks and includes hotel, motel, hostel, resort hotel, or cabin rentals.
TOURIST COMMERCIAL	means the provision of services and the sale or rental of equipment for recreation activities normally associated with leisure, but excludes rental of powered personal watercraft.
TOWNHOUSE	means a building divided into three or more dwelling units that may be configured as side-by-side units or as stacked units, each with separate ground level access and sharing at least one common wall with another dwelling unit.
TRANSPORTATION SERVICES	means the operation of bus and truck terminals, airports, freight handling, passenger and transit depots, vehicle rentals and taxi terminals

TWO-UNIT DWELLING	means a building comprised of two attached dwelling units sharing a common party wall, whether subdivided from each other or not, where each dwelling unit has a separate ground-oriented entrance from the exterior of the building and where dwelling units may be either side-by-side or stacked vertically.
U	
USEABLE OPEN SPACE	means an unobstructed portion of a lot that is landscaped and developed for active or passive recreational and leisure use and is conveniently located and accessible.
V	
VETERINARY CLINIC	means an establishment for the care, diagnosis and treatment of animals and includes the provision of short-term lodging for animals under the care of a veterinarian.
W	
WRECKING YARD	means any building or land used for the storage, impoundment, wrecking, salvaging, dismantling or disassembly of vehicles, vehicle parts, boats, trailers, aircraft, used lumber and building materials, appliances, machinery, or industrial equipment.
Y	
YARD, FRONT	means the area of a lot between the front building face of the principal building and front Lot Line.
YARD, REAR	means the area of a lot between the rear building face of the principal building and the rear Lot Lines.
YARD, SIDE	means the areas of a lot between the side building face of the principal building and the side Lot Lines.

Michaela Sugars

From: Lindsay Vickers
Sent: Tuesday, July 19, 2022 10:15 AM
To: Ian Holl
Cc: Samuel Hogg; Michaela Sugars
Subject: FW: Industry and Zoning Bylaw Update

From: Gaetan Royer <[redacted] **On Behalf Of** Gaetan Royer
Sent: Monday, July 18, 2022 9:30 PM
To: Council <Council@sechelt.ca>
Subject: Industry and Zoning Bylaw Update

Caution! This message was sent from outside your organization.

Dear Mayor and Council

I would like to convey my congratulations on advancing the new Zoning Bylaw to second reading. I just went through all the comments that were submitted by individuals and groups as part of the remarkable amount of public engagement that was carefully documented by staff. This level of public outreach is second to none.

As you may know, industrial space in the Lower Mainland is extremely limited. The vacancy rate for **strata industrial** is near zero. Investors are searching BC's interior and the Okanagan.
https://www.westerninvestor.com/british-columbia/vancouver-industrial-strata-seems-immune-from-interest-rate-hikes-5564573

I am currently working with owners of large industrial parcels in Sechelt. I met with your staff and SCREDO's Colin Stansfield to discuss successful business parks in other communities. I was encouraged to hear there is existing demand for strata business locations on the Sunshine Coast. I was also encouraged by broad recognition that investment in strata employment space is needed.

A few days ago, my firm proposed 40 industrial units to be located on a 4-acre site on Sechelt Inlet Rd. We just started to float the idea in Metro Vancouver; already, many business owners say they want to move.

Modern business parks offer strata ownership and a mix of industry and office. The image below illustrates an old single-storey warehouse on the left versus what's being built today: well-designed structures with a much higher assessed value. Internet-based operations transformed the ratio of office to warehouse: a small office mezzanine is no longer sufficient to support most businesses; they need full office floors above.

I am writing to ask that Council consider amending the Zoning Bylaw's **building height** for the Light Industrial One Zone (i1) **to 20m instead of the 10.5m** currently in the new Zoning Bylaw. Increasing the maximum building height for industrial land was requested by several organizations, including in SCREDO's letter (page 43 of your agenda).

The alternative, of course, will be to apply for development variance permits later on. However, I would suggest that increasing building height in industrial areas by making an amendment at Second Reading is a minor adjustment that is well justified by economic development benefits and desirable growth of sechelt's commercial tax base.

Respectfully submitted for your consideration.



Above: RiverWorks, 4 storey strata business space on the Fraser River waterfront.

Below: Marine Landing, light industry 26 ft ceilings on ground floor, 18 ft ceilings second floor and 2 levels of office space above.



Gaetan Royer

604-816-5399
CityState.ca
Suite 200 - 2414 St Johns St, Port Moody, BC, Canada, V3H 2B1
Sunshine Coast Office: 5547 Trail Ave, Sechelt, BC, Canada, V0N 3A3



Michaela Sugars

From: Gary Little of Holywell <gary@garylittle.ca>
Sent: Sunday, August 14, 2022 11:44 AM
To: Planning
Subject: Fwd: Proposed new zoning bylaw: R-4 zone area inconsistency

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Andrew,

I'm forwarding this 8-year-old email to you because the issue mentioned in it now also relates to the proposed new Bylaw 580 / OCP amendments. It was provided as feedback to another proposed new zoning bylaw in 2014 which never materialized.

In brief, there are a group of properties in the village core which span the entire distance between Medusa and Spindrift which are not included in the proposed R-4 zone. They should be. They are level lots and at least two or three of them currently have ample space for an accessory dwelling. I see these properties as being no different than the group of properties in the block to the east of Ocean (which are included in R-4).

Regards,

Gary

Gary Little, Real Estate Agent
Holywell Properties
Suite 201 - 5760 Teredo St., P.O. Box 187
Sechelt, BC V0N 3A0 Canada

Cell: 604-741-5347

Office: 604-885-3460
Fax: 604-740-0248
Email: gary@garylittle.ca
Website: www.garylittle.ca

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map.GaryLittle.ca -- computer, tablet, or smartphone

Royal LePage Director's Platinum Award 2016
MLS® Medallion Club 2016

Begin forwarded message:

From: Gary Little of Royal LePage <gary@garylittle.ca>
Subject: Proposed new zoning bylaw: R-4 zone area inconsistency
Date: September 4, 2014 at 9:53:15 AM PDT
To: Angela Letman <aletman@sechelt.ca>
X-Mailer: Apple Mail (2.1878.6)

Angela,

I wish to point out an inconsistency in the proposed new R-4 (Laneway Residential) zoning in the hope that it can be rectified swiftly. (This is the same issue I discussed with you on the morning of August 26.)

In brief, the R-4 zone appears to be intended to cover every residential home in the Sechelt village area that has a lane (or full street) directly behind the home. In fact, every such home in the village is so zoned, with six exceptions: the group of properties on the north side of Medusa St immediately west of Ocean Ave.

For some reason, these six properties, which all have the required attributes of an R-4 property (i.e., lane access to the back of the property), have been tentatively zoned R-2 instead.

In the interest of consistency, as well as fairness to property owners, I believe the "Medusa 6" should be made part of the R-4 zone.

Regards,

Gary

Attachment: Sechelt village zoning map with annotation

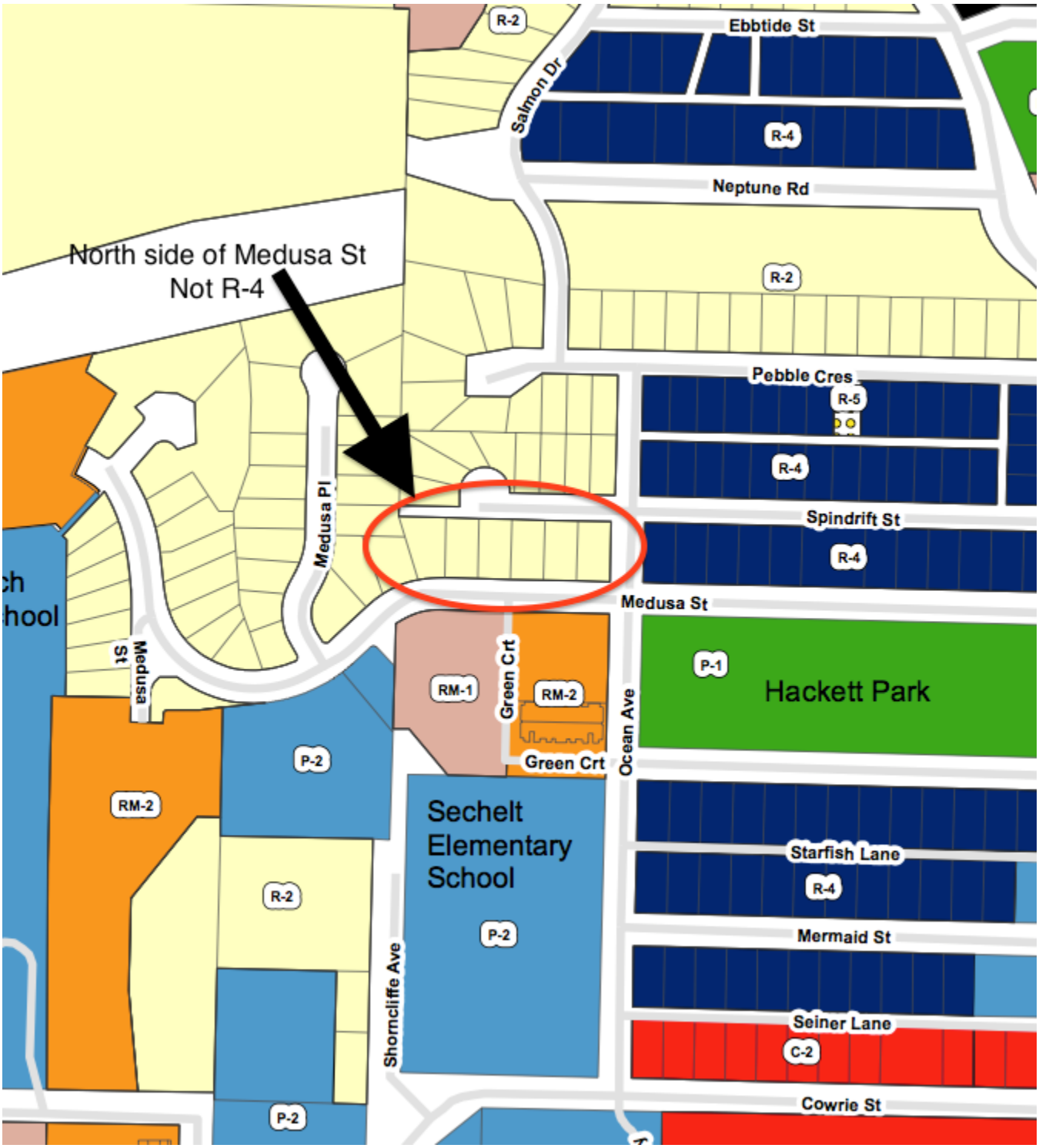
Gary Little, Realtor
Royal LePage Sunshine Coast
5485 Wharf Ave, P.O. Box 65
Sechelt, BC V0N 3A0 Canada

Cell: 604-741-5347 / Office: 604-885-0299
Fax: 604-885-0298
Email: gary@garylittle.ca
Website: www.garylittle.ca

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map.GaryLittle.ca -- computer, tablet, or smartphone

Royal LePage President's Gold Award 2012



Michaela Sugars

From: Kerianne Poulsen
Sent: Thursday, September 08, 2022 3:23 PM
To: Planning
Cc: Jo-Anne Frank
Subject: FW: Submission # 2 Re: Public Hearing Submission -District of Sechelt Zoning Bylaw No.580

For the public input file please…

From: [redacted]
Sent: Thursday, September 08, 2022 3:03 PM
To: Darnelda Siegers <Siegers@sechelt.ca>; Brenda Rowe <Rowe@sechelt.ca>; Alton Toth <alton.toth@scrd.ca>; Eric Scott <Scott@sechelt.ca>; Matt McLean <McLean@sechelt.ca>; Tom Lamb <Lamb@sechelt.ca>; Janice Kuester <Kuester@sechelt.ca>; Council <Council@sechelt.ca>; Kerianne Poulsen <KPoulsen@sechelt.ca>; Jeri Patterson [redacted]
Subject: Submission # 2 Re: Public Hearing Submission -District of Sechelt Zoning Bylaw No.580

September 8,2022

District of Sechelt

Attn.:Elected Mayor and Council

Attn.: Planning Department

Cc: others by separate communications

Re:Public Hearing written submission-Draft Zoning Bylaw No.580

Thank you to Ms.Poulsen for responding with information provided to her by staff.

I also advised Ms.Poulsen that DoS reception staff had advised me that the public hearing started at 7pm.

Re:Home based Businesses -Zoning Bylaw 25 vs.Zoning bylaw 580

Concerned residents and business owners are asking what the District of Sechelt's Administrative reasons are to change, reduce and restrict home based businesses utilizing Zoning Bylaw No.580, to one Sechelt Licensed business per residential dwelling.

Why only one? This question remains unanswered.

A significant, and valid question is; Will existing business licenses be Re-issued annually? And will the business licenses be grandparented as provided by provincial legislation for legal non-conforming use.

Ms.Poulsen advised that DoS staff had advised her Business licenses are issued annually, and would NOT be grandparented and would be subject to being declined, or Re zoning of the subject property to permit more than one business.

Please advise why the District of Sechelt is considering a bylaw that would force many businesses to close, move or operate without a business license.

During conversation with Ms.Poulsen I raised examples of individuals, and families that moved to Sechelt during the past 2-3 years to operate their businesses from their residential homes. In some cases adult children made the move with their parents and also operate their home based businesses.

In some cases I am aware of there are more than 1(one) business operating from a dwelling.

During discussions with the electorate and residents it was presented that the business owners reviewed bylaws, had discussions with District staff and were advised they could operate multiple businesses (mostly online) from their respective residential dwelling.

Now that might change with Zoning Bylaw 580. Why?

Re:Non-confirming Businesses-Bylaw 25 and Bylaw 580

Why is the District issuing business licenses to businesses operating in non-compliance with Zoning and other legislation?

Conclusion;

Zoning Bylaw no 580 requires significant work, and revision prior to proceeding, and being adopted.

Please ensure that the District of Sechelt Zoning Bylaw No.580 is sent back to staff.

As drafted Bylaw no.580 will cause harm to Sechelt residents, Sechelt business owners, and members of the electorate.

A BAD bylaw causes more harm than an OLD Bylaw.

Jeri Patterson
West Sechelt

Sent from the all new AOL app for iOS

On Thursday, September 8, 2022, 2:27 PM, [redacted] wrote:

> September 8,2022
>
> District of Sechelt
>
> Attn.:Elected Mayor and Council
>
> Attn.: Planning Department
>
> Cc: others by separate communications
>
> Re:Public Hearing written submission-Draft Zoning Bylaw No.580

I am waiting for the District of Sechelt staff to respond to me regarding questions that myself, and other members of the Sechelt electorate have regarding the Draft Zoning Bylaw No.580

At this time I have spoken with District of Sechelt staff that were unable to answer my questions regarding the legal meaning of sections of the Bylaw.

I have communicated with Ms.Poulsen who has advised she will provide a response.

My ability to complete and submit my written submission for the Zoning Bylaw No. 580 Public Hearing today is being delayed, and frustrated by the District of Sechelt staff being unable to provide an explanation of the bylaw.

I have reviewed the subject Bylaw, and found sections of the Bylaw that appear to contravene or be inconsistent with the documented conduct of the District.

In addition, sections are poorly drafted, and the intent or meaning unclear to the public.

Based on the inability of the District of Sechelt staff to answer questions, and explain the meaning of sections of the Bylaw, it appears the Bylaw wording is unclear and confusing to staff.

I have previously asked a member of Council the following;

How will the District of Sechelt address known non-conforming uses (with Zoning Bylaw No.25 and/or ALC Act and/ or OCP) of property?

Based on the wording of Zoning Bylaw No.580 the subject properties will also be non-compliant with Bylaw No.580.

Will the District of Sechelt require that the Havies/Homei development achieve compliance with the wording, and requirements of Zoning Bylaw No.580?

I respectfully request that the District of Sechelt Zoning Bylaw No. 580 be sent back to the District staff for revision, clarification, correction of intent or legal meaning. I also request the draft Zoning bylaw 580 be amended to ensure full compliance with the OCP.

Further comments will be submitted if, or when the District of Sechelt staff are able to answer questions regarding the intent, or meaning, and Legal implications of Bylaw No.580

Jeri Patterson
Sechelt
[redacted]

Sent from the all new AOL app for iOS

Michaela Sugars

From: Tracy Forster
Sent: Thursday, September 08, 2022 3:00 PM
To: Michaela Sugars
Subject: FW: Public Hearing Submission -District of Sechelt Zoning Bylaw No.580

Ph submission

Kind regards,

Tracy Forster
Executive Assistant to Mayor and Council
Direct 604-740-8478
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

I acknowledge with gratitude that I work on the unceded homelands of the shíshálh Nation
Be Calm. Be Kind. Be Coastal.

From: Information Request <Info@sechelt.ca>
Sent: Thursday, September 08, 2022 2:54 PM
To: Kerianne Poulsen <KPoulsen@sechelt.ca>
Cc: Tracy Forster <tforster@sechelt.ca>
Subject: FW: Public Hearing Submission -District of Sechelt Zoning Bylaw No.580

Please see below.

Thank you.

Kat Chan
Receptionist
Direct 604-885-1986
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

I acknowledge with gratitude that I work on the unceded homelands of the shíshálh Nation
Be Calm. Be Kind. Be Coastal.

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Sent: Thursday, September 08, 2022 2:27 PM
To: Darnelda Siegers <Siegers@sechelt.ca>; Brenda Rowe <Rowe@sechelt.ca>; Alton Toth <alton.toth@scrd.ca>; Eric Scott <Scott@sechelt.ca>; Matt McLean <McLean@sechelt.ca>; Tom Lamb <Lamb@sechelt.ca>; Janice Kuester <Kuester@sechelt.ca>; Jeri Patterson <jeripatter@aol.com>; Council <Council@sechelt.ca>; Kerianne Poulsen <KPoulsen@sechelt.ca>
Subject: Public Hearing Submission -District of Sechelt Zoning Bylaw No.580

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September 8,2022

District of Sechelt

Attn.:Elected Mayor and Council

Attn.: Planning Department

Cc: others by separate communications

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Further comments will be submitted if, or when the District of Sechelt staff are able to answer questions regarding the intent, or meaning, and Legal implications of Bylaw No.580

Michaela Sugars

From: Samuel Hogg
Sent: Tuesday, July 26, 2022 1:45 PM
To: Michaela Sugars
Subject: FW: Zoning Bylaw - Still not permissive enough of larger lots effected by de-densification.

