

Additional SODC Correspondence

[illegible]



Lil'wat Forestry Ventures LP

P.O. Box 605
Mount Currie, BC
Canada, V0N 2K0
Tel: 604.894.6115
Fax: 604-894-6841

**District of Squamish
Municipal Hall
37995 Second Avenue
Squamish, BC V8B 0A3**

May 22, 2015

Attention: Mayor & Council

**Re: District of Squamish Phase Development Agreement Authorization Bylaw No. 2387,
2015
District of Squamish OCP 2100, 2009,
Amendment Bylaw (Squamish Oceanfront Peninsula Sub Area Plan) No. 2385, 2015
District of Squamish Zoning Bylaw 2200, 2011,
Amendment Bylaw (Comprehensive Development Zone No. 69- Squamish
Oceanfront) No. 2386, 2015**

Lil'wat Forestry Ventures LP (LFV) is supporting the letter sent from Squamish Terminals, Squamish Mills & West-Barr Contracting Ltd regarding the above Bylaws. Lil'wat Forestry Ventures L.P. relies on the log handling facilities located in the Squamish estuary to process all the logs from their harvest sites. Once processed, these logs are then sorted and are dumped into the water and put into booms for transport outside of Squamish. We rely on this efficient service in order to continue to operate as a profitable First Nations owned forest licensee operating in the Sea to Sky Forest District. With an annual harvest of over 67,000m³ annually we are one of the largest licensees working within the Lil'wat Traditional territory.

If you have any questions please contact Klay Tindall at (604) 894-6115 ext. 2250 or klay.tindall@lilwat.ca.

Sincerely,

Klay Tindall, RPF
Forest Operations Manager



**1555 Pemberton Avenue
P.O. Box 390
Squamish B.C.
V8B 0A3
Tel: 604-892-3577**

May 26, 2015

**Mayor and Council
District of Squamish
37955 Second Avenue
P.O. Box 310,
Squamish BC V8B 0A3**

**RE. District of Squamish OCP Bylaw 2100, 2009, Amendment Bylaw
(Squamish Oceanfront Peninsula Sub Area Plan) No. 2385, 2015**

We are forest industry dry land log sort facility operators on a long term lease at 'Site B' on Mamquam Blind Channel in immediate proximity to Squamish Oceanfront lands.

According to Map Schedules "C", "G" and "I" of the Squamish Oceanfront Sub Area Plan, and Map Schedule "AC" of the proposed Bylaw No. 2385 amending the Sub Area Plan, high density multi-family residential and mixed use development is proposed directly across the channel from our facilities, and less than 175 meters from our water lot boundary and marine industrial operations.

As Squamish Mills Ltd. has stated in our letter of May 26, 2015 regarding Zoning Bylaw Amendment Bylaw No. 2386, and as been emphasized by the Squamish & District Forestry Association in other briefs to the District, we are very concerned over inevitable future neighbourhood interface issues which may constrain our industrial operations.

The present proposed Sub Area Plan Amendment, according to the District Staff report to Council of May 12, 2015:

"...would allow Council, at its discretion, to consider rezoning requests that may involve the future shifting of some of the proposed areas of the prescribed land use 'Blocks', subject to complying with the SAP principles and a number of conditions to honour the purposes and intent of the SAP."

The conditions set out in the new section "7.6 Implementation of the Sub Area Plan" do not include any reference to consideration of the interests of neighbouring industrial operations.

Due to this lack of consideration of neighbouring industry including Squamish Mills Ltd., we cannot support this Squamish Oceanfront Peninsula Sub Area Plan Bylaw No. 2385 as currently presented.

We look forward to further consultations with the District toward remedying these Oceanfront plans and bylaws in the interest of long term, successful neighbourhood partnerships on the Squamish waterfront.

Yours truly,

A. John Lowe
President & CEO



District of Squamish

MAY 26 2015

RECEIVED

1555 Pemberton Avenue
P.O. Box 390
Squamish B.C.
V8B 0A3
Tel: 604-892-3577

May 26, 2015

Mayor and Council
District of Squamish
37955 Second Avenue
P.O. Box 310,
Squamish BC V8B 0A3

**RE. District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw
(Comprehensive Development Zone No. 68 - Squamish Oceanfront) No. 2386, 2015**

We are forest industry dry land log sort facility operators on a long term lease at 'Site B' on Mamquam Blind Channel in immediate proximity to Squamish Oceanfront lands.

According to Map Appendix "B" and section "39MMM.5 Block D – Mamquam Waterfront Residential" of the proposed Bylaw No. 2386, multi-family residential and mixed use development is proposed directly across the channel from our facilities, and less than 175 meters from our water lot boundary and marine industrial operations.

The residential development proposed for Block D adjacent to our operations shall be of a very high density. According to bylaw section "39MMM.5.4", heights of principal buildings can be up to six (6) storeys – or even twelve (12) storeys ("if the owner or occupier of the land or building submits to the District a report prepared by a Professional Engineer who is approved by the District certifying that the increased height can be accommodated with available District works and services, including fire protection").

We have received no direct consultation regarding this proposed Zoning Bylaw amendment bylaw. No reference is made to proximity to industrial operations, or to consideration of potential interface issues – as, for example, in the above provision regarding twelve storey residential towers.

Noise and dust issues, general industrial operating circumstances (incl. hours of operation), and the perceptions of future residents must be taken into account in Oceanfront peninsula development plans.

Under the Squamish Estuary Management Plan (1999), Site B is dedicated to industrial/commercial uses – as was the "Squamish Oceanfront" peninsula.

We are not able to support the presently proposed Bylaw No. 2386, until we can be given assurance, through a suitable, comprehensive covenant and other means (policies, bylaws), that industrial interface issues have been appropriately taken into account in providing us with security of continued operations in our present location.

Yours truly,

A handwritten signature in black ink, appearing to read "A. John Lowe". The signature is stylized with a large, sweeping initial "A" and a cursive "Lowe".

A. John Lowe
President & CEO

Terry Murray

Subject:

FW: SODC Lands

From: Ron Anderson

Sent: Friday, May 29, 2015 5:46 PM

To: Linda Glenday; Corien Becker

Cc: Peter Gordon; <office@west-barr.com>; Joe Webber; Kim Stegeman; Myhill-Jones, Richard TRAN:EX; Gary Hanson; Eric Andersen

Subject: SODC Lands

Good day to you all

Unfortunately the Industry representatives, the letters we have provided, nor the submission put forward by Industry appears not to have made much of a difference in the direction you intend to pursue, at least from the packages we have seen. This is certainly interpreted from Industries perspective as ignoring the long standing marine based business's, property owners and transportation providers, all of which have contributed millions of dollars in taxes and employment to the citizens of Squamish and Municipality of Squamish over the years.

You may be correct in that the 'flex zones' are in the 2010 SAP, they are buried within the text of the plan. Neither of you were at these meetings that occurred at that time, I was, and I can state that we were given assurances that buffers would be in place by designating commercial, industrial and educational areas within the plan to prevent conflicts with the existing Marine dependent Industries and the residential component of the plan. We took this as fact.

We have told you that the Marine Industry's who will be impacted by these bylaws and changes have expressed support for the Municipality in developing the lands and moving forward, all we ask in return is that the Municipality support existing Marine based business's by not allowing the obvious conflicts with the residential owners, that we all know will occur, that is if you continue to move in the same direction with the proposed plan.

We have submitted many documents to show how this conflict can at least be minimized, yes it will impact the current plan, but certainly not as much as has been suggested.

I am still taken aback that you would ignore or attempt to disguise the location of the set backs from the existing Industrial sites to Council. These set backs were developed by the Union of Canadian Municipalities and negotiated in good faith with the Railways. They were developed for a situation just like this and are quite clear. Maybe this was not intentional and you were just given very poor advice from your consultant, but the impact is huge. The 300 meter set back from Rail operations and Industry property lines and right of ways of Railways in general just makes sense, especially if the noise is generated at night.

One of the other suggestions was to at least do some acoustical testing to make sure you understand what kind of noise is being generated by the surrounding Industries. I am not sure why this was not implemented long ago - it is standard practice in other jurisdictions.

The Industry group, as you heard, has never been contacted or even given any opportunity to discuss these matters, this again is very disappointing. We would still like to meet with staff to discuss this more, again, all we are asking is that you have an open mind to our suggestions.

We do support the development, but we are asking that you implement the requests that we have put forward and protect the long standing business's that have helped Squamish through many years of providing employment and paying taxes.

Regards

Ron



April 3, 2009

Mayor and Council
District of Squamish
37955 Second Avenue
P.O. Box 310
Squamish, BC
V8B 0A3

Dear Mayor and Council,

RE: Oceanfront Development Feedback

I am writing to express the very serious concerns that Squamish Terminals has regarding the direction the District of Squamish is taking with respect to development of the Squamish Oceanfront peninsula.

Over the years, Squamish Terminals has been actively involved in many discussions with community stakeholders over this prime piece of real estate and have been very clear about our concerns. Unfortunately, the most recent plans do not address our concerns in a meaningful way, and we want to take this opportunity to reiterate them to the District.

It is no secret that Squamish Terminals firmly believes that the Oceanfront Lands should continue to be designated for industrial use. This property is one of the few, if not one of the only, remaining locations on British Columbia's coastline that provides a unique combination of rail and highway access, and deep sea shipping capability. With prudent foresight, waterfront lands such as this provide unparalleled opportunities for economic development, employment opportunities and a solid tax base, all of which contribute to the well-being of communities.

Squamish Terminals is a prime example. We represent the last major industry in the District, and as such we are the single largest taxpayer. We provide jobs, we support other local businesses and we take our responsibility as a good corporate citizen very seriously. We have a strong history and a promising future.

The current Draft Oceanfront Planning Policy suggests that demand for waterfront industrial land use has declined in recent years. This is patently false, as evidenced by the Prince Rupert port development and the Pacific Gateway initiative. In fact, on several occasions Squamish Terminals has been approached by major corporations and government agencies requiring access to waterfront property.



It is imperative that the proposed Marine Development Strategy, as approved by Council on September 9, 2008, moves forward so the community has a legitimate chance to fully realize the economic potential of our waterfront for the benefit of everyone. And let's be clear – despite what opponents to our position claim, sustainable development of this land for industrial use can be achieved without compromising our environment or public access to the waterfront.

Failing that, the District must address some very real issues Squamish Terminals has with respect to the conceptual plans for the property, which both allow for flexibility between residential and commercial use on the west side of the peninsula. This puts Squamish Terminals at potential risk for land use conflict. We need guarantees from Council that this development will not allow for residential units in a location where we are at constant conflict or that Council will be forced to impose restrictions on our operation, which will ultimately harm our community as a whole. This can be achieved by zoning this section of the property for commercial or industrial use, or as parkland.

Squamish is at an important crossroads. We have a tremendous amount of space that can be developed for residential use in other parts of our community. By making the right decisions today, we can invest in our community's future and well-being by realizing the full economic potential of the Oceanfront Lands. Our fear is, the wrong decisions today will have a profound negative impact on Squamish that will be felt for generations.

I would be pleased to discuss this issue further with you.

Sincerely,

Ron Anderson
President & CEO
Squamish Terminals Ltd.

cc. Bill McViney – Chair, Squamish Oceanfront Development Corporation



Additional Agenda Item
Meeting Date: <u>May 26 2015</u>
Agenda Item # <u>07(i) + (ii)</u>

May 26, 2015

Mayor and Council
District of Squamish
PO Box 310
Squamish, BC
V8B 0A3

Dear Mayor Heintzman and Council:

RE: Squamish Oceanfront Zoning Bylaw 2386

Further to our discussions recently, while Squamish Terminals is supportive of the development of the SODC Lands the zoning must be carefully reviewed to ensure a win/win with its industrial neighbours now and into the foreseeable future.

Accordingly, we recommend that this be done in accordance with existing proximity guidelines, those established by the Railway Association of Canada and the Federation of Canadian Municipalities, as well as the establishment of a comprehensive covenant that protects industry.

The current proposed proximity guideline does not address the true picture of Squamish Terminals operation nor does it address the rail switching operation. We request that before Council passes any bylaws for the SODC Lands that an opportunity is given to the affected parties to discuss and establish where the correct placement of the proximity guidelines should be located.

We also request that the Municipality use CN Rail's covenant as a starting point to develop a proper and comprehensive covenant for the SODC Lands and the affected parties.

Squamish Terminals is more than willing to work with the Municipality to prevent the obvious potential conflicts that will occur if we do not take the proper steps now.

Sincerely,

A handwritten signature in black ink, appearing to be 'K. Stegeman-Lowe'.

Kim Stegeman-Lowe
Vice President Administration

A handwritten signature in black ink, appearing to be 'Joe Webber'.

Joe Webber
Vice President Operations

cc. Ron Anderson, on behalf of Squamish Terminals Ltd.

Terry Murray

From: Gary Hanson <Gary.Hanson@cn.ca>
Sent: Monday, May 25, 2015 4:32 PM
To: Corien Becker
Cc: Raymond Beshro; Myhill-Jones, Richard TRAN:EX
Subject: FW: Rezoning of Oceanfront lands - District of Squamish Bylaw Nos. 2387, 2015; 2385, 2015; 2386, 2015
Attachments: CN Form C Restrictive Covenant re Noise and Vibration- draft.doc; 2013_05_29_Guidelines_NewDevelopment_E.pdf; Municipal Policy Recommendations.pdf; Municipal Regulatory Recommendations.pdf; Letter to District of Squamish - May 11, 2015.pdf

Dear Ms. Becker,

Please forward to the Mayor and council for their consideration.

This is in reference to the attached letter of concern from Boughton law's Richard DeFilippi regarding the proposed rezoning and development authorization of the Oceanfront lands dated May 11th, 2015. CN Rail as a matter of standard practice wishes to also advise that any development in proximity of the railway, including this one, must note and wherever possible follow the CN general policy and regulatory recommendations, attached or your consideration. Proper implementation of these policies will not only protect rail corridors and employment lands next to them, but they will also seek to locate sensitive uses at a safe and appropriate distance to minimize complaints from new residents.

For any proposed development, CN lists the following items as being of particular importance:

- Noise and vibration covenants on title;
- Adequate noise and vibration mitigation in the building's design;
- Protection of the railway right-of-way from trespassing;
- No adverse drainage impacts on CN lands.

Further site specific concerns may be identified as CN is given a chance to review and provide its comments/concerns pertaining the development's designs for any proposal immediately adjacent to the railway right-of-way, before the District's approval and authority to proceed with the works is provided.

We note that this development is adjacent to Squamish Terminals, which is often served by CN in the late night/early morning hours. We are concerned that our interests be adequately addressed as you go forward.

CN and the District of Squamish have worked together on other development files and we again look forward to your cooperation on this one.

Regards,

Gary Hanson, ASCT
Public Works Officer - CN Design and Construction
Thornton Operations Building
1st Floor, 11717 138th Street,
Surrey, BC, V3R 6T5
Ph: (604)589-6522
Fax: (604)589-6525



Railway Properties

1 Administration Rd
Concord, ON L4K 1B9
Telephone: 514-399-7627
Fax: 514-399-4296

CN requests that the following provisions be included in municipal land use planning regulatory documents:

1. A minimum building setback for residential and other sensitive land uses from a railway right-of-way is 30 metres in conjunction with a 2.5 metre high earthen berm (with 2.5 to 1 side slopes, adjoining and parallel to the railway right-of-way with returns at the ends). In absence of a safety berm, a 120 metres setback is required. *

** The 30 m setback and 2.5 m high earthen berm requirement is for Principal Main Lines. For Secondary Main Lines, the requested setback is 30 m but the minimum berm height is 2.0 m. For Principal Branch Lines, the requested setback is 15 m and the minimum berm height is 2.0 m.*

2. A 1.83 metre chain link security fence is required along the mutual property line with the railway right-of-way, to be installed and maintained at the Applicant/Owner's own expense.
3. Any future residential development adjacent to the railway right-of-way will require approval from the railway for noise and vibration mitigation measures.
4. New residential development or other sensitive land uses will not be permitted within 300 metres of a rail yard (if applicable).



Railway Properties

1 Administration Rd
Concord, ON L4K 1B9
Telephone: 514-399-7627
Fax: 514-399-4296

CN requests that the following policies be included in municipal land use planning policy documents:

1. Municipal Council acknowledges the importance of the rail infrastructure and recognizes its critical role in long-term economic growth and the efficient and effective movement of goods and people. Council shall ensure the continued viability and ultimate capacity of the rail corridors and yards (if applicable) is protected and shall identify and support strategic infrastructure improvements such as targeted grade separations.
2. Sensitive land uses will not be encouraged adjacent or in proximity to rail facilities.
3. All proposed residential or other sensitive use development within 300 metres of a railway right-of-way will be required to undertake noise studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified. All available options, including alternative site layouts and/or attenuation measures, will be thoroughly investigated and implemented if practicable to ensure appropriate sound levels are achieved, particularly with respect to the 55 dBA outdoor living area criterion.
4. All proposed residential or other sensitive use development within 75 metres of a railway right-of-way will be required to undertake vibration studies, to the satisfaction Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.
5. All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railway. Where applicable, the Municipality will ensure that sightline requirements of Transport Canada and the railways are addressed.
6. Implementation and maintenance of any required rail noise, vibration and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the Municipality and the appropriate railway.
7. New residential development or other sensitive land uses will not be permitted within 300 metres of a rail yard (if applicable).

8. All residential development or other sensitive land uses located between 300 m and 1000 m of a rail yard will be required to undertake noise studies, to the satisfaction of the Municipality and the appropriate railway, to support its feasibility of development and, if feasible, shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.

Dear Mayor Heintzman,

It is patently obvious to most observers, that Councillor Race is in Conflict of Interest with regards to the above headlined matters.

He would appear to be relentlessly pushing for the sale of the SODC lands and the accompanying DCC's and CAC's to his good friend and former Client, Bethel Lands.

On such egregious terms as to be sheer lunacy for the people of Squamish.

He professes to have a written legal opinion dating from some two years ago that he is indeed not in Conflict of Interest.

I think he should be made to produce this Legal Opinion for all to see.

There are other legal opinions that would counter his supposed one.

In this exercise to give away the SODC lands and provide some \$50-60 Million worth of gifts from the people of Squamish to help develop these lands, which will be under the ocean In a few years, the Developer seems to have somehow, by his charms, had Senior Staff at the D.O.S.

trumpeting his convoluted deal.

Those Senior Staff being the C.A.O and the Deputy C.A.O.

It would be interesting to see how that occurred when these Staff Members should be fighting to protect the interests of the people of Squamish.

This whole thing is an affront to logic and reason.

There will be imminent B.C. Supreme Court Action to halt this give away if you cannot see to halt it yourselves.

Respectfully submitted

Douglas R. Day

Squamish & Vancouver

From: DOUG DAY <>

Date: 28 February, 2015 2:25:09 PM PST

To: Patricia Heintzman <pheintzman@squamish.ca>

Cc: Ted Prior <tprior@squamish.ca>, schapelle@squamish.ca, drace@squamish.ca, kelliott@squamish.ca, pkent@squamish.ca, jblackman-wulff@squamish.ca

Subject: Fwd: Squamish DCC CAC SODC

Hello Everyone,

I believe you might have already received this?

I do not believe in hiding in the shadows and sneaking up on people that I know, when issues come to a head and a battle seems imminent.

We have reached that point here.

My strong recommendation to you is that you bring a halt to these convoluted arrangements going on regards the D.O.S. the SODC and DCCs and CACs

As I send this message to you a very concerned group of Citizens, of which I am just one, is planning Legal Action on separate fronts.

An injunction to halt the imminent give away of the SODC lands on terms so egregious for the D.O.S. that they simply defy logic.

A second route will be an application under the Local Government Act to petition the Minister to place the D.O.S. under Supervision until this land give away can be halted.

I am sorry it has come down to this.

I find that, individually, you are all bright and capable people.

But on this situation, you are up against a freight train that you seem incapable of stopping.

A runaway train that unless stopped, will financially destroy our town for at least a Generation.

Unless we see some plausible sign that you are putting all this on hold, the Actions described above will go ahead shortly without further notice to you.

These Actions will probably end up on the front pages of most major new papers and National TV outlets.

Is this what we all want for Squamish??

We are on the cusp of Greatness here, after 7-8 years of drudgery, layoffs, no jobs, foreclosures, unpaid tradespeople etc.

Please let us join our hands together and move our wonderful town forward.

Stop this giveaway now.

Respectfully submitted,

Douglas R. Day

Squamish and Vancouver

Sent from my iPad

Begin forwarded message:

From: DOUG DAY <

Date: 28 February, 2015 1:50:17 PM PST

To: Linda Glenday <lglenday@squamish.ca>

Cc: Council <Council@squamish.ca>
Subject: Re: Squamish DCC CAC SODC

Dear Linda,

Thank you for this info.

I will be providing a detailed response prior to March 12th.

However, in the meantime, my unwavering opinion is that this whole DCC CAC business is being ramrodded forward by you and a virtual army of paid consultants all to suit the convoluted sale of the SODC lands and the artificial time deadline of March 31/15. A sale to an Insider who has now hired one of the Senior Staff from the D. O.S. to help him stick it to the good people of Squamish on the worst real estate deal for a seller that I have ever seen.

If you collectively do not halt this nonsense, it will be done for all of you by a B.C. Supreme Court Judge by way of injunction.

