

**Meeting District of Sechelt with Sechelt Community/Ratepayers Associations
Monday, June 4, 2007 at Davis Bay Hall**

Chair: Jason Herz

Unofficial Minutes

Secretary for Minutes: Bob D'Arcy (SCAF)

Pre-meeting Discussion:

The Chair pointed out that Mr. Bill Brown was in attendance contrary to the prior minute's decision that staff would not attend these meetings except under special circumstances. There was discussion and the minute item was read out. Some attendees spoke in favour of Brown's attendance and others expressed concern that the agreed procedures were not being followed.

The Mayor advised that: he was seeking greater dialogue and thought Brown could contribute to that; Brown might provide needed information the councillors did not have; and finally, that if Brown was not to be in attendance then he, the Mayor, could see no point in attending.

A show of hands was called for and it was agreed that Brown could stay for the meeting but that the matter would be more completely addressed subsequently.

1. **Call to Order:** Chair, Jason Herz, called the meeting to order at approximately 7:20 PM.

2. Opening Remarks:

Herz: Welcomed all and in particular those members of Council in attendance. He asked all attendees to introduce themselves in a round robin style (Attendees noted in supplemental). A call for any additions to the agenda was made and the DoS added one – Community Forest and West Porpoise added one – parking enforcement.

3. The procedure for the evening was reviewed as laid out in the agenda. The first question was then called for.

- a) **Davis Bay et al (DB)** – Agenda Question: There are still substantial correspondence and reference concerns with DoS. Opportunity for the District to give their report on procedures and suggested changes as committed to at the last meeting. Discussion of report or alternative solutions.

Being more specific Davis Bay zeroed in on the Capital Projects schedule circulated each year and pointed out that while they may make suggestions for changes or additions, no feedback is received whether these items are considered or not. Examples of the trail on Chapman Creek and the wharf were cited. Does Council see the suggestions? How does the process work? Responding, the Mayor referred to Brown to explain. He advise that the list comes out in July and is sent out to all associations, the responses are reviewed by staff and they revise the list as they feel fitting so council only sees a final list. This, in turn, is not approved until the budget process in the following spring.

After some discussion the Mayor opined that after the list is refined that there should be a meeting of some sort with the communities to review their priorities and explain the inclusion or not of them. It was pointed out that the next proposed meeting of this group seemed good timing as it was in the fall allowing for review after the list was out.

The question of the DoS report on correspondence procedures was asked again. It was revealed by the Mayor that a computer solution proposed had failed and that the establishment of a policy and process was now under review again. By the next meeting a process should be in place and could be reported upon.

b) **East Porpoise (EP)** - Agenda Question: Kontiki Road – thanks

First EP expressed their appreciation for the action taken by the DoS following the last meeting of the group. Much of the mess problem was resolved. It was then pointed out that a letter of April 21st remained unanswered calling for the finalization of the cleanup, road grading, and the names of the parties contacted provincially by the DoS to address the water debris. This emphasized that the correspondence procedure, if there was one, was not working.

The Mayor apologized for the failure of the DoS to respond and repeated the problems that had arisen with correspondence control. He then referred to Brown for the policy regarding road grading.

Brown advised that this would be easy to do and it was just a matter of re-directing the grader one day from its “usual spots.”

EP then asked for some background on what the foreshore lease of the commercial neighbour might have on the Kontiki beach access. The Mayor advised that there should be none and that any lease should not include the waters directly in front of a beach access.

c) **Sandy Hook (SH)** - Agenda Question: Porpoise Bay Road problems for entire District

SH explained they were referring to the very short stretch from the turnoff at Wharf to the start of the SIB road. Clearly this piece of road is in constant need of repair and is particularly abused by the heavy traffic from CAL, the cement plant, the construction and the growing population on the east side of the inlet. Not only was it dangerous at times but not attractive for the tourist traffic.

