

REQUEST FOR DECISION REPORT

Vega Enterprises Development
Britannia Beach Rezoning Application -
Bylaw No. 1443-2015

Meeting Date: February 17, 2016

Meeting: SLRD Board

Applicant: Vega Enterprises – Gholanreza Chamanara

Location: 1021 Copper Drive, Britannia Beach District Lot 184

Legal Address: PID: 026-826-186, Lot 184, District Lot 4015, Group 1, New Westminster District, Plan BCP25662

RECOMMENDATIONS:

THAT Bylaw 1443-2015, cited as “Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994, Amendment Bylaw No. 1443-2015” be read a second time;

THAT Bylaw 1443 not be adopted until such time that the applicant has been able to fully address and/or remove the current “no further subdivide” covenant on title to the satisfaction of the Ministry of Transportation and Infrastructure;

THAT a public hearing regarding Bylaw 1443-2015 be scheduled and advertised for 7 PM on Monday, March 28, 2016 at the Britannia Beach Community Centre;

THAT the Board delegate Electoral Area D Director Tony Rainbow to Chair the meeting, and delegate Director Patricia Heintzman as an alternate Chair.

SUMMARY:

This report presents the comments from the bylaw referral process and recommends that Bylaw 1443-2015 be read a second time and that a public hearing be scheduled.

BACKGROUND:

Vega Enterprises Limited applied for a rezoning application with the SLRD in May of 2013. In February, 2014, Staff brought forward a report to the SLRD Board requesting permission to proceed with a review of the application and in March, 2014 a public information meeting was held regarding the initial proposal for 12 multi-family townhomes at 1021 Copper Drive, District Lot 184, Britannia Beach.

Since that time, and based on input from the public consultation, the SLRD has worked with the applicant to seek a solution that works better with the very steeply sloped site, as well as the significant site constraints posed by environmental setbacks. The applicant has now agreed to move forward with a proposal for a three-unit townhouse project that better respects the site.

On December 16, 2015, the SLRD Board passed the following resolution:

THAT Bylaw 1443-2015, cited as "Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994, Amendment Bylaw No. 1443-2015" be introduced and given first reading;

THAT Bylaw 1443-2015, cited as "Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994, Amendment Bylaw No. 1443-2015" be referred to the Squamish Nation, District of Squamish and provincial agencies including the Vancouver Coastal Health Authority, the Ministries of Transportation & Infrastructure, Forests, Lands, & Natural Resource Operations, and Environment for comments;

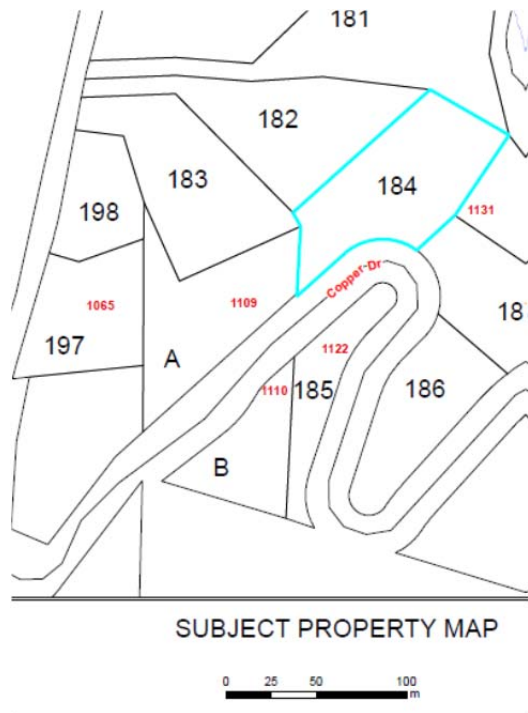
THAT Bylaw 1443-2015 not be adopted until such time that the required "no further build" and replanting covenants are acceptable to the SLRD and in registrable form; and

THAT the Chair and/or the CAO be authorized to sign the required "no further build" and replanting covenants once acceptable drafts have been provided to the Board, prior to bylaw adoption.

This report presents the comments from the referral process and recommends that Bylaw 1443-2015 be read a second time and that a public hearing be scheduled.

Location

The site is located at 1021 Copper Drive and is legally described as: PID: 026-826-186, Lot 184, District Lots 4015 and 7169A, Group 1, New Westminster District, Plan BCP25662 (also known as "Lot 184").



KEY ISSUES/CONCEPTS:

Referral Comments

Bylaw 1443-2015 was referred to a number of organizations. Comments received are noted below:

The District of Squamish: Interests unaffected.