What is occurring here, is perhaps the most egregious situation I have ever witnessed in my 47 years experience as Senior Banker and Real Estate Executive.

Stop this nonsense Linda and perhaps work on some other projects like maybe a few sidewalks here and there.

You and the others employed at D.O.S. have absolutely no experience whatsoever to be doing a deal as complicated and convoluted as these arrangements with Bethel Lands.

That is my position.

Respectfully submitted

Douglas R. Day

Squamish and Vancouver

Sent from my iPad

On 2015-02-27, at 11:25 AM, Linda Glenday <lglenday@squamish.ca> wrote:

Please see enclosed and message from Prashant Pandit.
Linda

Dear All

Following the consultation regarding proposed DCC with the District of Squamish Council on February 16, 2015, District staff was directed to remove the North & South Downtown Connector road and introduce a new Single Family Small Lot Category land use designation to DCC tariff. Attached is the revised package for proposed DCC for the District of Squamish. Please provide your feedback in writing to Ms. Linda Glenday, Deputy CEO, District of Squamish – lglenday@squamish.ca <<mailto:lglenday@squamish.ca>> no later than end of March 12, 2015.

If you have any questions regarding the information contained in the attached material please contact the undersigned.

Sincerely,

Prashant Pandit, MEng, PEng, PMP, LEED AP
PPM Consulting

From: DOUG DAY >

Date: 12 December, 2014 8:57:05 AM PST

To: "pheintzman@squamish.ca" <pheintzman@squamish.ca>

Subject: SODC LandsDear Mayor & Council,

Congratulations to all of you on your recent election to the District of Squamish Council.

We have exciting times to look forward to in our town, and it is nice to see that we have such a diverse group of talented people to handle our affairs.

You will be hearing from me quite often as your four year terms run along, but only when I feel there is something important for you to hear.

The first and foremost on my list of problems facing our town is what to do about about the SODC lands?

I have the solution which has not changed in the some 11 years since we acquired those lands. Get rid of all the junk down there, plant grass seed and place a few park benches around the place and use the lands for Park space.

There are privately held lands North of the Brew Pub already zoned and serviced for some 10,000 Condo units which is over a hundred year supply based on a reasonable absorption of a hundred units per year.

(about 4 times the historical absorption rate/year)

These lands do not need \$100,000,000 in site servicing to bring them to the point they can be developed.

The SODC lands are most inappropriate for residential development for many reasons.

First and foremost is the rising sea levels we are faced with.

Even this week, without rising sea levels, the site was totally under water.

Then there are the incredible winds that hit that peninsula on a regular basis.

(there is a reason that Squamish is referred to as the Wind Surfing Capital of Canada)

And finally there is simply no possible way to recover the some \$100,000,000. in servicing costs for that site thru development.

Even taking 100% of all DCCs in Squamish for the next 100 years would not even pay the interest costs on that sum of money.

So in short, let's quit fooling ourselves and the public about that property, pay off the debt with other assets we have and move on.

The development of that property does not hold the key to the future success of our town.

Turning the lands into the Squamish equivalent of Stanley Park would be a visionary positive step.

Just as Stanley Park borders on the highest density development on Canada

(the West End high rises and office towers) so would the SODC lands share that same purpose.

A major waterfront park in the heart of the City.

Had the powers that be over the past 3 Councils listened to me, we would not have a dime of debt on those lands and the Public would have been able to use the entire site for Park use for the past decade.

But then what do I know?

I have had 46 years of success as a Developer and Bank President that's what I know.

Be pleased to meet you anytime to expand on my views.

Respectfully submitted,

Douglas R. Day

Dear Mayor and Council,

Squamish's economy is starting to flourish. All the signs look promising and the future seems bright. This positive momentum gives us the opportunity to return us to a solid and sustainable financial situation, with reasonable debt and growing tax revenues driven by economic growth.

I am concerned that significant financial commitment of major infrastructure that is being asked from the DOS for the SODC development will be a burden that will tip the scales against us. One of my main concerns is that I have not seen evidence that the tax revenue generated from this land will offset the investment in infrastructure required and thus will be a burden to all tax payers of Squamish. I am concerned that granting tax relief through the Squamish Revitalization Tax Exemption will reduce the payback and will essentially be a subsidy to the corporations involved in the development. In addition the changes to the DCC bylaw may hamper future development in other areas of town.

I would love to see the Oceanfront revitalized. However, I fear the lure of a nicer waterfront and a beautiful park and the difficulty in understanding this complex deal is clouding judgment for the majority of Squamish citizens and they do not see the true fiscal realities. I would encourage you, as our representatives who have been privy to all the information, to fully examine the financial projections and, based on conservative estimates, affirm that the business case for the tax payers of Squamish is sound. It should be clear to you that the investment and commitment to further sizeable debt will yield a positive return. I am not an expert in real estate development. Nor have I had all the relevant information regarding this topic. However, I do know that if we spend more than we expect to make in the medium term, we will be in essence subsidizing this development and creating cost that will never be recovered.

You are aware of the range of proposed capital projects that require more debt and more ongoing costs ranging from the upgrading of sewers to the creation of a debris barrier on the Cheekye. At this point in our financial recovery it would be prudent to take the time and plan carefully what debt we can afford to take on, what debt is absolutely necessary, what debt will provide a positive cash flow return, and what debt we should prudently pause.

Please proceed with caution as this will have a lasting and significant financial legacy on us all one way or the other.

Jeff Cooke
Garibaldi Highlands, BC.

Squamish & District Forestry Association

P.O. Box 390, Squamish B.C. V8B 0A3

March 16, 2015

District of Squamish
Box 310, Squamish BC
V8B 0A3

Dear Mayor Heintzman and District of Squamish Council:

Request regarding draft March 17 SODC Sub Area Plan Amendment Consultation Resolution

We note that Council will consider a SODC Sub Area Plan Amendment Consultation Resolution at its Tuesday, March 17 Regular Business Meeting.

The Squamish and District Forestry Association was given opportunity to speak at the February 16 Council Committee of the Whole, where the draft (Squamish Oceanfront) Official Community Plan Amendment Bylaw No. XXXX, 2015 was received by Council. At that opportunity we addressed the matter of a covenant to be inserted into the Amendment Bylaw. Discussion of a covenant applying to the Cattermole Slough area facing Squamish Terminals Ltd. is already found in the draft bylaw.

The Forestry Association suggestion of new attention to a covenant was favourably received on February 16 by Deputy CAO Linda Glenday and by prospective Squamish Oceanfront developer Michael Hutchison. It was soon afterward also discussed with Mayor Heintzman.

Since this time, the Forestry Association has undertaken consultations with representatives of Squamish Terminals Ltd. concerning common interests as immediate neighbours of the Squamish Oceanfront property. Research has also been undertaken regarding potential approaches to a noise covenant.

The draft Consultation Resolution for your consideration at Tuesday's Regular Meeting cites *Local Government Act* section 879 (2)(b) in recommending a specific list of agencies to be considered for early and ongoing consultation regarding the Squamish Oceanfront Sub Area Plan Amendment.

The Forestry Association and Squamish Terminals Ltd. would not be included in this recommended list of agencies described under 879 (2)(b); but could be considered under the more general scope of 879 (2)(a) – "persons, organizations" which may be affected. 879 (2)(a) is not referenced in the draft consultation resolution.

The draft consultation resolution and relevant sections of the Local Government Act are attached for your reference, below.

Squamish and District Forestry Association represents Site B lease holders and Mamquam Blind Channel log handling and marine commercial transportation interests. We suggest that the Association should be considered for early and ongoing Squamish Oceanfront Sub Area Plan Amendment consultation, alongside adjacent leaseholder and deep sea terminal operator Squamish Terminals Ltd.

We wish to request that this consultation with Squamish Oceanfront immediate neighbours be considered for inclusion in the resolution to be discussed at your Tuesday meeting.

Thank you for your consideration.

Mike Wallace RPF (RET'D.)
President,
Squamish & District Forestry Association

cc:
Squamish Terminals Ltd.
Linda Glenday – Deputy CAO, District of Squamish
Gary Buxton – General Manager, Development Services & Public Works

DRAFT SODC Sub Area Plan Amendment Consultation Resolution:

<https://squamish.civicweb.net/Documents/DocumentList.aspx?ID=109676>

Regular Meeting of the Council of the District of Squamish to be Held on Tuesday, March 17, 2015 at 6:00 PM

SODC Sub Area Plan Amendment Consultation Resolution

Staff Recommendation:

Section 879 Local Government Act

WHEREAS s. 879 of the Local Government Act requires that in addition to a public hearing Council must provide opportunities it considers appropriate for persons, organizations and authorities it considers will be affected;

AND WHEREAS Council must consider whether the opportunities shall be early and ongoing and specifically consider whether consultation is required with entities described in s. 879(2)(b);

NOW THEREFORE COUNCIL RESOLVES AS FOLLOWS:

1. Staff will send a copy of the proposed Squamish Oceanfront Sub Area Plan (SAP) Amendment to the following entities and request comment within 30 days:

(a) Squamish-Lillooet Regional District Board,

(b) the Squamish Nation,

(c) the District School Board,

(d) the Province, including its Ministry of Environment, Ministry of Transportation, and Ministry of Forests, Lands and Natural Resources;

2. The District will hold a public information meeting on the SAP amendment on April 8, 2015;

3. A copy of the SAP amendment will be posted on the District website;

4. Council will consider input from the consultation process prior to the SAP amendment public hearing

Local Government Act Section 879:

[http://www.bclaws.ca/civix/document/LOC/complete/statreg/-%20L%20-/Local%20Government%20Act%20\[RSBC%201996%20c.%20323/00 Act/96323 30.xml#section879](http://www.bclaws.ca/civix/document/LOC/complete/statreg/-%20L%20-/Local%20Government%20Act%20[RSBC%201996%20c.%20323/00 Act/96323 30.xml#section879)

Consultation during OCP development

879 (1) During the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.

(2) For the purposes of subsection (1), the local government must

(a) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and

(b) specifically consider whether consultation is required with

- (i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan,**
- (ii) the board of any regional district that is adjacent to the area covered by the plan,**
- (iii) the council of any municipality that is adjacent to the area covered by the plan,**
- (iv) first nations,**
- (v) school district boards, greater boards and improvement district boards, and**
- (vi) the Provincial and federal governments and their agencies.**

Terry Murray

Subject:

FW: SODC/DCC/RTE

From: chrispettingill

Sent: Saturday, May 09, 2015 12:33 PM

To: Council

Subject: Re: SODC/DCC/RTE

I received some offline feedback on my original post/email and although I still have some outstanding questions, I thought I should share my updated understanding and thoughts/questions.

In general, I think the SODC project seems like it could be a good project. What I'm still a little unclear on is whether we can afford it (or afford not to do it) and whether or not it's a "good deal". That definitely shouldn't be taken as a suggestion that we can't afford it or that it's not a good deal, but rather just stuff that I'm not clear on.

Although I understand DCC's better based on some of the feedback I received, there are still some outstanding questions in my mind around how we're funding infrastructure in Squamish. I do realize now that looking at DCC's alone doesn't tell the whole story, and some of my original questions around DCC's don't really make sense. There's a lot of complexity in much of this stuff, and thinking about, "good governance", neither the public, nor council should have to worry too much about the detail of this complexity. However, we do need to feel comfortable that our community is making the right decisions. In that context, I've come up with an alternate set of (better?) questions, and some new ones:

- Can we manage something along the lines of the Cheekeye development as well as the proposed SODC development concurrently? After reviewing our "Intergovernmental Cooperation Accord" (signed in 2011 - <http://www.squamish.ca/assets/SqNation-Cooperation-Accord-2011.pdf>), I personally feel strongly that we need to move forward with something very much along the lines of the Cheekeye proposal - especially if we proceed with SODC.
- Is SODC meant to drive growth, or simply accommodate growth that would happen regardless of SODC? If it is the former, what's our growth target (magnitude and timeline) and how are we going to measure whether or not it's had its desired effect?
- SODC is meant to help satisfy some of the goals/policies in our OCP. How are we going to measure the success of SODC in achieving those goals? For example, one of our goals is to, "Make efficient use of the limited land base". How will we know objectively if SODC (or any other development) is meeting this goal? One idea might be a metric around direct infrastructure cost per job or bed at any given development?
- The OCP talks very clearly about "Downtown first". But in the OCP, there doesn't seem to be much in terms of what specifically that means(?) I'd like to have concrete clarity on what "Downtown First" really means. For example, "for every dwelling/commercial office/bed we'll enable outside of downtown, we'll enable 5 comparable units in the downtown". Or, "our growth target for downtown is 5 times that of elsewhere in Squamish", and/or, "our goal is a 10% increase in policing costs for the downtown, and 4% for

elsewhere”, and/or, “our target is that 70% of all infrastructure spending will relate to servicing the downtown/oceanfront”, etc. Then we can look at the details of things like the SODC front-ender and see if it matches our general policies. Right now, the SODC front-ender has effectively become a proxy for the debate about what exactly “Downtown First” really means.

- What are our general growth targets (magnitude and timeline), what are we willing to pay/give up for this growth, what do we expect to receive for the growth (taxes, diversity, ...), and does the SODC deal and targeted related growth match up to our targets?
- Is our plan to see what growth comes, and then try to accommodate as much of it as possible, or is our plan to limit growth (via limiting permitting, infrastructure spending/borrowing) to a certain amount year over year? (i.e. reactive/maximal growth vs. proactive/moderated growth)? I guess my preference is the latter, along with an understanding of how projects like SODC fit into that, and a clear plan to fund infrastructure related to the level of growth we want.
- What are our goals with respect to the RTE (downtown/SODC tax exemption)? For example, “our target is 25% of SODC commercial space occupied within 5 years, with post-RTE total tax value of \$x dollars, and 75% of SODC commercial spaced occupied within 8 years with a tax value of \$y dollars”. I have seen various scenarios presented, but I don’t think I’ve seen our actual goals articulated clearly.
- Similar to the RTE question, having passed a DCC bylaw update, what are our goals for municipal vs. developer spending on infrastructure, and what are our growth goals (magnitude and timeline) for various areas in town?

My new set of questions aren’t necessarily, easier to answer, but they are meant to shift the discussion to the broader goals we can understand better than the nuts and bolts of specific deals that we shouldn’t have to worry about. I’m not looking to redefine what’s in the OCP, but rather make the OCP more concrete in terms of measurable targets so we can more objectively understand if projects like SODC are desirable and achievable.

Chris Pettingill

From: chrispettingill
Sent: Tuesday, May 05, 2015 12:22 PM
To: council@squamish.ca
Subject: SODC/DCC/RTE

Dear Mayor and Council,

Thanks for holding the SODC information session at the Adventure Centre a couple of weeks ago. It gave me a lot to think about, and it raised a number of new questions for me. I hope Council and/or District Staff is able to provide answers to these questions:

- What was the approximate land value (both serviced and unserved) of the SODC land when the deal with Bethel was initially drafted?
- What is the approximate land value (both serviced and unserved) of the SODC land today? (I know we may not have exact figures, but we should be able to come up with reasonable numbers).

- How has the change in land value (serviced and unserviced) impacted the terms of the deal we're now thinking about signing?
- Related to the above, my understanding of the downtown RTE (tax exemption) was that it essentially reduces costs for those developing the land, which in turn they presumably pass on to buyers, which presumably in turn leads to more development and sales in a shorter period of time. The RTE was conceived at a time when the land values and demand were significantly lower. Now that we're about to finalize the deal, I believe the land values are a lot higher, but the SODC land purchase price has not really changed(?) So, hasn't the boost in land value, with no corresponding increase in land cost to Bethel effectively provided the cushion to pass on to savings to buyers? Shouldn't we reserve an RTE for times when the market is soft? (Or at least adjust the RTE down to reflect the increase in land value)?
- I know that a number of SODC infrastructure projects have been removed from DCC eligibility. However, developers have told me that there's still SODC infrastructure that will be eligible for DCC's that any other developer would normally pay 100% for. (I understand DCC's are something developers pay into, but at the same time, when infrastructure is built, a portion of the cost is paid by the DCC fund, meaning a developer only has to pay a portion of infrastructure costs).
 - Is the level of DCC-funded projects for the SODC development comparable to other developments. If not, why not? (With this question, I'm not referring to the "front-ender" agreement, but rather the cost of projects deemed available for DCC's)?
 - If there is a discrepancy, is this because other developers don't take full advantage of DCC's (and the corresponding municipal contribution)?
 - Do developers need to actively do something to ensure infrastructure related to their projects take full advantage of DCC's? (It seems with SODC, there has been a lot of negotiation around what is eligible for DCC's so it's somewhat up to developer lobbying)?
 - What would the financial impacts be if all developments took full advantage of DCC's?
- What is the criteria for whether or not a development can enter into a "front-ender" agreement. My understanding is that it is proposed that SODC will get 90% of downtown DCC contributions for 20 years (or until all DoS obligations for SODC-related infrastructure has been paid for, plus interest). If another downtown developer wanted a similar front-ender, we could do that, meaning the 2 developments would get 180% of downtown DCC contributions. We'd cover the 'extra' 80% over contributions through loans or reserves or, ... ? Is there a cap or a way to ensure that front-enders are made available equally, or is it simply first-come-first-serve?
- Regardless of DCC's and "front-ender" agreements, when there's a new development, taxpayers will typically have to fund some degree of infrastructure necessary to complete the development. Certain projects (especially ones that sprawl from existing infrastructure) have a higher burden on taxpayers per each dwelling/bed in the development. We have other existing developable infill land. How does the taxpayer infrastructure burden per dwelling unit or bed on SODC lands or Cheekeye compare to that of some of the other infill land downtown and elsewhere? i.e. is it going to be more expensive to taxpayers to provide our growth on SODC and Cheekeye?
- My understanding is that there's some debate on our legal obligation to enable Squamish Nation develop the Cheekeye fan. However, there may be a strong moral obligation to do so, regardless of legal obligation. My understanding is that we have neither a legal nor moral obligation to move forward with SODC right now. If SODC and Cheekeye both represent higher taxpayer infrastructure burden relative to the increase in dwellings/beds, can our town afford to move forward with both at the same time?
- If we move ahead with SODC now, can Squamish Nation be assured this would not impact whether or not Cheekeye can move forward shortly, and related to that, can taxpayers be assured that these two developments are the most cost-effective way for the municipality to provide growth?

- If there has been a significant increase in SODC land value of the past couple of years, would it be reasonable to use increased CAC's (Community Amenity Contributions) or some other tool to have the developer cover more of the SODC-related infrastructure costs such that taxpayer impact of developing these lands isn't greater than doing alternative infill development downtown?
- Have we modeled cost differences for policing, ambulance service and fire protection for SODC/Cheekeye compared to infill development? Presumably with SODC/Cheekeye we're expanding the land area that needs to be patrolled and protected and therefore they increase our taxpayer costs more than infill development?

My questions are not meant to suggest that I'm against the SODC development. I suspect in general most people like the basic plan (aside from outstanding concerns about whether or not Squamish is maintaining enough light/medium industrial lands with water access).

However, I also think that most people are assuming that the cost to taxpayers to have SODC or Cheekeye developed is no different than developing other infill lands. My understanding is that under the current terms, it is comparatively more expensive to taxpayers to develop SODC and/or Cheekeye. If that is correct, and if people understood it, I wonder if they would still be as supportive? It would be great to have a better understanding of the comparative cost to taxpayers to enable development in different areas.

PS: Sorry about the grammar and spelling ... I was rushing to get these questions out before 2nd and 3rd reading of the RTE and DCC bylaws today.

Chris Pettingill

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Hi All,

In reviewing the LP agreement for the SODC, it appears that the not only the cost of servicing falls on the shoulders of the DOS, but also all of the risk, as the Limited Partner (the DOS) holds harmless the General Partner (Bethel) from any and all liabilities. Yet, the GP makes all of the decisions, profit and fees, and they can amend the LP agreement unilaterally at any time. That does not offer much protection if things don't go as planned. The whole point of a Limited Partnership is to limit the liability of the limited partner. Remember, partnership agreements are no problem when everything goes as planned, but they are in place to make sure partners act as promised when things aren't all beer and skittles. If the DOS is going to take on that kind of risk, why doesn't the DOS do the development themselves or enter into a more realistic and favourable agreement? Face it, council will change over the years, but the decisions they make now will have very far reaching and long term effects. Make sure the decisions you make in the next few weeks are ones that you will be proud of for the rest of your life.

Thank you.

Grant Gillies

Terry Murray

Subject:

FW: SODC, OCP in April 16 edition

From: Colin Green

Sent: Sunday, April 19, 2015 12:29 PM

To: cendicott@squamishchief.com; Mayor; Council

Subject: SODC, OCP in April 16 edition

Dear Mayor, Council, and Christine,

Unfortunately this is a community that is dominated by the vocal minority which opposes progress of almost any sort. Grandiose visions of a successful and bustling local economy (of any type) is being stifled by impediments put in place of businesses wanting to move the town in a positive and progressive direction. Businesses need stable and predicable processes in order to have confidence that their investments and efforts will come to fruition. The recent episode with the Fortis application is a perfect example of why any intelligent business would thumb their noses at a reluctant and stubborn municipality that does not even follow their own bylaws. 'If you come to Squamish don't expect our government or citizenry to follow the rules.'

