

ATTACHMENT 2

From: [Richard de la Mare](#)
To: [Planning](#)
Subject: 4686 Sunshine Coast Highway. File # 3090-2024-14
Date: Monday, August 19, 2024 4:03:57 PM

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I am a neighbour to the property at 4686 Sunshine Coast Highway, (that appears to be a 6 unit apartment building), and I am bewildered by its enormity, as well as concerned by how it came to grow to this size without previously being stopped by the District of Sechelt. Thankfully it was brought to your attention before being completed, And now, what do you do?

By allowing this monstrosity to be completed, it will allow further non compliant structures to take over other residential properties. The arrogance of the owner of the property in question, and the construction company that built it, must be made aware that it is mandatory to comply with the legal size requirements. To apply for a Development Variance Permit after the fact, well that is purely unacceptable and completely unethical.

Follow the rules!

Yours sincerely, Richard de la Mare.
4668 Sunshine Coast Highway, Sechelt, V7Z 0E5
[REDACTED]

From: [jahartbc](#)
To: [Planning](#)
Subject: Development Variance Permit
Date: Tuesday, August 27, 2024 7:41:15 PM

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Mayor and Council

District of Sechelt

I am writing in regard to the house being built at 4686 Sunshine Coast Highway. I live next door to this structure and I understand it has been built higher than allowed regulations;

We followed all the rules twenty years ago when our home was built, so I expect others in my neighborhood to do the same. A little bit now doesn't seem like much but it has the

ability to grow faster than anticipated. In September 2023, I came home from holiday to discover my fence bordering said property gone. This was done without my knowledge

or consent. I discovered it had been demolished and thrown in the dumpster. I was informed by a worker the fence would be replaced. That was almost a year ago. The cost

of this fence was Seventeen Hundred Dollars (\$1700.00). No attempt has been made to replace it!

This massive building looms over me like a giant wall that darkens the natural light and blocks out the Sun. The size alone is threatening. Too big, too tall, too close on an

ordinary building lot in Davis Bay.

The owner has appeared to disregard the zoning bylaws that we all had to abide by when we built. Does she have special privilege? She has demonstrated by her actions

that she cares nothing for the neighbourhood nor the neighbours.

I sincerely ask that Council reject the Variance Permit for the welfare of the neighbourhood and all of Davis Bay.

Respectfully,

Joyce Hart

4690 Sunshine Coast Highway,

Sechelt., B.C.

From: [Building Department](#)
To: [Planning](#)
Cc: [Building Department](#)
Subject: FW: non compliance with height regulation
Date: Tuesday, August 20, 2024 9:46:13 AM
Attachments: [image001.png](#)
[image003.png](#)

Hello,

This concern regarding the dvp request for 4686 Sunshine Coast Highway came in to the building inbox.

Thank you,
Melody

Melody Crawford

Administrative Assistant – Building Department

604-885-1986 | 604-740-8468

PO Box 129 | 2nd Floor, 5797 Cowrie St. | Sechelt, BC | V0N 3A0

From: noreply@sechelt.ca <noreply@sechelt.ca> **On Behalf Of** Kevin Howard/Karen Janotta
Sent: Monday, August 19, 2024 12:24 PM
To: Building Department <BuildingDept@sechelt.ca>
Subject: non compliance with height regulation

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Re: File No. 3090-2024-14 Our view from 5160 Davis Bay Road has been dramatically diminished. The structure appears to be relatively large for a single detached dwelling. Please uphold the bylaw.
----- Origin: <https://www.sechelt.ca/en/business-and-development/building-and-renovating.aspx> ----- This email was sent to you by Kevin Howard/Karen Janotta [REDACTED] through <https://www.sechelt.ca>.

Mayor and Council,

District of Sechelt

Re: Development Variance Permit (application) No. 2024-14 (4686 Sunshine Coast Highway)

We urge council to deny the application for a Development Variance Permit seeking to permit an increase to the maximum height provided for under Zoning Bylaw 580, 2022. In our view there are a number of factors that should be considered in context of any technical infractions of the bylaw in question and a 'larger' issue regarding the role of council in determining the values and setting the parameters of community life.

When considering the infraction of any physical limits set out in a bylaw we need to consider whether the infraction could have been easily avoided and why it was not avoided.

