



REQUEST FOR DECISION

Ponderosa Estates Zoning Amendment

Bylaw 1695-2020 (First Reading)

Meeting Date: November 25, 2020

To: SLRD Board

Location: Electoral Area C, in the vicinity of Anderson Lake and the Highline Road

Legal Description: DISTRICT LOT 2663 AND 4805, LILLOOET DISTRICT

RGS Designation: Non-Settlement Area	OCP Designation: Rural Residential	Zoning: Rural 1	ALR Status: N/A	Development Permit Areas: N/A
--	--	---------------------------	---------------------------	---

RECOMMENDATIONS:

THAT Bylaw 1695-2020, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1695-2020” be introduced and given first reading.

THAT Bylaw 1695-2020, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1695-2020” be referred to the appropriate First Nations, Vancouver Coastal Health Authority, and provincial agencies including the Ministries of Transportation & Infrastructure, and Forests, Lands, Natural Resource Operations and Rural Development.

KEY ISSUES/CONCEPTS:

In 2014, the provincial government amended the *Local Government Act* to terminate all land use contracts as of June 30, 2024. Local governments are required to have zoning bylaws in place by June 30, 2022 that will apply to the land once the land use contracts are terminated. Once land use contracts are terminated, only the zoning will apply. This will result in non-conforming uses, as the underlying zoning for Ponderosa Estates is Rural 1 (RR1) - which does not allow for the level of development currently on the property. Under this non-conforming situation, if a fire were to occur there would be no opportunity to rebuild.

To address the provincial requirements and non-conforming situation of the current underlying zoning, SLRD staff are proposing zoning amendments for Ponderosa Estates. The proposed zoning amendments build on previous work completed by SLRD staff.

RELEVANT POLICIES:

[Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008](#)
[Squamish-Lillooet Regional District Electoral Area C Official Community Plan Adoption Bylaw No. 689, 1999](#)

[Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002](#)
[Ponderosa Estates Land Use Contract 117](#)

BACKGROUND:

An information report went to the October 28, 2020 SLRD Board meeting introducing the proposed amendment and project scope. Appendix A outlines Amendment Bylaw No. 1695-2020 and Appendix B outlines the RR Pon Zone specifically.

In 2016, the SLRD worked on new zoning for Ponderosa Estates. A contract planner named Ian Cooper was working on the zoning, but due to complications with the larger Area C Zoning project, the SLRD had to put the zoning amendments on hold.

The current staff-initiated zoning amendment process builds on the previous work completed in 2016, which included extensive community engagement processes. 26 properties are subject to the Ponderosa Estates Land Use Contract Bylaw No. 117 (LUC 117). SLRD staff have been in communications with the Ponderosa Estates strata notifying of the proposed zoning amendment as well as associated process and timeframes.

Scope of Projects

The key purpose of the zoning amendments is to address the provincial requirements for land use contract termination and the non-conforming situation of the current underlying zoning. The zoning amendments will replace the underlying Rural 1 zone with the RR Pon Zone - a zone that reflects the development on the property. For clarity, no changes to what is currently provided for under LUC 117 will be contemplated under this staff-initiated project. Additionally, the SLRD is not proposing to discharge LUC 117. Rather the new zoning will address the non-conforming issue of the current zoning, and once the land use contract terminates in 2024, the new zoning will be the land use regulation in place.

RR Pon – Ponderosa Estates Zone

The RR Pon Zone reflects the DRAFT zoning previously prepared for Ponderosa Estates, which was supported by the strata and mirrors what is currently provided for under LUC 117. The current underlying zoning that applies to Ponderosa Estates is Rural 1 (RR1) and does not allow for the current level of development on the property.

Summary of New Zoning

- The intent of the Ponderosa Estates (RR Pon) Zone is to provide for residential development consistent with the original Land Use Contract.
- Permitted uses provide for one single family dwelling per strata lot, trailers (if specified requirements are met), and an accessory building
- Total Floor Area of all buildings on a site must not exceed 375 m².
- No building shall exceed 7.62 metres in height.
- Provisions are also included for *Common Areas* and *Greenbelt Areas*.