Hey Michaela,

Do you want me to send these to you when they come in (if they don't cc the planning inbox)?

Thanks,
Sam

From: Jesse Waldorf [redacted]
Sent: Tuesday, July 26, 2022 1:42 PM
To: Andrew Allen <Andrew.Allen@sechelt.ca>; Samuel Hogg <SHogg@sechelt.ca>; Council <Council@sechelt.ca>
Subject: Zoning Bylaw - Still not permissive enough of larger lots effected by de-densification.

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Andrew,

While I appreciate the changes to the m2 if accessory dwellings the inclusion of garage SF is unduly restrictive especially on the R2 lots who are being crippled by this rezoning bylaw.

What is the reason for not being able to build a 24x36 foot print with a suite over a garage on a 1/2 acre lot?

I would ask that garage SF not count on lots over a certain size. This would solve many issues for people who bought large lots with such purposes on mind.

Think of it as a compromise for stealing a full home build away from the 1000s of acres of R2 you are deleting.

Regards

Jesse Waldorf

On Fri., Jun. 3, 2022, 4:09 p.m. Andrew Allen, <Andrew.Allen@sechelt.ca> wrote:

> Hello Jesse,
>
> I am pleased to answer on behalf of Council here and have included all of Council on my response to ensure clarity and sharing of information. We did correspond on this topic on May 23-24th whereupon I explained the project scope and intent. In the email string I did confirm that the R3 zoning here is proposed to change to the R1 zone and a parcel such as 5713 Sandyhook Road would continue to be eligible for two dwellings. The primary change is that the second dwelling would be an accessory dwelling and contain a floor size maximum of 90 square metres.

This zone was created based on the land use designation in the Official Community Plan (OCP) – Low Density Residential and density recommendations contained within Figure 17 of the OCP. As a whole the new zoning bylaw will bring a variety of housing options to the District of Sechelt and the areas supplied by sewer service do see a more favourable result than the areas located in areas with no plan for extension of service.

A primary dwelling (with capability for a suite) plus an accessory dwelling would seem to be suitable density for a 2,000 m^2 property in a rural, or semi-rural environment, and matches density used by SCRD for comparable communities such as Halfmoon Bay or Roberts Creek.

Our recommendations are made on a neighbourhood level scale rather than on a property-by-property basis. That said, it may be helpful to respond to some comments about your property specifically. Your email refers to a zoning change five years ago, staff are not aware of these changes and as far as we know the R3 zone dates to the adoption of Zoning Bylaw 25 in 1987. The property in question was subdivided in 2014 to the 2,000 m^2, which remains the current size for subdivision where there is community water supply available but not community sewer. This is a standard set in the Vancouver Coastal Health Subdivision Guideline and has long been used as a guide for approvals by District of Sechelt, SCRD and Ministry of Transportation and Infrastructure.

Staff do note that in 2014 when the property you own was created Vancouver Coastal Health requested a 17 metre no-build covenant at the rear of the property, which limits the future development of the property. Given that and the siting of the existing house is in the middle of the lot and spatial separation requirements this would seemingly lead toward constructing an accessory dwelling more practical than another principal dwelling.

I note your proposal for an R3A zone, however the new R3 zone is dedicated to small lot residential (Tyler Heights, for example) and not applicable for an area like Sandy Hook. At this time staff are reviewing density options for residential zones in advance of presentation of Second Reading but are not favourable toward an R3A (or equivalent R1A comparable).

Please do follow our page for project updates: https://yoursaysechelt.ca/zoningrenewal

Thank you,

Andrew

From: Jesse Waldorf [redacted]
Sent: Wednesday, June 01, 2022 8:53 PM

To: Council <Council@sechelt.ca>
Subject: Rezoning Plan - Specifically Changes to Existing R3 Lots

Dear Council,

I have talked with staff and received unsatisfactory feedback, so I am writing in hope that the problem has been identified and will be addressed. Their recommendations amount to "better hurry up".

I hope to hear back with regards to the plan regarding the forced rezoning of my lot at 5713 Sandyhook Road.

It is unfathomable to me why I would suddenly be able to build so much less on my lot when the new changes take effect.

This is a massive economic blow to my family and many other families that currently have R3 zoned lots.

Taking away the option to build a properly sized full second dwelling is unconscionable in the current housing crisis.

My lot was zoned R3 5+ years after the OCP was created, it is fully compliant with the existing zoning and the intent of the OCP. I may not have the economic capacity to capitalise on the zoning before these changes take effect.

I respectfully request that all existing R3 lots be allowed to maintain the existing density allowed them. Create an R3a zoning that grandfathers the existing R3 lots to allow a full second dwelling on lots 2000m2 and larger. .

The scope of the economic loss destroys my plan for retirement, my families continued residence on the coast, and a generational dream of continued life on the coast. We planned to build a home large enough to rent to a family that my children could one day live in, and when we pass leave two homes to our two children.

This is the express reason we sought out this lot with R3 zoning.

Regards

Jesse Waldorf

Michaela Sugars

From: Jonathan Jackson [redacted]
Sent: Wednesday, September 07, 2022 5:22 PM
To: Planning
Subject: Support for Proposed Zoning Bylaw 580

Dear Mayor & Council,

I am writing to voice my support for the proposed Zoning Bylaw 580. I commend the work staff have done and Council has supported to seek alignment between the OCP and the Zoning Bylaw. This proposed bylaw demonstrates a critical forward-thinking step in seeking to support housing options in appropriate locations that will both help contribute to solutions to the housing crisis on the Sunshine Coast and ensure that housing is constructed close to services and transit routes to help reduce our carbon footprint as our community grows.

Sincerely,
Jonathan Jackson
6196 Baillie Road,
Sechelt BC

Mayor and Council

Re: Public Hearing comments on proposed Bylaw 580

While proposed Bylaw 580 has positives, I have concerns regarding the proposed density in the R2 zone in West Sechelt, Urban Agriculture, the Short Term Rental issue, and Cannabis for medical purposes. These concerns, which were largely expressed after the open house in May, are being reiterated as a matter of public record for the hearing.

1. The Proposed R2 zone:

I do not want the type of density being proposed in the R2 zone in Bylaw 580, and I find no support for this type of zoning in the Official Community Plan (OCP).

Proposed Density

I choose to live where I do as I am not enclosed by buildings and parking on adjacent lots.

I purchased a lot with a registered building scheme (Lots 60-85, DL4295) Plan LMP 33306. There are a number of clauses that are inconsistent with the proposed R2 Zone. They include the following: *"No more than one dwelling for one family or household unit shall be erected, maintained as occupied on any one Lot". No dwelling shall be smaller than 1800 square feet if a rancher or 2300 sq. ft. if a two storey dwelling. "Modular dwellings, mobile homes and prefabricated homes are not permitted on any of the Lots."* The registered building scheme conflicts with the proposed R2 zone which permits a second dwelling, limits it to 120 sq. m (approximately 1300 sq. ft) and potentially permits prefabricated homes. Either the zoning should reinforce the covenant, or the covenant's continued applicability should be addressed with owners of the affected parcels and the developer prior to adoption of a new zoning bylaw.

A second dwelling of 120 sq. m. may be appropriate in the proposed R1 and RU1 zones where the parcel size requirement for subdivision is one-half acre and larger. I do not think it is appropriate on a parcel less than one-quarter acre in size on which there could also be a secondary suite of unlimited size. At the very least, the size of accessory detached dwellings could be different for different parcel sizes.

OCP Policies

The only reference in the Official Community Plan to Accessory Dwellings such as laneway houses is in conjunction with other housing types such as townhouses on 4000 sq. m. lots in West Sechelt and in the Village Center where laneways do exist. In West Sechelt, a site specific rezoning and development permit would be required to achieve compatibility with adjacent residences. There are also other policies to implement the objectives respecting housing mix and density in areas served by a community sewer system and therefore the introduction of accessory dwellings to achieve these objectives is questionable.

The proposed R2 zone eliminates the need for site specific zoning, introduces a size limit of 120 sq. m. instead of the 90 sq. m. typical of laneway houses, and brings into question the applicability of Development Permit 8. Did the OCP intend that all parcels pre-zoned for accessory dwellings would require a development permit?

A concurrent OCP amendment should be undertaken to address the introduction of accessory dwellings and associated issues such as secondary access and parking, accessory dwelling size relative to parcel size, and measures to achieve compatibility with adjacent residential development.

2. Urban Agriculture

(a) Growing of Food.

I do not support commercial greenhouses and the sale of food on all residential parcels regardless of their size. Road side stands will draw traffic into residential streets and there are other avenues in the community for marketing produce.

(b) Poultry and Rabbits

I grew up on a farm that included a production of 500 chickens, and not even a few would be permitted near our house. I do not want this to occur where I now live.

The proposed setbacks for structures and enclosures, including those for the keeping of manure, are minimal. Enforcement of measures that deter predators and prevent the smell of manure spreading to adjacent properties will be difficult and likely require additional staff resources.

I suggest that there be a minimum parcel size of 2000 (instead of the 1 ha under Bylaw 25) and the setbacks in Bylaw 25 of 7.5 meters be maintained.

(c) Apiculture – Beekeeping

I do not support Apiculture on residential lots that are 750 sq. m. and larger as it is an attractant for bears which exist in our residential areas and fences and hedges will not keep them out.

(d) Short Term Residential Rentals (STR)

I do not support the language in the current draft of Bylaw 580. On-site residents are not specifically required. The definition of Dwelling describes a structure that is used or *intended to be used* - i.e. it does not require that it be in use as a residence for it to be a principal land use.

It appears that Short Term Rentals which are listed as an accessory use cannot occur within Accessory Dwellings. The zoning bylaw clarifies this in the definition of Home Based Business (also an accessory use) but not for Short Term Rentals. I am supportive as accessory dwellings not being used for Short Term Rentals as they should be used for affordable housing and not for commercial purposes.

3. Cannabis in Residences

I would like this general provision of the bylaw revisited with a wording change to limit cultivation for the residents' personal medical use of cannabis products. Designated growers for a number of users are producing commercial quantities of cannabis.

4. Public Consultation Process

In my view, the public consultation process has been inadequate for a bylaw that is complex and has far reaching consequences. The zoom meetings and the open house in May were the only opportunities to obtain information from staff. The bylaw was incomplete at that time as it did not fully address the issue of Short Term Rentals. It appears that Short Term Rentals are still not fully addressed as recommendations from the June 15th Council meeting have not been incorporated into Bylaw 580. Changes that include an increase in the size of accessory dwellings to 120 sq. m. and a change in the proposed zoning of Wakefield Road have occurred since the May public meetings.

Official Community Plans are subject to interpretation, and if it is questionable that zoning changes are in compliance with an OCP, then concurrent OCP amendments should be undertaken. This does not mean opening up the whole plan – but updating where there is change over the past decade.

Bylaw 25 has been in effect for ~~40~~ 35 years and is due to be replaced. A few more months at this point to deal with identified issues is warranted. Future councils will need to work with the bylaw and involvement of a new council in the adoption process will be beneficial to that council.

Judy Skogstad

6188 Mika Road

West Sechelt

Michaela Sugars

From: Samuel Hogg
Sent: Tuesday, August 16, 2022 12:01 PM
To: [redacted]
Cc: Planning
Subject: RE: Zoning Bylaw renewal - feedback re: setbacks changes

Hi Kate,

I was forwarded your email and I am happy to respond. Thanks for flagging your concerns with the change to a 1.5m setback in the C4 zone. This is an issue that has been mentioned once already, and the staff team working on this project are now considering changing back to a 0m front setback in the C4. We are looking into means to reduce impact on existing buildings.

Given that we are nearing public hearing, a future change could potentially take place at 3rd reading or later in the fall with a housekeeping update to the new zoning bylaw. We will provide options for Council to consider.

Thanks again for your email, and I am happy to answer any more questions you might have.

Take care,
Sam Hogg

From: Katelyn Button <[redacted]
Sent: Monday, August 15, 2022 5:09 PM
To: Planning <Planning@Sechelt.ca>
Cc: Gwen Gerryts [redacted]
Subject: Zoning Bylaw renewal - feedback re: setbacks changes

Caution! This message was sent from outside your organization. Allow sender | Block sender

Hi Andrew,

I was not able to find any place on the yoursaysechelt.ca website to comment on specifics of the bylaw changes.
If there is a space for us to do so, please let us know!

Gwen and I are writing to share our feedback regarding the bylaws changes.
We are the owners of Coast Physiotherapy Sechelt and the property at 5691 Mermaid Street.
Specifically, changing the setbacks from 0 to 1.5m would impact our plans to make significant upgrades to our physiotherapy building that we are hoping to be able to complete in the near future.

Thanks very much,

Kate

--
Kate Button, MScPT
Coast Physiotherapy Sechelt Inc.
www.coastphysiosechelt.com
P: 604-885-6292

Michaela Sugars

From: Andrew Allen
Sent: Thursday, September 08, 2022 8:08 PM
To: Michaela Sugars
Subject: FW: Public hearing Sept.8/2022, zoning bylaw 580 concerns

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From: Leslie Gardiner [redacted]
Sent: Thursday, September 08, 2022 8:07 PM
To: Council <Council@sechelt.ca>; Planning <Planning@Sechelt.ca>
Subject: Re: Public hearing Sept.8/2022, zoning bylaw 580 concerns

---------- Forwarded message ----------
From: **Leslie Gardiner** [redacted]
Date: Tuesday, June 28, 2022
Subject: Proposed RU1 zoning, lots 20,21,22,23 Hazelnut lane
To: Andrew Allen <Andrew.allen@sechelt.ca>, Planning@sechelt.ca

Regarding the proposed RU1 zone I have some serious concerns.
The proposed RU1 zone reduces the ability to add much needed housing in the District of Sechelt in the future, whereas R1 is low density and offers more options for housing. The OCP is over 10 years old now, and looks like it's out of touch with the needs of the growing community. The proposed RU1 zone doesn't offer many uses for the properties affected, which are now R3.

As an example, the properties at Hazelnut lane in Wilson Creek, which are now zoned R3 / proposed to be RU1, are surrounded by mobile home parks on one side, commercial on the other. RU1 zoning is being proposed for our lots as well as many surrounding us. There is no agriculture in our immediate area, and I don't see how that could work. Having grown up knowing farmers all my life, I am trying to imagine a tractor driving past Canadian Tire, slowing traffic on the highway, then going down Hazelnut lane to drop off a load of manure for our properties so we can do some farming? The neighbors at Big Maple Park would not be happy with the noise, or the smell. I see another option in the proposed RU1 is greenhouses.....well I wonder how the constant bright glow from the grow lights will affect the neighbors at Big Maple? Or the smell from a greenhouse, depending on what can be legally grown. What would be the regulations on the specific uses allowed in the proposed RU1? I look forward to your input in this matter.

Thank you,

Leslie Gardiner

MOSAIC
FOREST MANAGEMENT

August 31, 2022

District of Sechelt
2nd Floor, 5797 Cowrie Street
PO Box 129, Sechelt, BC
V0N 3A0

Attention: Andrew Allen, RPP
Director of Planning and Development

Dear Mr. Allen,

Re: Proposed Zoning Bylaw 580
Public Hearing September 8, 2022
Request for documents required to prepare our public hearing submission

Mosaic Forest Management Corporation ("**Mosaic**") writes on behalf of Island Timberlands GP Ltd ("**Island Timberlands**"), the owner of a 172.8 parcel of land in the Wilson Creek area of Sechelt that is legally described as District Lot 2142 Group 1 New Westminster District (PID 015-916-171) (the "**Sechelt Parcel**"). Mosaic is the timberlands manager for Island Timberlands.

The Sechelt Parcel is one of the parcels of land impacted by proposed District of Sechelt Zoning Bylaw no. 580, 2022, which is the subject of a public hearing called to be held on September 8, 2022.

We met with Sechelt staff in May to discuss some of our concerns about proposed Zoning Bylaw 580, and were told at that time that the District of Sechelt was satisfied that the proposed bylaw was in compliance with the *Private Managed Forest Land Act*. After a number of requests for an additional meeting, we were told on July 8, 2022 that

> "*From our perspective there is no need to discuss this further – we have heard your concerns and will consider them alongside the other feedback from the public engagement process. … You are still welcome to submit written comments to planning@sechelt.ca for consideration as part of the zoning bylaw engagement.*"

Sechelt's "Zoning Bylaw Renewal" webpage notes the following:

> "The new Zoning Bylaw 580 will replace Zoning Bylaw 25, which was originally adopted by Council 35 years ago. The District of Sechelt has undergone significant changes since that time, and time has come to

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> create a new updated zoning bylaw that aligns itself with the District's core planning documents."

Mosaic will be making a submission at the public hearing in connection with proposed Zoning Bylaw 580, on behalf of Island Timberlands, and requires the following documents in order to properly prepare that submission:

- a copy of the Zoning Bylaw 25, 1987 as it stood at the time the *Private Managed Forest Land Act* came into effect (in or about August 3, 2004), or
    - if there is no consolidated version from that time, a copy of the most recent consolidation of Zoning Bylaw 25, 1987 made before August 3, 2004, together with the amendments up to that date; or
    - if there were no consolidations prior to August 3, 2004, a copy of Zoning Bylaw 25 1987 as enacted in 1987, together with the amendments up to August 3, 2004;
- the local government staff report related to Zoning Bylaw 25, 1987 that was prepared in connection with the public hearing for that bylaw, or, if there was no such staff report, the staff reports prepared in connection with the readings given by Council to that bylaw; and
- if there were any amendments to Zoning Bylaw 25, 1987 that related specifically to the Sechelt Parcel prior to August 3, 2004, the local government staff reports that were prepared in connection with the public hearing for such amendments, or, if there were no such reports, the staff reports that were prepared in connection with the readings given by Council to such amendments.

Please let us know when these documents are available for pick up, and if you require anything further from us in that regard.