Squamish Nation: No response

Vancouver Coastal Health: No objection provided the units are serviced by the community water and sewerage systems.

The Ministry of Transportation and Infrastructure: Ministry staff have had an opportunity to review the above noted rezoning referral. The subject property lies outside of the Controlled Area and therefore, does not require approval by the Minister under s. 52 of the Transportation Act. The Ministry notes that a covenant exists on title in favour of the Ministry that prohibits further subdivision of the subject property. The Ministry strongly encourages the property owner to address this covenant prior to final reading of the proposed rezoning. In the meantime, Ministry staff will undertake a review of the history of this property to determine the nature of this covenant and will endeavour to provide further comment once complete.

SLRD staff response: Staff suggest that the removal of the current “no subdivide” covenant be made a condition of zoning amendment bylaw adoption. This is reflected in the recommended Board resolution contained within this report.

The Ministry of Environment: No response.

The Ministry of Forests, Lands and Natural Resource Operations: Interests unaffected.

Howe Sound School District #48: Interested in knowing project timing and how many children of school age that will reside in the development for forecasting purposes.

The referral process did not present any opposition or any issues that would prevent Bylaw 1443-2015 from proceeding to second reading and a public hearing, and as such, no changes have been made to the bylaw presented to the Board for first reading.

REGIONAL IMPACT ANALYSIS:

There are no regional impacts as this proposal is in alignment with the Area D OCP and the RGS.

OPTIONS:

Option 1

Give Bylaw 1443-2015 second reading and schedule and advertise the public hearing.

Option 2

Refer the application back to SLRD Staff for more information, or revision.

Option 3

Reject the zoning amendment application.

PREFERRED OPTION: Option 1

FOLLOW UP ACTION:

As per Board direction. Next steps will include advertising the public hearing, preparation of covenants, and hosting a public hearing.

ATTACHMENTS:

Appendix A – Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994, Amendment Bylaw No. 1443-2015

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

Approved by: L. Flynn, Chief Administrative Officer

**Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994,
Amendment Bylaw No. 1443-2015**

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

WHEREAS the Board of the Squamish-Lillooet Regional District wishes to revise Squamish-Lillooet Regional District Zoning Bylaw 540, 1994;

AND WHEREAS section 903(1) of the *Local Government Act* provides that the Board of the Squamish-Lillooet Regional District may amend a zoning bylaw;

NOW THEREFORE the Board 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. 1443-2015'.
2. The Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 540, 1994, as amended, is hereby amended as follows:
 - (a) By inserting the BBR4 Zone, as shown attached as Schedule B in the appropriate location.
 - (b) By revising the Electoral Area D Zoning Map, as follows:
 - (i) rezoning PID: 026-826-186, Lot 184, District Lot 4015, Group 1, New Westminster District, Plan BCP25662 as outlined on Schedule A, which is attached to and forms part of this bylaw, from "Britannia Beach Residential Two (R2) Zone" to "Britannia Beach Residential Four (BBR4) Zone.
 - (c) By updating the Summary of Amendments Table to include this bylaw.
 - (d) By updating the Table of Contents to include the BBR4 Zone.
3. If any section, subsection, sentence, clause, or phrase in this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw.
4. This bylaw shall take effect immediately upon adoption.

READ A FIRST TIME this	16 th day of	December, 2015
READ A SECOND TIME this	17 th day of	February, 2016
PUBLIC HEARING HELD on	day of	, 2016
READ A THIRD TIME this	day of	, 2016
ADOPTED this	day of	, 2016

