

# Roberts Creek Official Community Plan Committee (RCOCPC)

**Meeting Minutes: October 20, 2010**

**Roberts Creek School**

Present: Elaine Futterman, Mike Allegretti, Mary Degan, Norma Brow, Carolann Glover, Mark Lebell, Dianne Sanford, Jeff Rosnau, Roger Richmond, Linda Hoechstetter,

Regrets: Frank McElroy, Donna Shugar,

Director:

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1) *Agenda:* The following agenda was agreed upon:

- 1) Approve agenda
- 2) Approve previous minutes
- 3) Integrated Transportation Study
- 4) Cliff Gilker Covenant
- 5) Lemon Road Referral
- 6) Trails Update
  - a. Norma's report from SCTS meeting
  - b. Letter to Frank Ullman
  - c. Elaine-TOC
- 7) Logging/Cut block/Issues –Wagon Trail
- 8) OCPC Elections – Nov 24
- 9) Directors Report
- 10) Next Meeting

2) *Approval of Previous Minutes:*

CarolAnn moved and Linda seconded that the minutes of September 17, 2010 be adopted.

3) *Integrated Transportation Study*

Mark prepared a summary of this committee's comments. See attached letter and response from SCRD.

4) *Cliff Gilker Covenant*

Although the Management plan for the Park has been adopted, the covenant that was to be put in place to ensure compliance to this plan has never been registered. The recommended third party to the covenant was never acquired and so there has been difficulty in modifying the original legalese to accommodate the SCRD as the sole holder of this covenant.

Elaine wrote to Paul Fenwick, General Manager of Community Services, to ask for an update. During further discussion on the topic, it was suggested that the Sunshine Coast Streamkeepers could potentially be the third party covenant holder. Contact Bob Mannis. See attached correspondence.

5) *Lemon Road Rezoning Application*

The proposed OCP Amendment and Rezoning would allow 7 properties to subdivide. These properties are former Private Managed Forest Land and were sold as residential properties without having been serviced – in particular the roads are not up to MOTI standards and have not been adopted by MOTI to be maintained to the level of other rural roads.

Letters were written to the SCRDP Planning stated this committee's position was that this amendment could not be supported under the current OCP. Since adoption of the new OCP is still many months away, the application is proceeding and decision by the board would need to be considered under the current OCP. See attached letter to the SCRDP.

Some members of the committee did a field trip to view the roads in this area and shared photos with the rest of the group. There were in reasonable shape but had been graded in the last year at the owners expense.

## 6) Trails Update

a) Norma attended the Sunshine Coast Trails Society meeting on September 27. They had recently initiated a membership drive with their stated membership criteria as:

"The Sunshine Coast Trails Society (SCTS) vision supports the planning, developing and managing of a sustainable trail network which embraces the diversity of trail users and nurtures social, cultural, health, economic and environmental benefits for the lower Sunshine Coast. Members of the SCTS must be a membership base club or organization with a strong focus on outdoor recreation. Members of the SCTS must support the SCTS vision stated above. All membership application will be reviewed and approved by the founding committee or elected board."

Sheane Reid, from the SCRDP Parks department attended to show maps and talk about the Suncoaster Trail, which has been developed on the north end of the coast starting in Egmont area. There are some sections of trails that have been identified as sensitive and for non-motorized use only. Maps and standardized signage has been installed in many locations. Although he did not describe any details of public process for development of the trail through Pender Harbour, the Halfmoon Bay Greenways was involved in that community. He stated that there would be public consultation done specifically the OCPC to identify a routing of the continuation of the trail through Roberts Creek. It has yet to be developed through Sechelt. After much discussion, it was decided that the committee would not apply to become a member, but Mark moved that

*"On a rotating basis, committee members will attend the monthly SCTS meetings to participate in the discussion and promote public process regarding trails in the OCP area"*

Mike seconded the motion.