The first SODC MOU was signed in 2006 yet we are still unable to commit ourselves in the direction of the existing OCP with a developer which has agreed to build our dream. Now, 9 years later, the mayor is stressing the importance of an OCP that is out of date. Why are we unable to stick with what we've got so the next OCP doesn't collect dust while we relentlessly debate the intentions of anyone wanting to create a progressive community? Stop being obsessed with every decision you make and have some courage for once. Would someone please step up to the plate and take the risk!??

It took three years for people to realize that the new highway makes Squamish a livable community for people working in Vancouver. We all know the appeal that Squamish holds from a lifestyle perspective, the continued growth is a certainty. We need to shift our revenue base to local businesses. Why is it that we cannot commit ourselves to a chosen path (as chosen by our community) as Whistler did in the 80's? I urge council to be more conducive to businesses wanting to establish positive operations here rather than being sceptical of anyone who walks into municipal hall. This community doesn't realize that people have to make a profit in order for there to be any appeal to make change happen.

Regards,

Colin Green, P.Eng, FSR-A

Industrial Power Systems Engineer

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May 11, 2015

File #: TBA
Direct: 604 605 8344
Email: rdefilippi@boughtonlaw.com

BY EMAIL & REGULAR MAIL

**District of Squamish
Municipal Hall
37995 Second Avenue
Squamish, British Columbia
V8B 0A3**

Attention: Mayor & Council

Dear Sirs and Mesdames:

**Re: District of Squamish Phase Development Agreement Authorization
Bylaw No. 2387, 2015
District of Squamish OCP Bylaw 2100, 2009,
Amendment Bylaw (Squamish Oceanfront Peninsula Sub Area Plan)
No. 2385, 2015
District of Squamish Zoning Bylaw 2200, 2011,
Amendment Bylaw (Comprehensive Development Zone No. 69-Squamish
Oceanfront) No. 2386, 2015**

We are the lawyers for Squamish Terminals Ltd. ("Squamish Terminals"), Squamish Mills Ltd. ("Squamish Mills") and West-Barr Contracting Ltd. ("West-Barr") in connection with the captioned matter.

This letter is a request by our clients that consideration of the captioned Bylaws be deferred by the District until certain challenges discussed below have been properly mitigated.

This is not the first occasion where the District and others have considered a series of initiatives in reaching a satisfactory balance between protecting the area's biological diversity and achieving its economic potential.

In 1999, following an extensive review and investigation that commenced in 1979, the District, the federal Departments of Fisheries and Oceans and Environment Canada, and the provincial Ministry of Environment, Lands & Parks along with BCR Properties Ltd. developed the *Squamish Estuary Management Plan 1999*, a copy of which is attached (the "Estuary Plan").

While the entire Estuary Plan bears reading, certain aspects should be highlighted.

At Clause 2.1, the unique nature of the estuary in economic terms was noted:

"In terms of economic development, the estuary offers a rare opportunity to link the BC Rail mainline with accessible tidewater and develop a new marine terminal. In addition, the forestry industry, an important component of the local economy, makes extensive use of the Mamquam Channel for log handling."

The Estuary Plan contemplated the designation of specific areas to ensure that the loss of habitat in the industrial/commercial area was compensated by the enhancement of habitat in the conservation area. As noted at Clause 2.2:

"Fundamental to economic development in the Squamish harbour is the need for clarity regarding which areas can be developed and under what conditions or prescriptive measures for environmental protection. Additional facilities for transportation, port back up and long term port development are also needed to help meet expected provincial demand for both inbound and offshore product movement. Tidewater booming, storage and transportation sites for logs need to be ensured and the growing demand for marinas and public boat launch ramps needs to be met."

With respect to log sorting businesses in particular, at Clause 2.3 the report noted, in part:

"Log handling facilities are required in the Squamish estuary by all logging companies operating in the Squamish Forest District. They are used for processing of logs from harvested sites, as well as resorting and re-handling logs from sources outside of Squamish.

...

Log handling facilities in the Squamish Estuary have been an integral part of the forest industry in the Squamish Forest District since the beginning of logging. Squamish's location on the lower costs, and availability of the rail line, offers unique advantages to local logging companies.

...

There are presently 10 waterfront sites in Squamish. Three sites are strictly dump sites and the other 7 are combination dumping and booming sites. *The Ministry of Forests and the forest industry are dependent on the continued availability of log handling sites, particularly foreshore areas for dumping and booming logs.* The availability of sites is limited because of the rugged terrain, environmental sensitivity and current land zoning. Current and future options are expected to diminish unless steps are taken to secure these sites.

...

The Ministry of Forests and the forestry industry believe it is *vital* to secure an upland dryland sort and maintain no less than two assured long-term suitable waterfront sites that can accommodate a multitude of lift and lower machines with protected foreshore of no less than 20 hectares and suitable adjoining upland of no less than 12 hectares as well as 36 hectares for boom tie-ups, located mainly outside of the SEMP area."

Thereafter, the Estuary Plan was implemented to a great extent culminating in the movement of existing business operations, the establishment of new business operations along with the protection of the conservation areas, and the completion of habitat improvement projects.

According to Schedule "B" to Bylaw 2157, 2010 Squamish Oceanfront Peninsula Sub Area Plan (the "Plan"), the project contemplated for the Squamish Oceanfront peninsula encompasses a multi-use development that will include small businesses, restaurants, parks and residences. Some 29% of the land area will accommodate residential land uses with a total anticipated resident population of approximately 6,500 people at build out.

The Plan does present a unique oceanfront development opportunity for the District in terms of the next generation of economic and community growth. However, this opportunity must only be pursued in coordination with the existing community: residential, commercial and industrial.

None of our clients are opposed to the redevelopment of the SODC peninsula. However, as municipalities (including Squamish) continue to urbanize and place a greater emphasis on curbing urban sprawl, new challenges arise. Areas close to commercial and industrial operations are challenging settings for new developments, in particular for residential developments, and it is often difficult to reconcile the expectations and concerns of residents with those operations. Complaints and conflicts will almost always arise, e.g., *Noise battle brews on banks of Fraser* (Vancouver Sun, May 7, 2015).

For this reason, new developments must be carefully planned and mitigation measures established at the outset so as not to unduly expose residents to the impacts of the commercial and industrial operations and not to deter the continued operation of those businesses or their potential for future expansion thereby putting jobs, taxes, revenues and livelihoods at risk.

Municipalities must take a proactive approach in identifying and planning for potential conflicts between established commercial and industrial operations and the new developments to be constructed in close proximity to those operations.

Squamish Terminals has operated a deep-water, break-bulk terminal immediately south-west of the peninsula since 1972. It is one of the largest break-bulk terminals in North America and handles lumber, steel and other cargos. Continual service of the facility by rail, truck and ocean-going vessels ensures access by its customers to markets throughout the world. The facility has two (2) shifts and operates seven (7) days a week. It receives railcars from CN Rail on a daily basis, usually between 11:00 p.m. and 2:00 a.m. Correspondingly, it is also serviced by trucks and ocean-going vessels.

As part of its normal operations, the facility loads and unloads cargo utilizing various types of loading equipment such as forklifts, cranes, small trucks and the like. In addition, the facility is the site of a railyard where railcars (loaded and unloaded) are moved (shunted) back and forth in the yard. It employs in excess of 100 employees most of whom live in the Squamish area.

Squamish Mills and West-Barr operate log sorting operations immediately to the east of the peninsula. Their facilities each employ in excess of fifteen (15) individuals and collectively represent the most important and viable log sorting location in the area. And as with all other log sorting operations, the equipment involved includes loaders, logging trucks and facilities to accommodate both rail and marine traffic.

These three businesses, in the normal course of operations, generate noise, lights (flood, flashing and warning), horns, whistles and beepers, traffic, vibration and dust. The customers these businesses serve operate within a variety of transportation networks, including truck, rail and ocean shipping, with these businesses being simply one component of those networks. Delays or stoppages in the flow of cargo and products through those networks can be devastating and none of our clients (nor their customers) are in a position to modify or control the timing or movement of cargo and product traffic.

Historically, these operations have been separated from the current Squamish commercial/residential areas with the result that complaints and conflicts have been kept to a minimum. However, the implementation of the SODC Plan will mean that commercial/residential areas will advance ever closer to the commercial operations leading to the challenges discussed above.

Our clients have had a limited opportunity to review the Plan. Beyond argument, it is bold and exciting, however it does not discuss or address the inevitable impacts that will occur as the project advances in closer proximity to the existing industrial and commercial operations.

For this reason, our clients ask that the meeting of May 12, 2015, in relation to items 7(A) and (B) be adjourned until the District staff has had an opportunity to fully consult with our clients and to consider the inevitable proximity challenges on one hand and on the other, to develop effective mitigation strategies and alternatives for consideration by the District council and the public as a whole.

Our clients' initial concern is that as the project populates the peninsula, the new residents and businesses will come to view our clients' operations as being inconsistent or incompatible with their expectations and in turn, will seek remedies from the District which may include possible legal proceedings, operation restrictions, amended bylaws, changes in zoning regulations and the like which will have a direct impact on their financial viability, employment opportunities in the area, revenues to the District and the forest industry as a whole.

For this reason, it is imperative that mitigation processes be put into place, now, in the context of the existing SODC Plan to address the challenges that will inevitably arise. There are a variety of tools available to the District including statutory covenants, disclosure statements, long-term commitments, design criteria and the like. Our clients are interested in meeting with District staff to discuss those and any other mitigation strategies that would see the overall development on the peninsula work in harmony with the existing operations.

Given the public hearing is tentatively scheduled for May 26, 2015, it is important that the members of the Squamish public (who will likely be the owners/occupiers of the residential units and the owners/operators of the associated businesses) have a full and complete opportunity to learn of, consider and discuss any impact mitigation measures before the project gets underway.

Our clients are committed to participating in such a process and working with District staff in that regard.

Yours very truly,

Boughton Law Corporation
by Richard R. E. DeFilippi Law Corporation

Per: 
R.R.E. DeFilippi

RRED/ks
Encl.

cc: BCR Properties Ltd.
Attention: Richard Myhill-Jones

Squamish Nation
Attention: Chief Gibby Jacob

Squamish Nation
Attention: Chief Dale Harry

CN Rail
Attention: Gary Hanson

Ratcliff & Co.
Attention: Karl Stephan

Squamish Oceanfront Development Corp.
Attention: info@squamishoceanfront.com

Jordan Sturdy, MLA
Attention: jordan.sturdy.mla@leg.bc.ca



725 - 815 West Hastings St.
Vancouver, BC V6C 1B4
Canada
Tel: 604.684.4291
Fax: 604.684.7134

Her Worship Patricia Heintzman
Mayor of Squamish
37955 Second Avenue
PO Box 310
Squamish, BC
V8B 0A3

May 26, 2015

Dear Madam Mayor and Councillors:

The Truck Loggers Association is the official voice of independent forest contractors located throughout BC's coastal region.

It has been brought to our attention that the District of Squamish is considering re-zoning the SODC peninsula. Our concern is development of this peninsula without proper planning will likely result in the kind of long-term, bitter disputes that can permanently damage a community's spirit.

As development continues to push the boundaries of our communities, residents are living closer than ever to our industrial zones. While living on waterfront is always appealing, the day-to-day experience of living near a working port may upset residents. The three businesses operating across the channel from the SODC peninsula—Squamish Terminals, Squamish Mills and West-Barr—generate noise, various lights, horns, whistles and beepers, traffic, vibration and dust. They also run well outside normal business hours, often starting at first light. In the case of Squamish Terminals, it operates two shifts, seven days a week.

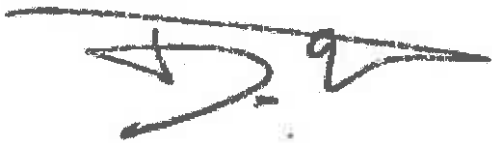
These businesses are critical to the economic well-being of the Squamish District and BC as a whole. Between them, they create over 130 steady, well-paying jobs for local Squamish residents. The area also provides dry-land sorting, tidewater booming, storage and transportation for all logs coming out of the Squamish Forest District as well as logs trucked from the Interior. It is a key transportation hub for the BC forest industry.

Our concern is that re-zoning the SODC peninsula for multi-use development—including small businesses, restaurants, parks and residences—is setting the community up for an ongoing dispute where one side focuses on noise levels and livability and the other on job creation and economic growth. If you go ahead with the rezoning, we strongly recommend any development proposal include extra soundproofing and noise buffers. Even then, it must be acknowledged that this new community will be across the water from a vital and noisy industrial site.

The TLA is voicing our concerns in this matter because two of the three businesses operating across the water from the SODC peninsula—Squamish Mills and West-Barr—are TLA member companies. We represent 450 member companies that operate throughout coastal BC. Our members are the economic backbone of our coastal communities; creating jobs so people can work in the communities they live in.

The forest industry has always been an integral part of the fabric of Squamish and will continue to be a significant driver of economic stability as long as the conditions are there to support it.

Best regards,

A handwritten signature in black ink, appearing to read 'David Elstone', with a long horizontal line extending to the right.

David Elstone, RPF
Executive Director

CC

West-Barr Contracting
Attention: Allan Barr

Squamish Mills
Attention: John Lowe

Oceanview Forest Products
Attention: Barry Simpson

BCR Properties Ltd.
Attention: Richard Myhill-Jones

Squamish Terminals
Attention: Kim Stegeman

Boughton Law
Attention: Richard DeFilippi

Ratcliff & Company
Attention: Karl Stephan

Squamish Nation
Attention: Chief Gibby Jacob

Squamish Nation
Attention: Chief Dale Harry

CN Rail
Attention: Gary Hanson

Squamish Oceanfront Development Corp.
Attention: info@squamishoceanfront.com;

Jordon Sturdy, MLA
Attention: jordan.sturdy.mla@leg.bc.ca;

Minister Steve Thomson
Attention: steve.thomson.mla@leg.bc.ca

Ronald K. Anderson
Attention: ronald.k.anderson1@gmail.com

Terry Murray

Subject:

FW: Proposed Squamish Oceanfront Sub Area Plan Amendment

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

From: Southam, Dave FLNR:EX [<mailto:Dave.Southam@gov.bc.ca>]

Sent: Friday, May 29, 2015 2:35 PM

To: Linda Glenday

Subject: RE: Proposed Squamish Oceanfront Sub Area Plan Amendment

Hi Linda,

Thank you for taking the time this afternoon to review the sub area plan amendment and specifically the DOS consultation that has taken place with the various industry stakeholders. As discussed, my initial referral comments below were specific to the amendment details themselves and did not focus on speculating around possible covenants or future bylaws for noise, operating hours, etc. as these are local government issues rather than provincial government responsibilities. That said, I understand the concerns raised by the various industrial stakeholders at Tuesday's council meeting. I trust that staff will adequately consider the existing industrial stakeholders when considering future bylaws/covenants as they are all important contributors to the local and overall BC economy. Access to the marine transportation link through Howe Sound is key to many operations well beyond the community boundaries of Squamish. Finding the balance where multiple uses can co-exist will be challenging but key for long term success.

If you have any questions or concerns, please do not hesitate to contact me anytime.

Take care,

Dave

Dave Southam, RPF

District Manager

Sea to Sky Natural Resource District

Ministry of Forests, Lands and Natural Resource Operations

Tel: (604) 898-2141

E-mail: Dave.Southam@gov.bc.ca

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

From: Southam, Dave FLNR:EX

Sent: Tuesday, April 21, 2015 9:14 AM

To: 'Linda Glenday'

Subject: RE: Proposed Squamish Oceanfront Sub Area Plan Amendment

Hi Linda,

We have no formal comments to provide as the majority of these issues appear to be administrative with no further impacts to crown land.

Thanks,

Dave

Dave Southam, RPF
District Manager
Sea to Sky Natural Resource District
Ministry of Forests, Lands and Natural Resource Operations
Tel: (604) 898-2141
E-mail: Dave.Southam@gov.bc.ca

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

From: Linda Glenday [<mailto:lglenday@squamish.ca>]
Sent: Friday, April 10, 2015 8:05 PM
To: Southam, Dave FLNR:EX
Subject: Proposed Squamish Oceanfront Sub Area Plan Amendment
Importance: High

Dear Dave,
Please see enclosed.

Sincerely,
Linda

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This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.

Terry Murray

Subject: FW: SODC Lands

Importance: High

From: office@west-barr.com [mailto:office@west-barr.com]

Sent: Monday, June 01, 2015 5:11 PM

To: Corlen Becker; Linda Glenday

Cc: 'Peter Gordon'; 'Joe Webber'; Richard My-hill Jones; 'Ron Anderson'; 'Kim Stegeman'; 'Klay Tindall'

Subject: SODC Lands

Importance: High

Ms. Becker and Ms. Glenday,

I am writing today to once again express my concern that the District and your developer have failed to consult directly with us regarding the proposed re-zoning and sub-area plans for the Oceanfront development. In fact I feel we have been somewhat shunned. This is galling when you consider that we are an affected party to this re-zoning.....as in directly affected. It wouldn't be so important were it not for the fact that we know that moving residents closer to our industrial operations will inevitably generate complaints. It behooves us to work together (you, the developer and the waterfront group) to design good strategies to minimize impact and the risk of complaints..... ahead of project approvals.

I guess for me the situation is compounded by the fact that at the public hearing I realized that the developer is planning 2 - 12 storey condos (plus the hotel) right across the channel from my log sort operation. Now I am really concerned that this project will go forward without any sort of acoustical study with appropriate recommendations for design modifications, plus a covenant that provides us with proper shielding.

I am also perturbed that a letter from one of my major clients, the Li'l'wat Nation, was apparently not shared with council and not part of the public record.

My company, West-Barr Contracting, was required to move to Site B as part of the estuary management plan. Staying in my former Site A location was not an option. I thought that moving to Site B would give us long-term hassle-free stability but now it is being called into question due to lax procedures on your part. Very few of you were around when the estuary plan was hammered out but I will tell you that the District of Squamish is a major beneficiary of my move from Site A. The reason is because my giving up Site A was a key factor to facilitate the required 'adequate compensation' for any HADDs on the east estuary side. So this means your SODC development can go forward without a need to provide any habitat compensation thanks to West-Barr. Therefore it is degrading to see the District be so cavalier in the treatment of West-Barr and our fellow waterfront industries.

While I am on the estuary plan, Sec. 4.3 specifically requires a review every 5 years especially in cases where there are "significant area designation changes". Obviously the sub-area plan is a significant change from 1999. Where is the review?

In closing I repeat that I am not trying to stand in the way of your plans for the peninsula. I simply have a compelling need to protect my interest as you execute your plans for the SODC lands. Thank you.

Yours truly,

Allan Barr

West-Barr Contracting Ltd.

office (604) 892-9390

office@west-barr.com

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Information provided for Mayor Heintzman on May 22, 2015 regarding the effect that the Squamish Oceanfront Development would have if a suitable covenant is not obtained for the protection of adjacent industries.

PURPOSE

The purpose of this meeting is to ascertain why industry is not being consulted in determining what would be a suitable covenant.

We wish to:

- **Express our concern at the lack of consultation with industry.**
- **Bring to your attention policies and information that have been overlooked.**
 - **SEMP**
 - **Site B plans and development**
 - **Railway Proximity Guidelines**
- **Explain why it is necessary to shield industry from effects of new residential development.**

INDUSTRY CONSULTATION

The District of Squamish states that adequate "Public Consultation" has taken place, based on two presentations at the Farmers Market. Neighbouring Industry is not the Public and we have not had the opportunity of direct input.

SQUAMISH ESTUARY MANAGEMENT PLAN

In our opinion, provisions contained in the Squamish Estuary Management Plan (1999) – signed off by: the Regional Director General, Environment Canada; Director General, Pacific Region Department of Fisheries and Oceans; President and Chief Operating Officer, BCR Properties Ltd.; Mayor, District of Squamish; and Assistant Deputy Minister, Environment & Lands Regional Division, Ministry of Environment, Lands & Parks – have not been addressed by the District of Squamish in the Oceanfront Development Plan.

PROXIMITY TO INDUSTRY FACILITIES AND ACTIVITIES

District of Squamish Information that we have on the Oceanfront development plans with respect to a 300 meter distance from industrial operations to residential development is based on outdated and incorrect assumptions. The fact that District of Squamish is not using the best, accurate and most up to date information in public presentations would put the present Oceanfront development plan in question.

NECESSITY TO SHIELD INDUSTRY FROM EFFECTS OF NEW ADJACENT RESIDENTIAL DEVELOPMENT

Industry wants the Oceanfront development to be successful without imposing restrictions on industries ability to operate.

Waterfront terminals and industrial facilities at Squamish play critical roles in the economies of the region, and beyond within Western Canada. Activities at these facilities may intensify in future through new development and investments that increase capacity and functions.

There are no options to replace or relocate these port terminal or waterfront industrial capacities, as waterfront lands suitable for these operations are extremely limited in this region.

As residential communities become established, the potential for conflict at the interface between the working waterfront and adjacent uses will increase. Land use conflicts between residential and industrial / commercial users in the Squamish waterfront area are already a reality.

Issues that arise from port terminal, log handling and industrial operations and proposed developments should be addressed in a manner that is proactive, reasonable and consistent.

A covenant that fails to protect industry's ability to operate will have a significant economic impact on both the provincial economy and that of the District of Squamish.

