

SILVERBACK DEVELOPMENT APPLICATION, SECHELT

Produced by: East Porpoise Bay and Sandy Hook community associations
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PURPOSE

This document has been compiled for the information of residents of the District of Sechelt, and especially for those who live on the east and west sides of Porpoise Bay at the base of the Sechelt Inlet. It may be used for input by community associations at planning committee meetings, meetings of Council, Advisory Planning Commission (APC) meetings, public information meetings, public hearings and any other public venues addressing this application.

GENERAL INFORMATION

Site: East side of Porpoise Bay between Porpoise Bay Provincial Park and Sechelt Heritage Forest near Sandy Hook in the District of Sechelt.

Size: The application is for 1600 housing units, plus an unspecified number of affordable housing units. Area is 162 hectares/400 acres.

Character: The proposal is for “a residential/golf resort development,” consisting of two main parts: the “residential/recreational golf course community,” otherwise described as “the uplands”; and “the resort community,” also called “the seaside village.” The residential golf course community is a mix of single-family and multiple-unit lots; the resort community/seaside village is entirely multi-unit buildings, ranging from two-storey villas and townhomes to 4, 6, and up to 12 storey buildings, some with commercial space on the ground floor.

Affected communities: Because of the size and character of this development, all of Sechelt will be affected. The existing neighbourhoods of East Porpoise Bay, Sandy Hook and Tuwanek on the east side of Porpoise Bay will be especially affected; West Porpoise Bay/SHORA across the inlet from the site may also experience some effects. West Porpoise Bay and East Porpoise Bay have neighbourhood plans that form part of the District of Sechelt Official Community Plan (OCP); Sandy Hook and Tuwanek do not.

Public consultation history: Considerable consultation took place in 1995-96 between the then-developer, John Kavanaugh, his local representative, Art Phillips, and the residents’ associations of Sandy Hook and East Porpoise Bay. The required public hearing on a Comprehensive Development (CD) zoning application for a golf course and residential development of 775 units took place in 1997 prior to second and third reading by the District of Sechelt Council of the day. The development agreement was never completed, and fourth reading did not take place.

With the change in ownership in 2005 and the decision to revive and expand the project, the developer, Gabriel Khoury of Porpoise Bay Developments, Calgary, held a two-day open house at the Seaside Centre, Sechelt in April 2005. The presentation was based on concept drawings, maps and other illustrations. There was no development application or other printed material for interested members of the public to take away. During the fall of 2005 Art Phillips made presentations, still based on general concept drawings, to two Sechelt Rotary clubs, the Sechelt Indian Band and the East Porpoise Bay community association.

A new application was submitted to the District of Sechelt March 8, 2006 by Art Phillips on behalf of the developer. It went for referral in late March-early April to APC, East Porpoise Bay, and (upon request) Sandy Hook and Tuwanek. Each submitted comments to Sechelt planning department by mid-April. A developer's open house using concept drawings based on this application was held at the Seaside Centre April 25, 2006 (as reported in the Coast Reporter, May 12, A16). Sechelt Council then requested the developer to revise the application. A planned presentation to the Sandy Hook Community Association AGM in May 2006 was cancelled by Mr. Phillips at the direction of the developer, since the application was under revision.

To date, there has been no public information meeting at which residents can seek answers to questions arising from the current application, although several requests for such a meeting have been sent to Mr. Phillips and to Council.

Present status: A revised application for rezoning was submitted to the planning department sometime in June. In late June, upon request, electronic copies and then printed copies were sent to APC and to East Porpoise Bay, Sandy Hook and Tuwanek community associations. The application was put on the agenda of the Planning Committee meeting of Sechelt Council July 11, 2006, 1-3 p.m.

Notable revisions: A comparison of the revised application with the March 8 version shows some additions and deletions, the most extensive and/or significant being:

- p. 7, reference to geotechnical and environmental studies
- p.13, reference to OCP vision statement
- p. 14-17, seaside village description; addition of fishing pier, deletion of boat dock. Conference center deleted (see below)
- p. 26-7, internal walkways (see below)
- p. 30-32, location of multi-unit sites
- p. 32-34, commercial developments, including live/work spaces for artists
- p. 34, retention of Puddicombe Associates to oversee golf course development
- p. 38-44, drawings of village
- p. 60-64, roads (see below)
- unpaginated section on development permit design guidelines; appears to have been imported verbatim from some unspecified source.
- Bylaw (9 pages)

COMMENTS AND QUESTIONS

Emergency access: There is still no consideration given to the problem of emergency access, both to the new development and to residential neighbourhoods further up Sechelt Inlet Road (Sandy Hook and Tuwanek). The limitations of Sechelt Inlet Road as the sole access road to East Porpoise Bay, Sandy Hook and Tuwanek were identified as a major concern in comments sent to Council in April 2006 by residents' associations and APC.

