

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Electoral Area Services Committee – November 21, 2024
AUTHOR: Nick Copes, Planner II
SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION DVP00099 (7531 COVE BEACH ROAD)

RECOMMENDATION(S)

- (1) THAT the report titled Development Variance Permit Application DVP00099 (7531 Cove Beach Road) be received for information;
 - (2) AND THAT Development Variance Permit DVP00099 (7531 Cove Beach Road) to vary Zoning Bylaw No. 722 to allow for the construction of an auxiliary dwelling unit and pool on the property be issued, as follows:
 - (a) Section 5.16.1 (a) to reduce the setback for a structure adjacent to the natural boundary of the ocean from 15 m to 7.5 m.
 - (b) Section 7.9.3 to vary the maximum parcel coverage for a parcel over 3500 m² in the RU1 Zone from 15% to 20.5%.
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BACKGROUND

The SCR D Board adopted the following resolutions on October 24, 2024:

293/24 It was moved and seconded

THAT Electoral Area Services Committee recommendation Nos. 1 - 17 of October 17, 2024 be received, adopted, and acted upon as follows:

Recommendation No. 9 *Development Variance Permit Application DVP00099 (7531 Cove Beach Road) – Electoral Area B*

THAT Development Variance Permit DVP00099 (7531 Cove Beach Road), to vary Zoning Bylaw No. 722 to allow for the construction of an auxiliary dwelling unit on the property, be issued as follows:

- a. Section 7.9.3 to vary the maximum parcel coverage for a parcel over 3,500 m² in the RU1 Zone from 15% to 20.5%.

Recommendation No. 10 *Development Variance Permit Application DVP00099 (7531 Cove Beach Road) – Electoral Area B*

THAT staff work with the applicant for DVP00099 to develop a condition of Development Variance Permit issuance that outlines the terrestrial environmental impacts related to construction of a swimming pool within the setback area and potential restoration opportunities;

AND THAT a report outlining the terrestrial environmental impacts and restoration opportunities be provided to a future Committee.

The October 17, 2024, EAS Report is provided as Attachment A.

DISCUSSION

In response to Board resolution 293/24, No. 10, the property owner has provided three reports as follows:

1. Geotechnical Report from Terrane Geotechnical Group, dated October 18, 2021;
2. Report on Coastal Engineering for Sargeant Bay Pool Wall by CMO Consultants Ltd., dated November 1, 2024; and
3. Terrestrial Environmental Impact Report for the Construction of Swimming Pool within Ocean Setback Area by Balanced Advisors Limited, dated November 3, 2024 (Attachment B)

Staff have evaluated the reports from the perspective of flooding, wave runup, terrestrial and marine environmental impacts and potential restoration opportunities, and in the context of the Board's Policy 13-6410-6 (Development Variance Permits). The following points were noted in each report:

Geotechnical Report (2021)

- A Flood Construction Level of 8.0 m Geodetic was established for the year 2100;
- At a horizontal setback of 7.5 m from the specified FCL, the existing grade is at an elevation of 9 metres or higher; and
- A retaining wall will be constructed at an average elevation of 8 m. Portions below 8 m elevation will be subject to future wave action and must be designed to resist forces associated with ocean wave action at the subject site.

Coastal Engineering Report

- 50-year wave runup does not impact the pool wall;
- For the 200-year wave runup, two sections of the pool wall were evaluated;
- Section A is at an elevation of 9.2 m, the wave runup is about 9.9 m, there is a small force to be included in the design of the pool wall. The force will not likely affect the design; and
- Section B is at an elevation of 10.1 m, the wave runup is about 10 m, there is no force on the pool wall.

Terrestrial Environmental Impact Report (Attachment B)

- The proposed construction of the swimming pool will have no substantive adverse environmental impact on the local terrestrial or marine environments;
- Restoration of the terrestrial environment is neither necessary nor feasible;
- Previously removed vegetation from the cleared area, including the site of the proposed swimming pool would not have had a substantive adverse impact on the terrestrial or marine ecosystem functions;
- The waterfront plaza site can be considered to have been devoid of substantive terrestrial ecosystem features and functions at the time the site was acquired by the owners;
- Waterfront plaza surface treatments would be considered non-permeable. Replacing with a pool would not result in any loss of non-permeable area;
- The pool will be filled with groundwater from an on-site well;
- The proposed Ozone/UV/Chlorination system presents no substantive potential for adverse environmental impact;
- Water release from the pool would not contribute to adverse environmental impacts;
- Restoration is not necessary to maintain terrestrial and marine ecosystem features and functions in the vicinity, or feasible; and
- Mitigation opportunities could include planting native vegetation at suitable locations within the ocean setback area.

Based on the recommendations of the report, the applicant has also committed to the planting of native species within the shoreline setback area (Attachment C). Some of this planting has already been undertaken in areas not impacted by construction activities with the remaining planting to be completed post development. Should the variance be approved for the construction of the swimming pool, in order to ensure this work is completed a condition will be added to the development variance permit that requires this.

Analysis

Staff have evaluated this application using SCRD Board Policy 13-6410-6 (Development Variance Permits). In addition to the analysis provided in previous staff reports, the following additional comments can be offered related to criteria #2 and #5:

2. The variance should not negatively affect adjacent or nearby properties or public lands;

Based on the professional reports, no negative effects identified.

5. The variance should not negatively affect the natural site characteristics or environmental qualities of the property.

Based on the professional reports, no substantive negative effects are identified. Further, the applicant is committed to the planting of native species within the shoreline setback area as part of the project.

STRATEGIC PLAN AND RELATED POLICIES

The proposed variance was reviewed and evaluated for conformance with the SCRD Board policy 13-6410-6 (Development Variance Permits) criteria.

CONCLUSION

Based on the reports submitted by the owner, staff believe that the construction of a swimming pool in the proposed location would be safe and have limited environmental impact. As such, staff recommend approval of the variance request to allow for the construction of the pool at a 7.5 m setback, and to allow for the pool to be included as part of the already approved parcel coverage variance for the auxiliary dwelling unit.

ATTACHMENTS

Attachment A – Staff Report to Electoral Area Services Committee dated October 17, 2024

Attachment B – Terrestrial Environmental Impact Report

Attachment C – Landscaping Commitment Memo

Reviewed by:			
Manager	X – J. Jackson	Finance	
GM	X – I. Hall	Legislative	X - S. Reid
CAO/CFO	X – T. Perreault	Assistant Manager	X – K. Jones