Attached is information supporting our concerns:

- A. DoS-Squamish Nation Intergovernmental Cooperation Accord (2011) – Schedule A - Site B
- B. Typical District of Squamish / SODC Illustrations of Oceanfront plans compared to 2015 photos showing Site B development
- C. Corrected Distances re Actual Industrial Marine Operations Area, May 21, 2015
- D. Squamish Terminals and Site B Active Industrial Operations with Corrected 300m Offset
- E. EXCERPTS - Guidelines for New Development in Proximity to Railway Operations
- F. What does Forestry mean to Squamish?
- G. Economic value of the Forest Industry to Squamish and the Province
- H. *BC Forest Industry Economic Impact Study* title page (with Squamish log handling photo)
- I. *Squamish Chief* May 13, 2013 article: "*Feeling the Squeeze – Squamish firms say long-term success possible, if DOS policy-makers don't squeeze them out*"
- J. Economic Implications of a Covenant That Would Restrict Log Handling on the Squamish Waterfront
- K. Industry Requests Regarding Covenant and Disclosure Statement

**Schedule A
Site B**

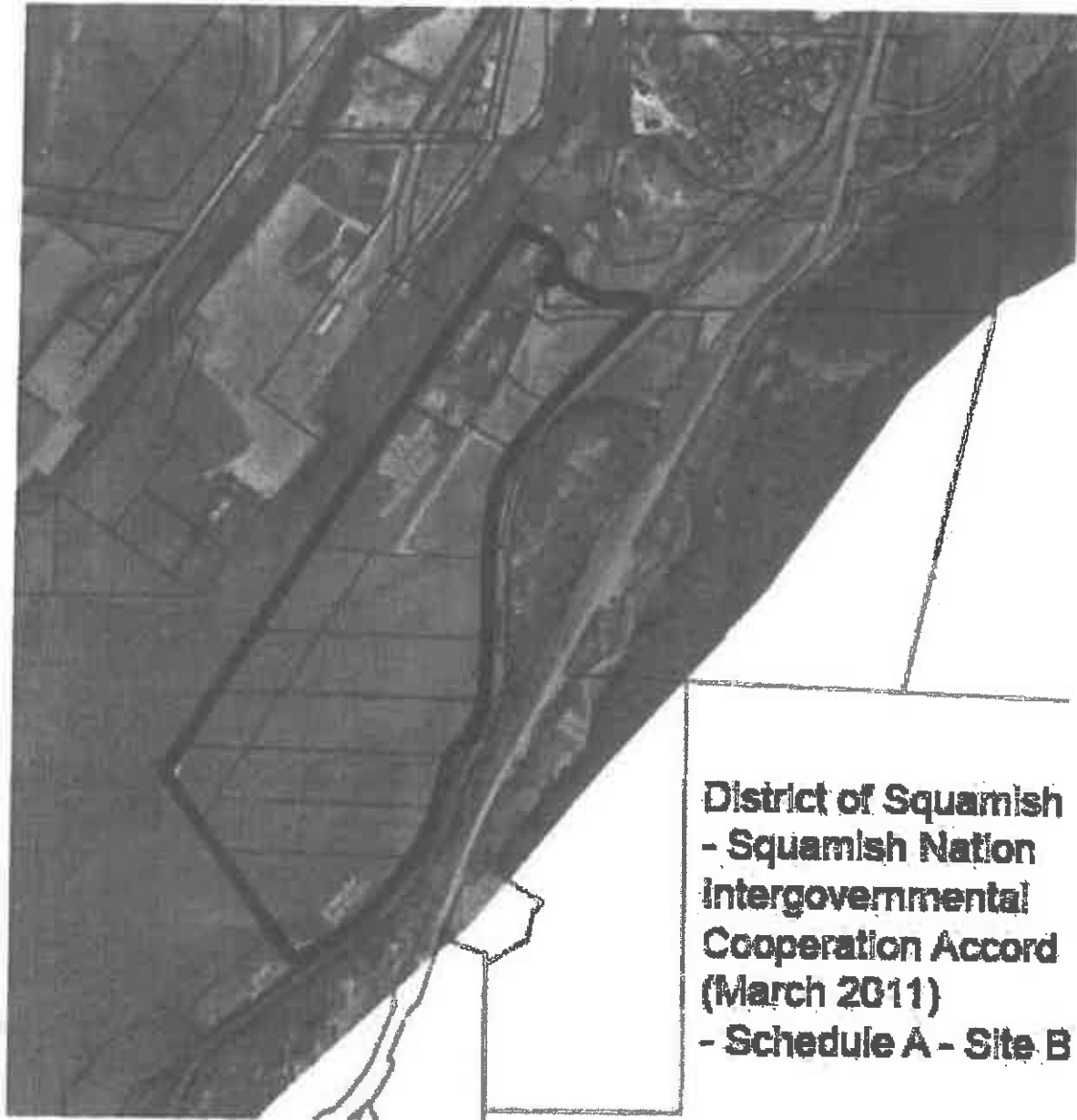
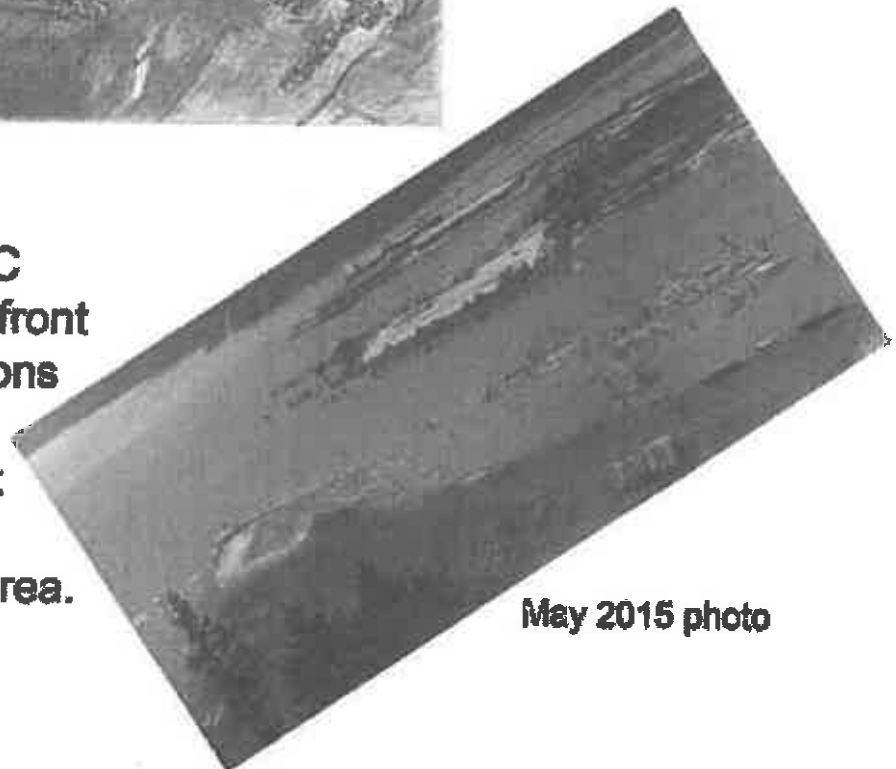




Illustration used in May 2016 District planning team presentation to Council

District and SODC Squamish Oceanfront planning illustrations regularly fail to adequately depict the neighbouring Site B industrial area.

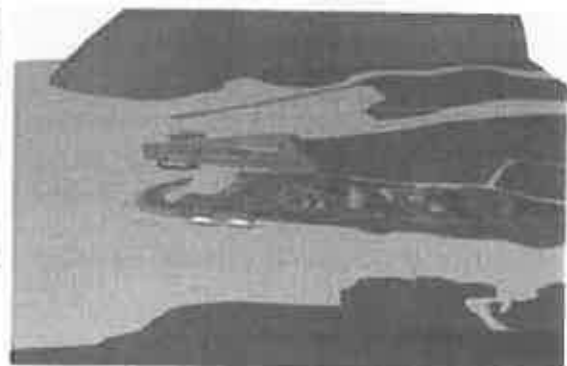


May 2015 photo

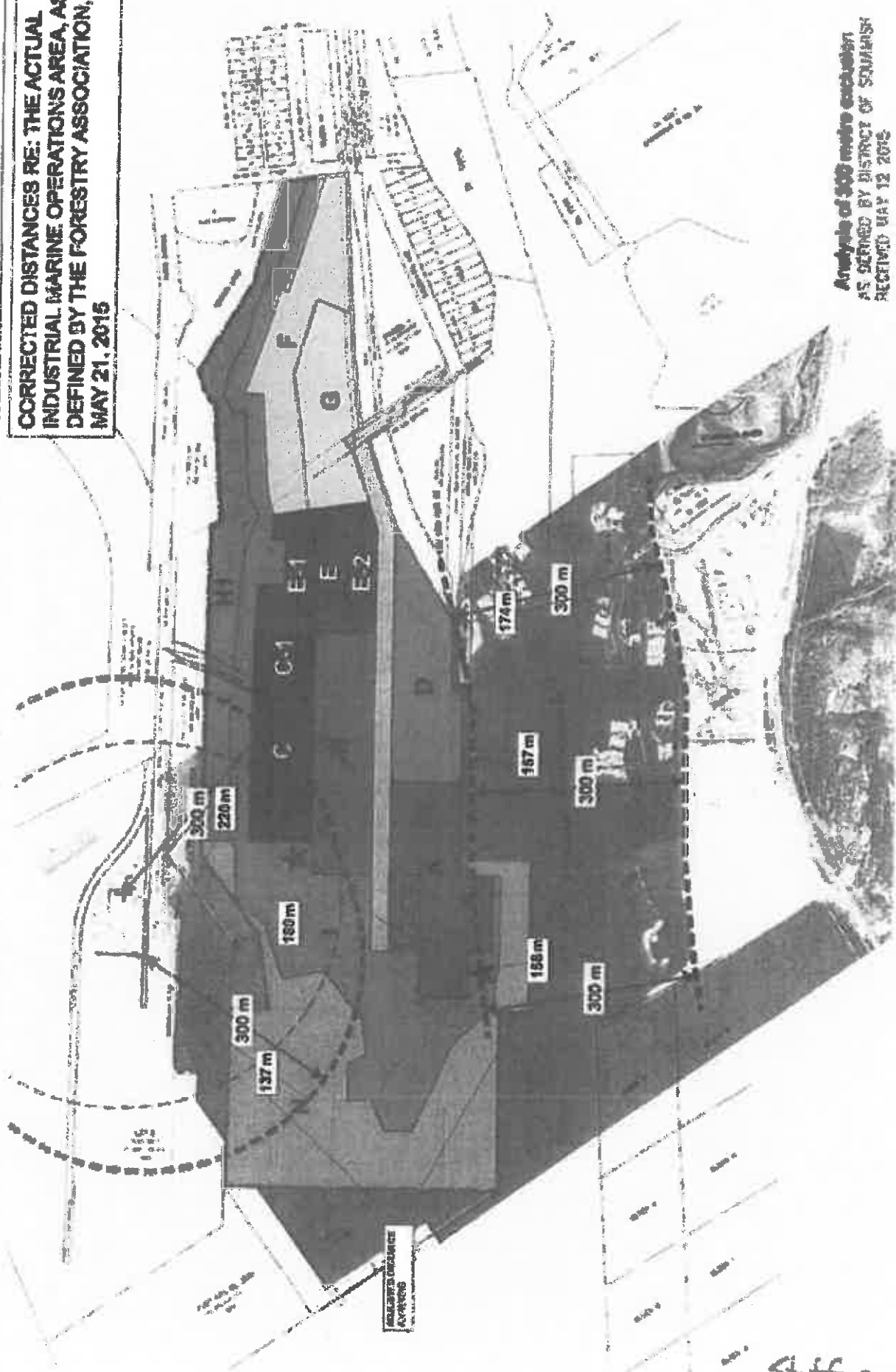


2015 photo of West-Barr Contracting Ltd. site

2009 District "Create the Oceanfront" illustration

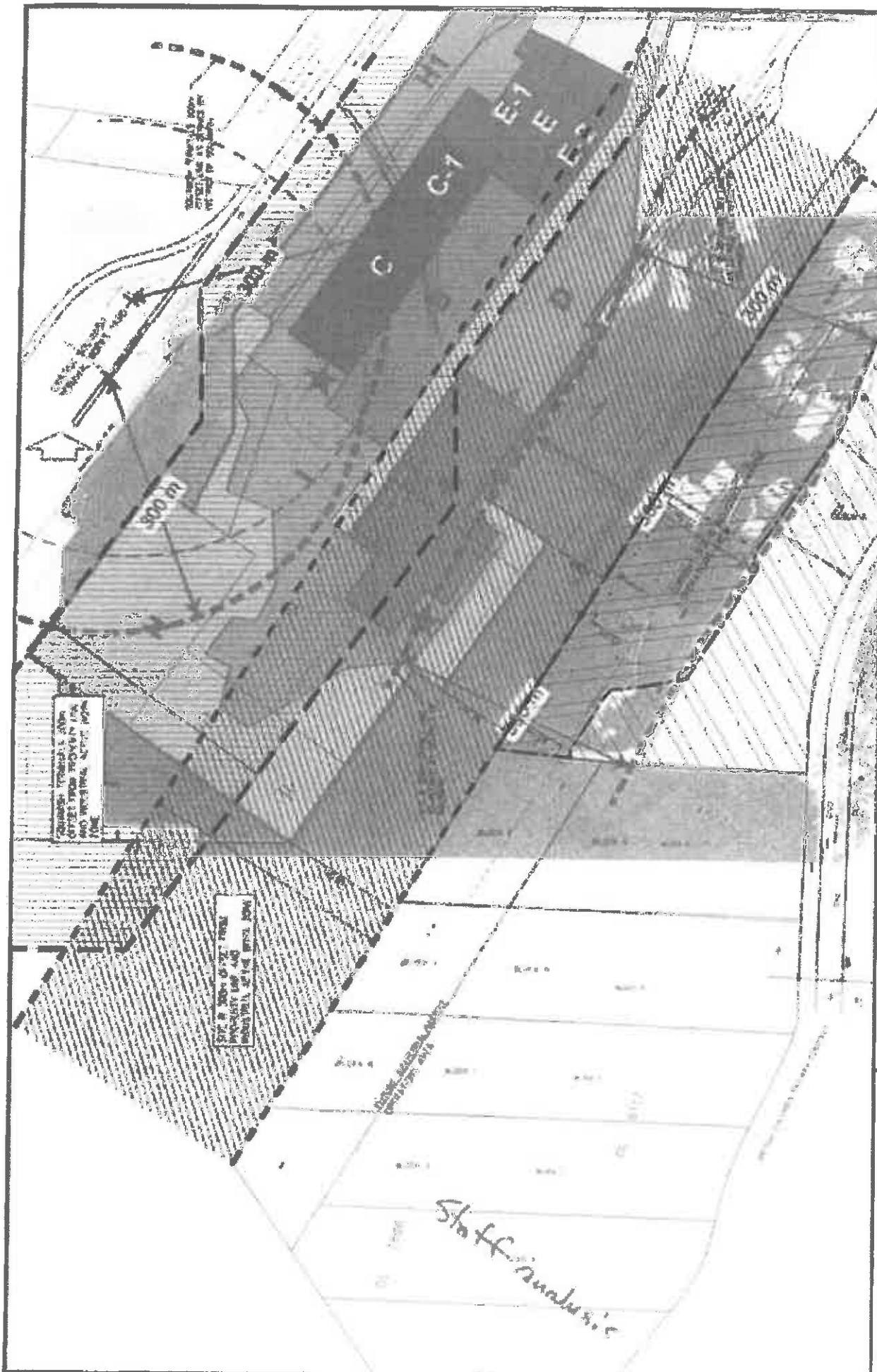


**CORRECTED DISTANCES RE: THE ACTUAL
INDUSTRIAL MARINE OPERATIONS AREA, AS
DEFINED BY THE FORESTRY ASSOCIATION,
MAY 21, 2015**



**Analysis of 300 metre exclusion
AS DEFINED BY DISTRICT OF SQUAMISH
RECEIVED MAY 12 2015**

Staff analysis



STAFF

STAFF

STAFF

 BINNIE		R.F. Binnie & Associates Ltd. Project Management & Surveying		Project Name: STAFF Project No: 15-0382-A01	
Project Location: STAFF Project Date: 15-0382-A01		Project Status: STAFF Project Type: STAFF		Project Manager: STAFF Project Engineer: STAFF	
Project Description: STAFF Project Objectives: STAFF		Project Constraints: STAFF Project Risks: STAFF		Project Deliverables: STAFF Project Milestones: STAFF	

EXCERPTS –
Guidelines for New Development
In Proximity to Railway Operations
PREPARED FOR THE FEDERATION OF CANADIAN MUNICIPALITIES
AND THE RAILWAY ASSOCIATION OF CANADA, May 2013

3.2 // CONSULTATION WITH THE RAILWAY

Consultation with all stakeholders, including the railways, at the outset of a planning process is imperative to building understanding and informing nearby neighbours. In addition, initiating a conversation with railways can confirm the feasibility of a project and the practicality of proceeding. Key issues or concerns that may need to be addressed will be identified.

• Early contact between the proponent and the railway (preferably in the project's early design phase), is highly recommended, especially for sites in close proximity to railway corridors. This consultation is important in order to determine:

- »» the location of the site in relation to the rail corridor;
- »» the nature of the proposed development;
- »» the frequency, types, and speeds of trains travelling within the corridor;
- »» the potential for expansion of train traffic within the corridor;
- »» any issues the railway may have with the new development or with specific uses proposed for the new development;
- »» the capacity for the site to accommodate standard mitigation measures;
- »» any suggestions for alternate mitigation measures that may be appropriate for the site; and
- »» the specifications to be applied to the project.

3.3 // BUILDING SETBACKS FOR NEW DEVELOPMENTS

A setback from the railway corridor, or railway freight yard, is a highly desirable development condition, particularly in the case of new residential development. It provides a buffer from railway operations; permits dissipation of rail-oriented emissions, vibrations, and noise; and accommodates a safety barrier. **Residential separation distances from freight rail yards are intended to address the fundamental land use incompatibilities.** Proponents are encouraged to consult with the railway early in the development process to determine the capacity of the site to accommodate standard setbacks. ...

3.3.1 Guidelines

• The standard recommended building setbacks for new residential development in proximity to railway operations are as follows:

- »» Freight Rail Yard: 300 metres
- »» Principle Main Line: 30 metres
- »» Secondary Main Line: 30 metres
- »» Principle Branch Line: 15 metres
- »» Secondary Branch Line: 15 metres
- »» Spur Line: 15 metres

• **Setback distances must be measured from the mutual property line to the building face.** This will ensure that the entire railway right-of-way is protected for potential rail expansion in the future.

3.4 // NOISE MITIGATION

Noise resulting from rail operations is a key issue with regards to the liveability of residential developments in proximity to railway facilities, and may also be problematic for other types of sensitive uses, including schools, daycares, recording studios, etc. As well as being a major source of annoyance for residents, noise can also have impacts on physical and mental health, particularly if it interferes with normal sleeping patterns.¹

The rail noise issue is site-specific in nature, as the level and impact of noise varies depending on the type of train operations. (see Appendix B for a sample rail classification system). Proponents will have to carefully plan any new development in proximity to a railway corridor to ensure that noise impacts are minimized as much as possible. Generally, during the day, noise should be contained to a level conducive to comfortable speech communication or listening to soft music, and at night it should not interfere with normal sleeping patterns.²

¹ Berglund, B., Lindvall, T., & Schwela, D. H., eds. (1999). Guidelines for community noise [Research Report]. Retrieved from World Health Organization website: <http://www.who.int/docstore/peh/noise/guidelines2.html>

² Canada Mortgage and Housing Corporation. (1986). Road and rail noise: Effects on housing [Canada]: Author.

3.4.1 Guidelines

- **Since rail noise is site-specific in nature, the level and impact of noise on a given site should be accurately assessed by a qualified acoustic consultant through the preparation of a noise impact study.** The objective of the noise impact study is to assess the impact of all noise sources affecting the subject lands and to determine the appropriate layout, design, and required control measures. **Noise studies should be undertaken by the proponent early in the development process, and should be submitted with the initial proposal.**
- **The recommended minimum noise influence areas to be considered for railway corridors when undertaking noise studies are:**

- »» Freight Rail Yards: 1,000 metres
- »» Principal Main Lines: 300 metres
- »» Secondary Main Lines: 250 metres
- »» Principal Branch Lines: 150 metres
- »» Secondary Branch Lines: 75 metres
- »» Spur Lines: 75 metres

- **The acoustic consultant should calculate the external noise exposure, confirm with measurements if there are special conditions, and calculate the resultant internal sound levels.** This should take into account the particular features of the proposed development. **The measurements and calculations should be representative of the full range of trains and operating conditions likely to occur in the foreseeable future at the particular site or location.** The study report should include details of assessment methods, summarize the results, and recommend the required outdoor as well as indoor control measures.