The Mayor referred to Brown who advised that this piece of road was scheduled for a major rebuild to a DCC [*secretary clarification: believe Brown meant to say “arterial”*] standard in 2008. This standard would include widening, allowance for a bicycle/footpath and greater tolerance to traffic.

A general question from the floor asked if it was possible to charge a special trucking [*secretary clarification: per tonne was used by DoS in response*] fee to help pay for the repairs required to so many of the Sechelt roads due to the high level of construction. It was explained that most of this was dictated by provincial rules and there was little the DoS could do. Further some of the Sechelt roads were poorly built to start and so especially susceptible to damage. One mainland municipality had implemented a per truck fee and had won its right to do so in the courts however the process was very complicated and expensive to implement.

d) **Sechelt Village (SV)** - Agenda Question: Creation of written procedures for OCP amendments that follow the requirements and spirit of the Local Government Act and Community Charter.

SV explained that the Local Government Act provides a mandatory process for deciding what public consultation process should be used in amending an OCP and that Council is not following those requirements. The LGA and the Community Charter contain procedures that promote transparency and accountability in local government. One of these provisions relates to amendment of an OCP. It requires a local government to consider what kind of consultation there should be when an OCP amendment is proposed and to provide an opportunity for consultation. [s. 879]

Over the past year and a half, Council has amended the OCP many times and has not, to questioner’s knowledge, considered in open meeting (as required by the Community Charter) or provided any consultation at all.

At first there seemed to be some confusion regarding what part of the process was under question. The Mayor distributed the DoS guide to the planning process in Sechelt, which omits the mandatory consultation requirements, The Mayor and Brown stated that the SV interpretation of the Act is one way of interpreting the Act. Councillor Shanks Councillor Shanks

advised he had phoned seven other municipalities to see what procedure they followed and found general consensus with the DoS one.

SV then clarified that they were not referring to the actual amendment process once it started but rather to the determination of what consultation would be provided. The SCRD decision to have an expanded process for the “big box” issue was cited. Transparency of process was sought.

It was clear that it would serve the public better if Council followed the Act and considered what form of consultation would be provided at an open council meeting first.

e) **Tuwanek (T)** - Agenda Question: Community input in selection of Park Dedications within new developments.

The Mayor asked Brown to explain and Brown advised that there was a provincial rule which states the developer has the choice of setting a park or in giving cash in lieu of. The DoS could not refuse the cash if that was the offer.

T then explained the question more fully to say that the cash in lieu of matter was not at issue here. The issue was that the affected community should have some input into the location, etc. of any park if the developer opted to provide park space. A specific example was the offering of a near cliff for a park in a new proposed Tuwanek area development.

Brown then said they would not accept a proposed park that was not suitable. The Mayor said that in the cited case there was no zoning issue so no approval was required for much of the development.

It was then pointed out that the DoS almost always has some leverage to ask for concessions due to zoning, roads or whatever and all that was being asked was for the affected community to have some say in what parts of a new area were for park and what sort of park. This would be consultation not regulation.

The Mayor then asked that he (or council) be advised when the community does not get an opportunity for input.

This then opened a general discussion regarding referrals and the lack of feedback. It was explained by EP that often they would respond to a referral and then never hear if their recommendation or criticism was ever considered or acted upon. There is a feeling that the community referral response is just going into a vacuum.

The Mayor said he felt that the Planning staff with its new additions was fully staffed and should give feedback at least to the communities directly affected and who had given input to a referral. Brown said that Planning staff is still stressed so he was not sure that they could respond as suggested.

The Mayor countered and repeated that there should at least be feedback to the directly affected community if it had sent in a referral response.

f) **West Porpoise (WP)**: Agenda Question: Added at meeting start – Problem with parking on sidewalks and messy construction sites compounded by a failure of police or by law enforcement to act in any meaningful way.