Please see Appendix B for further details.

Housekeeping amendments

- In order to accommodate new zones, the Electoral Area C Zoning Bylaw No. 765, 2002 requires an updated numbering system. This housekeeping items is being brought forward with the subject amendment, as renumbering will enable the RR Pon Zone to be inserted into the Section 5 Rural Zones.
- The addition of standard Temporary Use Permit language is also proposed, which enables all zones to consider Temporary Use Permits. This is consistent with the approach used in other SLRD zoning bylaws and also eliminates redundancies throughout the Electoral Area C Zoning Bylaw No. 765, 2002.
- The replacement of the current Agriculture definition with an updated Agriculture definition, to align with current ALC farm use provisions. This definition update is also being brought forward in Electoral Areas A, B and D.
- The replacement of the existing Driveway Gradient regulations with updated regulations addresses concerns raised by the public in both interpretation and implementation.
- The replacement of the current Campground definition with an updated Campground definition, which removes of yurts. This is to addresses conflicts with Building Code requirements which stipulate that yurts must be treated as a permanent structure.

ANALYSIS:

Regional Growth Strategy Bylaw No. 1062, 2008

Ponderosa Estates is designated Non-Settlement Area in the SLRD Regional Growth Strategy. As such, development beyond what is currently provided for under LUC 117 is not contemplated or supported.

Electoral Area C Official Community Plan Bylaw No. 689, 1999

Ponderosa Estates is designated Rural Residential under the Area C OCP. According to the Area C OCP, an Objective for the Rural Residential lands is:

- To promote development consistent with the existing rural and semi-rural character of the area.

Further, Rural Residential Policies state:

- 4.1. Lands set aside for residential development are indicated on Map 1- Land Use Designations as Rural Residential.
- 4.2. Permitted uses in Rural Residential areas are a single family home, a secondary suite, home-based businesses, home industry, accessory buildings, and ancillary uses related to the above.
- 4.5. Subject to soil conditions, geotechnical hazards, water supply, and policies for the preservation of agricultural land, in all Rural Residential areas the minimum parcel area shall be 2 hectares.
- 4.6. Where suitable conditions exist and where maintaining an overall density of 2 hectare parcels is desirable, the Regional District will consider development applications that propose to cluster housing together on lots smaller than 2 hectares provided the density for the entire development area remains at 1 lot per 2 hectares.

The Ponderosa Estates parcel is 117.83 hectares. With 26 strata lots, the density for the entire development area is 4.5 hectares.

Electoral Area C Zoning Bylaw No. 765, 2002 and Land Use Contract No. 117

The RR Pon Zone reflects what is currently provided for under the LUC 117. The zoning amendment addresses the non-conforming issues of the current underlying zoning, but does not provide for further density, development or uses.

Terrain Hazards

Ponderosa Estates is not in a mapped terrain hazard area, though there are steep slopes in the area.

REGIONAL IMPACT ANALYSIS:

No new development is being proposed, thus regional impacts are negligible.

OPTIONS:

Option 1 (PREFERRED OPTION)

Give first reading to Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1695-2020 and initiate the referral process.

Option 2

Revise as per Board direction and give first reading to the Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1695-2020 as revised.

Option 3

Refer the zoning amendment application back to SLRD staff for more information, or for revision.

Option 4

Reject the zoning amendment application.

FOLLOW UP ACTION: If approved by the Board, proceed with initiating referral process for the zoning amendment bylaw.

ATTACHMENTS:

Appendix A: Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1695-2020

Appendix B: RR Pon Zone

Prepared by: C. Dewar, Senior Planner

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

Approved by: M. Helmer, Chief Administrative Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1695-2020**

A bylaw of the Squamish-Lillooet Regional District to amend Squamish-Lillooet Regional District
Electoral Area C Zoning Bylaw No. 765, 2002

WHEREAS the Board of the Squamish-Lillooet Regional District wishes to amend Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002;