- To achieve an appropriate level of liveability, and to reduce the potential for complaints due to noise emitted from rail operations, new residential buildings in proximity to railway operations should be designed and constructed to comply with the sound level limits criteria shown in AC.1.4 (see AC.1.6 for sound limit criteria for residential buildings in proximity to freight rail shunting yards). Habitable rooms should be designed to meet the criteria when their external windows and doors are closed. If sound levels with the windows or doors open exceed these criteria by more than 10 dBA, the design of ventilation for these rooms should be such that the occupants can leave the windows closed to mitigate against noise (e.g. through the provision of central air conditioning systems).
- In Appendix C, recommended procedures for the preparation of noise impact studies are provided, as well as detailed information on noise measurement. These should be observed.
- It is recommended that proponents consult Section 2.4 of the Canadian Transportation Agency (CTA) report, *Railway Noise Measurement and Reporting Methodology* (2011) for guidance on the recommended content and format of a noise impact study.

APPENDIX C // NOISE & VIBRATION PROCEDURES & CRITERIA

AC.1 // NOISE

The rail noise issue is site-specific in nature, as the level and impact of noise varies depending on the frequency and speed of the trains, but more importantly, the impact of noise varies depending on the distance of the receptor to the railway operations. The distance from rail operations where impacts may be experienced can vary considerably depending on the type of rail facility and other factors such as topography and intervening structures.

AC.1.2 // SOURCES OF SOUND FROM RAILWAY OPERATIONS

Principal sources of noise from existing railway infrastructure include:

- wheels and rails;
- diesel locomotives – much of the noise is emitted at the top of the locomotive and in some cases the noise has a distinctive low-frequency character. Both of these factors make locomotive noise difficult to control by means of barriers such as noise walls or earth mounds, because they have to be quite high in order to break the line of sight, and therefore provide noise attenuation;
- special track forms, such as at switches, crossings, diamonds, signals, and wayside detection equipment, cause higher levels of noise and vibration and tend to be more impulsive;
- bridges and elevated structures due to the reverberation in the structures; and
- other sources including brake squeal, curve squeal, train whistling at railway crossings, bells at stations, shunting of rail cars, coupling, idling locomotives, compression or "stretching" of trains, jointed vs. welded tracks, and track maintenance.

What Does the Forest Industry Mean to Squamish?

The Squamish and District Forestry Association is a group that represents forest industry stakeholders in the Sea to Sky Natural Resource District. The Association's current mandate is to provide information regarding current forest practices and the economic benefits of a healthy forest industry to elected officials and administration so they are able to make informed decisions regarding land-use planning and the impacts of these decisions on stakeholders. These land-use decisions are especially significant when they have the potential to negatively impact the forest industry's access to critical water transportation.

The following points in this handout are meant to provide a realistic examination of the benefits of the forest industry to the local and provincial economy and to address common misconceptions/misunderstandings regarding the industry.

Post Sea-to-Sky Land and Resource Management Plan (LRMP) and Timber Supply Review (TSR) processes, the Sea to Sky Natural Resource District (DSQ) has about 650,000 m³ of available Allowable Annual Cut (AAC). Of all the forest districts, the Sea to Sky Natural Resource District has the greatest amount of land set aside in parks and conservancies (26%) and still has enough forested land available to support this significant volume of timber harvesting. The remaining timbered area available for forestry activities is still managed for mule deer winter range, goat winter range, moose winter range, grizzly bear habitat areas, spotted owl habitat areas, old-growth management areas, riparian management areas, wildlife tree retention areas etc... Of the remaining area available for harvesting, approximately 0.5% is impacted on an annual basis at full harvest levels. Forestry is a 'green' industry and having this sustainable source of fibre available in perpetuity to provide a cornerstone of an economic foundation is indeed a gift that Squamish should be grateful for.

From time to time individuals or groups express concerns regarding the perceived negative impacts the harvesting of timber could potentially have on the tourism and recreation which Squamish is well-known for. Ironically, the infrastructure that provides access to backcountry pursuits such as river-rafting, mountain-

biking, hiking, fishing, hunting, cross-country skiing and snowmobiling are built and maintained almost exclusively by the forest industry. In an economic downturn that results in suspended harvesting activities, forestry roads are not graded or maintained, greatly diminishing the quality of the experience for many or even the opportunity to access specific areas for these activities.

An advantage of the forest industry is that the forests cannot be taken away with a business and therefore they will always benefit the DSQ. Because of our climate and geography, the DSQ has relatively high production costs and it's these high costs that represent a large influx of revenue into the local economy.

Licencees of the DSQ are local – no “international corporate entities” own rights to local timber. First Nations of the DSQ have historically owned small forest tenures but have only relatively recently become a force in the local industry, owning approximately half of all harvesting rights in the DSQ. First Nations are using their tenure acquisitions to provide employment opportunities for their membership by capacity building through partnerships with local forest companies. The rest of the tenure holders are mostly long-time forest industry families with a couple or more generations of local involvement in the industry. Only 4% of the AAC belongs to an outside entity and that is a Richmond-based cooperative.

To help quantify the contributions of the industry at a local and provincial level, it is useful to draw some figures from a Ministry of Forests, Lands and Natural Resource Operations' publication titled, “2011 Economic State of BC's Forest Sector”. It can be found at:

<http://www.for.gov.bc.ca/het/economics-economic-state.htm>

- During 2011 BC's forest industry harvested 69.2 million m³ of timber and directly employed 53,340 people;
 - This translates into 1 direct job for every 1,300 m³ harvested;
 - At recent harvest levels around 400,000 m³ for the DSQ, 308 direct jobs are created;

- If the DSQ was harvesting the full AAC of 650,000 m3 it would mean 500 direct jobs.
- Log truck drivers are included in the transportation sector, not the forest sector:
 - 400,000 m3 AAC requires 28 full-time log truck drivers to deliver;
 - 650,000 m3 AAC requires 46 full-time log truck drivers to deliver.
- At a standard nominal multiplier of 1.3 the total direct and indirect jobs due to the forest industry in the DSQ would be around **437** at our present harvest levels or **710** if we were achieving our AAC.
- Because Squamish is the hub of forestry activity for the corridor due to the water transportation access we enjoy, the greatest portion of forestry and support jobs are based in Squamish.
- These employment figures when prorated only provide an average jobs-per-cubic-meter picture as harvesting methods and the degree of secondary manufacturing vary from jurisdiction to jurisdiction. However, the figures are a reasonable reflection of the employment figures for Squamish as we have relatively higher road building and harvesting costs with only one significant primary manufacturing facility: AJ Forest Products. The employment figures simply highlight the fact that the forest industry means many well-paying jobs.
- It is important to note that these figures are still significant while the forest industry is experiencing a protracted downturn.
- In 2011 the forest industry had 11.2 billion dollars in forest product sales and contributed 8.5 billion dollars to the GDP of BC or \$161.85/m3 and \$122.83/m3 of the harvest respectively.

To put it in perspective, the Sea to Sky Natural Resource District alone accounted for \$64.7M in sales and contributed \$49.1M to BC's GDP in 2011;

- Increasing the harvest levels to the 650,000 m3 AAC would increase the sales values to \$105.1M and the GDP contribution to \$79.8M.

**CURRENT SHORT AND LONG TERM ECONOMIC VALUE TO THE
DISTRICT OF SQUAMISH, THE PROVINCE AND DIRECT JOBS IN THE SEA
TO SKY FOREST DISTRICT DERIVED FROM LOG HANDLING**

Based on the 2014 harvest volume of 456,000 m³:

Short term - assuming an annual harvest rate of 456,000m³:

Economic value to the District of Squamish -	\$ 22,800,000
Employment – Sea to Sky Forest District –	350
Economic value to the Province –	\$91,200,000

Long term - based on sustainable harvest level of 650,000m³:

Economic value to the District of Squamish –	\$ 32,500,000
Employment – Sea to Sky Forest District –	500
Economic value to the Provincial –	\$130,000,000

BC Forest Industry Economic Impact Study

JANUARY 2015



Prepared By:
MNP LLP



Feeling the squeeze

Squamish firms say long-term success possible, if DOS policy-makers don't squeeze them out

<http://www.squamishchief.com/article/20130530/SQUAMISH0101/305309985/1/squamish0101/feeling-the-squeeze>

Rebecca Aldous May 30, 2013

After more than 100 years in existence, the industry that helped shape this town has quietly disappeared from its maps.

The municipality's Official Community Plan erases log handling from Squamish's peninsula. The District of Squamish's present truck route map ignores some of forestry's log sorting facilities completely. While there's a long-term idea to move all log handling to an area on the southeast side the Mamquam Blind Channel — Site B — employees at the log sort on the other side of the waterway worry they're being squeezed out of town altogether.

It's a complicated issue, industry spokesperson Eric Andersen said. The Garibaldi Forest Products' dry sort is on leased land that may not be developed for many years to come. In the meantime, land-use plans and safe truck routes for water-dependent industries need attention before municipal officials can focus on the Oceanfront, Andersen said.

The issue has left stakeholders, like Garibaldi Forest Products owner Bryan Shier, scratching their heads. Logging annually pumps an estimated \$50 million into Squamish. It's one of the district's largest industries, directly employing approximately 350 people in the corridor, Shier said.

Last year, 3,300 truckloads of timber were hauled down Loggers Lane to the Garibaldi Forest Products log sort just south of the Squamish Yacht Club. This month, council voted to examine the proposed Seventh Avenue connector truck route that serves Squamish Terminals, but ignores the dry sort.

It's as if a segment of Squamish is trying to hide an embarrassing secret, Shier said, above the roar of two loaders sifting through fallen logs on a site in Tree Farm Licence (TFL) 38 — an area comprising the Squamish, Elaho and Ashlu drainages. It's an impulse that stems from ignorance, Shier said.

Most of the action takes place out of the view of the community, Shier said. The Squamish Forest District consists of 1 million hectares. TFL 38 is approximately 189,000 hectares. Within the TFL, 25,000 hectares are working forest, of which less than one per cent is harvested per year. Other than the log booms tied up along the Blind Channel and sporadic logging trucks rolling through town, the industry is invisible to residents.

People who don't work in the field haven't seen the change, said Lance Iverson, who logged in the 1970s and '80s. Environmental practices didn't really exist when Iverson headed out into the woods. It was the day of slashing and burning, the era that earned forestry its bad-boy reputation.

"They don't even do the same kind of logging anymore," he said.

In this new age of forestry, B.C.'s environmental practices are recognized worldwide, said Jeff Fisher, president of Squamish Forestry LP. It's sustainable, he added, with planning reaching out 250 years. In every cut, some trees remain to serve as homes for wildlife, Fisher said, pointing out a cluster of tall Douglas fir on a nearby hilltop.

Environmental measures differ depending on the site, wildlife habitats and aboriginal cultural interests, all of which must be addressed when applying for a cutting permit. Fish-bearing waterways are buffered and whatever is chopped down is replaced with seedlings within a year — approximately 80 per cent of them survive. Replanting accounts for the survival rate, with the industry planting more trees than it hauls away.

The operation Shier and Fisher toured was harvesting second-growth forest, trees roughly 50 years old. From the Squamish Valley, 12 trucks hauled the wood to the dry sort on Loggers Lane. There, the timber is sorted, scaled, secured into booms and floated down Howe Sound to as many as 90 different destinations in the Lower Mainland and Vancouver Island.

Twenty-five to 30 per cent of the timber is shipped overseas, to places including Japan, China, Korea and the United States. That's vital in today's depressed domestic log market, Shier noted.

For close to a decade, emerging markets undercut Canada's prices, the Canadian dollar rose and the U.S. housing market collapsed. Then the 2009 global recession hit.

"It was the perfect storm," Shier said.

Things are turning around. For almost a decade, only half of the Squamish Forest District's allowable cut was harvested. The local industry aims to bump that up to 100 per cent in three to five years.

"This is the industry that everybody thought has gone away," Shier said.

The Official Community Plan (OCP) designates the Garibaldi Forest Products log sort as part of downtown, district director of planning Chris Bishop said. Both the OCP and the municipality's 2031 Multi-Modal Transportation Plan offer a broad overview, without getting into specifics, Bishop said.

The district's research into the Seventh Avenue connector idea will include input from various industry stakeholders. The route follows the opposite side of the valley from the log sort on Loggers Lane; however, that isn't to say Loggers Lane would be closed to truck traffic, Bishop noted.

The municipality's downtown transformation initiative puts everything on the table in terms of proposals for Cleveland Avenue and Loggers Lane, Bishop said. With redevelopment along the Blind Channel and in Squamish's heart, transportation takes a high priority, he said.

"If you still have heavy trucks running right through the middle of it, it is going to prove a challenge," Bishop said.

It's complex, he noted, adding the district isn't dealing with a clean slate. There are water constraints, private land holdings and existing layout and grid patterns.

"I see the challenges from both sides, really," Bishop said. "From the redevelopment side it is not ideal, but from the ongoing established industry side, it's like 'OK, great, give us an option.' We have to satisfy both those issues."

Wherever the industry ends up, it doesn't belong downtown, Coun. Doug Race said. District officials fought hard to ensure the practice could be maintained at Site B, Race said. West-Barr Contracting Ltd.'s log sort is scheduled to move from the Squamish Estuary to the new site next year.

"We want to make sure that it stays, but it certainly isn't a part of the oceanfront," Bishop said.

Site B comes with its own set of challenges, Andersen said. The re-entry onto Highway 99 for trucks can be dangerous, he said. Future plans call for high-rise residential buildings opposite the property, Andersen noted, adding that he's concerned potential residents would be averse to the noises associated with log handling and processing operations.

When it comes time to find a new home, Garibaldi Forest Products is unsure whether it will jump across the water to Site B. Moving costs money, Shier said. The company is faced with a big question — Should it make such an investment in a cyclical industry with a community that doesn't seem to be backing it?

"You don't want to forget the industry that started [this community]," Shier said.

INTERVIEW WITH FORESTER JEFF FISHER:

http://youtu.be/hgN8P_kNt6c

**ECONOMIC IMPLICATIONS OF A COVENANT THAT FAILS TO PROTECT LOG
HANDLING ON THE SQUAMISH WATERFRONT**

Based on the 2014 harvest volume of 456,000 m³, a covenant that resulted in a 25% reduction in operational time would likely result in the following loss of revenue and jobs in the Sea to Sky Forest District.

Short term – assuming an annual harvest rate of 456,000m³:

Economic loss to the District of Squamish –	\$ 5,700,000
Loss of direct employment, Sea to Sky Forest District –	87
Loss to Provincial revenue –	\$20,800,000

Long term – based on sustained harvest level of 650,000m³:

Economic loss to the District of Squamish –	\$ 8,125,000
Loss of direct employment, Sea to Sky Forest District –	125
Loss to Provincial revenue –	\$32,500,000

REQUESTS:

- 1. Registration of a covenant on title to Squamish Oceanfront properties, which will address noise, dust and lighting associated with neighbouring port terminal and industrial facilities operations.**
- 2. All relevant third parties shall be included in the covenant, and with provision that any changes must be agreed upon by all parties.**
- 3. A requirement to identify the industrial neighbourhood context of the development, which can involve industrial operations over 24 hours 7 days per week, in any Disclosure Statement and purchase and sale agreements and tenancy agreements.**
- 4. Covenant and Disclosure Statement to be referenced in Squamish Oceanfront Rezoning & OCP Amendment Bylaw.**
- 5. Area of application for the Covenant and Disclosure Statement shall be the entire area of the Sub Area Plan.**

PO Box 2026
Squamish, BC
V8B 0B4



Office: (604) 892-9390
Fax: (604) 892-9852
office@west-barr.com

May 26, 2015

District of Squamish

Mayor and Council
District of Squamish
PO Box 910
Squamish, BC
V8B 0A3

MAY 26 2015

RECEIVED

Dear Mayor and Council:

Re: Squamish Oceanfront Development rezoning

Like many others in our community, I wish to speak in favour of moving forward with our downtown oceanfront development. However as one of the primary neighbouring employers on our waterfront I must ask that you proceed carefully so as to not cause undue harm to our industrial operations in the years to come as people move into the new development. The level of care that you exercise today will determine that outcome. And to date I have not been overwhelmed with confidence that the measures you intend will in fact minimize problems down the road. Indeed I wish to express my concern in that regard.

In order to appreciate our predicament it is important to recall that our company, West-Barr Contracting was relocated from the Squamish estuary to Site B as part of the implementation of the Squamish Estuary Management Plan. While I willingly cooperated in the spirit of working together, one must remember that this was a forced move. And in fact this move has cost my company a sum in the millions of dollars. At the time of signing the management plan I was assured that Site B would provide West-Barr with long-term use uninterrupted by interference from conflicting land use. Your OCP designated Site B industrial. Successive councils concerned with the erosion of 'employment lands' have spoken out against converting Site B to residential. That said we need your assurance by way of policies, by-laws and covenants that we can continue to conduct our operations long into the future without worry or concern that new residents will complain and/or lobby to restrict our mode of operations or hours of work etc. After all, we have not created this problem. And we all know of many examples where the chorus of complaints from new residents rises every time a council places residential housing too close to industry. We want this issue to be taken very seriously.

To date your messaging to us, the waterfront employers, has been in the lower decibel range. While we think we have your attention and while we hear verbal messages of sympathy and attention to our situation, we have yet to see any clear written intentions on your part and we find that quite concerning. We sympathize with your need for expediency. However, we must insist that you take sufficient time and use your best efforts to properly address this issue prior to adoption of any new by-laws.

Thank you.

Allen Barr
President

Cc: Chief Dale Harry, Chief Gibby Jacob, Klay Tindall,
Jordan Sturdy, Joshua Joseph, Kevin Haberl

Terry Murray

From: Corien Becker
Sent: Monday, May 25, 2015 5:11 PM
To: Linda Glenday
Cc: Terry Murray; Carly Simmons
Subject: FW: Sound transmission SODC lands
Attachments: 12-473-300m Offset Just the Map.pdf; 15-0382-AW1.pdf

Additional Agenda Item *Special*
Meeting Date: *May 26, 2015*
Agenda Item #: *7(i) + (ii)*

For the agenda - public hearing file

From: Peter Gordon [<mailto:peter@cascadiaconsulting.ca>]
Sent: May-25-15 5:08 PM
To: Corien Becker
Subject: Re: Sound transmission SODC lands

Hello Corien

I am forwarding you 2 drawings prepared by R F Binnie and Associates for West-Barr Contracting which are based on the drawing prepared for DOS by City Spaces (?)
The whole idea of the drawing was to give council an idea of clearances from SODC developments to nearby industrial operations for purposes of designing sound attenuation setbacks
Unfortunately the measuring points were somewhat flawed – by honest error
The attached gives a more accurate and complete picture of distances – and more important.....that the distances are much less than originally stated.
Please pass these along to council for their consideration. Thank you.

Regards

Peter Gordon

From: Rob Dos Santos [<mailto:RDosSantos@binnie.com>]
Sent: May 21, 2015 3:46 PM
To: Alan Barr (office@west-barr.com)
Subject: Site B Revisions

Alan

Attached are the site B revision you requested

--

Rob Dos Santos ASCT, LEED Green Associate
Project Manager
Direct: +1 (604) 567-9004

R.F. Binnie & Associates Ltd.
Leading In Quality: OQM Certified March 2013.
201-40147 Glenalder Place
Squamish, BC V8B 0G2
Office: +1 (604) 892-8222 x31 x6110 Fax: +1 (604) 892-8225

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CORRECTED DISTANCE RE; THE ACTUAL INDUSTRIAL MARINE OPERATIONS AREA AS DEFINED BY THE INDUSTRIAL ASSOCIATION MAY 21 2015

Analysis of 300 metre exclusion AS DEFINED BY DISTRICT OF SQUAMISH REVISED MAY 12 2015

ADJUSTED DISTANCE ANALYSIS

137m, 158m, 174m, 180m, 157m, 220m, 300m

Map A, Map B, Map C, Map D, Map E, Map F, Map G, Map H1, Map H2

**Analysis of 300 metro exclusion
AS DEFINED BY DISTRICT OF SQUAMISH
RECEIVED MAY 12 2015**

Staff analysis

Terry Murray

From: Peter Gordon <peter@cascadiaconsulting.ca>
Sent: Tuesday, May 26, 2015 3:53 PM
To: Patricia Heintzman; Doug Race; Susan Chapelle; Jason Blackman-Wulff; Karen Elliott; Peter Kent; Ted Prior; Corien Becker
Subject: sound study and mitigation
Attachments: BKL 9798 Squamish Oceanfront Professional Opinion Letter 3 May 26 2015.pdf

Hello Members of council

At the request of the waterfront employers group I engaged BKL Engineering of North Vancouver to provide an outline of what typically takes place in development situations where residential developments are hedging closer to established industrial operations – and when these steps take place. I think they provide some useful information that will hopefully provide you with some guidance. Again it underlines our biggest concern that events are moving ahead before these steps are taken. This letter from BKL is respectfully submitted for your consideration.

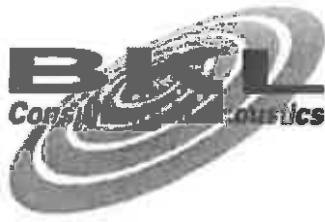
Thank you

Peter Gordon



Peter V. Gordon
Box 1572 ~ #200-37700 2nd Ave.,
Squamish, BC V8B 0B2
peter@cascadiaconsulting.ca
www.cascadiaconsulting.ca
T 604.892.9740
C 604-892-4208
F 604.892.9592

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May 26, 2015

File: 9798

Peter V. Gordon
Cascadia Consulting
Box 1572 - #200-37700 2nd Avenue
Squamish, BC
V8B 0B2

Dear Peter,

Re: Noise Considerations for the Proposed Squamish Oceanfront Development, Squamish

Further to your recent instructions in connection with the proposed Squamish Oceanfront residential development, we write to discuss the potential for noise impacts at the new noise sensitive receptors as a result of the existing industrial waterfront operations. Having reviewed the potential noise constraints associated with the development, we provide the following professional opinion for consideration.