Even though parking on sidewalks was a ‘ticketable’ offense no tickets seemed to be going out. The situation is dangerous as residents are forced into the road to walk – even mothers with strollers. When Sechelt was younger this might have been tolerated but now safety must be addressed. The messy sites lead to weekend blowing of materials.

First, the Mayor addressed the Highway 101 issue and how it was a provincial responsibility to not allow undue blocking. The province did not do a very good job recently and DoS is meeting with the province June 5 to discuss this.

The Mayor then called upon Brown to develop a report on bylaw enforcement or lack thereof and the ticketing process and for this report to be available for the next meeting of this group.

Brown advised that through a WCB award a second bylaw enforcement office was near the end of training so then the DoS would have two on the job.

- g) **West Sechelt (WS)** - Agenda Question: Proper policy for “cash in lieu” for parks and public amenities with proper definitions and deprived community to gain most.

Presently appears that the cash is going where ever DoS decide [*secretary clarification: advised that Brown meant “to Parks Reserve Fund” although these words were not used*] but felt that in fairness there should be some direct benefit to the community affected – or deprived of a park. Suggested that maybe 60% should go to the community affected and 40% free to DoS for general projects or at least some formula or process.

The Mayor asked that his matter be abeyance for the next meeting so that a report would be presented showing how money was being distributed now – from where and going to where. The further subject of the distribution of public amenities fitting into the formula was raised and it was agreed that Andre Boel should be called upon for suggestions.

- h) **The Chair (Jason Herz)** - Agenda Question: Riparian Areas Regulation implementation status.

New provincial rules effective March 31st appear to demand that municipalities implement and enforce rules regarding incursions into special water course areas. It could have a high impact on how the DoS functions and approves developments. Is the DoS in compliance and how is it enacting this legislation?

The Mayor responded that as a municipality they are resisting this initiative by the province in what appears to be a downloading of responsibility. At this time they are telling developers they must obey the regulations and if they wish to have a variance then they must get it from the province.

This is an unresolved issue at this time.

- i) **District of Sechelt (DoS)** - Agenda Question: Added at meeting start – Update on Community Forest.

The Mayor gave a brief report on the quality of the Community Forest staff and board. He advised that a major change by the province reducing stumpage to \$6 indicated that profits might be forthcoming soon and so a decision would have to be made on distribution. While other communities on the Coast had not joined the CF he felt they might want to share in any profits. He is expecting that the province may change the license period from the current 5 years to 25 giving better planning a chance.

Some concern was expressed regarding the closing of the AGM to the general public when the nomenclature of the project includes the word ‘community’. The Mayor advised that the name may be unfortunate and maybe should be changed to better reflect a private corporation at arm’s length from the DoS and managed as a private business.

- j) **East Porpoise (EP)** - Agenda Question: Storm Water runoff above Sechelt Inlet Road

Cited problems with runoff into the community which again pointed out correspondence problems. EP had written to DoS on November 26th, March 22nd and May 2nd with no written reply. They had received a recent phone call on the matter and understand there is supposed to be a holding pond built to relieve the problem.

The Mayor felt the phone call was a good sign but again expressed his concern about the lack of replies to letters. It was felt that some written reply was required so there is a proper record.

- k) **Sandy Hook (SH)** - Agenda Question: Establish Green route from Village to Tuwanek

There is a need to plan and proceed with the establishment of a walking/biking route from the Village all the way out to Tuwanek both to accommodate the needs of residents but as a tourist enticement. Clearly some effort has been made from the Village to the Provincial Park. Now is the time to be sure that SilverBack had some facility in its plans and now is the time to plan for the ongoing from there though to Sandy Hook and Tuwanek – before construction puts down expensive or insurmountable barriers. The issue is not building the trail now (that would be nice) but planning and reserving for when the right time comes.

The Mayor detailed some of the problems in getting the East Porpoise bit done and there are still issues with private lands. It made sense to plan now. The Parks master plan might be a vehicle or some other formal route. He advised it would be review with staff and reported upon by the next meeting.