Norma agreed to contact Caroline to state our position and ask that the committee be notified of the meetings that are held at the Sunshine Coast Campus of Capilano University. Linda agreed to attend the next meeting.

Mike moved that

*"The OCPC write a letter to the Chair of the SCRDP to ensure that a public process is employed to develop trails in the Plan area"*

Jeff seconded the motion and agreed to write the letter to Sheane Reid, Donna Shugar and Paul Fenwick.

Roger offered to contact Nicolas Simons regarding a Trail Strategy for the Sunshine Coast.

b) Diane agreed to write a letter to Frank Ullman to request the protocols used to attain a Section 57 status on a trail and ask if these protocol were followed on the SCTS trails.

c) Elaine will encourage the Tetrahedron Outdoor Club to consider becoming a member of the SCTS.

## 7) *Wagon Trail*

Elaine sent a letter to Russ B regarding the pending destruction of the Wagon Trail and its importance as it connection the two parts of the Elphinstone Park.

There is a group of concerned citizens in the Crow Rd area who have banded to protest logging practices in the area above their homes in an effort to protect water supply – wells, springs and surface licenses.

## 8) *OCPC Elections*

Will be held at the RCCA meeting on November 24, 2010. Candidates standing for election must attend the election or write a letter. Creek residents can nominate themselves but must have lived in the Creek for a year. Elaine will handle publicity

## 9) *Next Meeting* Nov 17, 2010

### *OCP Review Items:*

The following items have been identified so far:

- 1) Beach access
- 2) Foreshore erosion and retaining walls
- 3) Addition of a mission statement
- 4) Road allowances
- 5) Signage
- 6) Tree retention on private land
- 7) Greenways
- 8) Design guidelines for the commercial core
- 9) Change bylaws to permit home based business proprietors to be able to teach or offer classes.
- 10) Lighting
- 11) Property usages
- 12) More types of unique zoning.
- 13) Downtown parking (new)
- 14) ALR review (new)
- 15) Terms of reference and a mission statement
- 16) Affordable housing
- 17) Short term rentals

### **Parking Lot**

Amphibian Habitat Restoration Area

Roberts Creek Official Community Plan Commission (RCOCPC)  
C/O 1738 Lockyer Rd.  
Roberts Creek, B.C., V0N 2W1  
Phone 604-885-2395  
creekclayworks@dccnet.com



October 11, 2010

Dear Mr. McMullen,

Thank you for referring the Integrated Transportation Study to the RCOCPC for comment. We especially appreciate the time taken by staff to emphasize the portions relevant to Roberts Creek. We had our first meeting of the year in September, and based on the review of the document by some of our members and the ensuing discussion, have the following observations about the Third Draft of the document:

We are **particularly supportive of the study's emphasis on Active Transportation, (Section 9.5) and Public Transit (Section 9.7), and Ride Sharing (Section 9.8)** and find the recommendations in those areas timely and ecologically sound. These aligned well with with current RCOCPC Objectives 14.5, 14.6 and 14.9.

We would also like to **echo the Area D APC's views on:**

- Speed limits on highway 101 (reduce to 70km/hr through RC)
- Physically separated bike lanes (more desirable, safer)
- An upper-level highway (not cost effective, degrade rural integrity)
- Traffic calming measures (particularly in Lower RC)
- Walkways/bike paths (poorly maintained by contractors and homeowners)

These suggestions were put forward in their comments on the study ("Traffic in Roberts Creek", Pg 25 of Extracts document).

**Three specific areas of concern** emerged during our review.

1. We were interested to read that according to Figure 9.5.1, the combination of a 1.5 m bike path, and a 80km/h speed limit, as is largely the case on the Roberts Creek stretch of Hwy 101, **does not meet provincial standards.** We would strongly suggest that this situation be rectified promptly, through either wider bike paths or slower speed limits, 2meters and 70km/h being the provincial standards respectively.