Thank you,

MOSAIC FOREST MANAGEMENT CORPORATION



Ross McKeever
Director, Real Estate Development

MOSAIC
FOREST MANAGEMENT

September 8, 2022

District of Sechelt
2nd Floor, 5797 Cowrie Street
PO Box 129, Sechelt, BC
V0N 3A0

Attention: Andrew Allen, RPP
Director of Planning and Development

Dear Mr. Allen,

Re: SUBMISSION Of MOSAIC FOREST MANAGEMENT CORPORATION REGARDING DISTRICT OF SECHELT PROPOSED ZONING BYLAW 580, 2022 – FOR SEPTEMBER 8, 2022 PUBLIC HEARING

INTRODUCTION

We write on behalf of Island Timberlands GP Ltd, the owners of a 172.8 parcel of land in the Wilson Creek area of Sechelt that is legally described as District Lot 2142 Group 1 New Westminster District (PID 015-916-171) (the "**Sechelt Parcel**"), to make this submission in connection with the public hearing that has been called for September 8, 2022 in connection with District of Sechelt Zoning Bylaw 580 ("**Proposed Bylaw 580**").

Mosaic Forest Management Corporation ("**Mosaic**") has for some significant time been engaged in forestry activities as regards the Sechelt Parcel, as timberlands manager for Island Timberlands. Those activities are pursuant to the *Private Managed Forest Land Act*, S.B.C. 2003, c.80 (sometimes referred to herein as the "**private forest statute**").

The *Private Managed Forest Land Act* is comprehensive in scope. It:

- serves important Provincial public interest goals in relation to soil conservation, water quality, fish habitat, critical wildlife habitat, reforestation, and the economic viability of the forest industry; and

- as part of its package of provisions to facilitate the achieving of those goals, contains important constraints on local government powers, the scope of which has been repeatedly acknowledged by leading municipal commentators.

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Those limits reflect the fact that while local government jurisdiction serves important public interest objectives, those interests do not supersede the public's interest in an economically and environmentally sound forest industry.

We sought to engage Sechelt staff in discussions in order to seek a positive and collaborative outcome that met the legitimate interests of both Sechelt and ourselves, but sadly matters did not progress as we'd hoped. Rather:

- the only meeting we were able to have, in May 2022, mostly comprised a dissertation by Sechelt staff regarding how the proposed bylaw met Sechelt's objectives, combined with an insistence that the proposed bylaw complied with the *Private Managed Forest Land Act*, and
- our efforts at a follow up discussion in July were rebuffed by way of an e-mail from Sechelt staff that stated:

> "From our perspective there is no need to discuss this further – we have heard your concerns and will consider them alongside the other feedback from the public engagement process".

We then awaited the second reading version of the bylaw, so we could see what changes had been made, and soon after the public hearing was called in late August, we asked Sechelt to provide a narrow set of documents pertinent to the question of whether the *Private Managed Forest Land Act* was being complied with. Staff responded that they had not reviewed those documents, and could not provide them until after the public hearing.

While we respect the effort that staff has put into Proposed Bylaw 580, it seems to us that staff has been overly focused on the vision they have developed for the municipality, and on the input of local community groups, without proper regard to the implications for private forest operators and the legislative limits the Province has imposed on municipalities in connection with forestry operations. The result is a bylaw that, if enacted without revision, would

- include ill considered public policy (including for example a minimum lot size for our lands that is 25 times more restrictive than what the Official Community Plan Bylaw provides is to be implemented, and that would preclude all subdivision even if where it would advance a forestry objective), and

- be in contravention of the *Private Managed Forest Land Act*.

The balance of this submission will review in turn:

- the *Private Managed Forest Land Act,* including its pertinent provisions, its purposes and the implications of same;
- why we say Proposed Bylaw 580 is problematic and inappropriate; and
- finally, what we suggest Sechelt do to resolve the matter, so that it can get on with bylaw enactment.

A. THE PRIVATE MANAGED FOREST LAND ACT

We will begin with a review of the *Private Managed Forest Land Act*, including:

- its genesis,
- the Provincial public interests it is directed to achieving; and
- the constraints it imposes on local government powers.

1. Status of the *Private Managed Forest Land Act* relative to the *Community Charter* and the *Local Government Act*

The *Private Managed Forest Land Act* was enacted in 2003 as part of the same legislative initiative as the *Community Charter*, S.B.C. 2003, c.26 (the "***Community Charter***"). It is as fundamental to private forest operators as the *Community Charter* is to municipalities.

In enacting the legislation, the Province made clear that the private forest statute is not in any sense 'subordinate' to either the *Community Charter,* or the *Local Government Act,* R.S.B.C. 2015, c.1 (the "***Local Government Act***").

We have included the pertinent quotes below, with highlighting for emphasis.

Section 21 of the *Private Managed Forest Land Act* provides as follows:

> *Restriction on local government authority regarding uses of private managed forest land*
>
> 21 (1) *A local government must not do any of the following in respect of land that is private managed forest land if doing so would have the effect of restricting, directly or indirectly, a forest management activity:*

> *(a) adopt a bylaw under any enactment;*
>
> (b) issue a permit under section 8 (3) (l) *[authority in relation to buildings and other structures]* of the *Community Charter* or Division 1 *[Building Regulation]* of Part 9 *[Regional Districts: Specific Service Powers]* of the *Local Government Act*;
>
> (c) issue a permit under Part 14 *[Planning and Land Use Management]* of the *Local Government Act*.
>
> (2) *For certainty, this section applies if the bylaw or permit would have the effect described in subsection (1) even though the bylaw or permit does not directly apply to land referred to in that subsection*.

The Private Managed Forest Land Regulation (BC Reg 371/2004) followed shortly thereafter. It includes the following definition at section 1(2)

> (2) For the purpose of section 21 (1) of the Act, "forest management activity" *means an activity, process or use, including structures and facilities that support the activity, process or use, that is described in Schedule A and that is related to or carried out for the production or harvesting of forest resources on or from the owner's private managed forest lands*, for as long as the land is classified under the *Assessment Act* as managed forest land.

Schedule A to the Regulation adds that "*forest management activities" include such things as:*

- silviculture and timber harvesting activities;
- transportation, delivery, handling and sale;
- one dwelling per registered parcel unless additional dwellings are permitted under applicable local bylaws; and
- forest management administration, including accommodation of personnel.

2. The role and objectives of the *Private Managed Forest Land Act*

Minister Stan Hagen noted the following statements regarding the *Private Managed Forest Land Act* at the time of enactment:

> "The Ministry of Sustainable Resource Management proposes to create the *Private Managed Forest Land Act*. *This bill is consistent with the government's new era commitments* and deregulation initiative. The bill also underscores government's goals of operating more efficiently and responsibly managing the province's natural resources."
>
> *"The legislation would create a new governing council representing an innovative partnership of members appointed by government and by private forest landowners to oversee the regulation of forest practices on private managed forest land"*
>
> "Landowners choosing to participate in the program will receive reduced property taxation already provided for under the managed forest class, a reduction in school tax *and a protected right to harvest without unreasonable restrictions by local governments. In exchange, landowners must agree to manage their lands to protect public environmental values and to promptly reforest harvested areas, as well as paying for the cost of the council's operation."*

Among the numerous other explanations recorded in Hansard regarding the legislation was the following by Gillian Trumper, who was President of the Union of BC Municipalities in 1996/97:

> "*These are really very strong rules that the private land owners, if they become part of this, have to abide by. That means they are looking after the water, they are looking after the streams, they are looking after the fish habitat, and they are looking after the condition of the soil.* I know that probably the majority of landowners will buy into this",

and the following by Tom Christensen, later Minister of three Ministries:

> "What Bill 88 is going to do, I'm very confident, is assist in ensuring that private forest lands are well managed. As other speakers have indicated and as the minister indicated, Bill 88 does this *by establishing basically what is a public-private*

> *partnership between the provincial government and the owners of land that is classified as managed forest land. That council can then assist in coming to meet the objectives that are set out in the legislation"*

3. Implications for local governments

The profound implications of the *Private Managed Forest Land Act* for what municipalities can and cannot do was not only recognized by the government officials presenting the statute, but by leading municipal-side commentators.

It will suffice for our purposes to reference the comments of perhaps the leading commentator for municipalities during the period in question, being William Buholzer of Young Anderson.

Young Anderson's clientele is clear from that firm's website:

> "Young, Anderson provides the full spectrum of legal services to some of the largest and smallest local governments in British Columbia. We are distinguished by our concentration on local government law and by the depth and diversity of experience of our lawyers in that field."

In terms of Mr. Buholzer's credentials, he received a Masters in Community and Regional Planning from UBC and worked in rural, city and regional planning in Alberta and BC before attending law school, following which he has practiced with Young Anderson for the past 30 years. Along with having made numerous presentations to Continuing Legal Education Society of BC (CLE), the Union of BC Municipalities and the Local Government Management Association of BC, Mr. Buholzer is also the author of:

- the 'Planning and Zoning' title in Halsbury's Laws of Canada,
- British Columbia Planning Law and Practice, a legal practice manual for planners, and
- Local Government: A British Columbia Legal Handbook.

(a) The public interests the legislation serves

Mr. Buholzer's text British Columbia Planning Law and Practice" underscores some of the statements quoted above from Hansard, when it speaks to some of the public interests that the *Private Managed Forest Land Act* serves:

> "[3.47] Land may be designated as "private managed forest land" under the regime if it is classified as managed forest land under the Assessment Act, and there is in effect in respect of the land a "management commitment". *The Private Managed Forest Land Act establishes management objectives for the land in relation to soil conservation, water quality, fish habitat, critical wildlife habitat, and reforestation*, and establishes the Private Managed Forest Land Council, which may make regulations respecting requirements in relation to these objectives. *Management commitments, which are a type of forest management plan, must be submitted to the Council, and the Council may approve such commitments to the extent that they comply with the Council's regulations,* and recommend to the assessor that the land be assessed in the managed forest land category; such classification will presumably benefit the owner by reducing the amount of property taxes that would otherwise be paid."

(b) The scope and magnitude of the statute's restrictions of local government powers

Turning to the impact of the *Private Managed Forest Land Act* in restricting the use of local land use regulatory powers, the British Columbia Planning Law and Practice text states the following:

> 3.51 … *A local government may not adopt a bylaw or issue a permit that would directly or indirectly restrict any of the activities set out in the definition of "forest management activities", even though the bylaw or permit does not apply to private managed forest land.* Determining in advance whether a proposed bylaw or permit would have that effect is a daunting task, given the extensive list of protected activities and the fact that that they cannot lawfully be restricted either directly or indirectly, but it must be done because section 21 addresses the jurisdiction of the local government to adopt the bylaw, and not the effect on private managed forest land of a bylaw that it has adopted. *It may prove difficult to enact any bylaw or issue any permit at all in relation to private managed forest land, because even an amendment bylaw … will ordinarily include standard restrictions on the listed activities (such as a floor area limit on a permitted residential or industrial building) ...***"**

> "3.49 *The restrictions on local government regulation of private managed forest land are much more broadly stated than those that apply to agricultural land which, as has been noted, tolerate the operation of local bylaws that limit farming activities. The restrictions in the Private Managed Forest Land Act apply to any bylaw, not just a land use bylaw, and indirect effects, including the effects of a bylaw or permit on land other than that on which the forest management activity is being conducted, are prohibited. It might be argued, for example, that s. 21 permits a forestry enterprise to establish a work camp for loggers in a municipality adjacent to its timber supply area, despite local zoning bylaws, because logging is a forest management activity occurring on the adjacent private managed forest land.*
>
> *3.50 … The Schedule (refer to the Legislation tab) lists, in addition to the expected silviculture activities, a number of unrelated or remotely related activities including botanical forest products harvesting and sale, agroforestry and silvopasture systems, portable processing of forest resources, and residential and forest management administration uses. The list of protected activities is so extensive that immunity from local bylaws could come to rival tax savings as the principal reason for land owners to seek managed forest land status."*

Those statements echo similar statements Mr. Buholzer made earlier, in 2006, in the context of a CLE paper regarding the *Community Charter*:

> *The Legislature having thus prohibited the adoption of an exceedingly broad range of bylaws, the Cabinet enacted a regulation defining "forest management activity" for the purposes of the new legislation to include a similarly broad range of land uses including such tangentially related activities as "agroforestry," "silvopasture systems" and "one dwelling per registered parcel."* The inspiration for this scheme was likely the "Right to Farm" legislation enacted earlier in the 1990s to protect the Province's agriculture industry from encroaching urban development; *however, the breadth of immunity from local regulatory bylaws was increased considerably for private forest land.*

(c) Interpretation of the interplay between Sechelt's bylaws and the private forest statute

BC Planning Law and Practice also explains a municipalities cannot rely on the paramountcy provisions at section 10 of the *Community Charter* (which states that "*unless otherwise provided*, a municipal bylaw is not inconsistent with another enactment if a person who complies with the bylaw does not, by this, contravene the other enactment") to overcome any concerns about its jurisdiction to enact a bylaw that intrudes upon the *Private Managed Forest Land Act:*

> *"The phrase "unless otherwise provided" is important, because many provincial enactments discussed in Chapter 3 contain their own, less stringent standards for inconsistency of local bylaws which prevail over s. 10 of the Charter. An example is s. 21 of the Private Managed Forest Land Act which bars the adoption of a local government bylaw that would have the effect of restricting, directly or indirectly, a forest management activity; a lower threshold for inconsistency is difficult to imagine."*

The Supreme Court of Canada's decision in *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65, also indicates that the Courts are unlikely to defer to a municipal interpretation that sought to read down the impacts of a Provincial statute that limits municipal powers.

4. Summary

Hence, the *Private Managed Forest Land Act*:

- was enacted to advance important Provincial public interest goals, in relation to soil conservation, water quality, fish habitat, critical wildlife habitat, reforestation, and the economic viability of the forest industry;

- as part of its comprehensive package of provisions to achieve those Provincial goals, contains critical and significant constraints on local government powers, and in particular

- *specifically prohibits a municipality from enacting a bylaw that has the effect of restricting, directly or indirectly, a forest management activity*.

B. PROPOSED BYLAW 580, AS IT STANDS

This Submission next reviews the application of the foregoing to Proposed Bylaw 580, as it has been presented.

1. The Sechelt Parcel, and Mosaic's forestry operations

We will begin by noting the context of the Sechelt Parcel from Mosaic's perspective.

Mosaic and Island Timberlands are active participants in private forestry under the provisions of the Private Managed Forest Land Act.

As part of that participation, we are continuously considering how to best achieve the Provincial public interests that have been noted above, including soil conservation, water quality, fish habitat, critical wildlife habitat, and reforestation, all as part of maintaining and advancing efficient and effective forestry activities.

In undertaking that consideration, and implementing our conclusions, we focus on the *Private Managed Forest Land Act,* the Private Managed Forest Land Council (which includes Council members appointed directly by the Province), our management plan, economic considerations and so on.

Given the terms of the Provincially established regime we are subject to, we are not obligated to negotiate with local governments as regards the bylaws that might impact our forest management activities. As has been clearly recognized by Mr. Buholzer, local governments do *not* have jurisdiction in such matters, and where they enact bylaws that intrude on our options and activities, they very much do so at their risk.

It was in that context that we were disappointed with the

> 'here is what we are doing and why, and we don't need to hear from you any further'

approach that Sechelt staff took to our attempts to discuss Proposed Bylaw 580. While it assumes a scope of legislative powers that Sechelt does not have, and underscores why the legislation says what it does, we would much prefer to have worked collaboratively rather than being left to make detailed submissions such as this one.

In any event, from our perspective

- the 172.8 hectare Sechelt Parcel is not a stand alone parcel, but rather is part of a larger network of private managed forest land in the vicinity of Sechelt that Island Timberlands owns and Mosaic manages. Some of the pertinent blocks of land located in the Sunshine Coast Regional District that are related to the Sechelt Parcel and that collectively total 601 hectares of land are shown in the plan marked Attachment #1 to this initial submission; and

- as part of our planning processes for those lands under the *Private Managed Forest Land Act*, Mosaic is considering such things as locating premises and dwellings on the Sechelt Parcel for the accommodation of personnel and related forestry and administrative activities, in keeping with the definition of forest management activities under the Private Managed Forest Land Regulation.

2. **The provisions of Proposed Bylaw 580, in the context of the *Private Managed Forest Land Act***

Proposed Bylaw 580, if enacted, would change the zoning of the Sechelt Parcel from

- from Rural One Zone (RR1) to Rural Residential Two Zone (RU2) for the majority of the land, and

- from Rural Two Zone (RR2) for the southern portion of the land to Agricultural One Zone (AG1).

Given the approach Sechelt has taken to our communications to date, and the documents it has failed to provide in response to our request, we obviously reserve our rights as regards any and all objections we might wish to take to Proposed Bylaw 580, if it is ultimately enacted as is. We will however note a number of examples of how Proposed Bylaw 580, if enacted, would be contrary to the legislation.

First, in terms of permitted uses, while

- Sechelt's existing Zoning Bylaw provides at section 303 that "horticulture or silviculture" and "forest management practices" are permitted uses in all zones;

- proposed Zoning Bylaw 580

- does not include those uses as permitted use in all zones, when it speaks to that issue at section 2.1.1, and

- while it authorizes both "agriculture" and "silviculture" as permitted uses in the AG1 zone, it only includes "agriculture" (*not* silviculture) as a permitted use in the RU2 zone.

Second, the increase in minimum lot size increase from 2/3rds of a hectare under the present bylaw to 100 hectares under the Proposed Bylaw 580 is problematic. Given that

- a 100 hectare minimum lot size means that a parcel could only be subdivided if it is at least 200 hectares; and

- our parcel is a 172.8 hectare parcel,

it would preclude all subdivision, including for example a subdivision separating our Agricultural Land Reserve Lands from the balance of our lands. The blocking of all subdivision irrespective of the rationale for it, is an over-reach entirely out of keeping with the Official Community Plan Bylaw (which only contemplates that subdivision be limited to a minimum lot size of at least 4 hectares).

Third, in terms of dwelling unit size, the change to RU2 zoning would reduce the permitted size of the principal dwelling size from 15% of lot area to 500 sq metres. The BC Planning Law and Practice text specifically notes that floor area reductions can be problematic.

Fourth, Proposed Bylaw 580 would reduce the number of residences to a single dwelling on the entire 172.8 hectares. That too would limit our operational options in a problematic way.

Fifth, Proposed Bylaw 580 also defines "silviculture" as "the use of land for growing, cultivation, protection and harvesting of forest products" and as "excluding the manufacturing or processing of any forest products", which is similarly at odds with the scope of forest management activities under the *Private Managed Forest Land Act* regime.