Governance: there is little explanation of the reasoning behind the change from freehold ownership to a bareland strata development, other than that "the developers of SilverBack determined the most effective way of developing the community is by creating a bare land strata development instead of a conventional freehold development. This permits the developer to provide the internal infrastructure and services, without tying into the District's services, thereby lessening the need for additional

upgrading of the District's infrastructure." (p. 51). What is the view of District Council on this change? The residents of Sechelt? What are the expectations of the developers and Council around the formation and responsibilities of strata councils? What is the projected mix of seasonal and year-round residents in this development? Owners, part-owners and renters? Again, see the comments of APC and the community associations in April.

Servicing agreements: More detail is needed on the agreements that will provide performance standards guarantees for servicing of the mechanical structures of the development. Who is party to these agreements? Who will enforce them? Has the District of Sechelt sought and obtained a legal opinion on the reserved liability of the District for failed or mismanaged servicing?

The provider of utility services has changed, from Terasen Utilities to Terasen Utilities and/or Epcor Water Services.

Traffic, road development and road maintenance on Sechelt Inlet Road: The revised application treats the plans for road development in more detail (pp. 60-63) than its predecessor, and cites a study by Bunt and Associates, December 2005. Copies of the traffic study should be available from the developer before any public information meetings and public hearings take place. In the meantime, more explanation is needed for the residents of affected communities and the general public of the assumptions behind projected traffic use and conclusions in this study: for example, the reference on p. 61 to "the additional 300-350 vehicles per hour of new traffic generated by initial stage development of the SilverBack development."

As for road maintenance, the revised application, in the section on servicing (p. 51), now adds "snow removal and road maintenance" among utility services. Does this include snow removal and road maintenance of Sechelt Inlet Road, or only interior roads in the development?

Bicycle paths: The revised application adds the phrase "and bicycle path" on p. 3. On p. 60 the application reads: "In addition to the roadway design a commitment has been given to the nearby neighbourhoods of Sechelt that a buffer zone will be retained along Sechelt Inlet Road. As with the previous development proposal, a 15.0 metre leave strip from the edge of the roadway and bicycle path will be established and registered against title in the form of an easement." These are the only two references in the application to bicycle paths. Confirmation is requested that the developer, with appropriate collaboration from the District of Sechelt, plans to construct a bicycle path from Sandy Hook to downtown Sechelt, and that its construction will not be at the expense of the 15 metre leave strip.

Walking paths: Two internal walking paths are described--one of which coincides with the projected wildlife corridor. No reference is made to a dedicated pedestrian path along or parallel to Sechelt Inlet Road, whether separately or in conjunction with the bicycle path. In any event, there is the issue both of pedestrian traffic by Silverback residents along a busy roadway, and pedestrian connections between Silverback and Sechelt, and Silverback and Sandy Hook. This traffic needs to be given safe and attractive pathways.

With regard to bicycle paths and walking paths, the application (p. 65) quotes the Sechelt OCP on the justification for development guidelines, among which are "to ensure a built form that is conducive to walking, cycling and transit use, and to a feeling of safety for residents and visitors."

Fire protection: The development plan shows a site for a fire station, and mentions limitations on the height of buildings set by the current capacity of the Sechelt Fire Department. Does Council intend to include contributions to fire protection along the east side of Porpoise Bay in its negotiations with the developer?

Architectural design controls: p. 32: “The architectural design controls are included in the appendix of this plan for reference and will act as a guide when a development permit is applied for a specific site.” On p. 69: “Once the developer has approved the plans for any house, multiple family site or commercial area design, the lot owner will then apply to the District of Sechelt for permits that will satisfy all current requirements and bylaws.” Who enforces the design controls? The developer? The strata council? The District of Sechelt?