2. Section 7.3.3 of the study recommends **redirecting local traffic from the steep Flume Rd./Hwy 101 intersection, to the intersection of Marlene and Hwy 101. The RCOCP feels that this would have a significant negative effect on local traffic patterns** and should only be considered in the event of an emergency. This is particularly true since local traffic patterns have recently been changed with the “punching through” of Kraus to Marlene Rd..

3. We are concerned that, **should a Sechelt “bypass” connect with Field Rd, there would be pressure (Highway Alternative Routes) to continue it through areas of ecological significance in Roberts Creek.** We would propose instead a gated off-highway route, subject to public consultation, usable by emergency equipment should the need arise. This route would be available to the public as a safe non-motorized “Active Transportation” route year-round.

In summary, the RCOCP is very appreciative of the work done by both the consultants and SCRD staff to ready the Sunshine Coast's Transportation infrastructure to face the realities of the 21<sup>st</sup> century, and **look forward to the implementation of the study's progressive recommendations.**

It is our understanding that the document will be presented to the Board at the October 14<sup>th</sup> Planning and Development Committee meeting. Please consider this submission as our committee's response to the study.

Thank you for your time with this important issue,

Sincerely,

Mark Lebell

Vice-Chair  
RCOCP

**From:** Mark McMullen <Mark.McMullen@scrd.ca>  
**Date:** October 12, 2010 3:31:12 PM PDT (CA)  
**To:** Mark Lebbell <mlebbell@hotmail.com>  
**Cc:** Donna Sugar <gumbboot@dccnet.com>, Elaine Futterman  
<creekclayworks@armourtech.com>  
**Subject: RE: RCOCP Response to ITS**

Hi Mark:

Thanks for the comments. It could be definitely argued that more could be expended on making the existing highway (and major intersections such as Flume Road) safer for motorized and non-motorized transportation as the draft report is not proposing the far more costly "upper levels highway." The proposed Sechelt Bypass does also warrant more discussion as it does terminate quite some way up from Highway 101 at the top of Field Road. Sechelt District is supportive of this for reducing traffic in Davis Bay, but its termination so far from the existing Highway 101 needs to be discussed further with Sechelt.

After we have reviewed all of the quite varied comments from the Advisory Planning Commissions, Agricultural Advisory Committee and the OCP Committee and discussed them with the consultants, the District of Sechelt and Ministry of Transportation & Infrastructure, staff will report back to the SCRD Board with recommended changes. We will keep you and other stakeholders apprised of these development over next couple of months.

Thanks again.

Regards,

Mark McMullen  
Manager of Planning and Development  
Sunshine Coast Regional District  
Phone: 604-885-6814 / Fax: 604-885-7909

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**From:** Mark Lebbell [<mailto:mlebbell@hotmail.com>]  
**Sent:** October-11-10 1:53 PM  
**To:** Mark McMullen  
**Cc:** Donna Sugar; Elaine Futterman  
**Subject:** RCOCP Response to ITS

Hi Mark,

Attached is the formal response to the ITS from the RCOCP. Sorry it's a bit tardy, but we wanted to submit it before this month's Planning Meeting.

In short, we were generally impressed by the progressive nature of the recommendations, however there were three specific red flags that came up for us in our discussions:

1. Non-conforming highway bike pathways
  2. Proposed Flume/Marlene Highway intersection changes
  3. Highway "Alternate Routes" through Roberts Creek
- These concerns, and our other observations, are outlined in more detail in the attached letter.

Thanks for your and other staff's time with this.

Regards,

*Mark Lebbell*  
[mlebbell@hotmail.com](mailto:mlebbell@hotmail.com)

**From:** Paul Fenwick <Paul.Fenwick@scrd.ca>  
**Date:** September 20, 2010 8:24:56 AM PDT (CA)  
**To:** "'Creek Clayworks'" <creekclayworks@dccnet.com>  
**Cc:** Bruce Bauman <Bruce.Bauman@scrd.ca>, Sheane Reid <Sheane.Reid@scrd.ca>, Carleen McDowell <Carleen.McDowell@scrd.ca>  
**Subject: RE: Cliff Gilker Park Covenant**

Hello Elaine

I am checking with staff before replying. I have been on holidays. The language in the covenant did have problems.