Finally, while current Zoning Bylaw 25 has long provided that

> "*This Bylaw applies to* all land, buildings and structures including surface of water within the boundaries of the District of Sechelt, *with the exception of:*
>
> > *(b) Tree Farm or Provincial Forest, and land designated in a Tree Farm License, or to land designated a Provincial Forest pursuant to the Forest Act, or to land designated in a Tree Farm Certificate under the Assessment Act so long as the land continues to be so designated"*

Proposed Bylaw 580 does *not* contain an equivalent exemption for land that is classified as private managed forest under the *Private Managed Forest Land Act.*

Again, the foregoing is *not* a complete list of the problematic provisions and concerns, but rather merely examples.

3. How Proposed Bylaw 580 does not follow Sechelt's Official Community Plan as regards our lands, despite staff's saying it does

We will elaborate on how Proposed Bylaw 580 does not follow Sechelt's Official Community Plan as regards our lands, despite staff's saying it does.

(a) What the OCP Bylaw provides

The Sechelt Official Community Plan Bylaw ("**OCP Bylaw**") established an Urban Containment Boundary, and placed two sets of lands outside of that Urban Containment Boundary, being

- Rural Residential lands, and
- Resource lands.

It then provided for a minimum lot size for subdivision for the Rural Residential lands (2 hectares) that is about *twice* as restrictive as for the Resource lands (4 hectares)

Two sets of OCP Bylaw provisions speak to what the minimum lot size is to be for Rural Residential lands and for Resource Lands.

First, the Growth Management policies of the OCP Bylaw include the following at page 22:

> *"Preserve Rural and Resource Lands*

> *1.5 Areas outside the Urban Containment Boundary designated as Agricultural, Resource or Rural Residential will be retained as small acreages ranging from .6 ha (1.5 acre) to 2. ha (5.0 acre) lot sizes for Rural Residential lands (see OCP policy 5.8) and 4.0 hectares (10 acres) for Resource or Agricultural (ALR) lands. ..."*

Second, the Agricultural, Rural Residential and Resource Use policies also include the following at section 8.3

> 8.3 *Within the Agriculture and Resource designations, a minimum parcel size of at least 4.0 hectares applies* to lands within the ALR, Provincial Forest or other forestry tenure. *For lands outside these tenures, a minimum parcel size of 2.0 hectares will apply***.** The District will review the zoning bylaw to implement these lot sizes.

(b) What Proposed Bylaw 580 does instead

Despite this, Proposed Bylaw 580

- relaxes the minimum lot size for the RU-1 zone, which generally (but not exclusively) equates to the Rural Residential Lands, from 2 hectares to 1 hectare while

- making the minimum lot size for RU-2 zone, which generally (but not exclusively) equates to the Resource Lands 25 times as restrictive, at 100 hectares.

This means that instead of the provisions for the Resource Lands being *twice* as restrictive, they are *100 times* more restrictive.

As noted above, what this means for the 172.8 hectare Sechelt Parcel is that subdivision is entirely precluded, irrespective of the purpose of the subdivision. That is of course not only inconsistent with what the OCP says is to be implemented, it is at odds with the *Private Managed Forest Land Act.*

(c) The contrast

It was precisely because of concerns that local governments would constrain private forestry interests without a proper understanding of or regard for those

interests that the Province included section 21 in the *Private Managed Forest Land Act.*

Indeed, we are the only private property owner whose lands have been put in the RU-2 zone that does not have it in its power to get out from under the minimum lot size provisions of the RU-2 zone if it wishes. Sechelt can change the zoning that applies to the Community Forest if it wishes, and the Province can similarly sidestep zoning provisions if it wishes.

When a proposed bylaw is wildly out of line with:

- what the Official Community Plan Bylaw says is to be implemented, and

- what municipal commentators have to say about the constraints on municipal powers,

it is time for a revisit the provisions of that bylaw.

C. HOW WE SUGGEST SECHELT REVISE BYLAW 580 TO ADDRESS THESE ISSUES

1. The changes we seek, in broad terms

Sechelt's "Zoning Bylaw Renewal" webpage notes the following:

> "The new Zoning Bylaw 580 will replace Zoning Bylaw 25, which was originally adopted by Council 35 years ago. The District of Sechelt has undergone significant changes since that time, and time has come to create a new updated zoning bylaw that aligns itself with the District's core planning documents."

Given that:

- section 21 of the *Private Managed Forest Land Act* provides that a local government must not enact a bylaw that has the effect of restricting, directly or indirectly, a forest management activity, and

- that prohibition came into effect in the summer of 2004,

the obvious solution would be to return the Zoning Bylaw provisions that relate to the Sechelt Parcel to those that were in place when the *Private Managed Forest Land Act* came into force in 2004.

That would allow the municipality to get on with the many objectives it has for Proposed Bylaw 580 without running afoul of the *Private Managed Forest Land Act.*

2. Specific changes

We asked staff to provide us with a copy of Zoning Bylaw 25 as it stood in the summer of 2004. Given that staff had represented that the Proposed Zoning Bylaw complied with the *Private Managed Forest Land Act*, we assumed that staff would have obtained and reviewed a copy of the bylaw as it stood at that point.

It turned out that staff had not done so, and could only provide us with the current version of Zoning Bylaw 25, and a version dated January 1992.

Without a copy of the bylaw as it stood in the summer of 2004 we cannot provide all of the specific changes that would be necessary as regards the Sechelt Parcel (which includes both RU-1 and RU-2 lands), but the required changes would appear to include the following:

- adding "silviculture" and "forest management practices" as permitted uses for all of the Sechelt Parcel, as it is under section 303 of Zoning Bylaw 25;
- setting the minimum lot size for subdivision to the 2/3rds of a hectare it is under section 903 of Zoning Bylaw 25 for the non-ALR portion, and to the 4 hectares it is under section 911 for the ALR portion;

- setting the maximum number of single family dwellings at two per parcel, as it is under section 903 of Zoning Bylaw 25 for the non-ALR portion and under section 911 for the ALR portion;

- providing that more than one principle building is permitted on a lot, as is the case under section 904 for the non-ALR portion and under section 912 of Zoning Bylaw 25 for the ALR portion;

- setting the lot coverage provisions at 15% of a parcel, as it is under section 905 of Zoning Bylaw 25 for the non-ALR portion and under section 913 for the ALR portion;

- revising the definition of "silviculture" so that it is not narrower than the definition in the *Private Managed Forest Land Act,* and

- including the following as the equivalent to section 202 of Zoning Bylaw 25:

  "This Bylaw applies to all land, buildings and structures including surface of water within the boundaries of the District of Sechelt, with the exception of:

  a) that land designated "Agricultural Land Reserve" is subject to the Agricultural Land Commission Act, which is subject to relevant Orders of the Provincial Agricultural Land Commission made pursuant to the Agricultural Land Commission Act; and

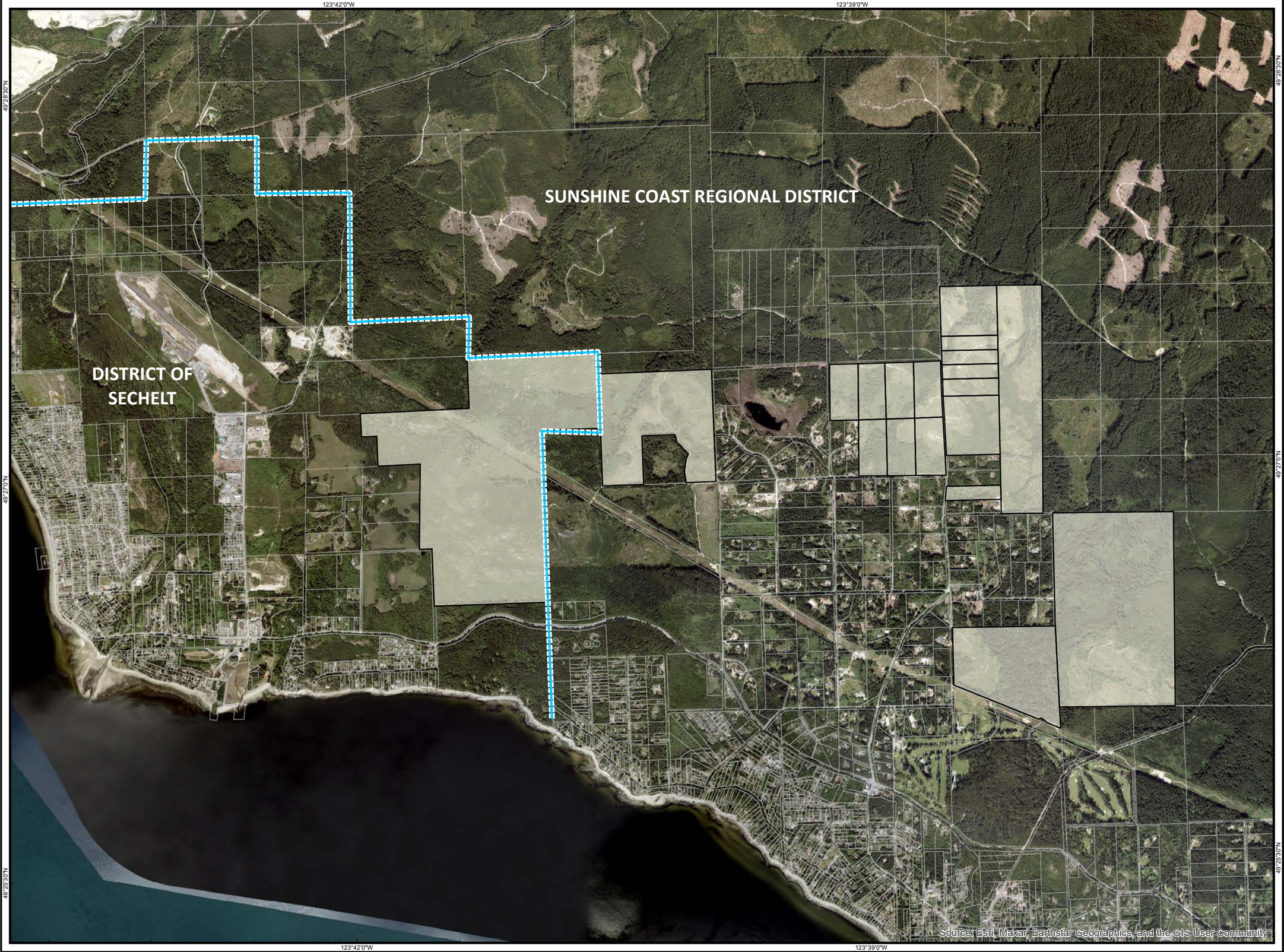
  b) *Tree Farm or Provincial Forest, and to land designated in a Tree Farm License, land designated a Provincial Forest pursuant to the Forest Act, and land classified as private managed forest under the Private Managed Forest Land Act, so long as the land continues to be so designated."*

ALL OF WHICH IS RESPECTFULLY SUBMITTED

MOSAIC FOREST MANAGEMENT CORPORATION



Ross McKeever
Director, Real Estate



MOSAIC FOREST MANAGEMENT

Timberland Manager for TimberWest | ISLAND TIMBERLANDS

08-Sep-2022

ATTACHMENT # 1

MOSAIC LANDS

DISTRICT BOUNDARY

CAUTION and DISCLAIMER:
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INQUIRIES:
Inquiries relating to this map should be directed to Mosaic Forest Management:
www.mosaicforests.com info@mosaicforests.com

G:\RealEstate\Planning\Sechelt\PMFL Parcels.mxd

This map is intended to be plotted on media that is 17" wide by 11" high (Tabloid)

1:25,000

0 0.15 0.3 0.45 0.6
Kilometers

Coordinate System: NAD 1983 Albers
Projection: Albers

Michaela Sugars

From: Lyssa Smith [redacted]
Sent: Tuesday, August 09, 2022 2:09 PM
To: Planning
Subject: Backyard chickens, yes please!

Caution! This message was sent from outside your organization. Allow sender | Block sender

Dear Sechelt planners,

I heard that there is an amendment on the table to allow chickens on smaller lots in town. I wholeheartedly support this! My family has had four hens named Fluffy, Steven, Chip, and Karen (don't ask, my kids named them) for two years, enriching our diet and our garden.

Chickens are great at turning food waste into eggs, saving families money on their grocery bill and saving the district money on food waste recycling. As long as feed is stored indoors and hens are only fed in the daytime, there have not been any issues with wildlife being attracted to them, even though bears are frequently seen wandering around my West Sechelt neighbourhood. Prohibiting roosters and setting a reasonable limit on the number of hens makes sense, but please do let us have our hens!

Lyssa Smith

Michaela Sugars

From: Tracy Forster
Sent: Thursday, July 21, 2022 8:21 AM
To: Planning
Subject: FW: Zoning Bylaw Renewal- Auxiliary Buildings and Increased Rental Housing

FYI

Kind regards,

Tracy Forster
Executive Assistant to Mayor and Council Direct 604-740-8478 PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

I acknowledge with gratitude that I work on the unceded homelands of the shíshálh Nation Be Calm. Be Kind. Be Coastal.

-----Original Message-----
From: Paul Legge [redacted]
Sent: Wednesday, July 20, 2022 5:18 PM
To: Council <Council@sechelt.ca>
Subject: Re: Zoning Bylaw Renewal- Auxiliary Buildings and Increased Rental Housing

Hi Mayor and Councillors,

I have actually emailed a few of you already, but realized that this would be much easier and that all councillors should receive this.

Sechelt is obviously going through the Zoning Bylaw Renewal process. There is an aspect that is being missed, and to be honest, makes complete sense with many positives and few negatives if any.

Reducing the land size for accessory dwellings. It stands at 2000 square meters for R1 zoning. This is outdated and limiting our community.

The issue plaguing almost all cities, towns, districts and regional districts across Canada is the supply and access to rental units. In addition to this, if you have read some articles recently, interest rates have caused rental rates to increase further. We need more supply. That is the most straightforward way to combat rental rates.

The type of rental unit that is needed most are the 1 bedroom units. These support the retail, hospitality, shift workers. As we all know, this is desperately needed in Sechelt. As former president of the SDBA, I still keep in touch with all the local businesses and we all see hours cut short because of a lack of workers or even businesses closed for a whole day or two as a result. Part of the problem is that these workers cannot find housing and the more affordable 1 unit rentals.

There is not one answer to solve this problem, but there are many answers that need to be layered on top of each other.

So my question is: why is it so restrictive for Sechelt home owners to build accessory dwellings? This seems so outdated. As if this rule of 2000 square metres was set when lots were much bigger and septic systems and infrastructure less efficient.

Through this zoning renewal process, I believe that this is the chance to help the community. I live on 0.34 acres in Sandy hook. If I could build an accessory dwelling, I would right away. There is no doubt. Even one additional long term rental unit is worth it as I see no negatives.

With rising interest rates and a possible recession predicted next year, for home owners, that additional income could make a huge difference. In addition, when the expensive home builds slow, the building of accessory dwelling might support all the many trades in Sechelt. Of course, it won't be a complete replacement, but anything could help the trades during a recession and keep people spending in the local economy.

This just makes so much sense for home owners and those who are in dire need of a rental unit, especially, the one room rental units. It is our obligation to look into this and improve the current outdated policy.

I really hope that you take this seriously and pose it to the public.

Thank you so much for reading this and considering it, Paul Legge

NOTES PUBLIC HEARING ZONING BYLAW 580, 2022, September 8, 2022

RAY PARFITT

THE CURRENT VERSION APPEARS TO HAVE REPLACED THE PROVISION FOR ACCESSORY DWELLING UNITS WISH SECONDARY SUITES IN ZONES R1 – R4. PROVISION FOR SHORT TERM RENTALS IN ALL R1-R4 ZONES.

STILL CONSIDERABLE POTENTIAL FOR INCREASED DENSITY IN HEIGHBOURHOODS THROUGHOUT THE DISTRICT

THE FOLLOWING A SYNOPIS OFOF POTENTIAL HOUSING UNITS IN EACH ZONE BASED ON PRINCIPAL RESIDENCES AND ATTACHED/DETACHED UNITS AND SECONDARY SUITES.

R-1 SERVICED AND UNSERVICED PARTS OF THE DISTRICT (Davis Bay, Selma Park, Wilson Creek, West Sechelt CAN ALLOW 1-4 UNITS PER LOT DEPENDING ON PARCEL SIZE

R-2 AREA SERVICED BY SEWER –(WEST SECHELT, WEST PORPOISE BAY) CAN ALLOW 2 – 4 UNITS PER PARCEL

R-3 SMALL LOT (CASCADE GREEN, TYLER HEIGHTS,) 350 SQ METER LOTS, CAN ALLOW 2 UNITS P ER PARCEL (INCLUDING A SECONDAY SUITE)

R-4 (DOWNTOWN – LANES) CAN ALLOW 3 / 4 UNITS PER PARCEL

R-5 DUPLEX, TOWNHOUSE AND SECONDARY SUITE, MAX OF 35 UNITS /HA (NO INDICATION IF THIS INCLUDES SECONDARY SUITES.

SUMMARY OBSERVATIONS AND QUESTIONS

EXTENSIVE COMBINATION OF PRINCIPAL UNITS, ACCESSORY ATTACHED, DETACHED, SECONDAY SUITES, PLUS SHORT TERM RENTALS COULD HAVE AN IMPACT ON NEIGHBOURHOOD CHARACTER,

1 ARE SECONDARY SUITES,/ ATTACHED ACCESSORY UNITS APPROPRIATE THROUGH OUT THE DISTRICT? ARE THEY APPROPRIATE IN DUPLEXES OR TOWN HOUSES (R-5 ZONE) WHAT IF A DEVELOPMENT INLCUDES A NUMBER OF DUPLEXES – DOES EACH DUPLEX INCLUDE 1 OR 2 SECONDARY SUITES? SHOULD CLARIFY THIS. S.