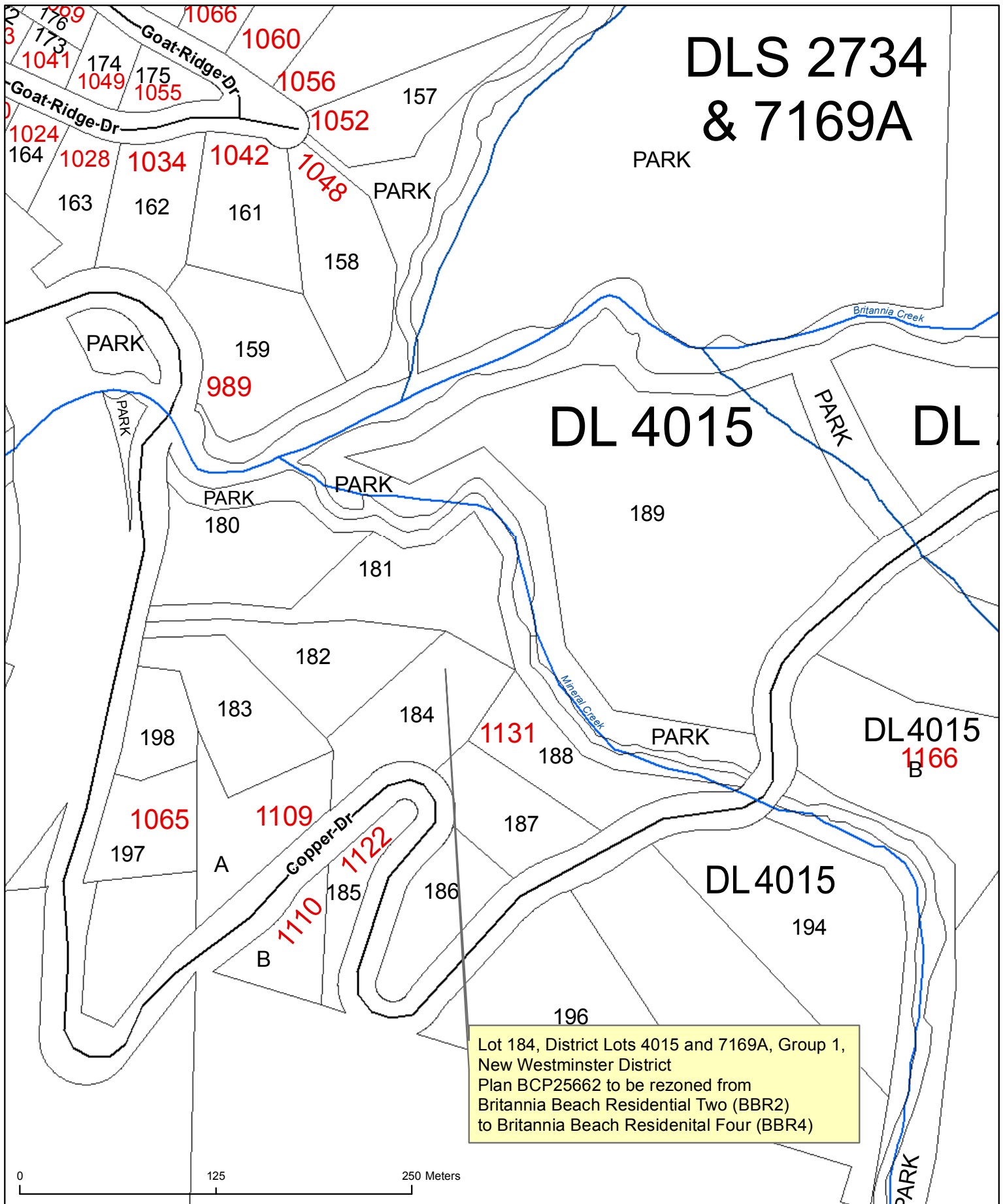
Jack Crompton
Chair

Kristen Clark
Secretary



SCHEDULE "A"
SQUAMISH-LILLOOET REGIONAL DISTRICT
ELECTORAL AREA D ZONING BYLAW NO. 540, 1994,
AMENDMENT BYLAW NO. 1443-2015

Plot Date: 11/09/2015



BBR4 – BRITANNIA BEACH RESIDENTIAL 4 ZONE

14.1 Intent

The intent of this zone is to provide for multi-family residential development on larger parcels in Britannia Beach.

Permitted Uses

14.2 In the BBR4 Zone the use of land, *buildings* and *structures* is restricted to:

- *Townhouse(s)*
- home business
- public park, nature trails, and natural open space

Regulations

14.3 On a parcel located in the BBR4 Zone, no *building* or *structure* shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I Matter to be Regulated		COLUMN II Regulations
.1	Minimum <i>parcel area</i> for New Subdivisions	1 ha
.2	Maximum Number of <i>dwelling units</i> per Parcel	3
.3	Minimum <i>setback</i> • from <i>front parcel line</i> • from all other <i>parcel lines</i>	6 m 4.5 m
.4	Maximum height	11 m
.5	Maximum <i>parcel coverage (building footprint only)</i>	5 %
.6	Maximum gross floor area per <i>parcel (excluding garages)</i>	850 m ²
.7	Maximum gross floor area of an <i>accessory building</i>	10 m ²

Parking & Loading

14.4 Motor vehicle and bicycle parking and loading shall comply with the requirements of this bylaw.