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

1. This bylaw may be cited for all purposes as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1695-2020”.
2. Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002 is amended as follows:
 - (a) By renumbering Schedule A Zoning Bylaw as follows, with formatting/renumbering amendments to current Sections 5.1 – 16.1 and update the Table of Contents accordingly:
 - SECTION 5 – RURAL ZONES
 - SECTION 5.1 RR1 ZONE – RURAL 1
 - SECTION 5.2 RR3 ZONE – RURAL 3
 - SECTION 5.3 RR PON ZONE – PONDEROSA ESTATES
 - SECTION 6 – AGRICULTURAL ZONES
 - SECTION 6.1 AGRI1 ZONE – AGRICULTURE 1
 - SECTION 7 – RESIDENTIAL ZONES
 - SECTION 7.1 R1 ZONE – RESIDENTIAL 1
 - SECTION 7.2 MHP ZONE – MOBILE HOME PARK
 - SECTION 8 – COMMERCIAL ZONES
 - SECTION 8.1 C1 ZONE – COMMUNITY COMMERCIAL ZONE
 - SECTION 8.2 TC ZONE – TOURIST COMMERCIAL ZONE
 - SECTION 9 – INDUSTRIAL ZONES
 - SECTION 9.1 I1 ZONE – LIGHT INDUSTRIAL
 - SECTION 9.2 I2 ZONE – RESOURCE INDUSTRIAL
 - SECTION 9.3 I3 ZONE – INDEPENDENT POWER PROJECT
 - SECTION 10 – PUBLIC AND INSTITUTIONAL ZONES
 - SECTION 10.1 PA1 ZONE – PUBLIC ASSEMBLY AND INSTITUTIONAL
 - SECTION 10.2 CWP ZONE – COMMUNITY WATERSHED PROTECTION
 - SECTION 11 – COMPREHENSIVE DEVELOPMENT ZONES
 - SECTION 11.1 CD1 ZONE – COMPREHENSIVE DEVELOPMENT 1 – WEDGEWOODS ESTATES
 - (b) By replacing 3.20 Temporary Commercial and *Industrial Uses* in SECTION 3 – GENERAL REGULATIONS with the following and by removing all other Temporary Commercial and Industrial Uses sections in the Zoning Bylaw, as they are redundant:

Temporary Use Permit Areas

3.20 Pursuant to Section 492 of the *Local Government Act*, land in all zones is designated as a temporary use permit area, with the exception of land in the CWP Zone.

- (c) By replacing the Agriculture definition in SECTION 1 DEFINITIONS with the following:

AGRICULTURE means the use of land, *buildings*, and structures for the growing, producing, raising or keeping of animals and plants, including apiculture, and the primary products of those plants or animals. It includes activities designated as *farm use*, such as storing, packing, preparing, and/or processing of farm products and related activities as per the *ALCA and Use Regulation*. It also includes *farm retail sales*, the repair of farm machinery and related equipment used on the same farm, agroforestry, horse riding, training, and boarding, greenhouse and nursery uses, but does not include kennels, pet breeding, or a *cannabis production facility*.

(d) By replacing the Campground definition in SECTION 1 DEFINITIONS with the following:

CAMPGROUND means a use providing for the seasonal tourist accommodation of travelers using tents or recreational vehicles, but excludes a mobile home park. A campground may include accessory outdoor recreational uses for those persons accommodated at the campground.

(e) By replacing the Driveway Gradients provisions in SECTION 4 – Parking and Loading Regulations with the following:

Driveway Gradients

4.6 For vehicular driveways:

- .1 The maximum gradient shall be 2% within 2 m of a curb or edge of pavement or public or private roadway or ditch, whichever distance is greater.
- .2 In all zones there must be a cross slope of 2%.
- .3 The maximum average gradient for driveways that slope downward from a road shall not exceed 10%.
- .4 The maximum average gradient for driveways that slope upward from a road shall not exceed 12%.
- .5 A maximum gradient of 15% is permitted over one portion of a driveway not exceeding 3 m in length.
- .6 The maximum gradient for all unenclosed parking spaces is 5%.
- .7 Driveways with average gradients exceeding 10% shall terminate in at least one unenclosed parking space.