2 CONFUSION IN BYLAW CONCERNING SECONDARY SUITES.

DEFINITION OF A SECONDARY SUITE STATES THAT IT IS A SELF CONTAINED DWELLING UNIT LOCATED WITHIN A SINGLE UNIT DWELLING; HOWEVER THE REGULATIONS STATE THAT A SECONDARY SUITE IS PERMITTED IN A SINGLE DETACHED DWELLING OR A TWO UNIT DWELLING. WHAT PREVAILS NEED TO CLARIFY THIS ….IF SECONDARY SUITES ALLOWED IN DUPLEXES …ONE PER DUPLEX OR ONE PER UNIT (I.E. 2 SECONDARY SUITES

3 ASSUME THAT SITE DEVELOPMENT ISSUES (PARKING, ACCESS, DRAINAGE, SEPTIC WILL BE ADDRESSED IN THE BUILDING PERMIT PROCESS (INPUT FROM HEALTH, FIRE DEPARTMENT)

4 IF ACCESSORY DWELLING UNITS AND SECONDARY SUITES ARE A MEANS OF ADDRESSING THE AFFORDABLE HOUSING ISSUE THEY SHOULD BE SECURED BY A HOUSING AGREEMENT WITH THE DISTRICT

5 THE DISTRICT SHOULD MONITOR PERMITS THROUGH GIS MAPPING, DETERMINE WHERE ACCESSORY USES ARE BEING DEVELOPED AND ASSESS COMPLAINTS TO MONITOR IMPACTS OF THIS REGULATON

RM1 MULTI FAMILY ZONE

PRINCIPAL USES INCLUDES APARTMENT, TOWNHOUSE, DUPLEX. USES

DENSITY CHANGED TO 50 UNITS / HA AND F.A.R. 1.4, LOT COVERAGE 75%

- APPROPRIATE MORE REFLECTIVE OF CONVENTINAL HIGHER DENSITY STANDARDS

MAXIMUM HEIGHT 11 METERS (TWO STOREY STRUCTURE)

ADDITIONAL DENSITY AND HEIGHT MAY BE CONSIDERED WITH HOUSING AGREEMENT, COMMUNITY AMENITY. (COULD INVOLVE CONSIDERABLE NEGOTIATIONS.) (WESBROOKE)

WHY NOT SPELL OUT A REALISTIC HEIGHT FOR APARTMENTS? POWELL RIVER'S ZONING BYLAW SETS A HEIGHT OF 19.5 METERS IN THE MULTI FAMILY ZONE. SQUAMISH HAS A HEIGHT OF 15 METERS

C1 NEIGHBOURHOOD COMMERCIAL

WHY NOT INCLUDE GAS STATION , ELECTRIC CHARGING STATION AND NEIGHBOURHOOD PUB AS PERMITTED USES

SENIORS HOUSING,

BYLAW 580 IS SILENT ON THIS FORM OF HOUSING

THE OCP HAS STRONG POLICIES IN SUPPORT OF SENIORS HOUSING

INCLUDING INDEPENDENT/ASSISTD LIVING, AND SUPPORTED RESIDENTIAL UNITS, CARE BEDS AND AND COMPLEX CARE

STATES THAT ASSISTED LIVING; COMMUNITY CARE FACILTIES MAY BE ACCOMMODATED IN HIGHDENSITY ZONES AND INSTITUTIONAL ZONES. AND THAT THE .DISRICT WILL DEVELOP PROVISIONS IN THE ZONING BYLAW TO CALCULATE DENSITY AND PARKING STANDARDS ASSOCATED WITH THESE FACILITIES.

THE *IN1* ZONE PROVIDES FOR ASSISTED LIVING, IT APPEARS THAT THE

IN 1 ZONE IS A SPECIFIC ZONE FOR THE TRELLIS LONG TERM CARE FACILITY

NO REFERENCE TO SENIORS RESIDENTIAL FACILITIES IN THE R5 OR RM1 ZONE. IT IS ASSUMED THAT AN ASSISTED LIVING / LONG TERM CARE FACILITY WOULD REQUIRE A CD ZONE TO REGULATE SPECIFIC REQUIREMENTS. 11 METER HEIGHT INAPPROPRIATE FOR A HIGHER APARTMENT. STRIKE AN APPROPRIATED HEIGHT. DON'T WANT TO ENGAGE IN PROTACTED NEGOTIATIONS FOR AMENITITES IN EXCHANGE FOR HEIGHT ABOVE 11 METERS.

AG 1 ZONE – AGRICULTURE

MOST EXTENSIVE PART OF THE BYLAW.

PROVIDES FOR AGRICULTURE AND PROTECTS THE AGRICULTURE INTEGRITY OF THE LANDS WITHIN THE AGRICLTURAL LAND RESERVE. PROTECTS THE ALR AND ADMINISTERS THE ALR REGULATIONS.

ELIMATES SECHELT GOLF COURSE AS A PRINCIPAL USE THE NEW AGRICULTURAL ZONE (FORMERLY A PERMITTED USE IN BYLAW 25 RR – 2 ZONE) . OCP DESIGNATES THE GOLF COURSE AS PARKS AND OPEN SPACE.

ONLY PERMITED USE IN AG 1 ZONE IS AGRICULTURE. THUS MAKES THE GOLF COURSE A NON CONFORMING USE. ANY CHANGE TO CLUBHOUSE, RESTAURANT, MAINTENANCE SHOP, DRIVING RANGE WOULD REQUIRE A VARIANCE PERMIT .....HOWEVER CAN'T VARY DENSITY OR USE BY A VARIANCE PERMIT.....THUS BACK TO REZONING ...THUS A CATCH 22.

THE GOLF COURSE WAS CONSTRUCTED IN THE LATE 80'S EARLY 90'S WHEN IT WAS A PERMITTED USE IN THE ALR.

ALR POLICIES CHANGED IN 1997 TO PROHIBIT NEW GOLF COURSES ON ALR LANDS. HOWEVER, EXISTING GOLF COURSES COULD REMAIN AS PERMTTED USES IN THE ALR. MYLORA GOLF COURSE – RICHMOND; SWANEA SET – PITT MEADOWS,. NORTHLANDS - SURREY

RESPECTFULLY SUGGEST THAT AGRICLTURAL ZONE BE AMENDED TO ALLOW THE THE GOLF COURSE AS A PRINCIPAL USE ALONG WITH AGRICULTURE

ACCESSORY USE TO INCLUDE CLUB HOUSE, DRIVING RANGE, RESTAURANT, ADMINISTRATION OFFICE, MAINTENANCE FACILITY

APPROPRIATE HEIGHT, SITING, LOT COVERAGE PROVISIONS (OTHERS?)

SHORT TERM RENTALS

ALLOWED IN R1, R2,R3,R4 ZONES. BY DEFINITION ALLOWED IN A DWELLING, TO A MAXIMM OF 3 BEDROMS IN A DWELLING UNIT

NEW SECTION 2.8 GOVERNING SHORT TERM RENTALS ALLOWS A SHORT TERM RENTAL IN A PRINCIPAL RESIDNECE OR AN ACCESSORY DWELLING ON THE SAME PROPERTY

SHORT TERM RENTAL IN AN ACCESSORY DWELLING IS PERMITTTED YEAR ROUND, LIMITED TO TWO ACCESSORY DWELLINGS IF OPERATOR LIVES IN A UNIT. (THUS 3 SHORT TERM RENTALS

SHORT TERM RENTAL OF MORE THAN TWO ACCESSORY UNITS REQUIRES A TEMPORARY USE PERMIT. THUS CAN HAVE MORE THAN TWO SHORT TEM RENTALS

CONCLUSION: THE SHORT TERM RENTAL APPEARS EXCESSIVELY GENEROUS. THE SEPTEMBER 7TH STAFF REPORT IN SUPPORT OF SHORT TERM RENTALS TALKS TO THE SUNSHINE COAST HOUSING NEEDS REPORT AND CONCERNS ABOUT SHORT TERM RENTALS COMPETING WITH LONG TERM RENTAL STOCK AND THE EFFECTS OF SHORT TERM RENTALS.

I WOULD RESPECTFULLY SUGGEST THAT THERE IS SUFFICIENT CONCERN TO REDUCE THE NUMBERS OF SHORT TERM RENTALS IN PRINCIPAL AND ACCESSORY BUILDINGS.

THE POLICY REQUIRES A LIVE IN OWNER IF THE SHORT TERM RENTAL IS YEAR ROUND. (HARDLY SHORT TERM) WHY NOT REQUIRE A LIVE IN OWNER FOR SHORT TERM RENTALS REGARDLESS OF DURATION OF STAY.

ITEM 8.2(a)

District of SECHELT

REQUEST FOR DECISION

TO: Mayor and Council **MEETING DATE** September 7, 2022

FROM: Director of Planning and Development

SUBJECT: **Short-Term Rental Bylaw Amendments**

FILE NO: **3900-02**

RECOMMENDATIONS

1. **That the report from the Director of Planning and Development regarding Short-Term Rental Bylaw Amendments be received.**

2. **That Council give three readings to Business Licence Bylaw Amendment 520-4, 2022, and Bylaw Notice Enforcement Implementation Bylaw 515-11, 2022, to implement Short-Term Rental regulations.**

3. **That Council endorse:**
   - i. **The District of Sechelt Short-term Rental Operators Guide;**
   - ii. **A two-year monitoring program;**
   - iii. **A maximum of 15 temporary use permits STR Secondary Residence (un-hosted).**

PURPOSE

To present bylaw amendments and business licence program development to Council relating to Short-Term Rental regulations. Amendments to the Business Licence Bylaw and Bylaw Notification Enforcement Implementation Bylaw have been prepared and amendments to Zoning Bylaw 580 were endorsed and are scheduled to be added as part of third reading.

The bylaw amendments are described in this report and included in the order paper for consideration of reading.

OPTIONS

1. That Council:
   a. proceed with amendments of Business Licence Bylaw Amendment and Bylaw Notice Enforcement Implementation Bylaw.
   b. endorse the Operators Guide;
   c. endorse a two-year monitoring program;
   d. endorse a maximum of 15 temporary use permits STR Secondary Residence (un-hosted).

concerning the propertys between big maples park and ward cort.
the propertys are presently zoned residential and shoud remain resedential for the following reasons

1-the sunshine coast is currently having a shortage of housing we should be zoning these propertys to accomidate more housing not less!

2-i bougt a residential property and have no interest in being zoned rural as it would detrimentaly affect the value of my land and diminish the years of work i have spent developing according to the current residential zoning.

3- the rezoning process is to bring the bylays to conform to the OCP wich is now outdated and requires rewriting at this point. at the time of the writing of the current OCP these propertys were not develped and have since been devoloped according to the current residential zoning. to change these propertys to ru zoning will create many problems with this established niebourhood.

4- the RU zoning makes no sence with these propertys as we could not leagly conform to the Code of Practice for Agricultural Environmental Management

according to The Code of Practice for Agricultural Environmental Management (AEM Code) is a Minister's regulation under the Environmental Management Act that regulates

storage and use of manure, other agricultural by-products and materials on agricultural operations. The AEM Code applies to all agricultural operations in British Columbia, from small hobby farms to large commercial operations. An agricultural operation includes raising or keeping livestock, poultry or insects, or growing and harvesting agricultural products on non-residentially-zoned land.
the AEM code states mimimum setbacks from wells and property lines. these propertys are not able to conform to thoses setbacks as they are 1 hectar and dont have the nessasary space to conform to these provincial laws

Another point we find necessary to include is that these properties are on shallow wells which any agriculture leaching or run off would be of concern to us. According to the provincial CODE OF PRACTICE FOR AGRICULTURAL ENVIRONMENTAL MANAGEMENT there is a 30m required setback from any drinking water sources before any agricultural activities can be conducted. They also indicate a 15-30m setback from property lines before establishing any agricultural activities. None of these properties between Ward Court and Big Maples that are being changed from Residential to Rural would be permitted any of the rural activities because of the property widths and relativity to our neighbours, not to mention the upset and conflict this would cause within the community if we had to contend with any agriculture/farming issues

from runoffs to smells and noises. We are zoned Residential now, please keep us Residential as we fit all the R1 criteria and none of the Rural 1.

https://www2.gov.bc.ca/gov/content/environment/waste-management/industrial-waste/agriculture/regulation-requirements/minimum-setbacks

AEMCoPenquiries@gov.bc.ca

CODE OF PRACTICE FOR AGRICULTURAL ENVIRONMENTAL MANAGEMENT

Richard Poddester
4424 Hazelnut Rd
Sechelt
[redacted]

Michaela Sugars

From: Denise Books [redacted]
Sent: Tuesday, August 30, 2022 8:50 AM
To: Planning; Ian Holl; Samuel Hogg
Subject: New Zoning Bylaw for Lower Wilson Creek

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We have seriously considered the new Zoning Bylaws and how these changes will affect our property and neighbourhood. We are gravely concerned that this new rural zoning is not suitable for our residentially established neighbourhood here. When the OCP was done, most of these properties stood as vacant land. This hasn't been the case since shortly after the OCP which makes this rural designation no longer applicable to this area.

Our neighbourhood, all currently zoned R3, is already developed into a nice residential neighbourhood. To have any of these properties changed to Rural Zoning is a significant step backwards for this entire neighbourhood. Not only is this Rural designation not conducive to the close residential homes and quiet neighbourhood we have already established on these lots or the way in which our properties and neighbourhood have already been developed, but it is also not conducive to our land which can't very easily now be converted into lands useful for livestock or farming. As well as reducing the potential subdividing and housing allotment for these properties from our existing zoning allowances (which is not helping the housing crisis any), the rural zoning could introduce a host of livestock and farming related issues in our very closely housed neighbourhood and surrounding high density residential neighbours from farm sounds and smells to around the clock farm activity. It is a redundant zoning for this neighbourhood, with these properties already developed, settled & established.

Concerning too is the fact that the properties in this neighbourhood are the only Residentially zoned & developed properties in the whole District being zoned 'backwards' into Rural 1 zoning (besides the undeveloped rural outskirts of Tuwanek). This would also be the only Rural Zoned areas sporadically placed amongst dense residential. Since we are already established residentially developed properties, we implore you to keep us and this lower part of Wilson Creek zoned as Residential and not send us backwards in time.

The 'push it through now and deal with issues later' process of proceeding (as described by the Mayor at the public zoom meeting regarding the New Zoning Bylaws), will create irreversible and problematic changes within our residential neighbourhood, not so easily ironed out later. There will be an onslaught of issues arise from this sporadic placing of rural zoning amongst this already densely housed neighbourhood.

The DOS has indicated that the OCP is old and will be updated next year, so we implore you not to make this kind of drastic change to these properties in our neighbourhood at this time. There are no Rural Zoning permissions applicable or suitable for this neighbourhood anymore. It is a non-relative outdated zoning for all these properties which if made will just degrade and devalue our entire settled neighbourhood. Waiting until the OCP is updated next year would be a much more logical option.

We request to keep this lower Wilson Creek neighbourhood zoned as Residential, rather than stepping backwards to Rural. We are not farmers nor did we buy into a neighbourhood of farmers (primarily agricultural use'). We are an established residential community.

Thanks,
Denise Burns & Rick Puddester
4424 Hazelnut Lane

Michaela Sugars

From: Andrew Allen
Sent: Tuesday, September 06, 2022 5:46 PM
To: Ross McKeever
Cc: Jason Carvalho; Ian Holl
Subject: RE: District of Sechelt Zoning Bylaw Update
Attachments: 25 1987 - Zoning Bylaw.pdf

Hello Ross,

Please find attached bylaw that I promised for today, I thank you for your patience. We advertised the public hearing in the Coast Reporter August 19, 26 and September 2nd, which exceeds statutory requirement in the Local Government Act. We will also add correspondence to the public hearing binder – both physical and electronic – and regular intervals and will be sure to add your correspondence in a timely manner. The binder will also be available at the public hearing, all of which meets and exceeds regulatory requirements and best practice.

Thank you,
Andrew

District of SECHELT

Andrew Allen, RPP
Director of Planning and Development
Direct 604-740-8464 | Mobile 604-989-7602
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

From: Ross McKeever [redacted]
Sent: Tuesday, September 06, 2022 5:12 PM
To: Andrew Allen <Andrew.Allen@sechelt.ca>
Cc: Jason Carvalho [redacted]; Ian Holl <iholl@sechelt.ca>
Subject: RE: District of Sechelt Zoning Bylaw Update

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Andrew - Thank you for your email response.

Was the 1992 material send in hardcopy or electronic? We have not received an email with it attached today.

The documents we've requested are pertinent to whether Proposed Bylaw 580 complies with the *Private Managed Forest Land Act*. Compliance with that statute is a statutory obligation on your part, as was acknowledged in our first communication in May. In order to meet your statutory requirements you ought to already have the requested documents in hand therefore the timing of our request to view such documents should not impact your ability to produce them.

Our request was made in response to the calling of the public hearing, and the public hearing notice you have referenced confirms that that notice was posted only 7 days ago. Please let us know which newspapers it was published in if any, and the dates of the publication.

Finally, we note that in our September 2 letter we asked that the following be included in the public hearing package:

> "- our August 31 request letter,
> - your September 1 response; and
> - this reply letter;"

We have looked at the public hearing package that is on the Zoning Bylaw Renewal | Your Say Sechelt webpage and it comprises 57 pages dated between August 15, 2022 and September 3, 2022, but does not include our August 31 letter, your September 1 response, or our September 2 reply. The three communications clearly form part of a public hearing submission (ie – as regards the legality of the bylaw), and so please correct that error immediately. In doing so please also include your email of today's date, and this email in response.

We look forward to receiving the 1992 material as promised, and will have more to say after we review it.

Regards
Ross

From: Andrew Allen <Andrew.Allen@sechelt.ca>
Sent: September 6, 2022 8:09 AM
To: Ross McKeever [redacted]
Cc: Jason Carvalho [redacted] Ian Holl <iholl@sechelt.ca>
Subject: RE: District of Sechelt Zoning Bylaw Update

This email comes from an external sender.

Hello Ross,

We are not sure if the requested document exists (and off-site file search would be required) and our records technician is presently not available to search for such document. Therefore, the freedom and information request provides us a reasonable request to search document. If the 1987 documents exist (and we're not sure if they do) they would be stored in a box off-site and require some time to search for. Receipt of a letter at 4:06pm on a Friday prior to the long weekend leads us to three business days ahead of the public hearing is insufficient.

Our goal of the zoning bylaw update is reflect policies contained within the official community plan and support residential uses in areas suited for residential and resource management and development is suitable locations. The property is designated as resource in the official community plan and is suited to support the existing use and the use that the land owner benefits from within the premise of provincial legislation. The property is not located within our expected residential settlement area and the proposed zoning best matches the designation of the official community plan, current use and expected future use.