Paul F

-----Original Message-----

From: Creek Clayworks [mailto:creekclayworks@dccnet.com]&nbsp;p;  
Sent: September-18-10 4:02 PM  
To: Paul Fenwick  
Cc: Donna Shugar  
Subject: Cliff Gilker Park Covenant

Hi Paul,

The issue of the covenant for Cliff Gilker Park came up the other night at our OCPC meeting. It is hard to believe that the covenant is still not in place after all these years! We all assumed that the covenant would be established after the Park Management Plan was approved.

Is there anything that either the OCPC or members of the community can do to facilitate getting the deed done? Would a delegation from the OCPC to the October Community Services meeting be of any use? How about a few members of the public in the audience? (With or without their dogs?) Seriously, we understand that the Board is unhappy with the language proposed for the covenant. Our concern is that they may not proceed with a covenant at all.

As you well know, the many, many users of Cliff Gilker Park have spoken time and time again for the preservation of the entire natural area of the Park. They do not want trees taken down other than for safety reasons and they do not want to see more facilities built in the Park. They love it the way it is and they want it protected. The Management Plan is useful but a covenant would provide even greater protection for the Park.

I will apply for a spot of the Agenda if you think it will be useful. I'm looking forward to hearing your opinion.  
Thanks.  
Elaine Futterman  
Chairperson, RCOCP

**From:** Creek Clayworks <creekclayworks@dccnet.com>  
**Date:** September 24, 2010 9:17:32 PM PDT (CA)  
**To:** Russell Brewer <Russell.Brewer@gov.bc.ca>, Norm Kempe  
<Norm.Kempe@gov.bc.ca>  
**Subject:** Logging on Mt. Elphinstone

Hello Norm and Russell,

I corresponded with you, Norm, last spring regarding a proposal from the Roberts Creek Official Community Plan Committee (RCOCP) for an Amphibian Habitat Recovery Area in Roberts Creek. I understand that the proposal is on hold until Island Timberlands completes their cut on the east side of Gough Creek. Please correct me if I am mistaken.

Another issue came forward last spring regarding a cut block which borders on a much loved trail called the Wagon Trail in Roberts Creek. I believe that one (or both) of you attended a "walk-about" of the trail area with Caroline Depatie, Elise Rudland and Carolann Glover on April 22, 2010. Unfortunately, I was unable to attend as I was headed out of the country on that day.

I understand that the trail will be destroyed by the cut block and that no buffer will be left above the trail. The reason given for a lack of a buffer is that, if a buffer remains, it will become "blow down" due to the prevailing winds in the area. I would like to make two important objections to the destruction of this particular trail.

1. The Wagon Trail is an important transverse route across this part of the mountain. It is the only trail that effectively connects two of our very small and isolated sections of Provincial Park. If you consult the map and locate the Park to the west of the cut block and then go all the way to the east, beyond the old "Peace Camp", you will see the trail connects these two Parks.

2. There are no other wildlife corridors that go across the mountain at this level. It is extremely important to recognize the routes that are used not only by ourselves for recreation but those of the full time residents of the mountain.

My request is that you revisit the decision to destroy (and perhaps relocate) this very valuable and beautiful trail. Perhaps a larger buffer is required to protect the trail from the effects of prevailing winds. This trail will not easily be replaced due to its position on the mountain and its traditional use by both humans and our wildlife.

It is interesting to note that Island Timberlands has left a buffer for the well used Lower Tube Trail on its private lands. They consulted the neighborhood before they did their cut, posted signs with the hours they did not want the public on their land and then left the buffered trail in place after they finished the cut. PMFL seems to be serving the public well. Can we ask BCTS to match that?

Hoping to hear from you soon. Thanks.