As this was a new build with absolutely no pre-existing infrastructure in place (foundations or pre-existing building elements) the building height was completely within the control of the applicant. The infraction could very easily have been avoided at many stages of the building process.

Was it possible that those involved simply didn't know that height would be an important factor in final approvals? This is highly improbable as the DoS Planning Department has historically been very clear, and at times even adamant, with those seeking building permits – be they seasoned developers, builders or citizens undertaking a DIY project. We also know that adjacent property owners were in contact with the DoS Planning Department to express concerns at an early stage of the building process and that those concerns would have been discussed with the applicant or applicant's agent (builder).

As the infraction was easily avoidable and the builder very likely was aware of the potential problem as the build-out proceeded, we are left to speculate as to why the building height was not (very slightly) adjusted at a stage of the project where those adjustments could easily be made. Why was it impossible to meet the preset, well-known standards of Zoning Bylaw 580? Simply cost savings? Simply convenient? Neither cost saving nor convenience meet the standards of a determinative, unavoidable cause for bylaw infraction nor as justification for an after-the-fact permissive variance granted by Council.

Of course, the applicant will likely want to claim that a 40 cm height infraction will not appreciably alter the view or cast appreciable shadows on other properties in the neighbourhood. It may also be claimed that this infraction will be of little concern to those passing by in vehicles in a 50 km zone – most of whom will be looking in the other direction, either eyes on the road or on the viewscape over the water. We know this, in fact, as the Development Variance Permit application asks Council to ignore and overturn the 'merely' technical requirements of Zoning Bylaw 580. The applicant apparently feels that such requirements are not 'important' nor the crux of the issue or they would have complied during construction.

We agree that the technical infraction of 40 cm in height is not the central question before Council and that it is not the crux of the decision that is yours to make.

Rather, **this decision asks Council to consider the values and shared agreements within our community.** It quite explicitly places Council in its central role of governing for the District of Sechelt. Do we live in a community that values adherence to agreed upon rules and regulations? Do we value the 'rule of law' over the whims or self-interest of individuals or the vagaries of the council of the day? Will applying these shared and agreed upon rules help us build and improve our community? Will we have more or

less trust in our local government institutions if Council overrides the well-known, easily accessible, previously agreed upon 'rules' we have in place to help us get along? In strictly moral and ethical grounds, do we reward those who violate bylaws and then distribute harmful consequences among those who adhere to them?

Council's decision becomes ever more complicated if your consideration is primarily on the technical infraction. Once the rules are breached, where do you draw the line? Any consequent decision becomes entirely arbitrary – 10% over the line? 20%? What rationale do you invent to justify those who cannot or will not follow simple, well-documented and agreed upon codes? If Council rewards those who cannot or will not complete their projects within community standards, what are you saying to the vast majority who adjust their plans and building projects to meet those community codes?

Governance is not always easy – precisely because it is about values and how we do things. Councils are elected to consider, maintain and reinforce the positive values that help us live together in a community. Do we make the effort to live in community (with all the constraints and adjustments that implies) or is it simply, as one neighbour stated in conversation on this issue – “just the wild west.”

Before concluding your consideration, it may be useful to compare another new build that occurred in the same neighbourhood within the same time frame. 4660 Sunshine Coast Highway is only 6 properties to the south and east along the road from 4686 SCH. Both properties replaced low profile one storey cottages built on a crawlspace. Both properties were subject to the new bylaw requirements of building the first floor above potential flood waters and thus required infill to raise the lot level. Both properties faced the imperatives of building a larger, more substantive and high quality home to match and respond to the high value/cost of land and contemporary standards. 4660 SCH managed to do this in a way that stayed within the requirements of Bylaw 580. Yes, it dwarfs the heritage cottage immediately beside it and the home behind it on Whitaker. Yet it is considered a welcome addition to the area, much commented on and praised by those walking along the seawall. Those that were involved in designing and building 4660 SCH clearly understood what planners used to call neighbourhood 'form and character'.

For what it is worth, both new constructions are directly within the viewscape, at eye-level when sitting or standing on the main floor, of our home. We watched the construction of both buildings with some interest and curiosity. In fact, our private interests are most harmed by the new home at 4660 SCH which now blocks a previous view of the water which was open and visible above the former cottage. 4686 SCH is somewhat more obscured by trees and in the viewscape of windows we do not use quite so much for viewing. Nevertheless, the public and collective values far outweigh any impact we may experience with changes to our view. 4660 SCH should be held up as an exemplar of quality new building in an older neighbourhood in the first stages of transition. 4686 SCH, not so much.