The oldest consolidation of Zoning Bylaw 25 in our electronic files is from 1992 and it will be fair for us to share this with you and we will forward it to you today. Further documentation will require a request to our corporate officer who will direct the records technician to search when she returns to the office.

Thank you,
Andrew

Andrew Allen, RPP
Director of Planning and Development
Direct 604-740-8464 | Mobile 604-989-7602
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

From: Ross McKeever [redacted]
Sent: Friday, September 02, 2022 4:06 PM
To: Andrew Allen <Andrew.Allen@sechelt.ca>
Cc: Jason Carvalho [redacted]; Ian Holl <iholl@sechelt.ca>
Subject: RE: District of Sechelt Zoning Bylaw Update

Hi Andrew

Thank you for your response.
Attached is our follow up letter which further emphasises the need for the requested documents.

Regards,
Ross

From: Andrew Allen <Andrew.Allen@sechelt.ca>
Sent: September 1, 2022 10:09 AM
To: Ross McKeever [redacted]
Cc: Jason Carvalho [redacted]>; Ian Holl <iholl@sechelt.ca>
Subject: RE: District of Sechelt Zoning Bylaw Update

This email comes from an external sender.

Hi Ross,

Our corporate file management system is not developed enough to accommodate this request in this time period. This would likely require a freedom of information request, which have up to 30 business days to respond to, and even at that we may not have all documents that are requested but our records clerk can search upon receipt of request.

In the meantime, we can send the current version of Zoning Bylaw 25 and the oldest scanned consolidated copy that is readily available from 1992, if you would like that?

Please confirm and we will do our best to meet your request.

Thank you,
Andrew

Andrew Allen, RPP
Director of Planning and Development
Direct 604-740-8464 | Mobile 604-989-7602
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

New Zoning Bylaw 580 has been presented to Council with the intent to replace Zoning Bylaw 25, which was adopted in 1987. Please see this page to read the bylaw, summary and find out about upcoming meetings - yoursaysechelt.ca/zoningrenewal

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From: Ross McKeever [redacted]>
Sent: Wednesday, August 31, 2022 3:51 PM
To: Ian Holl <iholl@sechelt.ca>; Andrew Allen <Andrew.Allen@sechelt.ca>
Cc: Jason Carvalho [redacted]
Subject: RE: District of Sechelt Zoning Bylaw Update

Andrew and Ian

Please find attached a request for additional information in advance of our Public Hearing submission.

Regards
Ross

Ross McKeever
Director - Real Estate Development
E Ross.McKeever@MosaicForests.com
T 250-618-3011
MosaicForests.com

Follow Us

From: Ian Holl <iholl@sechelt.ca>
Sent: July 8, 2022 10:02 AM
To: Ross McKeever [redacted]
Cc: Jason Carvalho [redacted]>; Andrew Allen <Andrew.Allen@sechelt.ca>
Subject: RE: District of Sechelt Zoning Bylaw Update

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Hello Ross,

I am not quite sure what can be discussed further. Both Andrew and I have talked with Jason and we have heard the concern from Mosaic about the increase to the minimum lot size for new subdivisions in the RU2 zone of proposed Zoning Bylaw No. 580, 2022. We understand that Mosaic has suggested that a 4 ha minimum lot size would be preferrable. We have discussed the rationale for the RU2 zone and overall intent of the zoning bylaw update to align with the current OCP. The District seeks to support forestry operations, and keeping a large minimum lot size would provide one way to mitigate rural residential land speculation on such large properties. This fits with the intent of the Resource Lands designation in the OCP. Furthermore, that the property is in an unserviced area with limited road access, and part of the property is also in the provincial Agricultural Land Reserve (ALR), it would not be a good candidate for rural subdivision.

From our perspective there is no need to discuss this further – we have heard your concerns and will consider them alongside the other feedback from the public engagement process. However, from our perspective there is no rationale for the District to consider such a substantial reduction to the minimum lot size in the proposed RU2 zone, particularly for just one property. You are still welcome to submit written comments to planning@sechelt.ca for consideration as part of the zoning bylaw engagement. While we may not incorporate all changes suggested by the public, we do actively listen to comments and consider how to balance OCP policies, the public interest, and land use planning practices. Thank you.

Regards,

Ian

Ian Holl, MCIP, RPP
Development Planning Manager
Direct 604-740-8474 | Office 604-885-1986
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

New Zoning Bylaw 580 has been presented to Council with the intent to replace Zoning Bylaw 25, which was adopted in 1987. Please see this page to read the bylaw, summary and find out about upcoming meetings - yoursaysechelt.ca/zoningrenewal

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From: Ross McKeever <[redacted]>
Sent: Friday, July 08, 2022 9:31 AM
To: Andrew Allen <Andrew.Allen@sechelt.ca>
Cc: Ian Holl <iholl@sechelt.ca>; Jason Carvalho [redacted]>
Subject: RE: District of Sechelt Zoning Bylaw Update

Good morning Andrew.
I'm following up on this meeting request on behalf of Jason. We understand from Ian that you were out of the office leading up to the July 6th date, which we've now missed, but still ask that you find some time in your calendar early next week to discuss this zoning bylaw issue.

Thank you
Ross

Ross McKeever
Director - Real Estate Development & Sales
E Ross.McKeever@MosaicForests.com
T 250-618-3011
MosaicForests.com

Follow Us



From: Jason Carvalho [redacted]com>
Sent: June 17, 2022 4:43 PM
To: Andrew Allen <Andrew.Allen@sechelt.ca>; 'iholl@sechelt.ca' <iholl@sechelt.ca>
Cc: Ross McKeever [redacted]>
Subject: RE: District of Sechelt Zoning Bylaw Update

Hi Andrew,

I had a conversation with Ian earlier this afternoon regarding the proposed new zoning bylaw and changes to the zoning/minimum lot area for DL2142.

Ian ran me through the process to date and the next steps for presenting updates to Council.

- July 6th – summary of community engagement and changes to the draft bylaw
- July 20th – summary of 3rd party referral comments and recommendation for second reading of the amendment bylaw.

As we discussed over the phone a few weeks ago, the proposed change in zoning from RR-1 to RU-2, and more specifically the change in minimum lot area from 2/3 hectares to 100 hectares, is restrictive and has a profound impact on DL2142.

My colleague (Ross McKeever) and I are hoping to speak with you about changes to the zoning prior to the July 6th report being presented to Council.

I understand from speaking with Ian that you will be away at a conference next week and vacation the week after, returning the week of July 4th.

Given the small window between now and the July 6th Council meeting, can we set up a call with you next week during a break in the conference? We can be flexible to accommodate your availability.

Best,



Jason Carvalho
Manager - Planning
E Jason.Carvalho@MosaicForests.com
T 250-619-7655 |
MosaicForests.com



From: Jason Carvalho [redacted]>
Sent: Friday, June 17, 2022 1:24 PM
To: Andrew Allen <Andrew.Allen@sechelt.ca>
Cc: Ross McKeever [redacted]>
Subject: Re: District of Sechelt Zoning Bylaw Update

Hi Andrew, further to my earlier voice mail, my colleague Ross McKeever and I would like to set up a time to meet with you to discuss the zoning bylaw update and proposed changes to our lands (DL2142).

Are you available Wednesday June 22nd (any time after 9:30am) to meet for an hour? If the 22nd doesn't work, can you please provide us with a few days/times that you are available?

Look forward to hearing back from you.

Jason

From: Andrew Allen <Andrew.Allen@sechelt.ca>
Sent: Wednesday, May 4, 2022 11:59 AM
To: Jason Carvalho [redacted]
Cc: Ross McKeever [redacted]>
Subject: RE: District of Sechelt Zoning Bylaw Update

This email comes from an external sender.

Hello Jason,

I assume the inquiry relates to DL 2142 in the Wilson Creek area, and if there are additional parcels please let me know. Information on the zoning bylaw project can be found here: https://yoursaysechelt.ca/zoningrenewal

I will give a summary of the project and its relation to DL 2142. The current zoning bylaw in place (Bylaw 25) was adopted in 1987 shortly after Sechelt expanded from a Village to a District Municipality. DL 2142 would have been in electoral area C at the time it was added into the municipality. At any rate, the bylaw is quite dated and we seek to modernize it and implement policies from the official community plan. The OCP designates DL 2142 as resource and this is consistent with the existing use and its status of PMFL. The current zone is RR1 and we have created an RU2 zone that will apply to lands within the Resource designation in the OCP, this is largely land that is within PMFL and crown forest.

For the most part the uses remain the same and the primary change is the parcel size as it relates to subdivision. Presently the lots size in the RR1 zone is 2/3rds of a hectare and we propose 100ha. The reason is two-fold - to protect resource lands for the intended purpose and reduce land use conflicts and to align with the urban containment boundary in the OCP and define our residential settlement and service areas (water/sewer).

In terms of using the parcel for forestry purposes, all will remain the same.

I'm happy to discuss further.

Andrew

Andrew Allen, RPP
Director of Planning and Development
Direct 604-740-8464 | Mobile 604-989-7602
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

to Council with the intent to replace Zoning Bylaw 25, which was adopted in 1987. Please see this page to read the bylaw, summary and find out about upcoming meetings - yoursaysechelt.ca/zoningrenewal

-----Original Message-----
From: Jason Carvalho <[redacted]com>
Sent: Wednesday, May 04, 2022 8:55 AM
To: Andrew Allen <Andrew.Allen@sechelt.ca>
Cc: Ross McKeever [redacted]
Subject: District of Sechelt Zoning Bylaw Update

Good morning Andrew. Received your voicemail. Does 2pm work for call?

JC

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Michaela Sugars

From: Ian Holl
Sent: Monday, July 18, 2022 11:36 AM
To: Tracy Forster; Lindsay Vickers
Cc: Michaela Sugars; Samuel Hogg
Subject: RE: For Correspondence Regarding Bylaw 580 Industrial M2 Zone for Tillicum Bay

Hi,

I can provide the following answers to the specific questions in addition to the generic response if we are including that as well.

When we talk about a dedicated AG (Agriculture) zone, we are specifically talking about the zoning that applies to land within the provincial Agricultural Land Reserve (ALR). Under Zoning Bylaw No. 25, 1987, there was no Agriculture zone. There was an RR-2 (Rural 2) zone that applies to land in the ALR, but it was a rural zone and not an agriculture zone. The RR-2 was not a proper agricultural zone (more than just the name) as it allowed land uses that were prohibited by provincial ALR regulations, and it also didn't address many farm and non-farm land uses that can be regulated by local governments within the ALR.

Question 1:
By passing Bylaw No. 492-9, 2013, the DoS granted OCP aquaculture status to Northern Divine Aquafarms Ltd (NDAF aka Target Marine Hatcheries Ltd.) and technically, this OCP Aquaculture status created an "AG zone" in Tillicum Bay that allows NDAF to operate as a "farm" and under "Normal farm practices" is granted protection under provincial regulations in "The Right to Farm Act".

Answer:
The Official Community Plan amendments associated with this property deal with changes in land use designation to allow rezoning of the property. The OCP land use designation did not create an AG zone, nor does any OCP land use designation automatically create a zone in the corresponding Zoning Bylaw. An amendment to the zoning bylaw is necessary to rezone a property, and while an amendment to the OCP may occur concurrently, they are separate bylaw changes. The industrial zones in Bylaw No. 25 and Bylaw No. 580 are separate from the agriculture zone in Bylaw No. 580.

The property in Tillicum Bay is not in the ALR, therefore, the *ALC Act* and Regulations do not apply. Aquaculture operations would have to adhere to other provincial/federal regulations.

Question 2:
The perceived protection for NDAF (aka Target Marine Hatcheries Ltd.) under the provincial regulations will not continue under Bylaw 580.

Answer:
The proposed new M2 zone in Zoning Bylaw No. 580, 2022 would carry over the permitted land uses and similar regulations from the M-3 and M-3A zones that apply to the property under Zoning Bylaw No. 25, 1987. Any applicable provincial and federal regulations would continue to apply separate from the proposed change from Zoning Bylaw No. 25, 1987 to Zoning Bylaw No. 580, 2022.

Regards,

Ian

Ian Holl, MCIP, RPP
Development Planning Manager
Direct 604-740-8474 | Office 604-885-1986
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

New Zoning Bylaw 580 has been presented to Council with the intent to replace Zoning Bylaw 25, which was adopted in 1987. Please see this page to read the bylaw, summary and find out about upcoming meetings - yoursaysechelt.ca/zoningrenewal

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From: Tracy Forster <tforster@sechelt.ca>
Sent: Monday, July 18, 2022 10:13 AM
To: Ian Holl <iholl@sechelt.ca>; Michaela Sugars <MSugars@sechelt.ca>; Samuel Hogg <SHogg@sechelt.ca>
Subject: FW: For Correspondence Regarding Bylaw 580 Industrial M2 Zone for Tillicum Bay

Good morning,

Please read below correspondence sent to Council this morning. The generic response AA wrote before he left won't address these questions, (I don't think?).

Please let me know if I can assist at all, or please cc the response to all of the email addresses that received the email.

Kind regards,

Tracy Forster
Executive Assistant to Mayor and Council
Direct 604-740-8478
PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

I acknowledge with gratitude that I work on the unceded homelands of the shíshálh Nation
Be Calm. Be Kind. Be Coastal.

From: Shirley Kuciuk [redacted]>
Sent: Monday, July 18, 2022 10:02 AM
To: Council <Council@sechelt.ca>; Darnelda Siegers <Siegers@sechelt.ca>; jkuester@sechelt.ca; browe@sechelt.ca; atoth@sechelt.ca; mmclean@sechelt.ca; escott@sechelt.ca; Tom Lamb <Lamb@sechelt.ca>; Andrew Allen <Andrew.Allen@sechelt.ca>
Cc: Lynne Forrest [redacted]; Kevin Purton [redacted]; Brendan Swan [redacted]
Subject: For Correspondence Regarding Bylaw 580 Industrial M2 Zone for Tillicum Bay

Caution! This message was sent from outside your organization.

Dear Council,

For Correspondence

I am a resident of Tillicum Bay.

The District of Sechelt (DoS) 2022-07-20 RC Agenda contains a revised edition of draft Bylaw 580 and now mysteriously includes a written description of the proposed M2 zone in Tillicum Bay with "Intent" to create an industrial zone on the floodplain of Gray Creek. The "Have Your Say" portal indicates that "consultation is open for contributions".

The following question and answer (highlighted in blue below), is located in the "Have Your Say" portal for Bylaw 580. If I understand correctly, the Dos answer is trying to reassure the public that under the proposed RU1 zoning "The Right to Farm" provincial regulations would **not** be in effect to protect the land.

I would like clarification of the statement, *"There was no dedicated AG zone in the previous bylaw".* Is it true that:

1. by passing Bylaw No. 492-9, 2013, the DoS granted OCP aquaculture status to Northern Divine Aquafarms Ltd (NDAF aka Target Marine Hatcheries Ltd.) and technically, this OCP Aquaculture status created an "AG zone" in Tillicum Bay that allows NDAF to operate as a "farm" and under "Normal farm practices" is granted protection under provincial regulations in "The Right to Farm Act".

2. the perceived protection for NDAF (aka Target Marine Hatcheries Ltd.) under the provincial regulations will not continue under Bylaw 580.

Questions and Answers

Specific Zoning Changes

e) Under RU1 zoning "This zone allows limited agricultural and residential uses on large rural lots that are outside of the ALR, meaning that this land is not protected by the provincial government" in that statement, what protection is being lost?

There was no dedicated AG zone in the previous bylaw*, and creating a new AG zone is part of the process of modernizing the bylaw reflecting new ALR regulations. It was also important to distinguish rural lands and agriculture lands in the new bylaw. If land is in the ALR there is a suite of provincial regulations (ALR, Right to Farm, etc.) that apply. It still possible and desirable to use land outside the ALR for agriculture, but such lands are not protected by the same provincial regulations.*

Shirley Kuciuk, Vice president of the Tillicum Bay Neighbourhood Association

5696 Tillicum Bay Road, Sechelt

DoS Copy

District of Sechelt Public Hearing regarding Zoning Bylaw No. 580, 2022.

Thursday, September 8, 2022 at 6:00.

This submission is on behalf of the Tillicum Bay Neighbourhood Association (TBNA) by

In January of 2013, the adoption of Zoning Amendment Bylaw No. 25-260,2013 (Target Marine Hatcheries Ltd.) and OCP Amendment Bylaw No. 492-9, 2013 (Target Marine Hatcheries Ltd.) amended the M3 zone and created within the M3 zone a new M3-A zone on the flood plain of Gray Creek in Tillicum Bay **specifically for the business operation of Target Marine Hatcheries Ltd.** (Target), also known as Northern Divine Aquafarms Ltd. (NDA).

Bylaw 580 wipes out years of local neighbourhood opposition against Target expanding to include industrial use on the Gray Creek alluvial fan. The opposition included court cases regarding waste management issues going back to 2009 which are still not addressed or resolved. NDA has two waste streams that require permits from MOE. As of today, NDA is still in contravention of the Environmental Management Act (since 2013) because they still do not have the required permit to discharge processing waste to the environment. (See detailed explanation below #7).

The M3 and M3A zones were designed for a specific company operating in Tillicum Bay. This new zoning designation, M2, appears to propose a new District wide category with an "intent" that will increase industrial activity on the flood plain.

For example, in bylaw 580 there are no prohibitions regarding waste management and disposal to Sechelt Inlet and Gray Creek or consideration of other potential environmental issues that the new AQUACULTURE PROCESSING definition proposes. The proposed M2 zone is on the flood plain (alluvial fan) of Gray Creek. Using information from the 1993 Golder report there is specific information in the OCP regarding the "*higher hazard Gray*". In 2015, and using private funds, the Tuwanek Ratepayer's Association commissioned Golder Associates to conduct a *"senior level engineering review of available information and reports on the watercourse and geotechnical hazards at and adjacent to the recent or proposed expansions ... The report presents an engineering assessment of the risks and potential impacts of these hazards on [the] buildings, associated facilities and uses. "*

The **Flood Management** sections of old Bylaw 25, 1987 are not updated. They (and the flood plain maps) have disappeared entirely from Bylaw 580 even though the OCP page 26 states, *"Floodplain maps and required setbacks for Burnett Creek, Angus Creek, **Gray Creek**, Chapman and Wilson Creek are contained in the zoning bylaw."*

The DoS has officially communicated to TBNA residents that the Target "farm" operation is protected under the "Right to Farm" Act and the DoS will not enforce the noise bylaw complaint process. At the DoS suggestion one resident has a pending complaint against Target filed with the BC Farm Review Board (BCFIRB). It is an onerous process. Again, the official position of the DoS, communicated to Tillicum Bay residents, is that the M3 and M3-A zones are protected by the Right to Farm Act. Following is an email from management staff regarding this issue.