Noise and vibration from and affecting any development is a key environmental issue and tends to be a matter of considerable local interest. The existing industrial premises on the waterfront at Squamish have undertaken operations over a number of years in a manner that has reflected the proximity and sensitivity of the closest local receptors.

The businesses have established practices, which provide employment to the local community, that necessarily include night-time and/or tidal related activities. These operational activities inherently include:

- noise from industrial and manufacturing processes;
- noise from fixed installations which comprise mechanical and electrical plant and equipment;
- noise from the loading and unloading of goods and materials from rail and road vehicles; and,
- noise from mobile plant and vehicles, such as that from forklift trucks, or that from train or ship movements on or around the waterfront premises.

These sounds, which occur on a daily basis, originate from operations undertaken within both the open yard areas and from within purpose built buildings on or near the Squamish waterfront.

Typically, response to noise is subjective and affected by many factors (acoustic and non-acoustic). In general, the likelihood of complaint in response to a noise depends on factors including:

- the margin by which it exceeds the underlying background noise level at the receptor;
- its absolute noise level;
- time of day;
- change in the noise environment;
- local attitudes to the premises; and,
- the nature of the neighbourhood.

The existing waterfront businesses benefit from notable separation distances from the closest existing residential communities in Squamish (e.g. those located near Vancouver Street or off of Billy Drive), which we understand has historically provided a commensurate buffer to potential noise impacts. It is generally recognized that it is difficult to reconcile some land uses that generate high levels of noise with noise-sensitive development, such as housing, hospitals or schools, and wherever practicable the planning of such development should be sufficiently separated from such noisy activities.

The development of the Squamish Oceanfront for noise-sensitive uses, such as housing, will potentially introduce new receptors inside of that existing buffer zone and expose the new residential uses to noise impacts from the typical operations associated with the industrial waterfront businesses.

In such cases, it is typical for the municipality to carefully consider whether such proposals for new noise-sensitive development would be compatible with the existing uses, given the likely level of noise exposure and frequency of night-time operations required by the waterfront businesses, when underlying ambient background noise levels in the vicinity of the Oceanfront site will be significantly lower due to reduced traffic movements or other activities.

In order to assist the municipality in their considerations, we would recommend that a sufficiently robust and technically credible assessment be made by an acoustical professional to determine the following:

- The characteristics of the existing noise environment;
- The prediction of future noise levels (i.e. accounting for future road traffic noise, noise from other future employment uses) in the vicinity of the Oceanfront site;
- The quantifying and assessment of any significant noise impacts that may be predicted;
- The identification of measures required to mitigate the said effects of noise; and,
- A review and follow-up to establish their effectiveness.

The assessment should fully consider the sensitivity of any new receptors, the time aspects (i.e. relevant years, time of year, days of the week, time of the day and variability of baseline conditions) and relevant provincial, national and international noise standards to ensure acoustical conditions which are appropriate for the intended uses. Furthermore, in accordance with common practice, the assessment should be undertaken ahead of any development approvals to ensure that the proposals take account of any significant noise effects within the scheme design.

Such an assessment should be made in accordance with the recommendations contained within the Health Canada document "Useful Information for Environmental Assessments" (2010) and should consider the most relevant and contemporary acoustical standards and guidelines, including the Canada Mortgage and Housing Corporation (CMHC) Guidelines - Road and Rail Noise: Effects on Housing (1986), the World Health Organization "Guidelines for Community Noise" (1999) and British Standard BS 4142: 2014 "Methods for Rating and Assessing Industrial and Commercial Sound".

Environmental noise assessments are commonplace for such developments in areas that are affected by existing industrial or transportation noise sources. The practice at BKL Consultants Ltd. has completed more than five hundred environmental noise studies for residential development sites across the lower mainland area and has provided comprehensive acoustical consulting services on numerous multi-family residential projects, including The Pier development in North Vancouver, The Olympic Village in Vancouver and most recently The Falls development in Squamish.

When significant effects due to noise are predicted, Health Canada advises the identification of mitigation measures to limit noise exposure. Measures to mitigate the effects of noise may include practical means of preventing or reducing to an acceptable level any potential any adverse effects of the project.

The BC Ministry of Environment defines a "mitigation measure" as action taken:

"to avoid, minimize, restore on-site, or offset impacts on environmental values and associated components, resulting from a project or activity" (Ministry of Environment 2012).

Any measures to mitigate the effects of noise should be proportionate and sufficient in the following aspects:

- necessary;
- relevant to the development under consideration;
- enforceable;
- precise; and,
- reasonable in all other aspects.

The inclusion of adequate measures to avoid, minimize, restore or offset any environmental noise impacts may include engineering (e.g. the use of screens or improving sound insulation properties of the proposed buildings), lay-out (e.g. provision of buffer zones or use of non-critical rooms to shield noise-sensitive spaces) or administrative methods (e.g. provision of acceptable noise limits for noise-sensitive spaces or through the use of covenants to provide greater awareness of the pre-existing noise conditions).

It is a well known fact that the increased costs for acoustical measures are significantly higher during the erection of buildings or when complaints appear after their occupation, than they would be during the design phase. Estimates of 10-100 times more costly once the building are completed than those required during the planning phase have been provided, depending on the technical issues and, therefore, the provision of an assessment which identifies measures to limit noise exposure can be considered not only appropriate but commensurate with good operational practices.

Also, any such measures may be considered typical for noise-sensitive development and consistent with standard construction industry practices. For example, concrete sidings provide much more sound attenuation than wood or vinyl siding facades. However, in either case, the windows often limit the sound insulation that the building envelope can provide. In some cases, exterior walls and doors are also limiting factors.

Design and construction factors that can improve land-use compatibility include:

- Not specifying any bedrooms at building corners (use living rooms instead);
- Increasing window glazing thickness from 3 mm glass / 13 mm airspace / 3 mm glass assemblies up to 6 mm glass / 10 mm airspace / 6 mm glass assemblies or to triple glazing assemblies if necessary;
- Decreasing the window area;
- Increasing the mass of doors and improving door seals;
- Increasing the depth of the bedrooms or decreasing the width of the exposed exterior facade;
- Increasing the setback distance from the noise source(s) to the building facade;
- single aspect design (i.e. apartment corridors facing noise sources); and,
- Outdoor amenity spaces shielded by first row buildings.

At the planning stage, such costs are minimal and, in some cases, negligible for the developer where through a combination of the selection of appropriate facade treatments and lay-out planning any significant noise effects can be adequately and proportionally ameliorated.

Therefore, the quantitative and qualitative assessment of potential noise effects represents a useful tool not only for the existing waterfront businesses but also for the developer and future community of Squamish.

Peter Gordon

- 5 -

May 26, 2015

We trust this letter of profession opinion is clear and fully details our recommendations for the investigation and assessment of potential noise effects associated with the Squamish Oceanfront development.

Should you have any queries or require BKL Consultants to provide further services please do not hesitate to contact us.

Sincerely,

BKL Consultants Ltd.

per

A handwritten signature in black ink, appearing to be 'P. Marks', written over a horizontal line.

Paul E. Marks MSc., MIOA.
enclosure

Nelson W. Winterburn
Box 283
Garibaldi Highlands, B.C.
604-898-9240 (h) V0N 1T0 © 604-815-9688
nwinterburn@telus.net

May 12, 2015

Mayor Patricia Heintzman,
District of Squamish.
Via e-mail

Dear Mayor Heintzman,
CC Corien Speaker and Council Members

I am writing today regarding the potential sale of the Oceanfront Lands. Having read through the entire document, I noted many occasions where the scales were tipped in favour of the developer (Newport Developments) regarding DCC's, tax exemptions, etc., and most significantly, the offering price to Newport Developments.

A very significant list of expenses has been accrued by SODC and now the Squamish taxpayer is about to be asked to foot the bill AGAIN, for these expenses. Need I list these once more? I believe the total debt amassed by SODC and the selling price to Newport should be reviewed by way of a forensic audit. A forensic audit would put to rest fears and concerns regarding any suggestion of favouritism and insider information. Clearly, the Squamish real estate market is heating up and soon will surpass other regions of the lower mainland with regard to choice of price, lifestyle and related activities.

I cannot help but note that the developer is also aware of market trends and will recover his outlay of 15 million dollars in the sale of their first set of condos – in all likelihood units that will be selling at about ONE MILLION DOLLARS each. Certainly a very quick, lucrative return on Newport's initial investment.

I implore yourself and Council to review (forensic audit) and demand a better return for our SODC lands.

Yours sincerely,

Nelson W. Winterburn
40404 Cheakamus Way

**Squamish Terminals Ltd.
Squamish & District Forestry Association
West-Barr Contracting Ltd.
Squamish Mills Ltd.
Garibaldi Forest Products Ltd.**

JOINT SUBMISSION

Regarding:

**District of Squamish OCP Bylaw 2100, 2009, Amendment Bylaw
(Squamish Oceanfront Peninsula Sub Area Plan) No. 2385, 2015**

We have identified two key immediate concerns for Waterfront Industry arising from the proposed Oceanfront Zoning Bylaw 2386 (Comprehensive Development Zone No. 69.):

1. RESIDENTIAL "FLEX ZONE" ON WEST SIDE OF OCEANFRONT PENINSULA

This bylaw – like the Squamish Oceanfront Zoning Bylaw 2386, 2015 – assumes potential residential use in a Block C1 'Flex Use Zone' along the Cattermole Slough facing the Squamish Terminals truck road, railway spur and switch. We are opposed to residential use in this zone of the proposed Oceanfront development.

2. LACK OF CONSIDERATION OF ADJACENT INDUSTRIAL OPERATIONS

There is no consideration to potential issues of interface with neighbouring industry in the conditions described for granting future requests for changes to land uses in the various Oceanfront Sub Area Plan 'Blocks'.

According to the District Staff report to Council of May 12, 2015, the proposed Sub Area Plan Amendment:

"...would allow Council, at its discretion, to consider rezoning requests that may involve the future shifting of some of the proposed areas of the prescribed land use 'Blocks', subject to complying with the SAP principles and a number of conditions to honour the purposes and intent of the SAP."

The conditions set out in the new section "7.6 Implementation of the Sub Area Plan" do not include any reference to consideration of the interests of neighbouring industrial operations. Protection of neighbouring industry is not an identified objective.

Due to this lack of consideration of neighbouring industry, we cannot support this Squamish Oceanfront Peninsula Sub Area Plan Bylaw No. 2385 as currently presented.

We look forward to further discussions with the District of Squamish, toward long term waterfront land use planning solutions.

Thank you, for your consideration of this submission from the above companies and organizations representing Waterfront Industry.

**Squamish Terminals Ltd.
Squamish & District Forestry Association
West-Barr Contracting Ltd.
Squamish Mills Ltd.
Garibaldi Forest Products Ltd.**

District of Squamish

MAY 28 2015

RECEIVED

JOINT SUBMISSION

Regarding:

**District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw
(Comprehensive Development Zone No. 69 - Squamish Oceanfront) No. 2386, 2015**

We have identified the following key concerns for Waterfront Industry arising from the proposed Oceanfront Zoning Bylaw 2386 (Comprehensive Development Zone No. 69.):

1. INDUSTRY CONSULTATION

The District of Squamish states that adequate "Public Consultation" has taken place, based on two presentations at the Farmers' Market during 2014 and one event at the Squamish Adventure Centre this year. Neighbouring Industry is not the Public and we have not had the opportunity of direct input.

2. SQUAMISH ESTUARY MANAGEMENT PLAN

In our opinion, provisions contained in the Squamish Estuary Management Plan (1999) – signed off by: the Regional Director General, Environment Canada; Director General, Pacific Region Department of Fisheries and Oceans; President and Chief Operating Officer, BCR Properties Ltd.; Mayor, District of Squamish; and Assistant Deputy Minister, Environment & Lands Regional Division, Ministry of Environment, Lands & Parks – have not been addressed by the District of Squamish in the Oceanfront Development Plan.

SEMP (1999) includes provision for amendment in the case of "significant area designation changes", such as is proposed in the present Zoning Bylaw Amendment Bylaw No. 2386.

Section 4.3 "Ongoing SEMP Review Initiatives" states:

The [Squamish Estuary Management Committee] will review the Squamish Estuary Management Plan every 5 years. Substantial amendments, such as significant area designation changes, must undergo public review. The SEMC will determine the extent to which proposed amendments are reviewed and will take responsibility for decisions about minor amendments. If necessary, working

groups may be formed by the SEMC to analyze specific concerns related to the estuary. The process for substantial amendments is outlined below.

- a) develop amendment
- b) present it to the public
- c) receive public comment
- d) review public comment
- e) incorporate public suggestions as appropriate
- f) report back to the public explaining how and why suggestions were or were not used
- g) receive public comment
- h) complete the Plan
- i) submit the Plan for member organization endorsement
- j) approve and implement the Plan

3. RESIDENTIAL "FLEX ZONE" ON WEST SIDE OF OCEANFRONT PENINSULA

The bylaw permits residential use in a Block C 'Flex Use Zone' along the Cattermole Slough facing the Squamish Terminals truck road, railway spur and switch.

4. MEASUREMENT OF PROXIMITY TO INDUSTRIAL AND RAILWAY FACILITIES

District of Squamish information that we have on the Oceanfront development plans with respect to a 300 meter distance from industrial operations to residential development is based on outdated and incorrect assumptions. The fact that District of Squamish is not using the best, accurate and most up to date information in public presentations would put the present Oceanfront development plan in question. The bylaw specifies "a minimum of 300 metres (984 feet) from Squamish Terminals" as a buffer zone, BUT "as measured from the residential property line to the closest building face on Squamish Terminals property". This is not an appropriate measurement method (according to FCN-RAC Railway Proximity Guidelines).

5. "BLOCK D" PROXIMITY TO SITE B OPERATIONS

The bylaw does not include consideration of any setback whatsoever between Block D [high density residential] and Site B or Mamquam Channel marine operations.

6. "BLOCK A" PROXIMITY TO SITE B OPERATIONS

The bylaw does not include consideration of any setback whatsoever between Block A [6-storey hotel & mixed uses] and Site B or Mamquam Channel marine operations.

7. NECESSITY TO SHIELD INDUSTRY FROM EFFECTS OF NEW ADJACENT RESIDENTIAL DEVELOPMENT

Industry wants the Oceanfront development to be successful without imposing restrictions on industries ability to operate.

Waterfront terminals and industrial facilities at Squamish play critical roles in the economies of the region, and beyond within Western Canada. Activities at these facilities may intensify in future through new development and investments that increase capacity and functions.

There are no options to replace or relocate these port terminal or waterfront industrial capacities, as waterfront lands suitable for these operations are extremely limited in this region.

As residential communities become established, the potential for conflict at the interface between the working waterfront and adjacent uses will increase. Land use conflicts between residential and industrial / commercial users in the Squamish waterfront area are already a reality.

Issues that arise from port terminal, log handling and industrial operations and proposed developments should be addressed in a manner that is proactive, reasonable and consistent.

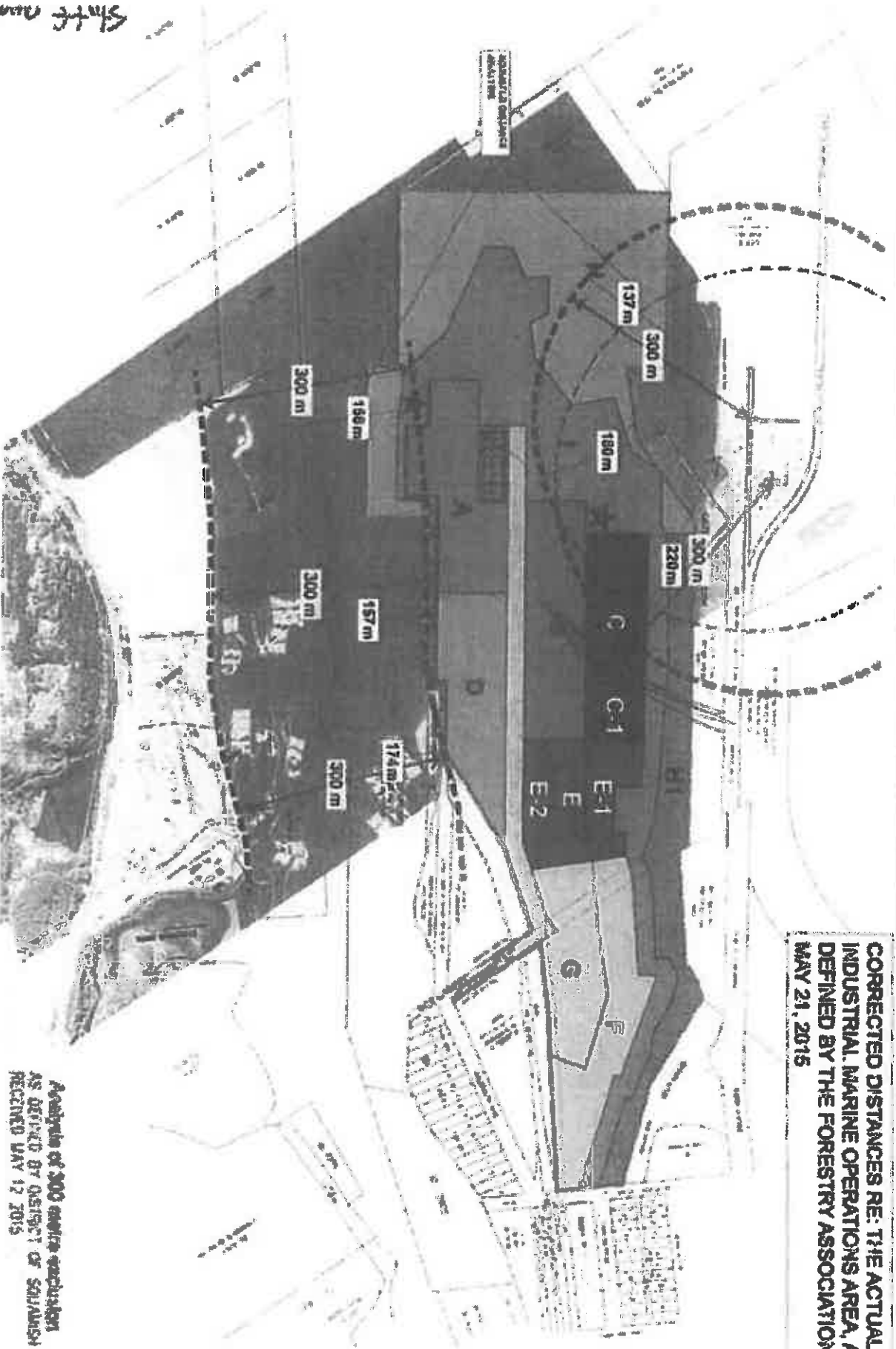
Failure to protect industry's ability to operate will have a significant economic impact on both the provincial economy and that of the District of Squamish.

We cannot endorse this bylaw without assurance of an adequate covenant. At the present time we have no information regarding the District's plans for a covenant or for consultations with us regarding a covenant.

Thank you, for your consideration of this submission from the above companies and organizations representing Water Industry.

Attachments: 2 Map Sheets

Staff Analysis



CORRECTED DISTANCES RE: THE ACTUAL INDUSTRIAL MARINE OPERATIONS AREA, AS DEFINED BY THE FORESTRY ASSOCIATION. MAY 21, 2015

Analysis of 300 metre exclusion AS DEFINED BY FOREST OF SOUTHERN RECEIVED MAY 12 2015



Properties

Under the management of: Ministry of
Transportation
and Infrastructure



District of Squamish

May 25, 2015

MAY 26 2015

VIA COURIER & CANADA POST

RECEIVED

District of Squamish
Municipal Hall
37995 Second Avenue
SQUAMISH, BC V8B 0A3

Attention: Mayor & Council

Dear Sirs and Mesdames:

Re: District of Squamish Phase Development Agreement Authorization Bylaw No. 2387, 2015
District of Squamish OCP Bylaw 2100, 2009,
Amendment Bylaw (Squamish Oceanfront Peninsula Sub Area Plan) No. 2385, 2015
District of Squamish Zoning Bylaw 2200, 2011
Amendment Bylaw (Comprehensive Development Zone No. 53-Squamish Oceanfront) No. 2386, 2015

BCR Properties Ltd. is the owner of the land which Squamish Terminals Ltd. holds under a long term lease. Squamish Terminals, as you know, is an important part of the local and overall British Columbia economy. They operate a deep water terminal which handles forest products, plate steel, steel pipe and other products for import and export. Attendant to this is the use of various types of equipment, both light and heavy which generate noise as do the loading/unloading of trucks and rail cars and rail car shunting.

We all want to see the economy grow with positive developments but as you move through this process, we would like to see you incorporate processes that address the challenges such as new residents moving in beside industrial operations and possibly objecting to those operations on various grounds.