(f) By adding the following designation to Table 2-1 Designation of Zones, to come after RR3 – Rural 3 Zone:
RR PON – Ponderosa Estates Zone

(g) By inserting the following RR PON ZONE – PONDEROSA ESTATES into Schedule A Zoning Bylaw under SECTION 5 RURAL ZONES and following the SECTION 5.2 RR3 ZONE as follows:

SECTION 5.3 – RR PON ZONE – PONDEROSA ESTATES

Intent

- 5.3.1 The intent of this *zone* is to provide for residential development consistent with the original Land Use Contract.

Definitions

5.3.2 Definitions shall be the same as in Section 1 of the Zoning Bylaw except:

Accessory Building means a building customarily incidental and subordinate to the principal building on the same *Site*.

Common Area(s) means any or all parts of the *Site* exclusive of the *Strata Lots*

Height means the vertical distance measured from curb level provided that when a building is located on ground above or below curb level, height shall be measured from the highest elevation of the finished grade of the site, as follows

- Flat roof buildings: to the highest point of the building;
- Pitched roof buildings, with ceilings: to the mean height line between the highest point of the building and the ceiling below;
- Pitched roof building: to the mean height line between the highest point of the building and a point 2.45 metres above the floor immediately below
- All other structures: to the highest point of a structure.

Greenbelt Area means those unimproved portions of the *Common Area*

Private Site(s) means any or all building Sites or *Strata lots*, shown on the Site Plan in 5.3.8 ", except *Common Areas*, *Greenbelt Area* and *Works Area*.

Site means any or all building sites or *strata lots*, shown on the Site Plan in 5.3.8 inclusive of *Common Areas*, *Greenbelt Area* and *Works Area*

Strata Lot means any or all of the 26 *Strata lots* shown on the Site Plan in 5.3.8

Works Area means the area designated Works Area and coloured black on the Site Plan in 5.3.8.

Permitted Uses

5.3.3 Land, *sites*, buildings, and structures in the RR Pon Zone shall be used for the following purposes only:

.1 Strata Lots - Permitted Uses:

- a) One (1) single family dwelling not including a mobile home or similar
- b) Trailers provided:
 - i. Trailers must not be a non-permanent type of travel trailer that does not exceed 9 metres in length
 - ii. A building permit for a permanent dwelling has been issued for the *lot*
 - iii. Any trailer is removed before September 30th in the year it was placed on the lot or when the permanent dwelling is occupied, which ever is earlier
- c) An *accessory building* for the storage of tools, outboard motors, camping equipment and other recreational equipment and gear.

.4 Common Area(s) – Permitted Uses:

- a) Private parkland or open space
- b) Roadways, trails and pathways
- c) Horse barns and paddocks
- d) Open fields
- e) Picnic sites

.5 Greenbelt Area – Permitted Uses:

- a) restricted to recreation grounds and hiking trails and pedestrian pathways and shall not be used for any purpose inconsistent with their use and retention as natural, unimproved areas provide that underground services and pathways may be constructed and maintained.
- b) Buildings are not permitted.

.8 Works Area – Permitted Uses

- a) restricted to workshops for welding, machine parts manufacturing and repairing, septic tank servicing, storage of building supplies and materials, storage of water and the repair and maintenance of all necessary equipment for the property.