The whole section on guidelines (pp. 66-69) appears to have been taken almost verbatim from the Sechelt OCP. There are, however, at least two changes in wording:

- P. 66, para. 1: “These guidelines are intended to serve as a guide and not as a rigid formula for site specific development.” Following this identical wording, the OCP continues (p. 67): “Upon approval of individual comprehensive development plans, more specific guidelines should be substituted for each area.” This sentence is omitted from the development application.
- P. 66, the application reads: “Materials will be in keeping with Sechelt’s spectacular setting,” while the OCP (p. 67) reads: “Forms and materials which are in keeping with Sechelt’s small town scale and spectacular setting will be encouraged.” The omitted words—“forms” and “small town scale” --are significant in light of the dense development of the seaside village with its multi-storey towers—notable deviations in form from a small-town scale.

Land use summary: P. 3: “The total number of residential units within the seaside village will not exceed 575.” P. 2: “Notwithstanding the number of units allocated to each parcel, the number of residential units can fluctuate between parcels provided the total number of units in the Silverback community does not exceed 1,600.” Are these two statements consistent?

Affordable housing: This is a major concern for all Sechelt residents, as is evident from recent meetings, forums and newspaper stories. Some relevant notes:

- The March 8/06 development application explained that the commitment around affordable housing had changed since 1995-97: “One final change was the location and tenure for an affordable housing site. With the original plan developed in the 1990’s, affordable housing was to be incorporated into the development but the developers of the community were going to retain ownership of the land and offer leases to various non-profit housing organizations. With the new ownership and further public input, the size of the affordable housing site has been increased and the ownership of the site will be transferred to the District of Sechelt so that Council can identify and work with non-profit housing organizations.”
- The June 2006 application contains the above-quoted sentences, with this single change in wording: ...”the ownership of the site will be transferred to the District of Sechelt so that Council *and the developer* (italics added) can identify and work with non-profit housing organizations.”
- Many municipalities have policies requiring 10-20% of units in planned communities be affordable housing. At 10%, the implicit buildout of affordable housing in this development would be 160 units, at 20%, 320 units.

- The size of the proposed land for affordable housing is a single site of 4.3 acres, just over 1% of the total development area. Nor is there any information that permits estimates of the buildable area on the site.
- The location of the site is next to a proposed fire-hall towards the northwest corner of the development. With proper walkways, paths for strollers and wheelchairs, and some form of public transit, residents of this site might find the distance from the commercial and recreational facilities of the seaside village tolerable. Still, the distance is a barrier to its suitability for affordable housing.
- An even greater barrier is that the land identified on the plan for affordable housing is in a single block and is not dispersed throughout the development, as is widely recommended by community planners.
- To date, the “public input” in the changing plans for affordable housing in this development has not included direct consultations with non-profit housing organizations on the Coast, or with the Affordable Housing Committee of the Social Planning Council.

Rental pool (p. 30): what does this imply about the projected nature of the development? What does “etc.” refer to after the list “waterfront, cluster estate, triplex, fourplex, townhomes etc.”?

Conference center: The revised application specifically notes (p. 22) that “additional input resulted in the removal of the conference center” from the proposal. On p. 34: “Incorporated into the hotel [elsewhere called a lodge] will be a meeting space(s) that can accommodate 200-300 people for various functions.” It appears that the stand-alone conference center has been removed from the proposal, but some dimension of its capacity for holding meetings and small conferences has been amalgamated with the hotel/lodge.

Residents’ parking: Can the parking accommodation for residents of the seaside village be more fully described? A concept drawing (p. 39) shows parking below 4-storey multi-unit buildings, and the text says (p. 19): “Parking facilities will be completely concealed by landscaping and the buildings above or adjacent townhomes. Planted gardens above the parking podiums become the shared semi-private open space for each development cluster.” Given that some multi-unit buildings are projected to have 80-100 units, what assumptions about car ownership and parking needs per unit are being used? Are all residents’ cars to be parked in concealed structures?

Storm water management: while most of the application is clearly written, the entire section on storm water management (pp. 56-58) appears to have been taken verbatim from a technical study. Some residents with particular concerns about this issue may find the language too technical and obscure. Further, the plan addresses only the environmental protection of the receiving watercourses. Are there other factors that should be addressed? Similarly, in the section on the environment (p. 49), the public needs explanation of acronyms such as DFO, HADD and CEAA.

Development phasing: the last paragraph on p. 35 is not clear.

Development agreement: p. 37: two items, Phasing of Development and On-Site Works have been removed. Any reason?

Tree removal: P. 28: “Tree removal will be protected...” Should this be “tree removal will be prohibited...”?