5. Bylaw 580 proposes a new definition for "AQUACULTURE" that *"Includes the processing, packaging, warehousing and retail sale of fish and plant products produced on site."* In Bylaw 25, the AQUACULTURE definition, excluded all activities that are within the scope of the "aquaculture processing" use. So, now in Bylaw 580, processing is permitted in the entire zone and not just in the processing plant (M3-A) area!

6. Bylaw 580 proposes a new definition for "AQUACULTURE PROCESSING". This definition did not appear for public discussion until it appeared in the July 20, 2022 RC Agenda.

7. NDA has two waste streams. One waste stream is for the hatchery/fish tanks for the fish grown on site. For this waste stream NDA is registered under the Land-Based Finfish Waste Control Regulation, authorization number: 103282, to discharge waste water from the Sturgeon/fish tanks into Sechelt Inlet.

The second waste stream comes from the processing plant. While it was not made a condition of the 2013 bylaw adoption, TMHL assured the District of Sechelt that they were in the process of obtaining a MOE permit under the Environmental Management Act to discharge the processing waste. NDA continues (since 2013), without an Environmental Management permit, to dispose of the waste from the processing plant to unknown destinations.

Since 2013, NDA has been in contravention of the Environmental Management Act. For protection under the Right to Farm Act a farm operation must not contravene the Environmental Management Act. The TBNA has notified the District of this contravention.

Shirley Kuciuk

5696 Tillicum Bay, Sechelt

Michaela Sugars

From: [redacted]
Sent: Wednesday, September 07, 2022 1:57 PM
To: Planning
Subject: Proposed New Zoning Bylaw

Caution! This message was sent from outside your organization. Allow sender | Block sender

Hello,

I would like to raise my concerns over the proposed re-zoning that impacts my property at 5991 Sechelt Inlet Road. My company purchased the property a year ago and we are currently in the process of relocating to this property. We are keeping the existing waterfront property and are in the early stages of building a new principle property sited close to a north side lot line. I had early informal discussions with Planning on the proposed siting of the new building and this was seen as in line with the allowances under the current zoning Industrial 3 which allowed for no setbacks on the side lot lines and setbacks of 7.5 meters off a front lot line and 3.0m of rear lot line also for a density of 75%.

The new proposed re-zoning would dramatically change the setbacks which would not work for our building. We are currently having structural engineering drawings made so do we put these on hold?

Best Regards,

Steve Lawrence
Finesse Home
Sechelt - BC - CANADA
tel: [redacted]

Sent from Outlook

District of Sechelt
2nd Floor
5797 Cowrie Street
Sechelt BC

September 8, 2022
Via email: planning@sechelt.ca

Re: Public Hearing - Zoning Bylaw 580, 2022
Submission from: Tillicum Bay Neighbourhood Association (TBNA)

Members of Council and staff,

The TBNA has reviewed the proposed Zoning Bylaw 580, 2022 in great detail. Over the course of the past year various issues were sent via email to staff by our association and members but responses received were poor or nonexistent. Similar issues have also been identified by almost every District of Sechelt (DOS) registered non-profit neighbourhood community association.
I have read and agree with the excellent input on the Districts website from D. Gregory Gebka and Judy Skogstade.

The update to current Zoning Bylaw #25, 1987 is a huge undertaking. A common refrain from many has been "what's the rush". This artificial timeline for completion set by council has resulted in numerous errors, unwanted changes, confusion, and more importantly, non-compliance with our Official Community Plan (OCP) and Neighbourhood Special Policies.

- **OCP** p. 109 **"The following policies are intended to supplement and be consistent with the overall OCP policies and map schedules. In the case of any discrepancy with the OCP, the neighbourhood policies and land use plans (below) prevail."**

  Special Policies for Sandy Hook/Tillicum Bay/Tuwanek. (OCP p.124):
  Residential Development
  8. Infill residential development is supported within the areas designated on Schedule C as Low Density Residential, where such development can provide approved on-site, individual sewage treatment. Housing types are limited to single-family residential, secondary suite, manufactured home and duplex use on lots at least 2000 sq.m. (1/2 acre) in size.

Corresponding OCP amendments are required for many of the proposed zoning changes without which the DOS could find themselves in unwanted difficulty and additional costs. Please review the applicable Local Government Act sections below (bolding for emphasis only):

473 (1) *An official community plan must include statements and map designations for the area covered by the plan respecting the following:*

(d) *restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;*

(4) *In developing an official community plan, the local government* ***must consider any applicable guidelines under section 582 [provincial policy guidelines].*** ***Note:*** *The former Riparian Areas Regulation was amended on November 1, 2019, now is the Riparian Areas Protection Regulation.*

Effect of official community plan

478 *(2)All bylaws enacted or works undertaken by a council, board or greater board, or by the trustees of an improvement district, after the adoption of*

(a) *an official community plan, or*

must be consistent with the relevant plan.

The Rural Residential Zones RU1 and RU2 cover approximately 1,085 ha (COW 2022-04-27 p.29). However, the applicable number, size and allowable uses are not “in align” with the remainder of the zones. The new system of description is supposed to be more rural with less density and usage. These two zones are reversed with the RU2 having the larger subdivision requirement and less density. Careful reevaluation will be required to assure all new RU1 and RU2 zones are appropriate and consistent with the OCP.

In addition, there are significant numbers of empty lots in the Tillicum Bay and Tuwanek areas created prior to the DOS which will become non-conforming and therfore unavailable for residential use (see **Local Government Act (LGA) Division 14 — Non-conforming Use and Other Continuations sections 528, 529 and 530**) This change effectively removes available housing stock contrary to council’s stated wish to increase it. Sections of this zoning bylaw update could be changed, with appropriate OCP amendments, to allow these older empty lots and those currently with homes to be redesignated to allow permanent residential use.

Sincerely,
Lynne Forrest
President
Tillicum Bay Neighbourhood Association

attachments:

A. Index - Email submissions and synopsis

A. Index

1. TBNA July 19, 2022 to S. Hogg and I.Holl
    - Issue - OCP Inconsistencies
        - ★ Lack of relative flood plain area and maps
        - ★ Residential 1 changes will reduce potential housing stock.
            - ➢ OCP (p. 124) "Special Policies for Sandy Hook/Tillicum Bay and Tuwanek Residential Development". Infill development is limited only on the availability of approved on-site sewage treatment, not the size of the dwellings.
            - ➢ Detached Accessory Dwelling Unit size limited further by General Policies (Section 2.3)
        - ★ Marine Aquaculture Two Zone (M2) Zone. new definitions conflict with OCP Bylaw 492-9,2013. Only a ".35 ha (.86 acres) portion of the lands located at 7333 Sechelt Inlet Road, shown shaded on the Future Land Use map - Schedule C2A, includes fish processing.". No farm use is included or proposed in this neighbourhood and special policies refer to Low Density Residential not Rural Residential.

    - Issue - Zone Errors
        - ★ Rural Residential One Zone (RU1) and Rural Residential Two Zone (RU2). The numbering and intensity of defined applicable development within each zone is inconsistent with the form of the remaining bylaw zones.

2. TBNA July 29, 2022 to members of council and info@sechelt.ca
    - Issue - new M2 zone; no clarification provided
        - ★ Request for written clarification of the following phrases found in Tracy Forster's email: a) "permitted land uses" b) "similar regulations".
        - ★ Request for clarification of DOS contradictory opinions on municipal zoning bylaw interpretation, jurisdiction and enforcement procedures for Tillicum Bay regarding noise and potentially other "farm related practices" emanating from the M3 and M3A zone (to be rezoned M2)

3. Lynne Forrest (President TBNA) July 4, 2022 to members of council
    - Issue - Zoning Bylaw 580 Report (Item 10.1) RC July 6, 2022
        - ★ Misconception that SCAF received a formal zoning bylaw referral
        - ★ The requested workshop with the planning department did not happen
        - ★ Misconception that SCAF consultation took place in 2020. The tentative meeting set for November did not happen.
        - ★ Nonconforming status of existing homes and empty lots created with the change from R3 to R1 in Sandy Hook, Tillicum Bay and Tuwanek.

4. B. Swan (Director TBNA) June 16, 2022 to members of council, forwarded to Planning
    - Issue - new RU2
        - ★ Change not requested. Severe financial impacts to future plans with removal of ability to create 2nd dwelling on 7.45 ac.

Tuwanek Ratepayers Association

September 8, 2022

Mayor and Council
District of Sechelt 2nd Floor,
5797 Cowrie Street,
Sechelt, BC

Via email: council@sechelt.ca

Mayor Siegers and Councillors:

Comments Re District of Sechelt Zoning Bylaw No. 580, 2022

This latest draft of the new zoning bylaw replacing Zoning Bylaw No. 25, 1987 is a significant improvement over the 2014 draft (Zoning Bylaw No. 530) . However, there remain several areas of concern for Tuwanek residents:

- Inclusion of Tuwanek within the "urban containment boundary";
- Official Community Plan (OCP) Development Permit Area policies not regulated by Zoning Bylaw No. 580;
- Unsatisfactory STR regulation;
- Lot size and "carrying capacity" considerations, e.g., parking.

Draft Zoning Bylaw No. 580 is intended to be consistent with, and give effect to, the policies in the District of Sechelt Official Community Plan Bylaw No. 492, 2010.

1. The Urban Containment Boundary

Tuwanek is not within the Urban Containment Boundary (UCB). There are still uncorrected and partially corrected errors in the OCP text and mapping because plans to alter the Liquid Waste Management Plan (LWMP) phase scheduling and extend sewer lines along Sechelt Inlet Road were rejected by Council just before the OCP was completed.

According to the latest draft Zoning Bylaw No. 580 explanatory report:

> *"The 2011 OCP places an emphasis on the environmental and infrastructural cost of continuing to expand these low-density residential areas. The growth management section (pages 14-18) notes that most new development should occur within the UCB. These are the core urban areas[1] close to transport networks and most easily serviced by sewer and water lines. The updated zoning bylaw uses the new R4 and R5 zones to guide new development towards core urban areas in the UCB."*

The Urban Containment Boundary is defined in the OCP:

> *"**Urban Containment Boundary (UCB)** This boundary contains lands that will accommodate the majority of new residential development, servicing infrastructure and community uses. Lands outside the UCB contain agricultural, resource and rural lands."*

[1] Lands in the Downtown/ Village, West Sechelt and West Porpoise Bay will accommodate the majority of new development in the next 5-10 years. These areas are within the municipal sewer service area and are the priority for new and infill development at urban densities (p.16).

The purpose of Sechelt's Growth Management Strategy (OCP p. 15):

> *"The growth management strategy outlined in the following policies is intended to focus new growth within or adjacent to existing developed areas. A key part of this strategy is defining an* Urban Containment Boundary (UCB)", which is intended to define the limits of urbanization and the areas where full municipal services will be extended over time."

Under the OCP's Growth Management Policies (OCP p. 17):

> ***"Efficient Use of Infrastructure***
>
> *1.10 Lands outside the Urban Containment Boundary will generally not be serviced with full municipal services such as sanitary sewer, sidewalks or streetlights.*
>
> *1.11 Sanitary sewer service will not be extended outside the UCB except where demonstrated health concerns exist and sewer can be provided in a cost-effective manner."*

According to OCP Special Policies for Sandy Hook, Tillicum Bay and Tuwanek (OCP p. 123) sections 18 and 19 establish and confirm that Tuwanek is "rural" i.e., not within the UCB:

> *"18. Tuwanek is designated as a rural and dark sky neighbourhood. Any development shall have a low level of servicing. Specifically, sidewalks and streetlights shall not be installed.*
>
> *19. This neighbourhood will not be serviced by a community sewerage system within the term of this plan, and sewage treatment will consist primarily of individual septic systems. Package treatment plants for new developments are generally not supported, and will only be considered in accordance OCP policies (chapter 13, Infrastructure)."*

Tuwanek is not within the UCB. The Priority Growth Areas serviced by the municipal sewerage system was the intended "urban containment boundary" prior to the attempts to accommodate the out of sequence Silverback and Eden Pacific development proposals. Prior to that the UCB boundary was a boundary, not boundaries, and the growth management strategy made sense. Errors were introduced as a result of trying to rationalize extending the sewerage system along Sechelt Inlet Road before the UCB (Priority Growth Area) was built out and not in accordance with the Liquid Waste Management Plan sewerage extension phasing.

2. Development Permit Area–DPA 5 Steep Slopes Policy

The OCP contains Environment Policies[2] and extensive guidelines for hazardous and/or environmentally sensitive environments, including DPA 5 - Steep Slopes which has 52 individual guidelines covering seven pages of the OCP. Although "guidelines", Development Permits issued in DPA 5 must be in accordance with them.

This designation and applicable policies apply to a significant number of Tuwanek properties. The OCP steep slope guidelines define steep as greater than 20% and un-developable slopes as those that are greater than 30%. Financial costs of installing and maintaining services in

---

[2] The Environment Policies start on p. 27 of the OCP, but for some reason the version of the OCP currently posted on the District of Sechelt website is missing the title "Environmental Policies" for the section. See the attached photograph of a paper copy of p. 27 of the OCP, which has the missing title.

hillside areas can be significantly higher than in less sloped areas, resulting in higher long-term public costs for this form of development.

OCP Environmental Policies 3.5 to 3.8 (p. 28) establish that for steep slopes and hillside developments:

> *"3.5 New development will be directed to lands with slopes averaging less than 20%, and may be considered within lands of 20-30% slope.*
>
> *3.6 Lands with slopes averaging more than 30% are not considered suitable for residential development.*
>
> *3.7 Portions of the sites with slopes over 30% will not be included in the calculations of density or developable area. Calculation of development density will be based on the areas of the property excluding land areas with original slopes greater than 30%."*

Additional steep slope and hillside development policies in s. 3.8 (a) to (f) list the special requirements and restrictions that apply to steep slopes greater than 20%.

DPA–5 Guideline 7 (OCP p. 174) reconfirms OCP Environmental Policies 3.6 and 3.7:

> *"**Basic Design Principles***
>
> *7. Development density calculations will be based on the areas of the property excluding land areas with original slopes greater than 30% (see OCP Policy 3.7)"*

In accordance with OCP Environmental Policy 3.7 the District of Sechelt's current Zoning Bylaw No. 25, 1986 defines "usable" lot area as:

> "*USABLE LOT AREA*" *means the area of a lot measured in a horizontal plan between the lot boundaries, excluding land in excess of thirty (30%) percent slope."*

However, the new District of Sechelt Zoning Bylaw No. 580 provides only that: *"Lot Area means the total horizontal area within the Lot Lines of a Lot."*

The new draft zoning bylaw is silent concerning the OCP steep slopes policies and guidelines and the other identified environmentally sensitive and natural hazard areas where development may be entirely prohibited or where development permits are required prior to starting any work.

How will the OCP Development Permit Area policies for environmentally sensitive and hazardous areas, intended to guide District of Sechelt staff reviewing and approving development applications and issuing building permits, be implemented?

3. Short Term Rental Regulation Review

B&B type owner-operated STR is preferred by the majority of TRA members and non-business respondents to the Have Your Say Sechelt survey. In fairness to residents, Zoning Bylaw 25 home-occupation regulations for all residential zone home-based business, including all forms of STR now excluded, should be updated and enshrined in the General Provisions.

Installing an employee (surrogate) as a STR operator will not be the same as principal use residency. STR use of the property under these circumstances would not be “accessory” to the principal residential use as required under the zoning bylaw, and should not be allowed. Creating “a new type of business” in non-commercial zones as proposed will continue to hollow out residential neighbourhoods and impose on residents. As well, allowing STR use of accessory buildings and suites associated with principal dwellings removes potential long term rental spaces.

Justifying impacts to residential neighbourhoods as necessary to support tourism and local business is short sighted. The number of homes that could be occupied as homes and contributing to the local economy during two-thirds of the year with many fewer tourists, but remain empty awaiting them, bakes in a strategy of overloading our infrastructure, systems, and spaces in the summer to make up the difference for the local economy in the “off” season. Commercial STRs as currently permitted are very unpopular with most residents and fit poorly within residential neighbourhoods because they do not represent residential use. Simply redefining them as such will not improve the fit.

Owner operated B&B type STRs subject to Zoning Bylaw 25’s reasonable home occupation/ home-based business regulations are quite capable of supporting the tourism industry without reducing critical housing supply and are the preferred and most easily regulated community fit in non-commercial residential zones. The preferred concept of the owner operated B&B is only superficially approximated by a live-in employee operated STR, but this use is not accessory or ancillary to the principal use “single-detached dwelling”.

Most full-time residents in Tuwanek only support the traditional owner operated Bed and Breakfast type STR because during the winter we have few neighbours followed by an incredible number of neighbours – all of them strangers – who change every few days.

Existing homes that could be occupied and contributing to the local economy during the “off” seasons of the year sit empty and make it necessary to overload our recreation areas, infrastructure, and survival systems during tourist season to compensate local businesses. Meanwhile, permanent residents and people working in Sechelt cannot afford to purchase homes or find rental accommodations.

In accordance with the Have Your Say Sechelt results, both the questionnaire’s analyst and the head planner reported they would not recommend STR-Commercial. The present recommended regulations will do little to improve community fit or guarantee that profits accrue to Sechelt’s benefit.

The economic activity generated from accessory use of an actual “home” with “residents” remains in the local economy in addition to the economic activity generated by the principal residential use. This is not the case under the current lack of regulation and will not be under the new regulations being considered. The proposed STR regulations:

- will increase District administration and bylaw enforcement budgets without guaranteeing that residents own or operate the STR or that tourism profits accrue to Sechelt;
- will not return existing homes to critical housing supply;
- will continue to “impose” STR on neighbours and neighbourhoods.

