

**Tuwanek Ratepayers Association  
7542 Sechelt Inlet Road  
Sechelt, BC  
V0N 3A4**

May 9, 2005

Barry Poole, Chair  
Planning, Environment and Economic Development Committee  
District of Sechelt  
(604) 885-7591

Dear Barry Poole and Committee Members:

**Re: Application for Development Variance Permit – Lot A, Block 1, DL 3259, Plan BCP15027, Sorensen Residence, Sechelt Inlet Road, Tuwanek**

These are the Tuwanek Ratepayers Association's concerns about this application, for the record:

1. Is the District aware that the statutory rights-of-way on Sechelt Inlet Road and Islets Place are not vested in the District of Sechelt, as per section 7 of the *Community Charter Act*? Only the statutory rights-of-way and other easements solely for the purpose of drainage are vested in the municipality.
2. Is the District aware that the statutory access to water rights-of-way are binding on all parties, including governments, and their heirs and assigns?

Additional questions and issues relating to the incomplete request for variances, without considering whether DOS Bylaws 418 and 420 have effect as per s. 10 of the *Community Charter Act*:

1. Is this variance for Lucy Sorensen, who wanted "to move closer to her grandchildren" as stated in the request to purchase right-of-way in Tuwanek or is the variance for the "B&B for Chris Cutlan" as per the attached ODC site map? This needs to be answered to determine the number of parking spaces required for this proposed "project" as per Part 11 of DOS Zoning Bylaw 25. As currently configured there are not enough additional on-site parking spaces for a B&B provided.
2. Has the proponent received permission from the DOF for the installation of the septic system "tankage" in the 15 metre set back from the ocean referred to by the engineer John Enevoldson? This is not clear from the application dated March 18, 2005.

3. Has the proponent already received a setback relaxation for the portion of the Bio Filter sewage treatment structure currently situated within the northeasterly setbacks shown on the February 23, 2005 ODC site plan?
4. Has there been a change to Bylaw 25 permitting two dwellings on Lot 21 special identifier "A" or is John Enevoldson simply mistaken in describing the accessory building as such?
5. Lot coverage proposed is considerably more than 35%. The proponent has applied for variances in every direction including up, although not all specifically referenced in this application. The fact is, this development is simply too big for the lot and its setbacks and should be scaled down in compliance with the zoning.
6. The roof is too high, the porches too big, there may not be enough parking and the "accessory" building is taking up the area needed for the septic system. While a single family dwelling is permitted on smaller lots configured prior to 1987, on a lot smaller than the R-3 900 sq. m. minimum size an accessory building would necessarily need to be subject to the single family dwelling's waste management system requirements.
7. The project design simply does not fit the "project area". The two variances requested (of the four actually needed) are not required because of hardship or as engineering solutions but are exclusively the result of a failure to properly account for the limitations of the site, the primary limitations being lot size and location.

In conclusion, the Tuwanek Ratepayers Association recommends that Mrs. Sorensen's request for variances be returned pending a determination of the status of the statutory rights-of-way. Once that has been determined we feel this developer should be required to submit a development plan in conformity with the site and zoning restrictions.

Yours truly,

Linda Williams  
President  
Tuwanek Ratepayers Association

Cc. Hans Penner