Further he said that all communities should be sent a copy of the Parks Plan now for review.

- l) **Sechelt Village (SV)** - Agenda Question: Status of Wharf Street Sidewalks and improvements?

There seemed to be some confusion regarding this issue. A meeting of the committee for this is the next day – June 5 - so it was agreed to leave this issue until another time. It appears that for Wharf a ramp is going ahead, sidewalks on the west side are to go ahead and, now that the highways report is in, the east side can be considered.

- m) **West Sechelt (WS)** - Agenda Question: Concerns regarding “form letters” of support for developments and their provenance.

WS presented a sheet (see addendum) with an analysis of the recent letter campaign by the developer of the Tower Road proposal showing that the value of many of the letters might be discounted or questioned. While presented as somewhat of an exercise in humour it did raise the issue of how such letters are treated.

The Mayor explained that some ‘weighting’ is given to letters depending from whence they come, etc. but that all letters must be looked at and given some count. Councillor Allan suggested that individual letters were more credible than form letters and recommended that way for input.

- n) **District of Sechelt (DoS)**: During this second period of comment the Mayor encouraged dialogue and openness. He asked that the attendance of the “CAO” Bill Brown be resolved and repeated that if Brown was not to attend then he, The Mayor, would not either.

West Porpoise (Bob Ware) asked to speak on this last point and said that he noted how often Brown was called up and therefore concluded his attendance was beneficial. He moved:

“That Bill Brown is asked to attend these meetings in the future notwithstanding the minutes of the prior meeting but that this exception only apply to Bill Brown.”

The motion was seconded by Davis Bay (Helen Steeves).

There was discussion and then the vote was carried. A clear majority raised their hands in favour and no hands were raised against. Abstentions were not counted.

4. Open to the floor subject to adjudication by the Chair

- i. DB again raised the issue of looking into a charge for heavy trucking at least on roads that are not designed as major arteries – Field Road was cited. *[secretary clarification: was advised subsequently that this road is an arterial road]*

5. Closing Remarks by Mayor Reid – reaffirmed that a proper response system was needed to letters, referral responses and other inquiries with a maximum 30 day

response time. He felt everyone was coming away from this meeting with some new learning about concerns and problems with the DoS.

6. **Closing Remarks by Chair:** Thanked all for attending and participating.
7. **Next Meeting** – Monday, September 10, 2007 - 7 PM at venue to be set by DoS and advised to SCAF by August 10th.

Adjournment – At about 9:50 PM by the Chair

SUPPLEMENTAL – The Attendees

From District

Mayor Cam Reid	
Councillor Michael Shanks	
Councillor Warren Allan	
Bill Brown, Administrator	

From the Associations

Davis Bay-Wilson Creek	Helen Steeves
	Sue Thompson
East Porpoise Bay	Lorraine Gallant
	Val Morris
Sandy Hook	Peter Harvey
	Bob D'Arcy
Sechelt Village	Doug Smith
	Alice Janish
	Ken Croisier
Tuwanek	Not represented
West Porpoise Bay	Bob Ware
	Alan Pickard
West Sechelt	Ron Harrington

Attachments:

1. West Sechelt – Tower Road letter analysis
2. DoS – A GUIDE TO THE OFFICIAL COMMUNITY PLAN AMENDMENT PROCESS

Tower Road Seniors' Condos Proposal Analysis of Form Letters in Support

- Total letters received 135
 - Off Coast: 73
 - Coast Non-Sechelt: 35
 - Sechelt: 23
 - Unknown: 4
- Of the Coastal and Sechelt letters, 25 were dated prior to the present proposal before council (43%)
- Of all the letters, 10% had no data of signature
- 22 of the 58 letters received from Iron, Sechelt and the Coast were signed by known realtors Two other letters were signed by developers adjacent to the Tower Road area

Form Letters In Support From Coast Sources

