



Sechelt Village Residents Association

Delegation—Council meeting, February 7, 2007

Pacific Spirit Properties (Sechelt) Ltd., joint venture of Cooperators Development Corporation Ltd and North Shore Credit Union
Application No. 3360-20 2006-11

Proposed waterfront development located at the foot of Inlet
between Teredo and Boulevard

Thank you for this opportunity to speak to you on behalf of the Sechelt Village Residents' Association.

Introduction

As Doug related, our OCP was created by dedicated residents whose vision of Sechelt the Village Association shares. We rely on you to carry out that vision as it is expressed in our Official Community Plan.

“Consistent with the Official Community Plan”

The bylaw under consideration this evening starts with the usual preamble: “AND WHEREAS the proposed amendment is consistent with the Official Community Plan and the Downtown Village Neighbourhood Plan.” [citations omitted] It starts this way because it *must* in order to comply with the *Local Government Act*, which provides that “All bylaws enacted ... by a council ... after the adoption of an official community plan ... must be consistent with the relevant plan.”

The Planning memo admits that this proposal isn't consistent with the OCP when it states that “The proposed development meets *most* of the OCP objectives” [at 60 and 62; emphasis added]. The *Local Government Act* doesn't say “must be consistent with *most* of the relevant plan.” It doesn't say that it's OK to cherry pick what you like and ignore the rest. It doesn't say that it's OK to ignore an OCP if you think it's outdated.

Two of the central themes of our OCP are preserving the “village character” and protecting public enjoyment of the Boulevard.

To these ends our OCP provides for

- 3 storey buildings in the downtown area to maintain the small-town character of the Village
- on the Boulevard, the 3 storey buildings should be terraced down towards the Boulevard and divided into blocks of varying height

There are “site specific” exceptions to the 3 storey height limit—a taller building must be more than 300 feet from the ocean shoreline and must provide 10% of public open space for each additional floor.

Yes, our OCP provides for taller buildings in the downtown in some places, but not close to the waterfront. Overall, the proposal cannot be said to be consistent with our OCP. It represents a huge departure from the character of our Village.

The intent of our OCP is clearly to prevent a wall of tall buildings along the waterfront and to maintain the natural atmosphere of the Boulevard as a park for recreational use. If you have ever walked along the Boulevard on a fine day you will know the extent of the recreational use. Our visionaries from 1998 knew what they wanted here and the Council passed it into law.

Our OCP discourages gated communities. This proposal is designed to be a gated community. The promise of a covenant not to gate is an empty promise. If it is gated after completion, who then would enforce the covenant? The developer? The District? The strata owners? All unlikely, especially the strata owners, whose private property it would be. Once gated, the development would provide only about 20% of the entire area as public open space.

Since the bylaw is not consistent with the OCP, passing it would have no legal effect.

There are procedures in the *Local Government Act* for the amendment of an Official Community Plan. Until these procedures have been considered by Council in open meeting, the public has been consulted and an amendment to the OCP has been enacted, first reading of a bylaw that departs so much from the OCP contravenes the *Local Government Act*. Considering the magnitude of the departure from our OCP, pro forma consultation would not be adequate.

Why is this proposal being encouraged?

One has to wonder why the developer has apparently been encouraged to pursue the proposal in its current form. One obvious reason comes to mind. Sadly, it is the mundane subject of sewer maintenance. At least this time, it isn't sewage treatment capacity. Is it possible that, because the sewer lines in the older part of the Village are flat or sinking, the District needs a developer to pay the cost of lowering the lift station at Inlet & Teredo? The developer would have to build large enough to be able to absorb that cost. Is the village character to be sacrificed for “free” sewer maintenance?

What could be done on this site?

Why can't the cost of lowering the lift station be split between the District and the developer in return for a development that fits the character of our village, with much less density? To preserve as much as possible of the natural environment

of the Boulevard, the District could arrange to transfer the tree covenant from the peat bog to the fine stand of trees at the southwest corner, and the developer could build a 3-storey building along Inlet and Teredo, terraced down to the Boulevard and designed to complement the village character.

I recall that some councillors were surprised by the emotional response to cutting the trees in front of The West in Davis Bay. So much so, that Council has been extra careful about one distressed tree on the Davis Bay waterfront. That response was prompted by the tree cutting but it was *about* our community vision, the feeling that people have about our community and themselves. The response to *this* development, should it be approved and built, when the mass and height become apparent, will make the Davis Bay tree reaction pale in comparison.

As proposed, this development is more than 3 storeys. It is *not* 300 feet from the shoreline. It is *not* really terraced back. It is designed to be gated. And it will overwhelm our Boulevard. I repeat the provisions of the *Local Government Act*: "All bylaws enacted ... by a council ... after the adoption of an official community plan ... must be consistent with the relevant plan."

We urge you to refuse the rezoning application or return the proposal again to the developer for revision.