As Mr. R. DeFilippi (Boughton Law) stated in Paragraph 5 of his letter dated May 11, 2015 to Mayor & Council: "... It is imperative that mitigation processes be put into place, now, in the context of the existing SODC Plan to address the challenges that will inevitably arise. There are a variety of tools available to the District including statutory covenants, disclosure statements, long-term commitments, design criteria and the like. Our clients are interested in meeting with District staff to discuss those and any other mitigation strategies that would see the overall

.../2

District of Squamish
May 25, 2012
Page 2

development on the peninsula work in harmony with the existing operation." We would like any covenants and disclosure statements to include BCR Properties Ltd. and our tenant, Squamish Terminals Ltd. so they are protected going forward with this process and development. Thank you for your consideration in this regard.

Yours truly,



Richard Myhill-Jones
Director Real Estate

RMJ /grd

c.c. Chief Gibby Jacob – Squamish Nation
Chief Dale Harry – Squamish Nation
Gary Hanson – CN Rail
Karl Stephan – Radcliff & Co.
Squamish Oceanfront Development Corp. – info@squamishoceanfront.com

Terry Murray

From: Cameron Eby - APBC <cameron.eby@apbc.ca>
Sent: Friday, May 15, 2015 7:08 AM
To: Council
Cc: Linda Glenday; Gary Buxton
Subject: Squamish Oceanfront - Windsports Park
Attachments: 2015-05-14 SWS-DoS letter re Windsports beach design.pdf

Good morning,

Please find the attached letter, on behalf of the Squamish Windsports Society. We look forward to hearing from you, and being part of this upcoming project.

Regards,

Cameron Eby

Provincial Executive
Ambulance Paramedics of BC - CUPE Local 873
Ph. 604.815.7689 // cameron.eby@apbc.ca

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May 12, 2015

**District of Squamish
37955 Second Avenue
P.O. Box 310
Squamish, B.C. V8B 0A3**

**Attention: Mayor & Council
CC: Linda Glenday & Gary Buxton
RE: Request for SWS Input for the Windsports Park design**

Dear Mayor and Council,

The Squamish Windsports Society (SWS) operates the windsports facility at the Squamish Spit. In 2014, we had 630 members with 4,984 unique visits by SWS members recorded over windy 88 days (out of 123 total days in the windsports season from May 15th to September 15th). In addition to SWS member visits, we had 772 unique day users, and 589 students were taught by the four kiteboarding schools. Our membership continues to grow, as well as the number of spectators watching windsports activities at the Squamish Spit.

Now that the Oceanfront Development in Squamish is coming closer to becoming a reality, the SWS has formed a committee in the hope of working with the District of Squamish and the developer in planning the Wind Sports Beach in the Oceanfront Park. We would like the opportunity to give input at the planning stage, in order to ensure that the Wind Sports Beach becomes a safe and functional area, for both windsports users and other park users.

We see that various concept drawings have been produced by the District outlining the vision of the Windsports Beach area. When it comes time for detailed plans to be drawn up we would appreciate being able to give practical input for the final design. We have attached some initial design considerations for the Windsports Park, from the perspective of the Squamish Windsports Society.

Please contact us when the process has reached the point that we can sit down with the designers to provide additional input regarding these design considerations as this development moves forward.

Thank you,

**Don Campbell
Cameron Eby
Jamil Martin
Tracey Saxby
Geoffrey Waterson**

**Squamish Windsports Society
PO Box 31, Britannia Beach B.C. V0N 1J0
www.squamishwindsports.com**

Waterfront Wind Sports Beach and Oceanfront Park

Design Considerations from the perspective of the Squamish Windsports Society

Goal

To design a portion of the park, for use by the kiteboarders and windsurfers, which would be:

- safe for kites and windsurfers to use
- designed to maximize exposure to the wind
- be functional for users
- take into account other park and water users to provide safe interaction
- take into account the different launching requirements of windsurfers and kites

Objectives

Beach Design

Wind Quality Considerations

- Position the beach parallel to the direction of the prevailing inflow wind. Or, oriented so the wind is slightly on shore. Average inflow wind direction is 226 degrees.
- Have no structures or landscaping features to windward of the beach that are closer than a distance equal to 20 times the height of the structure or feature.
- Have no structures or landscaping features to leeward of the beach that are closer than a distance equal to 4 times the height of the structure or feature.

Safety Considerations

- Position the beach so that kites and windsurfers do not travel through other watercraft traffic when launching or landing
- Orient the beach to enable direct sailing when launching, to allow windsports users to sail towards the harbor, rather than the blind channel.
- Provide access to the water from the anchoring riprap at the southernmost tip of the beach, to allow windsurfers to launch and land safely. This allows windsurfers to access the wind, and provides a separate launching area from the kite launch area.
- Beach to be at least 30 meters wide measured from the mean high water mark.
- Beach to be at least 150 meters long
- Low slope beach with sand or pea gravel for traction
- Create a clear safety zone on land for 50 meters to leeward of the leeward end of the beach
- Create a catchment area for windsports users to drift into when the wind dies or in the event of equipment failure or injury. The catchment area would be made up of a clear zone on the water and an emergency landing beach. The clear zone would extend at least 100 meters to leeward of the water corridor used for launching and landing. It would be clear of all on the water obstructions such as buoys and moored boats. The emergency landing beach would run perpendicular to the launch and land beach and extend out into the water as far as possible.
- Include a grass or artificial turf rigging area adjacent to the beach at least 10 meters wide running the full length of the beach
- Place pathways for other park users such as pedestrians and cyclists at least 5 meters inland from the rigging area

- Create clear boundaries to limit access of non-windsports users in the launching/landing zones, to minimize potentially dangerous situations. Spectators, unsupervised children, and off-leash dogs can endanger both themselves and windsports users if they are in this area.
- Create a safe place for spectators to watch windsports activity. This is a very popular past-time at the spit, with 30-100 spectators present on a typical summer day. It is likely that this number will increase significantly with the ease of access at Nexen Beach, and as tourist visits increase.
- Create clear signage to minimize conflict, and clearly delineate areas of use.

Parking and Access

- Provide parking for cars within a reasonable walking distance
- Provide an equipment drop off area near the beach

User Facilities

- Provide toilets and change facilities
- Install an indoor or outdoor shower
- Provide a clubhouse or other space for users to gather
- Make rental equipment storage lockers available in order to minimize vehicle traffic by allowing local users to walk or cycle to the park.
- Facilities could be combined with other users (sailors, kayakers, standup paddlers etc.)

Staff Considerations

- Provide a structure for staff to operate from, which could be combined with other users
- Building should provide shelter from the wind and sun, while allowing staff to monitor users on the water.
- Building should include electricity and internet connection and allowance for rooftop webcam and wind sensor
- Provide a beach or dock area for safety craft

Considerations for Interaction with other Park Users

Other users could be grouped as:

- walkers, cyclists, dog walkers,
- beach goers and swimmers
- grass area users
- paddlers (kayakers, canoeists and standup paddle boarders)
- dinghy sailors
- windsports spectators

Walkers, Cyclists, Dog Walkers

Keeping walkways at a reasonable distance from windsports areas would minimize unwanted interaction. Off leash dog areas should be located as far as possible from windsport areas.

Beach Goers and Swimmers

Activities such as lounging on the beach, playing beach games, and swimming, are not very compatible with wind sports activities. They are also most pleasurable with protection from the wind. A beach, separate from the wind sports beach, should be created for beach goers and swimmers. Appropriate signage will be important to delineate areas of use.

Grass Area Users

Any grass areas should be situated in shore of the rigging area and pathways near the windsports area.

Paddlers (Kayakers, Canoeists and Standup Paddlers)

This group should be separated from windsports users. They, like windsports users, desire beach access. However, they like to be on the water with no wind or light wind.

Ideally this group would have a designated section of beach away from the windsports beach, perhaps as a section of a beach goes beach. Alternatively, the paddlers and windsports users could share the same beach, but have time restrictions to separate the competing uses and is done in Hawaii. There, the paddlers use the beach until noon when the wind is light. Then, the windsports users are on the water after noon, when the wind comes up.

Windsports spectators

Provide a safe place for spectators to view windsports users, for example, picnic tables, benches or other seating, places to set up blankets on grassy areas.

Information provided for Mayor Heintzman on May 22, 2015 regarding the effect that the Squamish Oceanfront Development would have if a suitable covenant is not obtained for the protection of adjacent industries.

PURPOSE

The purpose of this meeting is to ascertain why industry is not being consulted in determining what would be a suitable covenant.

We wish to:

- **Express our concern at the lack of consultation with Industry.**
- **Bring to your attention policies and information that have been overlooked.**
 - **SEMP**
 - **Site B plans and development**
 - **Railway Proximity Guidelines**
- **Explain why it is necessary to shield industry from effects of new residential development.**

INDUSTRY CONSULTATION

The District of Squamish states that adequate "Public Consultation" has taken place, based on two presentations at the Farmers Market. Neighbouring Industry is not the Public and we have not had the opportunity of direct input.

SQUAMISH ESTUARY MANAGEMENT PLAN

In our opinion, provisions contained in the Squamish Estuary Management Plan (1999) – signed off by: the Regional Director General, Environment Canada; Director General, Pacific Region Department of Fisheries and Oceans; President and Chief Operating Officer, BCR Properties Ltd.; Mayor, District of Squamish; and Assistant Deputy Minister, Environment & Lands Regional Division, Ministry of Environment, Lands & Parks – have not been addressed by the District of Squamish in the Oceanfront Development Plan.

PROXIMITY TO INDUSTRY FACILITIES AND ACTIVITIES

District of Squamish Information that we have on the Oceanfront development plans with respect to a 300 meter distance from industrial operations to residential development is based on outdated and incorrect assumptions. The fact that District of Squamish is not using the best, accurate and most up to date information in public presentations would put the present Oceanfront development plan in question.

NECESSITY TO SHIELD INDUSTRY FROM EFFECTS OF NEW ADJACENT RESIDENTIAL DEVELOPMENT

Industry wants the Oceanfront development to be successful without imposing restrictions on industries ability to operate.

Waterfront terminals and industrial facilities at Squamish play critical roles in the economies of the region, and beyond within Western Canada. Activities at these facilities may intensify in future through new development and investments that increase capacity and functions.

There are no options to replace or relocate these port terminal or waterfront industrial capacities, as waterfront lands suitable for these operations are extremely limited in this region.

As residential communities become established, the potential for conflict at the interface between the working waterfront and adjacent uses will increase. Land use conflicts between residential and industrial / commercial users in the Squamish waterfront area are already a reality.

Issues that arise from port terminal, log handling and industrial operations and proposed developments should be addressed in a manner that is proactive, reasonable and consistent.

A covenant that fails to protect industry's ability to operate will have a significant economic impact on both the provincial economy and that of the District of Squamish.

Attached is information supporting our concerns:

- A. DoS-Squamish Nation Intergovernmental Cooperation Accord (2011) – Schedule A - Site B
- B. Typical District of Squamish / SODC illustrations of Oceanfront plans compared to 2015 photos showing Site B development
- C. Corrected Distances re Actual Industrial Marine Operations Area, May 21, 2015
- D. Squamish Terminals and Site B Active Industrial Operations with Corrected 300m Offset
- E. EXCERPTS - Guidelines for New Development in Proximity to Railway Operations
- F. What does Forestry mean to Squamish?
- G. Economic value of the Forest Industry to Squamish and the Province
- H. *BC Forest Industry Economic Impact Study* title page (with Squamish log handling photo)
- I. *Squamish Chief* May 13, 2013 article: "*Feeling the Squeeze – Squamish firms say long-term success possible, if DOS policy-makers don't squeeze them out*"
- J. Economic Implications of a Covenant That Would Restrict Log Handling on the Squamish Waterfront
- K. Industry Requests Regarding Covenant and Disclosure Statement

**Schedule A
Site B**

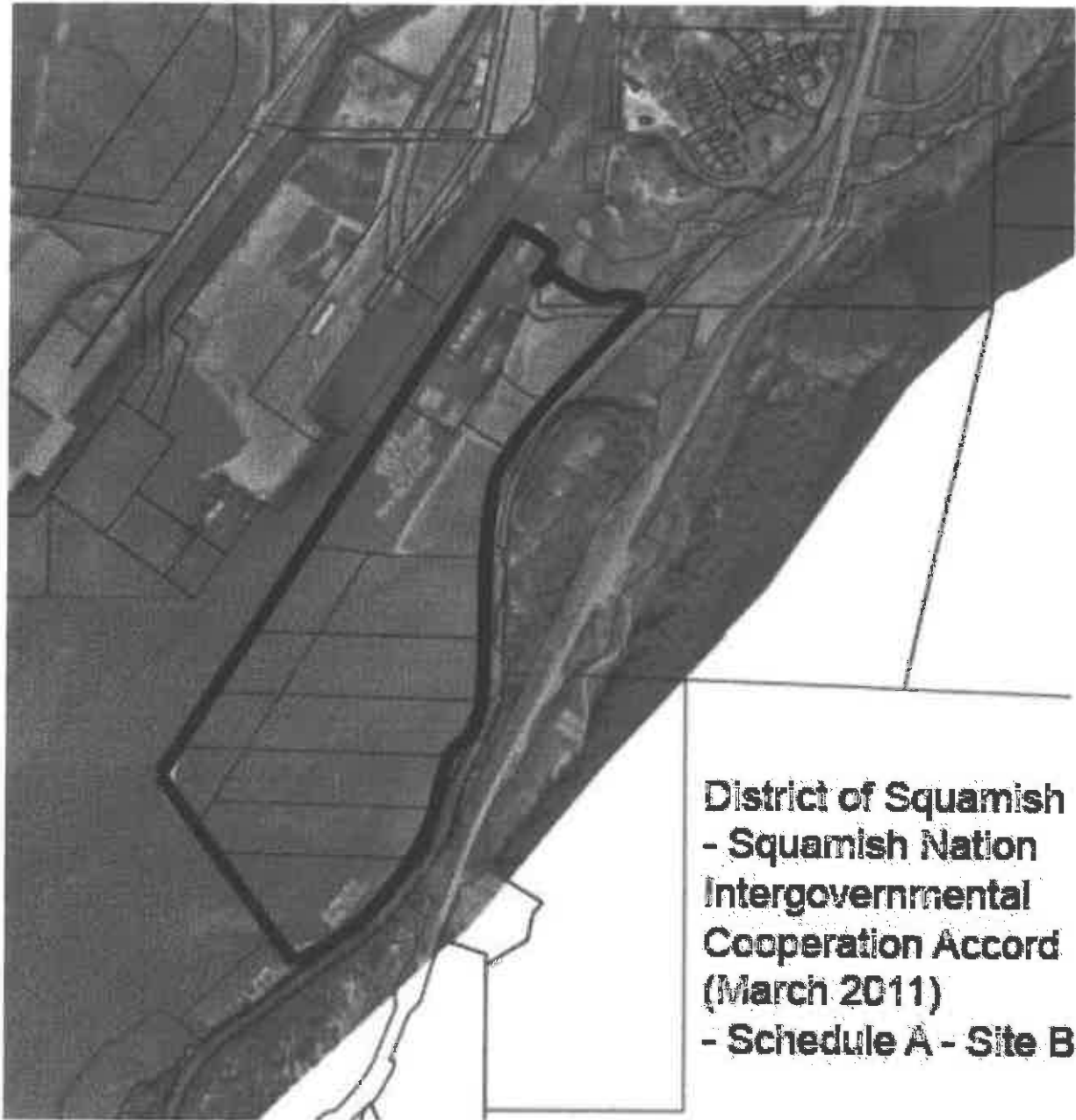
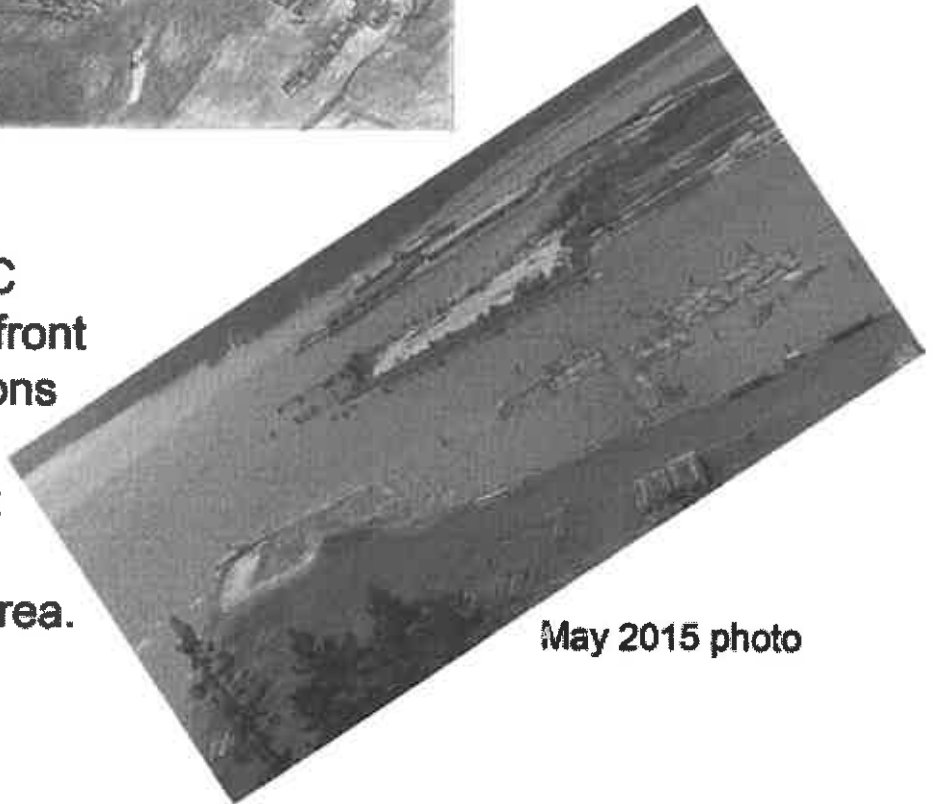




Illustration used in May 2015 District planning team presentation to Council

District and SODC Squamish Oceanfront planning illustrations regularly fail to adequately depict the neighbouring Site B industrial area.

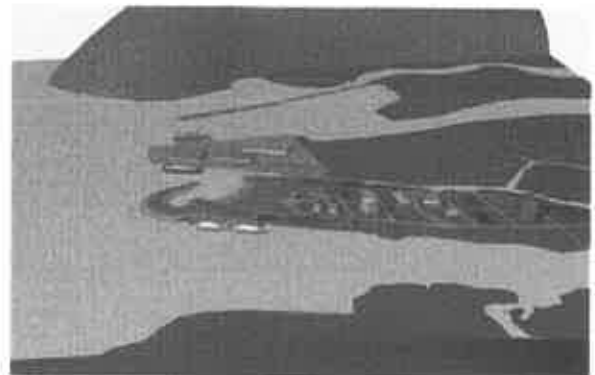


May 2015 photo

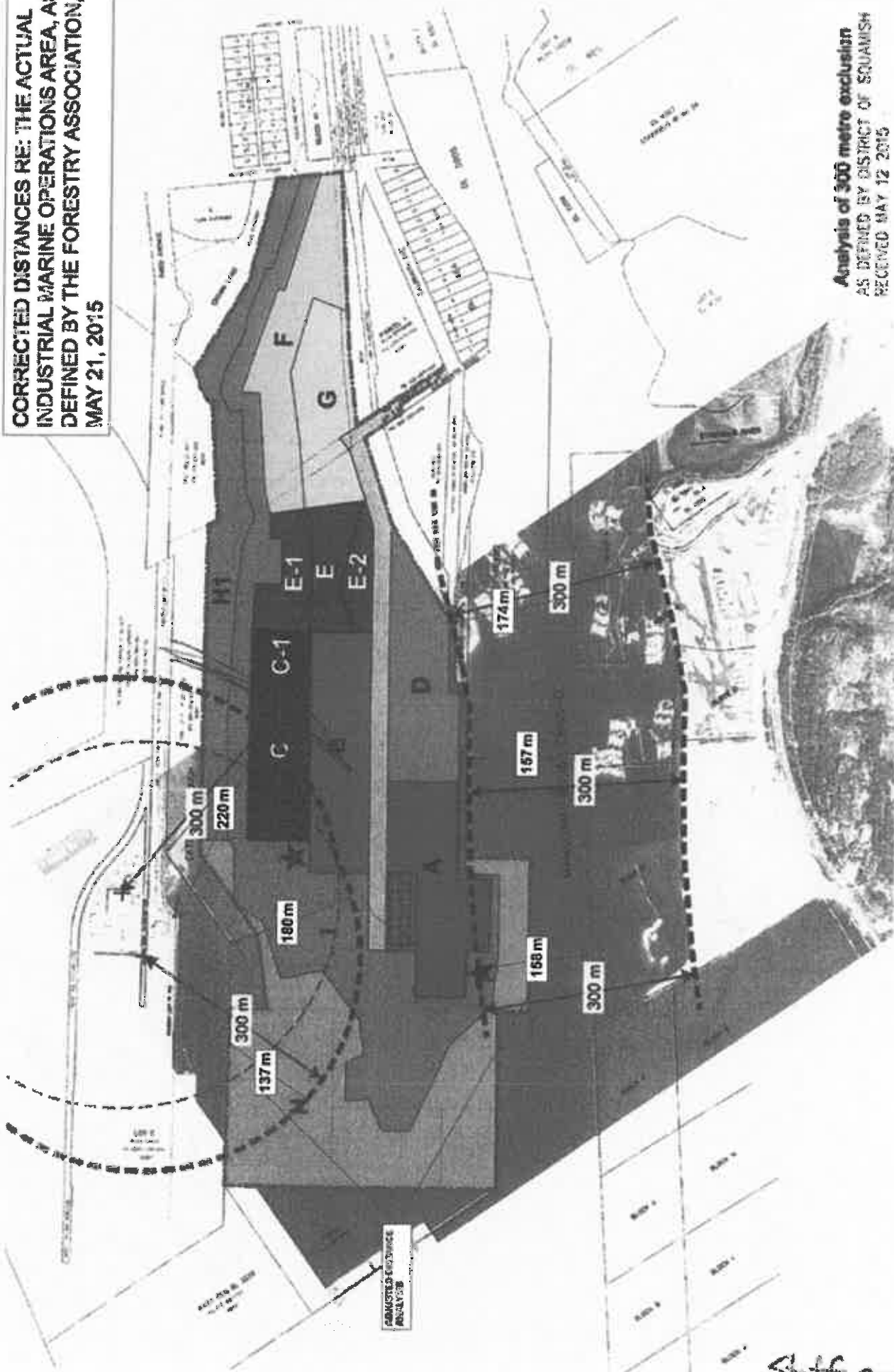


2015 photo of West-Barr Contracting Ltd. site

2009 District "Create the Oceanfront" illustration



CORRECTED DISTANCES RE: THE ACTUAL
INDUSTRIAL MARINE OPERATIONS AREA, AS
DEFINED BY THE FORESTRY ASSOCIATION,
MAY 21, 2015



Analysis of 300 metre exclusion
AS DEFINED BY DISTRICT OF SQUAMISH
RECEIVED MAY 12 2015

Staff analysis

EXCERPTS –
Guidelines for New Development
in Proximity to Railway Operations
PREPARED FOR THE FEDERATION OF CANADIAN MUNICIPALITIES
AND THE RAILWAY ASSOCIATION OF CANADA, May 2013

3.2 // CONSULTATION WITH THE RAILWAY

Consultation with all stakeholders, including the railways, at the outset of a planning process is imperative to building understanding and informing nearby neighbours. In addition, initiating a conversation with railways can confirm the feasibility of a project and the practicality of proceeding. Key issues or concerns that may need to be addressed will be identified.

- Early contact between the proponent and the railway (preferably in the project's early design phase), is highly recommended, especially for sites in close proximity to railway corridors. This consultation is important in order to determine:

- »» the location of the site in relation to the rail corridor;
- »» the nature of the proposed development;
- »» the frequency, types, and speeds of trains travelling within the corridor;
- »» the potential for expansion of train traffic within the corridor;
- »» any issues the railway may have with the new development or with specific uses proposed for the new development;
- »» the capacity for the site to accommodate standard mitigation measures;
- »» any suggestions for alternate mitigation measures that may be appropriate for the site; and
- »» the specifications to be applied to the project.

3.3 // BUILDING SETBACKS FOR NEW DEVELOPMENTS

A setback from the railway corridor, or railway freight yard, is a highly desirable development condition, particularly in the case of new residential development. It provides a buffer from railway operations; permits dissipation of rail-oriented emissions, vibrations, and noise; and accommodates a safety barrier. **Residential separation distances from freight rail yards are intended to address the fundamental land use incompatibilities.** Proponents are encouraged to consult with the railway early in the development process to determine the capacity of the site to accommodate standard setbacks. ...

3.3.1 Guidelines

- The standard recommended building setbacks for new residential development in proximity to railway operations are as follows:

- »» Freight Rail Yard: 300 metres
- »» Principle Main Line: 30 metres
- »» Secondary Main Line: 30 metres
- »» Principle Branch Line: 15 metres
- »» Secondary Branch Line: 15 metres
- »» Spur Line: 15 metres

- **Setback distances must be measured from the mutual property line to the building face.** This will ensure that the entire railway right-of-way is protected for potential rail expansion in the future.

3.4 // NOISE MITIGATION

Noise resulting from rail operations is a key issue with regards to the liveability of residential developments in proximity to railway facilities, and may also be problematic for other types of sensitive uses, including schools, daycares, recording studios, etc. As well as being a major source of annoyance for residents, noise can also have impacts on physical and mental health, particularly if it interferes with normal sleeping patterns.¹

The rail noise issue is site-specific in nature, as the level and impact of noise varies depending on the type of train operations. (see Appendix B for a sample rail classification system). Proponents will have to carefully plan any new development in proximity to a railway corridor to ensure that noise impacts are minimized as much as possible. Generally, during the day, noise should be contained to a level conducive to comfortable speech communication or listening to soft music, and at night it should not interfere with normal sleeping patterns.²

¹ Berglund, B., Lindvall, T., & Schwela, D. H., eds. (1999). Guidelines for community noise [Research Report]. Retrieved from World Health Organization website:

<http://www.who.int/docstore/peh/noise/guidelines2.html>

² Canada Mortgage and Housing Corporation. (1986). Road and rail noise: Effects on housing [Canada]: Author.

3.4.1 Guidelines

- **Since rail noise is site-specific in nature, the level and impact of noise on a given site should be accurately assessed by a qualified acoustic consultant through the preparation of a noise impact study.** The objective of the noise impact study is to assess the impact of all noise sources affecting the subject lands and to determine the appropriate layout, design, and required control measures. **Noise studies should be undertaken by the proponent early in the development process, and should be submitted with the initial proposal.**
- **The recommended minimum noise influence areas to be considered for railway corridors when undertaking noise studies are:**

- »» Freight Rail Yards: 1,000 metres
- »» Principal Main Lines: 300 metres
- »» Secondary Main Lines: 250 metres
- »» Principal Branch Lines: 150 metres
- »» Secondary Branch Lines: 75 metres
- »» Spur Lines: 75 metres

- The acoustic consultant should calculate the external noise exposure, confirm with measurements if there are special conditions, and calculate the resultant internal sound levels. This should take into account the particular features of the proposed development. **The measurements and calculations should be representative of the full range of trains and operating conditions likely to occur in the foreseeable future at the particular site or location.** The study report should include details of assessment methods, summarize the results, and recommend the required outdoor as well as indoor control measures.

- To achieve an appropriate level of liveability, and to reduce the potential for complaints due to noise emitted from rail operations, new residential buildings in proximity to railway operations should be designed and constructed to comply with the sound level limits criteria shown in AC.1.4 (see AC.1.6 for sound limit criteria for residential buildings in proximity to freight rail shunting yards). Habitable rooms should be designed to meet the criteria when their external windows and doors are closed. If sound levels with the windows or doors open exceed these criteria by more than 10 dBA, the design of ventilation for these rooms should be such that the occupants can leave the windows closed to mitigate against noise (e.g. through the provision of central air conditioning systems).
- **In Appendix C, recommended procedures for the preparation of noise impact studies are provided, as well as detailed information on noise measurement. These should be observed.**
- It is recommended that proponents consult Section 2.4 of the Canadian Transportation Agency (CTA) report, *Railway Noise Measurement and Reporting Methodology* (2011) for guidance on the recommended content and format of a noise impact study.

APPENDIX C // NOISE & VIBRATION PROCEDURES & CRITERIA

AC.1 // NOISE

The rail noise issue is site-specific in nature, as the level and impact of noise varies depending on the frequency and speed of the trains, but more importantly, the impact of noise varies depending on the distance of the receptor to the railway operations. **The distance from rail operations where impacts may be experienced can vary considerably depending on the type of rail facility and other factors** such as topography and intervening structures.

AC.1.2 // SOURCES OF SOUND FROM RAILWAY OPERATIONS

Principal sources of noise from existing railway infrastructure include:

- wheels and rails;
- diesel locomotives – much of the noise is emitted at the top of the locomotive and in some cases the noise has a distinctive low-frequency character. Both of these factors make locomotive noise difficult to control by means of barriers such as noise walls or earth mounds, because they have to be quite high in order to break the line of sight, and therefore provide noise attenuation;
- **special track forms, such as at switches, crossings, diamonds, signals, and wayside detection equipment, cause higher levels of noise and vibration and tend to be more impulsive;**
- bridges and elevated structures due to the reverberation in the structures; and
- **other sources including brake squeal, curve squeal, train whistling at railway crossings, bells at stations, shunting of rail cars, coupling, idling locomotives, compression or “stretching” of trains, jointed vs. welded tracks, and track maintenance.**

What Does the Forest Industry Mean to Squamish?

The Squamish and District Forestry Association is a group that represents forest industry stakeholders in the Sea to Sky Natural Resource District. The Association's current mandate is to provide information regarding current forest practices and the economic benefits of a healthy forest industry to elected officials and administration so they are able to make informed decisions regarding land-use planning and the impacts of these decisions on stakeholders. These land-use decisions are especially significant when they have the potential to negatively impact the forest industry's access to critical water transportation.

The following points in this handout are meant to provide a realistic examination of the benefits of the forest industry to the local and provincial economy and to address common misconceptions/misunderstandings regarding the industry.

Post Sea-to-Sky Land and Resource Management Plan (LRMP) and Timber Supply Review (TSR) processes, the Sea to Sky Natural Resource District (DSQ) has about 650,000 m³ of available Allowable Annual Cut (AAC). Of all the forest districts, the Sea to Sky Natural Resource District has the greatest amount of land set aside in parks and conservancies (26%) and still has enough forested land available to support this significant volume of timber harvesting. The remaining timbered area available for forestry activities is still managed for mule deer winter range, goat winter range, moose winter range, grizzly bear habitat areas, spotted owl habitat areas, old-growth management areas, riparian management areas, wildlife tree retention areas etc... Of the remaining area available for harvesting, approximately 0.5% is impacted on an annual basis at full harvest levels. Forestry is a 'green' industry and having this sustainable source of fibre available in perpetuity to provide a cornerstone of an economic foundation is indeed a gift that Squamish should be grateful for.

From time to time individuals or groups express concerns regarding the perceived negative impacts the harvesting of timber could potentially have on the tourism and recreation which Squamish is well-known for. Ironically, the infrastructure that provides access to backcountry pursuits such as river-rafting, mountain-

biking, hiking, fishing, hunting, cross-country skiing and snowmobiling are built and maintained almost exclusively by the forest industry. In an economic downturn that results in suspended harvesting activities, forestry roads are not graded or maintained, greatly diminishing the quality of the experience for many or even the opportunity to access specific areas for these activities.

An advantage of the forest industry is that the forests cannot be taken away with a business and therefore they will always benefit the DSQ. Because of our climate and geography, the DSQ has relatively high production costs and it's these high costs that represent a large influx of revenue into the local economy.

Licencees of the DSQ are local – no “international corporate entities” own rights to local timber. First Nations of the DSQ have historically owned small forest tenures but have only relatively recently become a force in the local industry, owning approximately half of all harvesting rights in the DSQ. First Nations are using their tenure acquisitions to provide employment opportunities for their membership by capacity building through partnerships with local forest companies. The rest of the tenure holders are mostly long-time forest industry families with a couple or more generations of local involvement in the industry. Only 4% of the AAC belongs to an outside entity and that is a Richmond-based cooperative.

To help quantify the contributions of the industry at a local and provincial level, it is useful to draw some figures from a Ministry of Forests, Lands and Natural Resource Operations' publication titled, “2011 Economic State of BC's Forest Sector”. It can be found at:

<http://www.for.gov.bc.ca/het/economics-economic-state.htm>

- During 2011 BC's forest industry harvested 69.2 million m³ of timber and directly employed 53,340 people;
 - This translates into 1 direct job for every 1,300 m³ harvested;
 - At recent harvest levels around 400,000 m³ for the DSQ, 308 direct jobs are created;

- If the DSQ was harvesting the full AAC of 650,000 m³ it would mean 500 direct jobs.
- Log truck drivers are included in the transportation sector, not the forest sector:
 - 400,000 m³ AAC requires 28 full-time log truck drivers to deliver;
 - 650,000 m³ AAC requires 46 full-time log truck drivers to deliver.
- At a standard nominal multiplier of 1.3 the total direct and indirect jobs due to the forest industry in the DSQ would be around **437** at our present harvest levels or **710** if we were achieving our AAC.
- Because Squamish is the hub of forestry activity for the corridor due to the water transportation access we enjoy, the greatest portion of forestry and support jobs are based in Squamish.
- These employment figures when prorated only provide an average jobs-per-cubic-meter picture as harvesting methods and the degree of secondary manufacturing vary from jurisdiction to jurisdiction. However, the figures are a reasonable reflection of the employment figures for Squamish as we have relatively higher road building and harvesting costs with only one significant primary manufacturing facility: AJ Forest Products. The employment figures simply highlight the fact that the forest industry means many well-paying jobs.
- It is important to note that these figures are still significant while the forest industry is experiencing a protracted downturn.
- In 2011 the forest industry had 11.2 billion dollars in forest product sales and contributed 8.5 billion dollars to the GDP of BC or \$161.85/m³ and \$122.83/m³ of the harvest respectively.

To put it in perspective, the Sea to Sky Natural Resource District alone accounted for \$64.7M in sales and contributed \$49.1M to BC's GDP in 2011;

- Increasing the harvest levels to the 650,000 m³ AAC would increase the sales values to \$105.1M and the GDP contribution to \$79.8M.

**CURRENT SHORT AND LONG TERM ECONOMIC VALUE TO THE
DISTRICT OF SQUAMISH, THE PROVINCE AND DIRECT JOBS IN THE SEA
TO SKY FOREST DISTRICT DERIVED FROM LOG HANDLING**

Based on the 2014 harvest volume of 456,000 m³:

Short term - assuming an annual harvest rate of 456,000m³:

Economic value to the District of Squamish -	\$ 22,800,000
Employment – Sea to Sky Forest District –	350
Economic value to the Province –	\$91,200,000

Long term - based on sustainable harvest level of 650,000m³:

Economic value to the District of Squamish –	\$ 32,500,000
Employment – Sea to Sky Forest District –	500
Economic value to the Provincial –	\$130,000,000

BC Forest Industry Economic Impact Study

JANUARY 2015



Prepared By:
MNP LLP



Feeling the squeeze

Squamish firms say long-term success possible, if DOS policy-makers don't squeeze them out

<http://www.squamishchief.com/article/20130530/SQUAMISH0101/305309985/-1/squamish0101/feeling-the-squeeze>

Rebecca Aldous May 30, 2013

After more than 100 years in existence, the industry that helped shape this town has quietly disappeared from its maps.

The municipality's Official Community Plan erases log handling from Squamish's peninsula. The District of Squamish's present truck route map ignores some of forestry's log sorting facilities completely. While there's a long-term idea to move all log handling to an area on the southeast side the Mamquam Blind Channel — Site B — employees at the log sort on the other side of the waterway worry they're being squeezed out of town altogether.

It's a complicated issue, industry spokesperson Eric Andersen said. The Garibaldi Forest Products' dry sort is on leased land that may not be developed for many years to come. In the meantime, land-use plans and safe truck routes for water-dependent industries need attention before municipal officials can focus on the Oceanfront, Andersen said.

The issue has left stakeholders, like Garibaldi Forest Products owner Bryan Shier, scratching their heads. Logging annually pumps an estimated \$50 million into Squamish. It's one the district's largest industries, directly employing approximately 350 people in the corridor, Shier said.

Last year, 3,300 truckloads of timber were hauled down Loggers Lane to the Garibaldi Forest Products log sort just south of the Squamish Yacht Club. This month, council voted to examine the proposed Seventh Avenue connector truck route that serves Squamish Terminals, but ignores the dry sort.

It's as if a segment of Squamish is trying to hide an embarrassing secret, Shier said, above the roar of two loaders sifting through fallen logs on a site in Tree Farm Licence (TFL) 38 — an area comprising the Squamish, Elaho and Ashlu drainages. It's an impulse that stems from ignorance, Shier said.

Most of the action takes place out of the view of the community, Shier said. The Squamish Forest District consists of 1 million hectares. TFL 38 is approximately 189,000 hectares. Within the TFL, 25,000 hectares are working forest, of which less than one per cent is harvested per year. Other than the log booms tied up along the Blind Channel and sporadic logging trucks rolling through town, the industry is invisible to residents.

People who don't work in the field haven't seen the change, said Lance Iverson, who logged in the 1970s and '80s. Environmental practices didn't really exist when Iverson headed out into the woods. It was the day of slashing and burning, the era that earned forestry its bad-boy reputation.

"They don't even do the same kind of logging anymore," he said.

In this new age of forestry, B.C.'s environmental practices are recognized worldwide, said Jeff Fisher, president of Squamish Forestry LP. It's sustainable, he added, with planning reaching out 250 years. In every cut, some trees remain to serve as homes for wildlife, Fisher said, pointing out a cluster of tall Douglas fir on a nearby hilltop.

Environmental measures differ depending on the site, wildlife habitats and aboriginal cultural interests, all of which must be addressed when applying for a cutting permit. Fish-bearing waterways are buffered and whatever is chopped down is replaced with seedlings within a year — approximately 80 per cent of them survive. Replanting accounts for the survival rate, with the industry planting more trees than it hauls away.

The operation Shier and Fisher toured was harvesting second-growth forest, trees roughly 50 years old. From the Squamish Valley, 12 trucks hauled the wood to the dry sort on Loggers Lane. There, the timber is sorted, scaled, secured into booms and floated down Howe Sound to as many as 90 different destinations in the Lower Mainland and Vancouver Island.

Twenty-five to 30 per cent of the timber is shipped overseas, to places including Japan, China, Korea and the United States. That's vital in today's depressed domestic log market, Shier noted.

For close to a decade, emerging markets undercut Canada's prices, the Canadian dollar rose and the U.S. housing market collapsed. Then the 2009 global recession hit.

"It was the perfect storm," Shier said.

Things are turning around. For almost a decade, only half of the Squamish Forest District's allowable cut was harvested. The local industry aims to bump that up to 100 per cent in three to five years.

"This is the industry that everybody thought has gone away," Shier said.

The Official Community Plan (OCP) designates the Garibaldi Forest Products log sort as part of downtown, district director of planning Chris Bishop said. Both the OCP and the municipality's 2031 Multi-Modal Transportation Plan offer a broad overview, without getting into specifics, Bishop said.

The district's research into the Seventh Avenue connector idea will include input from various industry stakeholders. The route follows the opposite side of the valley from the log sort on Loggers Lane; however, that isn't to say Loggers Lane would be closed to truck traffic, Bishop noted.

The municipality's downtown transformation initiative puts everything on the table in terms of proposals for Cleveland Avenue and Loggers Lane, Bishop said. With redevelopment along the Blind Channel and in Squamish's heart, transportation takes a high priority, he said.

"If you still have heavy trucks running right through the middle of it, it is going to prove a challenge," Bishop said.

It's complex, he noted, adding the district isn't dealing with a clean slate. There are water constraints, private land holdings and existing layout and grid patterns.

"I see the challenges from both sides, really," Bishop said. "From the redevelopment side it is not ideal, but from the ongoing established industry side, it's like 'OK, great, give us an option.' We have to satisfy both those issues."

Wherever the industry ends up, it doesn't belong downtown, Coun. Doug Race said. District officials fought hard to ensure the practice could be maintained at Site B, Race said. West-Barr Contracting Ltd.'s log sort is scheduled to move from the Squamish Estuary to the new site next year.

"We want to make sure that it stays, but it certainly isn't a part of the oceanfront," Bishop said.

Site B comes with its own set of challenges, Andersen said. The re-entry onto Highway 99 for trucks can be dangerous, he said. Future plans call for high-rise residential buildings opposite the property, Andersen noted, adding that he's concerned potential residents would be averse to the noises associated with log handling and processing operations.

When it comes time to find a new home, Garibaldi Forest Products is unsure whether it will jump across the water to Site B. Moving costs money, Shier said. The company is faced with a big question — Should it make such an investment in a cyclical industry with a community that doesn't seem to be backing it?

"You don't want to forget the industry that started [this community]," Shier said.

INTERVIEW WITH FORESTER JEFF FISHER:

http://youtu.be/hgN8P_kNt6c

ECONOMIC IMPLICATIONS OF A COVENANT THAT FAILS TO PROTECT LOG HANDLING ON THE SQUAMISH WATERFRONT

Based on the 2014 harvest volume of 456,000 m³, a covenant that resulted in a 25% reduction in operational time would likely result in the following loss of revenue and jobs in the Sea to Sky Forest District.

Short term – assuming an annual harvest rate of 456,000m³:

Economic loss to the District of Squamish –	\$ 5,700,000
Loss of direct employment, Sea to Sky Forest District –	87
Loss to Provincial revenue –	\$20,800,000

Long term – based on sustained harvest level of 650,000m³:

Economic loss to the District of Squamish –	\$ 8,125,000
Loss of direct employment, Sea to Sky Forest District –	125
Loss to Provincial revenue –	\$32,500,000

REQUESTS:

- 1. Registration of a covenant on title to Squamish Oceanfront properties, which will address noise, dust and lighting associated with neighbouring port terminal and industrial facilities operations.**
- 2. All relevant third parties shall be included in the covenant, and with provision that any changes must be agreed upon by all parties.**
- 3. A requirement to identify the industrial neighbourhood context of the development, which can involve industrial operations over 24 hours 7 days per week, in any Disclosure Statement and purchase and sale agreements and tenancy agreements.**
- 4. Covenant and Disclosure Statement to be referenced in Squamish Oceanfront Rezoning & OCP Amendment Bylaw.**
- 5. Area of application for the Covenant and Disclosure Statement shall be the entire area of the Sub Area Plan.**