Finally, we were surprised to note in the letter from DoS that 4686 SCH has been under a Stop Work Order due to non-compliance. We do not know the details of that order but the existence of such an order was certainly not noticeable from any less activity on the site. In our view this demonstrates, in yet another way, the flagrant disregard some have for the communities agreed upon rules and regulations and the 'authority' of local government.

Thank you for considering our perspective.

Bruce Milne

Irene Lew

5135 Davis Bay Road, Sechelt.

From: [bill_prowse](#)
To: [Planning](#)
Subject: Development Variance Permit 2024-14
Date: Wednesday, August 28, 2024 3:10:12 PM

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My name is Bill Prowse. I live at 4692 Whitaker Road.
My interests are affected if anyone is allowed to contravene the zoning regulations without consequence. If this is allowed the regulations become meaningless.
Yours truly
Bill Prowse

From: [Laurie Rolland](#)
To: [Planning](#)
Subject: variance permit no.2024-14
Date: Saturday, August 24, 2024 1:26:38 PM

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To the planning department

I live at 4676 Whitaker Rd. Sechelt

This letter concerns the request for Development Variance Permit No. 2024-14 (4686 Sunshine Coast Highway)

My partner and I watched with growing interest as the building on the above lot grew in size and height.

It appears that an error of .5 metres was in fact intentional.

The rules are in place for all of us, not just those who want things to be the way they want them; those who flout the rules and then cause trouble and expense for the District of Sechelt. There are reasons these rules exist otherwise it is bedlam.

It is quite likely that another builder will take note of your decision, and if you grant this permit, it will thereby affect the interests of all nearby residents with over height buildings.

I would strongly urge you to deny this variance permit.

Of interest is our experience when building our ceramic/wood studio on our property in 1999. We were told by the then inspector that if we were even one inch over height he would make us take off the roof. We of course complied, never intending not to.

Respectfully
Laurie Rolland

From: [MAIL INC.](#)
To: [Planning](#)
Subject: Development Variance Permit
Date: Tuesday, August 27, 2024 9:42:34 AM

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Mayor and Council

District of Sechelt

I live at 4689 Whitaker Road, Davis Bay, and I am writing to express my concern regarding the application to increase the height of said property:
4686 Sunshine Coast Highway - LOT 3, BLOCK 4 DISTRICT LOT 1356 PLAN 7006, PID 010-741-429. I ask Council to evaluate this application and to take into consideration the over-all effect that it has and will have on everyone in the neighbourhood.

The current structure with its' size and height, too big and too tall, is a big box on a sea of sand. For those us who live behind, it blocks the Sun, the Sea and the pleasure of watching the Cruise Ships far out from shore. The property is now devoid of greenery for the little critters to roam in, trees for the birds to nest in. It spoils the charm and distinct flavour that Davis Bay has always treasured. The tranquil, serene existence fostered by those of us who treasure (and respect), what we have and have endeavoured to retain. A beautiful beach, a charming sea wall, oceanside cottages and the sunsets. This building has diminished that for many of the surrounding neighbours.

It has been described by many, including visitors and tourists, as being...'vulgar- too much in too small a space - definitely NOT an asset to Davis Bay!'

Down the Highway at 4660 Sunshine Coast Highway, a new home was built about the same time. The house is a charming style, and I am told, it was built according to the bylaws. It enhances the beachfront of Davis Bay while staying within the necessary guidelines that are required.

When we built our home many years ago, we had to adhere strictly to the building codes. We submitted our plans THREE times to the Building Inspector before they were accepted. Do you know what the prime concern was? The Height! Even then! Every one of us who has built in Davis Bay has had to obey the rules, why shouldn't this owner? She has shown a complete indifference and a total lack of concern for her neighbours or the neighbourhood.

If this Variance Permit is granted, it will open up the doors to others who will flaunt the bylaws and rules and worry about the consequences later (if there are any!)
I ask Council to reject this application and continue to uphold our Bylaws.

Respectfully submitted,

Jo-Anne Sheanh