Sincerely,  
Elaine Futterman  
Chairperson  
RCOCP

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October 4, 2010

To: SCR D Board  
c/o Donna Shugar, Chair, SCR D  
Cc: Nicholas Simons, MLA Powell River-Sunshine Coast

Dear Members of the Board:

An issue of great concern has come to our attention with regard to Private Managed Forest Land (PMFL) in Roberts Creek that is zoned 100h minimum (Z zone).

Some of our PMFL was subdivided into 5 and 10 acre lots about 1911. Some of these lands are being converted from forestry to residential use and, when this occurs, the owner of the PMFL is able to avoid the laws in place for other developers today who must apply to go through the subdivision process. This anomaly results in lots being purchased by the general population, like ourselves, without the full realization that:

- 1) they will have no services with respect to road maintenance and may find their home inaccessible to emergency vehicles part of the year,
- 2) that getting power to their lot may be beyond their ability to pay (a third again what they paid for their lot), and
- 3) there is no guarantee they will have access to water.

The following motion was passed by the RC OCPC on September 15, 2010:

*"The OCPC request that the SCR D lobby the MoTI to require that any land removed from Private Managed Forest with the intent of being sold as residential property, be serviced to current subdivision standards **prior to sale.**"*

This would require that all PMFL, being converted from forestry practices to residential use, be subject to the law which requires developers to provide the essentials of an access road, power, and water.

The RC OCPC is aware that this is a Provincial law which the SCR D cannot unilaterally change. We hereby request that the SCR D appeal to the Provincial government to correct this situation that permits corporations, that have had the benefit of low taxation for decades on their PMFL, to convert these lands from forestry to residential use and sell each pre-subdivided lot 'as is', leaving the purchasers scrambling to make their home environment viable.

Sincerely,  
Carolann Glover

Roberts Creek Official Community Plan Committee

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September 29, 2010

David Rafael, Senior Planner, SCR D

**Re: Referral for OCP AMMENDMENT Bylaw 375.11  
and Rezoning Bylaw 321.135 to amend subdivision designation**

As discussed last week, here is a written response from the OCPC regarding the above referral.

The sites under review, although fronted by dedicated road rights of way were accessed by a Forest Service Road (FSR) which was maintained until recently to access properties beyond these subject parcels. The 7 parcels were previously Private Managed Forest Land (PMFL) that were sold for residential purposes. The Ministry of Forest and Range recently gave the land that contained the now deteriorating FSR to the property owners.

The OCP designated PMFL's as a minimum 100 hectare parcel size for these particular Resource Rural designation lots. The subdivision designation was changed from "G" (1.75 Ha Minimum) to "Z" (100Ha minimum) in 1994. The parcels are zoned RU1 which allows for a range of uses. These parcels are all greater than 8000 m<sup>2</sup> and so are permitted to have 2 dwellings per parcel. The proposed subdivision is suggested to not increase this density.

The applicant has provided information about the poor condition of the roads and previous discussions with the SCR D to find a way to upgrade the roads and have the MOTI take over maintenance. In order to pay for the costs of bringing these roads up to MOTI standards, the applicants are proposing to amend the bylaws to permit subdivision and use the proceeds to finance the road improvements. The owners are also proposing that 20% of the parcels would be left as forested green space.

The RCOCPC received a delegation from the applicants at the September 15 OCPC meeting to hear the case and have made the following recommendation:

***"The OCPC decided that it would not comment for or against this particular proposal as the OCP review process has not finalized a plan for the Resource Rural and Z-Zone areas."***

It was difficult to determine the possible influence that this OCP amendment and rezoning may have across the OCP plan area on the Resource Rural lands. The committee agreed that the public should have an opportunity to comment on these areas as a whole before supporting further subdivision of these lands. It was also discussed that options other than subdivision should be explored to finance the road improvements that these landowners need to undertake.

Regards,

Norma Brow

for Roberts Creek OCP Committee.

Cc:

Donna Shugar, Sunshine Coast Regional District Chair and Director for Roberts Creek