Density

5.3.4 The maximum of *private sites* permitted is twenty-six (26).

Maximum Floor Area

5.3.5 Total floor area of all buildings on a *site* must not exceed 375 square metres.

Height

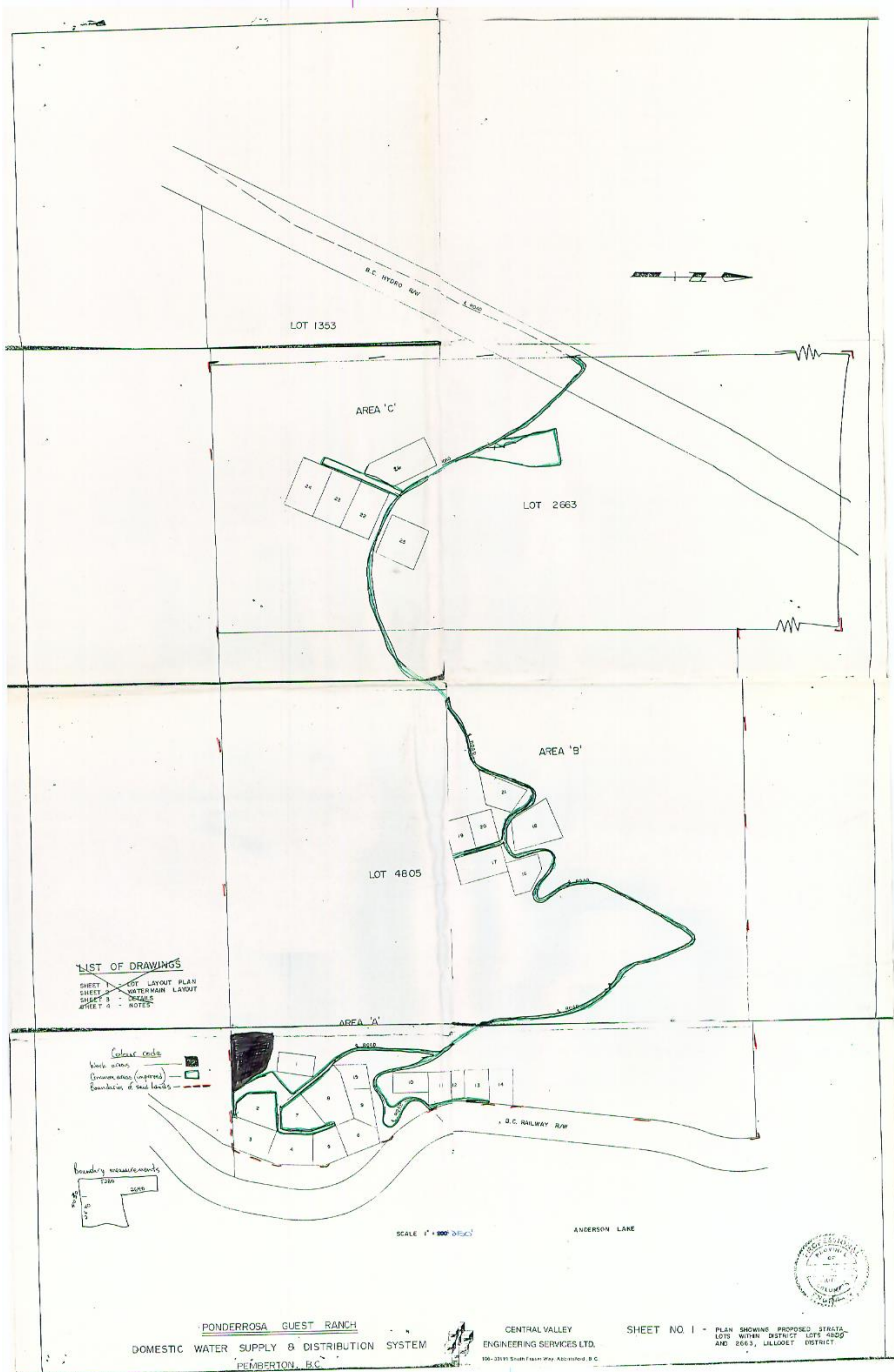
5.3.6 No building shall exceed 7.62 metres in *height*.

Roads, Ways and Paths

5.3.7 All roads and ways are private and must be located substantially as shown on the Site Plan in 5.3.8. The SLRD is not responsible for their construction, installation, maintenance or repair.

Site Plan

5.3.8 The location and size of the *sites* must be substantially in accordance with the following site plan:



- (h) The Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 762, 2002, Schedule B Maps is amended as follows:

The land outlined on the map on Schedule 1 to this bylaw and legally described as “District Lot 2663 and 4805, Lillooet District” is rezoned from RR1 Zone (Rural 1) to RR PON Zone (Ponderosa Estates).

