



REQUEST FOR DECISION

Electoral Area D Zoning Bylaw No. 540, 1994, Amendment Bylaw No. 1371-2015 regarding Housekeeping Amendments

Meeting dates: April 22, 2015

To: SLRD Board of Directors

RECOMMENDATION:

1. THAT Bylaw No. 1371-2015, cited as "Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994, Amendment Bylaw No. 1371-2015" be read a third time, as amended.
2. THAT pursuant to Section 52(3)(a) of the *Transportation Act*, Bylaw No. 1371-2015, cited as "Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994, Amendment Bylaw No. 1371-2015" be sent to the Ministry of Transportation & Infrastructure for their approval prior to adoption of the bylaw.

KEY ISSUES/CONCEPTS:

The proposed zoning amendment bylaw includes a number of housekeeping changes for Zoning Bylaw No. 540, 1994, which covers a portion of Electoral Area D. The bylaw was referred to a number of agencies and this report summarizes the referral comments that were received. Under Section 52(3)(a) of the *Transportation Act*, MOTI approval is required for all zoning bylaws & amendments that include land within 800 m of a controlled access highway. This approval is required after a bylaw receives 3rd reading and before it is adopted.

RELEVANT POLICIES:

Electoral Area D Official Community Plan Bylaw No. 1135-2014

Electoral Area D Zoning Bylaw No. 540, 1994

BACKGROUND:

Numerous issues have been identified in the Britannia Beach Residential 1 and 2 zones that apply to Britannia Beach as part of Zoning Bylaw No. 540, 1994. It was determined that these minor issues could be addressed in advance of the completion of the Area D Zoning Bylaw. A housekeeping amendment bylaw has been drafted which includes a zoning change to address a lot line adjustment (subdivision) that has resulted in two unintentionally split zoned parcels, new and revised common definitions, minor setback changes and fence height provisions, clarification on certain provisions, and fixing of incorrect section references.

REFERRAL COMMENTS:

Ministry of Transportation & Infrastructure – response received

No comments or concerns. MOTI approval is required after 3rd reading and prior to adoption because of the proximity to a controlled access highway.

Ministry of Forests, Lands, and Natural Resource Operations – No response received

Squamish Nation – response received

No comments or concerns.

Vancouver Coastal Health Authority – response received

No comments or concerns.

ANALYSIS:

There were several minor changes made to the bylaw after the first two readings, however, no changes have been made based on the referral process, as no referral comments have been received which raise any concerns. The changes made since second reading are primarily section reference fixes, as well as an adjustment to the proposed minimum distance between buildings in Residential zones: it is being lowered from 1.6 to 1.5 m (5 ft.). None of these changes alter use or density and are in accordance with s. 894 of the *Local Government Act*.

OPTIONS:

Option 1 (PREFERRED OPTION)

Give the bylaw third reading as amended and send the bylaw to MOTI for their approval.

Option 2

Do not give the bylaw any readings and refer back to staff for more information.

FOLLOW UP ACTION:

As per Board decision.

ATTACHMENTS:

Zoning Amendment Bylaw No. 1371-2015

Prepared by: I. Holl, Planner

Reviewed by: K. Needham, Director of Planning and Development

Approved by: L. Flynn, Chief Administrative Officer

SQUAMISH-LILLOOET REGIONAL DISTRICT
ZONING AMENDMENT BYLAW NUMBER 1371-2015

A bylaw of the Squamish-Lillooet Regional District to amend Squamish-Lillooet Regional District
Zoning Bylaw No. 540, 1994.

The Board of Directors of the Squamish-Lillooet Regional District, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as the “Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994, Amendment Bylaw No. 1371-2015”.
2. The Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994 is hereby amended as follows:
 - a. By deleting the phrase “which may be contained in a free standing building” from Section 12.1.1(1)(b).
 - b. By renumbering the section reference in Section 12.1.2 from “where permitted in section 11.1.1” to “where permitted in section 12.1.1”.
 - c. By deleting the phrase “and secondary suites” from Section 12.1.6(2).
 - d. By replacing the figure “75” in Section 12.1.11(3) with the figure “90”.
 - e. By replacing the existing Section 12.1.11(5) with a new Section 12.1.11(5), as follows:

12.1.11(5) The maximum combined floor area of a cottage and parking use is 195 m².
 - f. By deleting Section 12.1.8 and Section 12.1.12, and renumbering Section 12.1 Britannia Beach Residential Two (R2) Zone accordingly.
 - g. By renumbering the section reference in Section 14.2.4 from “Section 7.2.2” to “Section 14.2.2”.
 - h. By deleting the phrase “or any part thereof” from Section 8.1.9(1).
 - i. By adding the following new subsection (0.10) to Section 4.4 Siting Exemptions after subsection 4.4.9 as follows:

.10 roof overhangs, to a maximum of 0.6 m, measured horizontally.
 - j. By deleting Section 8.1.10 Siting and Elevation of Buildings Adjacent to Waterbodies, Watercourses, and 8.1.11 Setback Reductions.
 - k. By deleting the two “watercourse (natural boundary)” setbacks from Section 6.1.2 for the “minimum setback of a principal building from” and “minimum setback of an accessory building from” subsections.
 - l. By deleting Section 7.1.5(b).
 - m. By deleting Section 13.2.12 in Table 1 of Section 13.2.

- n. By deleting the reference “[Section 11 Bylaw NO. 1085, 2008 – PENDING] that follows Section 11.1.7.
- o. By replacing the phrase “the principal building” in Section 4.6.5 with the new phrase “the building”.
- p. By replacing the word “parking” in Section 4.6.1 with the word “a garage”.
- q. By adding a new subsection 4.6.3 in the existing Section 4.6 Floor Area Calculations as follows, and renumbering the other subsections as appropriate:
- .3 carports
- r. By deleting the phrase “or two storeys” from Section 8.1.8(1), and also deleting the phrase “or two and one half storeys”.
- s. By adding the following new subsection to existing Section 4.12 Fence Height after subsection 4.12.1 as follows:
- .2 Notwithstanding Section 4.12.1, fences shall be a maximum of 1.2 m along the front parcel line and 1.2 m along the portion of each side parcel line from the front parcel line to the front parcel line setback distance applicable in the relevant zone.
- t. By adding a new definition of “Garage” in the Definitions section as follows:
- GARAGE** means a roofed *structure* used for the storage or parking of motor vehicles that has more than 60% of the total perimeter of the *structure* enclosed by walls, doors, or windows.
- u. By replacing the existing definition of “Secondary Suite” in the Definitions section with the following:
- SECONDARY SUITE** means an additional *dwelling unit* contained within a *single family dwelling*. *Secondary suites* are not permitted in a *duplex*. The following conditions apply to a secondary suite:
- Has a total floor space of not more than 90 m² in area
 - Has a floor space less than 40% of the habitable floor space of the building
 - Is located within a building of residential occupancy containing only one other dwelling unit
 - Is located in and part of a building which is a single real estate entity (i.e. a single title)
- v. By deleting the existing definition of “Setback” in Section 2 Definitions, and replacing it with the following new definition of “Setback”:
- SETBACK** means the required minimum distance between a *building or structure* and each of the respective *parcel lines*. Setbacks are measured as follows for:
- All buildings measured to the outside surface of the exterior walls or posts.
 - All structures, other than buildings, measure to their extreme outer limits.
- w. By deleting the existing definitions of “Parcel Area”, “Parcel Line”, “Parcel Line, Side”, “Parcel Line, Front” and “Parcel Line, Rear” in Section 2 Definitions, and replacing it with the following new definitions of “Parcel Area”, “Parcel Line”, “Parcel Line, Exterior Side”, “Parcel Line, Interior Side”, “Parcel Line, Front” and “Parcel Line, Rear”.

PARCEL AREA means the total horizontal area within the *parcel lines*.

PARCEL LINE means any boundary of a parcel.

PARCEL LINE, EXTERIOR SIDE means a *parcel line*, other than a *front* or *rear parcel line*, which is common to the parcel and a highway other than a *lane* or walkway.