Concerning Council’s proposed STR–Commercial Temporary Use Permit (TUP) compromise:

- How does Council propose to allocate and then administer the TUPs equitably?
- What happens to the STR business and the property zoning after the TUP expires and can’t be renewed?

4. Parking Regulations Under the New Zoning Bylaw

Tuwanek's current R-3 zoning requires on-property parking. Road verges are inadequate and parking is a contentious issue which has serious repercussions for residents' safety. There have been numerous warnings by successive Sechelt Fire Chiefs cautioning Council that roadways in Tuwanek must be kept clear to enable prompt access by emergency vehicles. Any plan to reduce on-site parking requirements for STR in Tuwanek could be hazardous for cyclists, pedestrians, children, pets and in cases of medical distress or fire.

A reduction in parking requirements for commercial uses in residential areas is not fair to other property owners who are required to provide adequate on-property parking to accommodate their needs. Residents and non-residents will be exposed to increased risks and encounter less aesthetically pleasing views when walking, as a result.

STR use of Tuwanek's beach accesses for overflow parking, would limit access to the beach for upland property owners. Vehicles parking on Tuwanek road verges often must encroach onto the travelled portion of the pavement forcing pedestrians off the verges and out into the middle of the road along with the cyclists and other vehicles.

One size does not fit all when considering community fit. Parking availability must be a limiting factor like septic capacity and development permit area constraints so that each property's size, proximity, and physical limitations defines the level of accessory commercial use permitted within Sechelt's established residential neighbourhoods.

Thank you for your consideration.

Sincerely,

Linda Williams
President
Tuwanek Ratepayers Association
7617 Sechelt Inlet Road
Sechelt, BC V7Z 0C6

Cc: Andrew Allen, Director of Planning and Development

Attached:

Photograph of the "Environment Policies" title missing from page 27 of the currently posted version of the Official Community Plan

Michaela Sugars

From: Tracy Forster
Sent: Thursday, July 21, 2022 8:16 AM
To: Wendy Hunt; Council; Floria Bol
Cc: Planning
Subject: RE: Bylaw 580

Good morning,

I am pleased to respond on behalf of Council. Updating Sechelt's Zoning Bylaw has been in progress and in consideration for over ten years. The goal is to replace the 1987 Zoning Bylaw with a new and updated bylaw. After the Official Community Plan was adopted in 2011 updating the zoning bylaw to reflect the goals and objectives contained within has been a priority for Council for several terms now. This was identified in the 2015-2018 Strategic Plan, which highlighted that the District's zoning bylaw would be the priority project for 2016. For various reasons the project was not completed in this timeframe. The Zoning Bylaw Update then added into the 2019-2022 Strategic Plan, which committed the District to regulatory land use reform, including an updated land use bylaw.

A workshop with Council was undertaken in 2019 which culminated in Council endorsing a public engagement plan. This engagement work was done during 2020 including online surveys and consultation with Community Associations and other stakeholder groups, as well as a virtual meeting for the general public. Early in 2021 we reported the results to Council and then commenced with drafting the bylaw. The first draft of the bylaw was presented to Council in April of this year and we had public meetings in May as well as referrals to community associations, provincial ministries and other stakeholders.

The 2011 Official Community Plan set the direction for the community in terms of where certain land uses (residential, commercial) are permitted and the zoning bylaw adds regulatory detail. The zoning bylaw is technical and regulatory and the Official Community Plan is reflective of future vision and growth patterns.

Please review the link below which contains information summaries, reports to Council and more information. Should you have questions or wish to connect with a planner please send an email to planning@sechelt.ca.

https://yoursaysechelt.ca/zoningrenewal

Kind regards,

Tracy Forster
Executive Assistant to Mayor and Council Direct 604-740-8478 PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

I acknowledge with gratitude that I work on the unceded homelands of the shíshálh Nation Be Calm. Be Kind. Be Coastal.

-----Original Message-----
From: Wendy Hunt [redacted]
Sent: Wednesday, July 20, 2022 2:45 PM

To: Council <Council@sechelt.ca>
Cc: [redacted]
Subject: Bylaw 580

Dear Mayor and Council, I am unable to attend the Council Meeting tonight as I am recovering from Covid.

I care about this proposed legislation and want to be heard on this important matter. I support the West Sechelt Community Association's request to slow the process in order to gather more information and input into Bylaw 580. A lot is at stake please listen to our community.

With Respect,

Wendy Hunt

[redacted]

Mayor and Council
District of Sechelt
Sechelt, BC V0N 3A0

Greetings:

The West Sechelt Community Association (WSCA) submits its written submission in connection with Zoning Bylaw 580 (the "Zoning bylaw") as follows.

Process

WSCA considers the District of Sechelt (DOS) consultation process with respect to the Zoning bylaw as inadequate, imprecise and too abbreviated for a number of reasons, including but not limited to:

1. The Zoning bylaw is a complex document opaque to even those familiar with land use documents; imagine the confusion of those without experience. The impact of changing West Sechelt from R-3 to the new R-2 zone is significant and complicated, and will impact residents for a long time; thus, the consultation process should provide for adequate education and comment. It didn't. DOS made no effort to hold workshops for West Sechelt residents to explain the changes to come to West Sechelt as one of the most affected areas should the Zoning bylaw be approved. It took no opportunity to communicate and educate by using WSCA as a facilitator. It ignored WSCA's request for more time for consideration of this detailed document.
2. An invitation to the public to "Have your Say" is not a referral to a community association. Nevertheless, notwithstanding the abbreviated time for consideration afforded WSCA, it did provide DOS comments and concerns gleaned from face-to-face communications and provided residents with information. The perceived triple-time march to approval of the Zoning bylaw before the municipal election gravely concerns many residents. The reasons given that "we've been working on this for a long time" or "we don't want to burden a new council" are viewed with great skepticism. As a result of what is seen as an unjustifiable rush to approval, the perception that residents' voices are being ignored, that they are not being listened to, that their issues are not important exists in West Sechelt promoting distrust and disillusion.
3. Serious questions remain unanswered about short term rentals ("STRs") and resultant densification in and commercialization of West Sechelt. The Zoning bylaw does not address these concerns; it doesn't mention nor does it contain any of the recommendations set out at the June 15 council meeting or the expert consultant retained (at taxpayer expense) to gather citizens' views about STRs. Why?

Compliance with the Official Community Plan (OCP)

WSCA believes that the Zoning bylaw does not comply with the OCP; its compliance is questionable at best, particularly with respect to permitting detached auxiliary dwellings of up

to 120 sq. metres on 900 sq. metre lots. Such density was not understood; rather, the OCP targeted growth in West Sechelt for large tracts of vacant land or lots exceeding 4000 sq. metres or larger. Doubling the number of residential units on targeted lot sizes does not appear to be supported in the OCP. Accordingly, a concurrent OCP amendment would be undertaken in conjunction with approval of the proposed density under the Zoning bylaw. Under the OCP, new development was supposed to blend in with the existing residential nature of West Sechelt. Arguably, under the OCP, development permit areas (DPAs) were not intended to apply to infill detached dwellings. Will DPAs be required for infill detached auxiliary dwellings contemplated under the Zoning bylaw? Finally, because Wakefield Rd. will be changed from low density residential to R-2, will there be a concurrent OCP amendment to reflect this transformation?

Short Term Rentals

The Zoning bylaw does not address this thorny issue and its impact on West Sechelt. Why? Will the "tinkering" after approval of the Zoning bylaw result in STR rules absent consultation with the public? Much more expeditious, but not too democratic. Or are we to remain with the status quo until after the election?

STRs will not resolve or even address the lack of housing and especially the lack of affordable housing on the Sunshine Coast. Instead, they will prove an opportunity for absent owners to commercialize West Sechelt.

Cannabis

According to the draft Zoning bylaw, it will comply with Health Canada's Cannabis Act with respect to medical marijuana. WSCA has advised DOS on numerous occasions of housing stock being used for commercial grow-ops. This housing stock could house families and workers. How will the Zoning bylaw address this issue SPECIFICALLY? The Zoning bylaws does not answer this question.

Chickens and Rabbits and Kiosks

What is DOS thinking? Rabbits were let loose in West Sechelt by unspeakable owners, and most were cruelly killed by coyotes. Persons unfamiliar with the difficulty in raising chickens may unleash odors and vermin on their neighbours, and contribute to cruelty to animals because they do not know what they are doing. Roads are already highly trafficked and ½ roads will be totally unsuitable for kiosks at the curb. Do citizens really want this zoning? WSCA has heard from numerous West Sechelt residents. The answer is a resounding NO.

Respectfully submitted,

Candice Sayre, President
West Sechelt Community Association

Dear Mr. Hogg,

Re: RC 2022-07-20 Agenda Item 8.1(a) Zoning Bylaw 580-Second Reading

Some of the information in this 2nd draft only became available to the public on Friday, July, 15, 2022.

The Tillicum Bay Neighbourhood Association (TBNA) has found some critical items that we believe should be amended in an updated report, prior to a second reading, to allow review and comments from Council and the public.

The stated intent of the zoning bylaw update is to implement many of the policies contained within the District of Sechelt Official Community Plan.

A. The following items are not consistent with our OCP.

Agenda p. 65 - Draft Bylaw preamble: AND WHEREAS section 524 of the Local Government Act authorizes the District of Sechelt to enact a bylaw to establish requirements in relation to floodplain areas;

Comment -Since in the bylaw preamble the DOS is citing section 524 of the Local Government Act they are required to designate the relevant flood plain areas and maps. OCP (page 26) states "*Floodplain maps and required setbacks for Burnett Creek, Angus Creek, Gray Creek, Chapman and Wilson Creek are also contained in the zoning bylaw*."

Agenda p.72 Schedule A to Bylaw No. 580, 2022, Residential One Zone — Large Lot, Low Density (R1).

Comment - The new R1 zone states parcels of 2,000 m2 are permitted one Single-Detached Dwelling and one Detached Accessory Dwelling Unit. However, the detached Accessory Dwelling Unit size is limited to 120 m2 (1,291.669 sq.ft.) but with the additional regulation (Section 2.3) the area of floor space of any garage or workspace attached to the same building is included thereby reducing the allowable building size.

OCP (p. 124) "*Special Policies for Sandy Hook/Tillicum Bay and Tuwanek Residential Development*" only limits infill development based on the availability of approved on-site sewage treatment not the size of the dwellings. There are a significant number of properties in these 3 neighbourhoods that will become non-conforming if this new R1 zone is applied. In Tillicum Bay alone there are approximately 27 lots currently non-conforming because they predate the DOS and the SCRD and additional lots with secondary homes which would become non-conforming under this new R1 zone.

The current Residential 3 (R3) zone states "***Two (2) single family dwellings are permitted on a lot of two thousand (2,000) square metres or more***."

Agenda p.115, Marine Aquaculture Two Zone (M2) Zone;

> **Comment -** This is a new zone and the new definition is inconsistent with the OCP (p. 210). There was no description for the M2 zone in the first draft of this bylaw. The additions and new definitions are problematic and directly affect the TBNA neighbourhood. We have had no opportunity to provide feedback.

B. Zone Errors

Agenda p.87 to p. 89 Rural Residential One Zone (RU1) and Rural Residential Two Zone (RU2)

> **Comment** - The numbering and intensity of development on these two zones are inconsistent with the remainder of the bylaw. The RU1 should be the more "rural" with larger properties and less usages. As currently written the RU1 has more usages and a minimum subdivision from 6000 sq. M to 2 ha whereas the RU2 has less usages and a minimum subdivision of 100 ha. It appears these two zone designations have been reversed.

In closing it is our association's opinion that the staff recommendation that Council proceed with giving second reading to Zoning Bylaw 580, 2022 is premature.

Regards,

Lynne Forrest

President
Tillicum Bay Neighbourhood Association

MY NAME IS GAETAN ROYER. I OWN A HOUSE & HOME BUSINESS AT 5547 TRAIL AVE, DOWNTOWN SECHELT.

I ALSO SERVE AS A DIRECTOR ON THE BOARD OF THE SECHELT CHAMBER OF COMMERCE.

FIRST, I REALLY APPRECIATE THE HARD WORK THAT'S INVOLVED IN UPDATING SUCH A HUGE DOCUMENT.

I WAS AN URBAN PLANNER WORKING FOR 3 MUNICIPALITIES AND CHIEF PLANNER FOR METRO VANCOUVER.

MY FIRM NOW WORKS ACROSS BC. THIS WILL BE ONE OF THE BEST ZONING BYLAWS IN BC.

A COUPLE MONTHS AGO, I REPRESENTED THE CHAMBER TO DRAFT A JOINT REPORT WITH THE DOWNTOWN SECHELT BUSINESS ASSOCIATION. A NUMBER OF OUR RECOMMENDATIONS WERE ACCEPTED. THANK YOU!

OUR REVIEW WAS DONE FROM A BUSINESS COMMUNITY LENS. I WOULD HASTEN TO SAY THAT MOST BUSINESS OWNERS LIVE AND WORK HERE. BUSINESS OWNERS HAVE THE COMMUNITY'S INTERESTS AT HEART. CREATING JOBS AND MORE COMPACT HOUSING IS VERY MUCH IN THE COMMUNITY'S INTEREST.

A NUMBER OF OUR SUGGESTIONS ARE WORTH REPEATING. I WOULD LIKE TO RAISE THEM NOW.

FIRST, THE PROPOSED REDUCTION OF THE MAXIMUM HEIGHT FOR RESIDENTIAL ZONES.

THE MAXIMUM HEIGHT TODAY IS 10.5 M, SIMILAR TO MANY COMMUNITIES ACROSS BC.

NORMALLY, CHANGES TO ZONING AIM TO PREVENT BUILDINGS OUT OF CHARACTER WITH NEIGHBOURHOOD.

HEIGHT HAS BEEN 10.5M FOR DECADES. SO A NEW 10.5M HOME WILL MATCH MANY OF ITS NEIGHBOURS.

IT SHOULD FIT THE NEIGHBOURHOOD CHARACTER.

YOU MADE A CHANGE TO THE CALCULATION OF GRADE. CHEATING ON THE GRADE BY FILLING A PROPERTY DOES RESULT IN A HOME BEING OUT OF CHARACTER WITH ITS NEIGHBOURS. SO THAT WAS A GOOD CHANGE.

HOWEVER, IN THE LONGER TERM, WE NEED TO SUBDIVIDE ACREAGE PROPERTIES INTO SMALLER LOTS TO BUILD MORE COMPACT HOUSING.

AN EXTRA FLOOR ON A SMALL LOT WILL MAKE A HUGE DIFFERENCE: IT MIGHT ALLOW A SECONDARY SUITE; IT WILL RESULT IN A MORE ENERGY-EFFICIENT HOME; IT WILL REDUCE THE AMOUNT OF CONCRETE TO BUILD THE FOUNDATIONS OF A HOME OF THE SAME SIZE.

SO REDUCING THE HEIGHT IS GOING THE WRONG WAY IN MANY RESPECTS.

PLEASE ADOPT AN AMENDMENT TO RETAIN THE EXISTING BUILDING HEIGHT IN ALL RESIDENTIAL ZONES.

I RECOGNIZE YOU CAN NO LONGER MAKE CHANGES TO DENSITY. I WILL BE BACK AFTER THIS ZONING BYLAW IS ADOPTED TO SUGGEST THAT YOU SHOULD DROP THE UNITS PER HECTARE IN BOTH ZONING BYLAW AND OCP. UNITS PER HECTARE ENCOURAGES THE CONSTRUCTION OF LARGER HOMES.

THE NEXT AREA OF CONCERN IS INDUSTRIAL LAND

THERE IS VERY LITTLE INDUSTRIAL LAND IN SECHELT. TO CREATE JOBS AND ECONOMIC DEVELOPMENT, WE HAVE TO USE THE FEW PIECES OF INDUSTRIAL LAND THAT ARE LEFT MORE INTENSIVELY.

THIS IS WHERE THE HIGH PAYING JOBS WILL BE CREATED IN THE FUTURE.

INDUSTRY IS NOT LIKE IT USED TO BE. INVESTORS LOOK FOR MODERN BUSINESS PARKS WHERE THEY CAN BUY THEIR OWN SPACE, THEIR OWN STRATA UNIT.

OVERWHELMINGLY, THEY WANT OFFICE SPACE OVER THEIR INDUSTRIAL WAREHOUSE.

TO REALLY MODERNIZE THIS PART OF THE BYLAW, I RESPECTFULLY ASK THAT YOU CONSIDER THE FOLLOWING:

- **PARAGRAPH 1.16.4 – ACCESSORY USES MUST BE LOCATED IN THE REAR YARD ONLY.** OFFICE SPACE SHOULD BE ON TOP, AS A 2ND OR 3RD FLOOR, NOT IN THE REAR YARD. RESTAURANT IS ALSO AN ACCESSORY USE SO THAT A UNIT THIS CLAUSE CAN APPLY TO SHIPPING CONTAINERS AND GARBAGE BINS, BUT IT DOESN'T MAKE SENSE TO APPLY IT TO ALL ACCESSORY USES. PLEASE DELETE THAT PARAGRAPH.
- **PARAGRAPH 1.16.6 – MAXIMUM HEIGHT IS 10.5M.** THAT DOES NOT LEAVE ENOUGH SPACE FOR A SECOND FLOOR ABOVE A WAREHOUSE WITH THE TYPICAL CLEAR CEILING HEIGHT IN A MODERN BUSINESS PARK. PLEASE INCREASE THE MAXIMUM HEIGHT TO AT LEAST 20M.
- **PARAGRAPH 1.16.9.C. – MAXIMUM PERCENTAGE OF THE FLOOR THAT CAN BE USED FOR OFFICE.** IN BURNABY, , LANGLEY, HOPE, PORT COQUITLAM, EVERYWHERE, ALL THE SUCCESSFUL BUSINESS PARKS ALLOW LARGE OFFICE SPACES. THAT'S THE NATURE OF BUSINESS TODAY.
  PEOPLE WHO BUY INDUSTRIAL SPACE BRING GOOD JOBS TO SECHELT; THAT HELPS EVERY OTHER BUSINESS DOWNTOWN.

  PLEASE CHANGE THAT CLAUSE TO SAME AREA FOR OFFICE SPACE AND THE PRIMARY INDUSTRIAL SPACE.

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CEO Senior Partner

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