- (i) By adding Amendment Bylaw 1695-2020 to the Summary of Amendments table as follows:

1695-2020	Ponderosa Estates Zoning Amendment and Housekeeping	, 2021
-----------	---	--------

READ A FIRST TIME this 25th day of NOVEMBER, 2020

READ A SECOND TIME this day of , 2021

PUBLIC HEARING held this day of , 2021

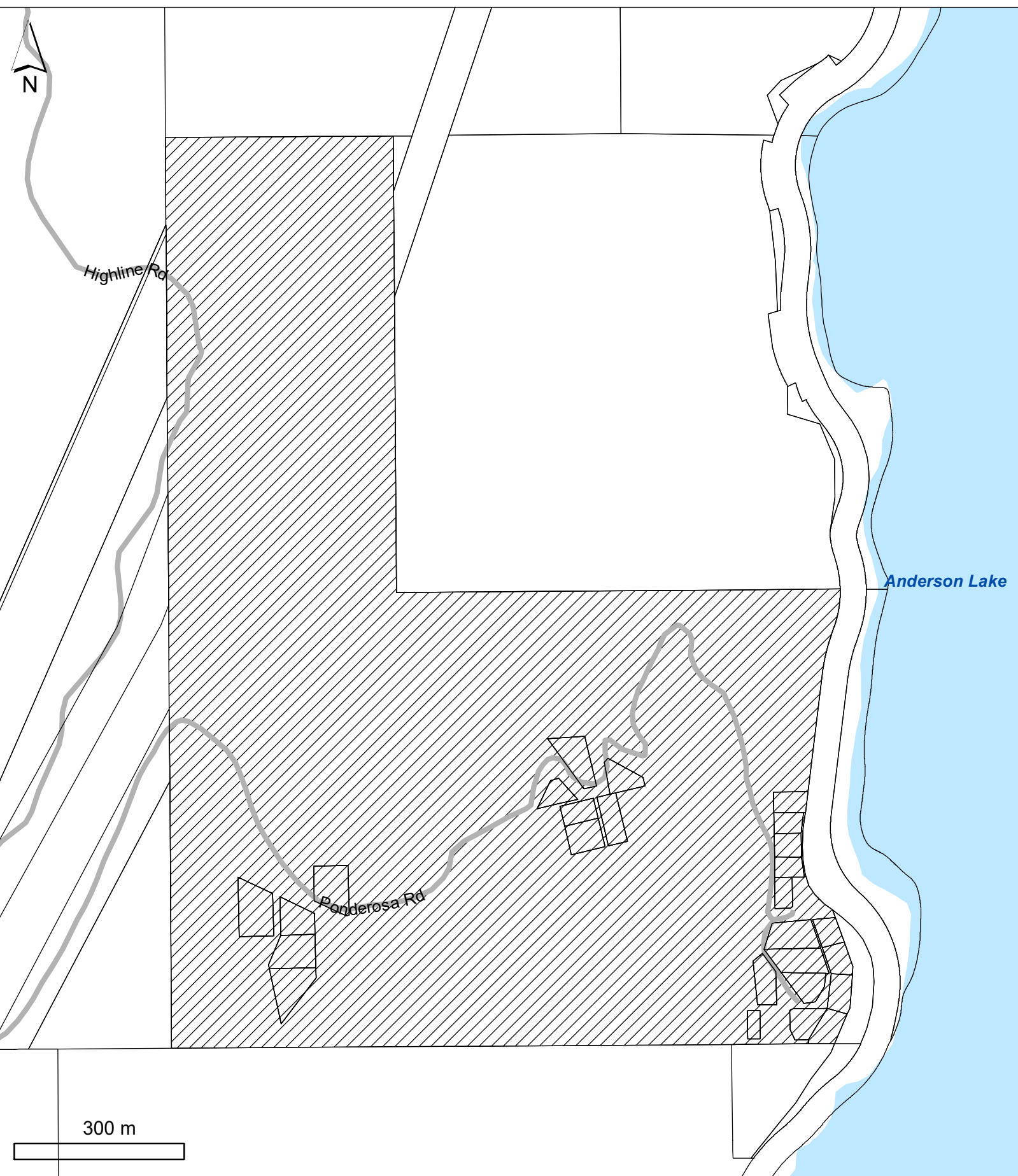
READ A THIRD TIME this day of , 2021

APPROVED PURSUANT TO SECTION 52
(3)(a) OF THE TRANSPORTATION ACT
this day of , 2021

ADOPTED this day of , 2021

Tony Rainbow
Chair

Kristen Clark
Director of Legislative Services and Corporate
Services



Schedule 1: Squamish-Lillooet Regional District Electoral Area C
Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1695-2020