PARCEL LINE, FRONT means:

- a) the shortest *parcel line* common to a parcel and a highway other than a *lane*.
- b) The waterfront, where the parcel is not accessible by a highway.

PARCEL LINE, INTERIOR SIDE means a *parcel line* other than a *front parcel line* or *rear parcel line* which is not common to a highway other than a *lane*.

PARCEL LINE, REAR means:

- a) the *parcel line* that is opposite to, most distant from, and is not connected to the *front parcel line*, or
- b) where the rear portion of the *parcel* is bounded by intersecting side *parcel lines*, is the point of intersection.

- x. By replacing the existing table of setbacks in Section 8.1.9(1) with the following table:

	BB R1 Area 1 Principal Buildings	BB R1 Area 2 Principal Buildings	BB R1 Area 1 & 2 Accessory Buildings
<i>Front parcel line</i>	5.6 m	8.1 m	3.6 m
<i>Rear parcel line</i>	5.6 m	8.1 m	2.1 m
<i>Interior side parcel line</i>	2.1 m	4.1 m	2.1 m
<i>Exterior side parcel line</i>	4.5 m	7.5 m	4.5 m

- y. By deleting the existing section 8.1.9(2) and its two subsections 8.1.9(2)(a) & (b), and replacing them with a new section 8.1.9(2) as follows:

(2) Notwithstanding the provisions of section 8.1.9(1), the following parcel line setback provisions apply to the parcels as identified in each subsection:

- (a) For PID 026-457-601, Lot 2, District Lot 891, Plan BCP20004, Group 1, NWD:
 - (i) The front parcel line setback shall be 3.6 m
 - (ii) The rear parcel line setback shall be 2.75 m
- (b) For PID 026-457-768, Lot 22, District Lot 891, Plan BCP20004, Group 1, NWD:
 - (i) The front parcel line setback shall be 4.6 m
 - (ii) The rear parcel line setback shall be 3.6 m

- z. By inserting a new Section 4.14 Minimum distance between buildings in Residential zones immediately following the existing Section 4.13 Split Zoned Parcels, as follows:

Minimum distance between buildings in Residential zones

4.14 For all buildings in Residential zones in this bylaw, there is a minimum distance of 1.5 m between buildings, or part thereof.

- aa. By inserting a new Section 4.15 Watercourse Setbacks and Riparian Area Regulations (RAR) immediately following the new Section 4.14 added by (z) above, as follows:

Watercourse Setbacks and Riparian Area Regulations (RAR)

4.15 Watercourse setbacks are determined by a Qualified Environmental Professional (QEP) in accordance with RAR through the Development Permit process. RAR has been enacted through a Development Permit Area in the Electoral Area D Official Community Plan (OCP) Bylaw No. 1135-2013, as amended from time to time. Any development activity (building, land clearing, vegetation removal, soil disturbance, etc.) within 30 m of a watercourse requires a Development Permit.

bb. By inserting the phrase “for a *medical marihuana production facility*” after the existing phrase “Maximum floor area” in the table under section 6.1.2

cc. By inserting the new section 8.1.7(3) immediately following the existing section 8.1.7(2) as follows:

(3) A maximum of 2 accessory buildings is permitted on a parcel.

dd. By rezoning that portion of land (two separate parcels) outlined in bold on Schedule 1, which is attached to and forms part of this bylaw, from the current split designation of Britannia Beach R1 and Britannia Beach R2 to Britannia Beach R1.

ee. By updating the table that summarizes the amendments to the bylaw in the front of Zoning Bylaw No. 540, 1994 to include this bylaw.

READ A FIRST time this	25 th day of	FEBRUARY, 2015
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READ A SECOND time this	25 th day of	FEBRUARY, 2015
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PUBLIC HEARING WAIVED this	25 th day of	FEBRUARY, 2015
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READ A THIRD time, as amended this	22 nd day of	APRIL, 2015
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PER s.52 (3)(a) of the <i>Transportation Act</i> , APPROVED by the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this	day of	, 2015
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ADOPTED this	day of	, 2015
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Jack Crompton
Chair

Lynda Flynn
Secretary