 RR 1 to RR PON

SECTION 5.3 – RR PON ZONE – PONDEROSA ESTATES

Intent

- 5.3.1 The intent of this *zone* is to provide for residential development consistent with the original Land Use Contract.

Definitions

- 5.3.2 Definitions shall be the same as in Section 1 of the Zoning Bylaw except:

Accessory Building means a building customarily incidental and subordinate to the principal building on the same *Site*.

Common Area(s) means any or all parts of the *Site* exclusive of the *Strata Lots*

Height means the vertical distance measured from curb level provided that when a building is located on ground above or below curb level, height shall be measured from the highest elevation of the finished grade of the site, as follows

- Flat roof buildings: to the highest point of the building;
- Pitched roof buildings, with ceilings: to the mean height line between the highest point of the building and the ceiling below;
- Pitched roof building: to the mean height line between the highest point of the building and a point 2.45 metres above the floor immediately below
- All other structures: to the highest point of a structure.

Greenbelt Area means those unimproved portions of the *Common Area*

Private Site(s) means any or all building Sites or *Strata lots*, shown on the Site Plan in 5.3.8, except *Common Areas*, *Greenbelt Area* and *Works Area*.

Site means any or all building sites or *strata lots*, shown on the Site Plan in 5.3.8 inclusive of *Common Areas*, *Greenbelt Area* and *Works Area*

Strata Lot means any or all of the 26 *Strata lots* shown on the Site Plan in 5.3.8

Works Area means the area designated Works Area and coloured black on the Site Plan in 5.3.8.

Permitted Uses

- 5.3.3 Land, *sites*, buildings, and structures in the RR Pon Zone shall be used for the following purposes only:

.1 Strata Lots - Permitted Uses:

- a) One (1) single family dwelling not including a mobile home or similar
- b) Trailers provided:

- i. Trailers must not be a non-permanent type of travel trailer that does not exceed 9 metres in length
 - ii. A building permit for a permanent dwelling has been issued for the *lot*
 - iii. Any trailer is removed before September 30th in the year it was placed on the lot or when the permanent dwelling is occupied, which ever is earlier
 - c) An *accessory building* for the storage of tools, outboard motors, camping equipment and other recreational equipment and gear.
- .4 Common Area(s) – Permitted Uses:
- a) Private parkland or open space
 - b) Roadways, trails and pathways
 - c) Horse barns and paddocks
 - d) Open fields
 - e) Picnic sites
- .5 Greenbelt Area – Permitted Uses:
- a) restricted to recreation grounds and hiking trails and pedestrian pathways and shall not be used for any purpose inconsistent with their use and retention as natural, unimproved areas provide that underground services and pathways may be constructed and maintained.
 - b) Buildings are not permitted.
- .8 Work Area – Permitted Uses
- a) restricted to workshops for welding, machine parts manufacturing and repairing, septic tank servicing, storage of building supplies and materials, storage of water and the repair and maintenance of all necessary equipment for the property.

Density

5.3.4 The maximum of *private sites* permitted is twenty-six (26).

Maximum Floor Area

5.3.5 Total floor area of all buildings on a *site* must not exceed 375 square metres.

Height

5.3.6 No building shall exceed 7.62 metres in *height*.

Roads, Ways and Paths

- 5.3.7 All roads and ways are private and must be located substantially as shown on the Site Plan in 5.3.8. The SLRD is not responsible for their construction, installation, maintenance or repair.

Site Plan

- 5.3.8 The location and size of the *sites* must be substantially in accordance with the following site plan:

