

REQUEST FOR DECISION

Meredith/Lohser – Zoning Amendment
Application – 9118 Portage Road, Area C
(Second Reading and Public Hearing)

Meeting Date: March 15, 2017

To: SLRD Board

Applicant: Drew Meredith (Agent); Jens Lohser, Victoria Vanessa Aneliunas, Daryl Mitch Griffin, Cheryl Lynn Griffin, Hamed Umedaly, Susan Ellen Purkiss (Owners)

Location: SLRD Electoral Area C – Mt. Currie – D'Arcy Corridor (Gates Lake)

Legal Descriptions:

PID 013-310-232 (DL 1252 Lillooet District Except: (1) Part Outlined in Red on Plan A8 (2) Plan B4587)

OCP Designation: Rural Residential - Electoral Area C OCP Bylaw No. 689, 1999	Zoning: Rural 1 (RR1) Zoning Bylaw No. 765, 2002	ALR Status: N/A	Development Permit Areas: Development Permit Area 2: Riparian Assessment Area
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RECOMMENDATIONS:

THAT Bylaw 1497-2016, cited as "Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1497-2016" be given second reading.

THAT the Board direct staff to schedule and advertise a public hearing and delegate the holding of the public hearing to Electoral Area C Director Russell Mack, with Director Mike Richman as alternate delegate, pursuant to Section 469 of the Local Government Act, for the consideration of Bylaw 1497-2016, cited as "Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1497-2016".

KEY ISSUES/CONCEPTS:

The SLRD received a zoning amendment application for PID 013-310-232 (DL 1252 Lillooet District Except: (1) Part Outlined in Red on Plan A8 (2) Plan B4587), 9118 Portage Road. The property is currently zoned Rural 1 (RR1) in Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw 765, 2002.

Application:

- The property location is shown in Appendix A, Schedule 1.
- The proposed zoning amendment is to facilitate subdivision and would see the property rezoned to Rural 3 (RR3) thereby reducing the minimum parcel size to one and a half hectares (1.5 ha).

- The Electoral Area C Official Community Plan (OCP) Bylaw No. 689, 1999 includes specific policies that enable site specific rezoning applications in the Mt. Currie – D’Arcy corridor, subject to conformance with suitability criteria such as soil conditions, slope, geotechnical hazards and water supply. The subject property is in conformance with the suitability criteria.

Previous Board Resolution:

At the October 26, 2016 SLRD Board meeting, the Board resolved:

THAT Bylaw 1497-2016, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1497-2016” be introduced and given first reading.

THAT Bylaw 1497-2016, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1497-2016” be referred to the Lil’wat Nation, Village of Pemberton, and provincial agencies including the Vancouver Coastal Health Authority, the Ministries of Transportation & Infrastructure, Forests, Lands, & Natural Resource Operations, and Environment for comment.

Referral Response (see Appendix B for full comments):

- The referral response provided by Vancouver Coastal Health Authority (VCHA) identified concerns specific to the Subdivision Guideline setback requirements for sewerage covenant areas.
- Concerns have been adequately addressed for the application to proceed. It should be noted that the full VCHA assessment will not be completed until a formal referral is received from Ministry of Transportation and Infrastructure (MOTI), as part of the subdivision process.
- No other concerns or issues were raised through the referral process. As such, it is recommended that Amendment Bylaw 1497-2016 receive second reading and a public hearing be scheduled.

RELEVANT POLICIES:

Electoral Area C Official Community Plan Bylaw No. 689, 1999
Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002

BACKGROUND:

The application was given permission to proceed by the SLRD Board at the August 24, 2016 Board meeting. SLRD Staff drafted a zoning amendment bylaw – Amendment Bylaw 1497-2016 – and the application was given first reading on October 26, 2016. A 30-day referral period followed. Concerns identified during the referral period have now been adequately addressed (see analysis section below for details) for Amendment Bylaw 1497-2016 to proceed to second reading and the scheduling of a public hearing.

The application is for a zoning amendment to reduce the minimum parcel size to facilitate the subdivision of the land at 9118 Portage Road. There are three registered owner groups on title and the intention is to subdivide into three lots for personal use. The property has been surveyed by McElhanney Consulting Services, and based on the existing survey plan and present natural

boundary as marked by Cascade Environmental, it has been confirmed that the property is 4.91 hectares (12.12 acres) in size. **To ensure only a three lot subdivision, the minimum parcel size has been set at 1.5 hectares (3.71 acres). The final configuration of lot sizes, to be determined during the subdivision process, will reflect this minimum parcel size, the Riparian Assessment (see Appendix C link), and any other requirements as determined by MOTI, such as septic and water.**

ANALYSIS:

SLRD staff have conducted a review of the zoning amendment application and have not identified any concerns that relate to policies or site suitability specific to this application.

Electoral Area C OCP Bylaw No. 689, 1999 policies regarding Rural Residential land use state:

- *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.*
- *4.18. Outside of the Sutherland Road neighbourhood, the minimum parcel size for Rural Residential designated lands in the Mt. Currie - D'Arcy corridor may be amended, through a site specific rezoning application, to one hectare, subject to conformance with suitability criteria such as soil conditions, slope, geotechnical hazards, and water supply.*

Suitability Criteria:

- Not located in the mapped geotechnical hazard areas or the Lillooet River Floodplain, as identified within the Electoral Area C Official Community Plan Bylaw No. 689, 1999.
- Little or no risk of hazardous events and is judged to be safe for habitation and development according to the Baumann and Yonin (1994) Terrain-Stability Analysis of the Mt. Currie – D'Arcy Corridor Report.
- Water supply issues have not been a concern in this area.

Professional Reports:

- The RAR Assessment, conducted by Cascade Environmental indicates that there is sufficient potential buildable area to support the proposed subdivision.
- A Septic Feasibility Assessment, conducted by Arden Consulting Engineers Ltd. (ACE) has confirmed that “Based on the results of our investigation, it is our opinion that each of the three proposed lots could safely accommodate both a primary and reserve septic field area using Type 1 effluent and servicing a four bedroom residence. The areas presented are judged to meet the requirements of the SSR Standard Practices Manual”.
- **See Appendix C for links to full reports.**

Amendment Bylaw:

- SLRD staff have drafted an amendment bylaw that reflects the permitted uses outlined in OCP bylaw section 4.2 above.
- Parcel coverage remains consistent with all Electoral Area C Rural zoning and the minimum parcel area is 1.5 hectares – which is aligned with SLRD policies and meets Vancouver Coastal Health Authority recommendations.
- A maximum dwelling size has been introduced to this new zone, as the SLRD is working to identify dwelling size in all zones moving forward.

- Bylaw 1497-2016 has changed slightly since first reading to reflect the need to coordinate with the parallel process associated with the Electoral Area C zoning project and to remove some redundancies. Some additional uses that are already allowed in all zones have been added to this zone in anticipation of wording changes in the parent Electoral Area C zoning bylaw. No changes were made that would allow more or fewer uses than were anticipated at first reading.

Given the Professional Engineer reports now submitted that address the concerns raised by VCHA around compliance with the Subdivision Guideline requirements for sewer and water, as well as the full RAR Assessment, it is recommended that Amendment Bylaw 1497-2016 proceed to second reading and the scheduling of a public hearing. Finally, it should be noted that the Ministry of Transportation and Infrastructure (MoTI) has additional requirements (geotechnical, water, septic) that they can request at the subdivision approval stage, and there will be site/building specific requirements at the Building Permit stage.

REGIONAL IMPACT ANALYSIS:

The SLRD Regional Growth Strategy Bylaw No. 1062, 2008 and Electoral Area C Official Community Plan Bylaw No. 689, 1999 support opportunities to provide for rural residential development on one hectare lots in the Mount Currie – D’Arcy Corridor within the Rural Residential Land Use Designation. Similar precedents have been set by neighbours, where suitability criteria have been met, thus regional impacts are minor. The SLRD RGS is supportive of this *type of low-density residential land use on larger parcels with on-site services* in this area. The Ministry of Transportation and Infrastructure (MOTI), as the subdivision approving authority, will ultimately determine the suitability for subdivision.

OPTIONS:

Option 1

Give the “Squamish-Lillooet Regional District Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1497-2016” second reading and schedule the public hearing.

Option 2

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

Option 3

Reject the zoning amendment application and rescind first reading of Amendment Bylaw No. 1497-2016.

PREFERRED OPTION: Option 1

FOLLOW UP ACTION:

As per Board direction. Schedule Public Hearing, advertise and provide neighbour notifications if directed by Board to move forward.

ATTACHMENTS:

Appendix A: Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1497-2016

Appendix B: Referral Response Summary

Appendix C: Professional Reports available on current project page:

<http://www.slrd.bc.ca/planning-building/planning-development-services/current-projects/zoning-amendment-application-9118-portage-rd>

Prepared by: C. Daniels, Planner

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

Approved by: L. Flynn, Chief Administrative Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1497-2016**

Dwelling Size

5.15 The maximum gross floor area of a single family dwelling shall be 465 m².

Siting Requirements

5.16 (1) No structure shall be located within 7.5 metres of a parcel line.

Parcel Coverage

5.17 The parcel coverage of all buildings and structures shall not exceed 15 percent.

Parcel Area

5.18 The minimum parcel area in the Rural 3 RR3 zone shall be 1.5 hectares.

Parking

5.19 Off-street parking shall be provided in accordance with the parking and loading regulations as set out in this bylaw.

READ A FIRST TIME this 26th day of OCTOBER, 2016.

READ A SECOND TIME this 15th day of MARCH, 2017.

PUBLIC HEARING held on the day of , 2017.

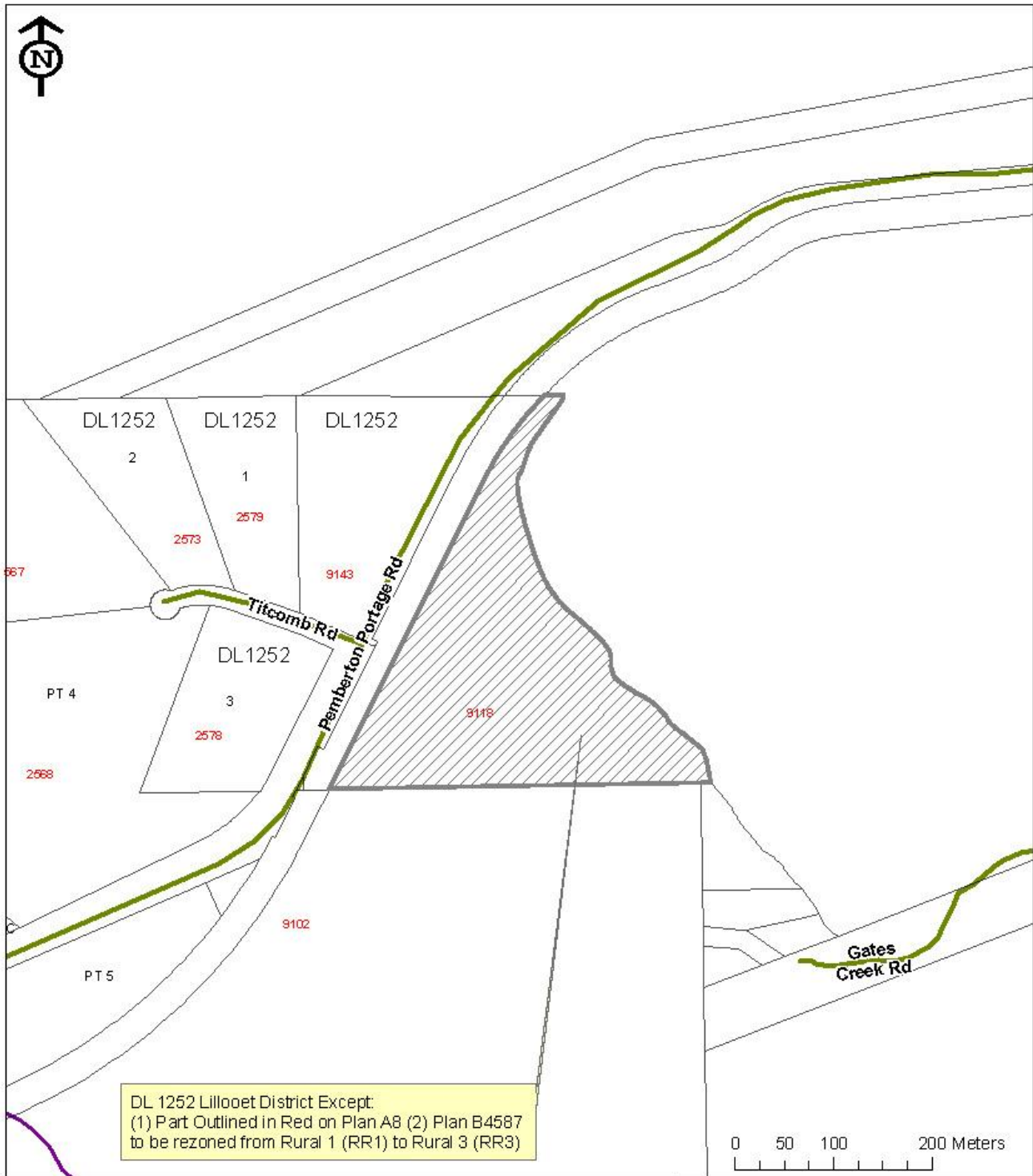
READ A THIRD TIME this day of , 2017.

ADOPTED this day of , 2017.

Jack Crompton
Chair

Kristen Clark
Secretary

SCHEDULE "1"
SQUAMISH - LILLOOET REGIONAL DISTRICT
ELECTORAL AREA C ZONING BYLAW No. 765, 2002,
AMENDMENT BYLAW NO. 1497-2016



AMENDMENT BYLAW 1497-2016 REFERRAL RESPONSES

Vancouver Coastal Health Authority (VCHA)

In their referral response, VCHA identified concerns with the Subdivision Guideline setback requirements for sewerage covenant areas and compliance for “at least one of the three proposed parcels”. As such the letter response stated “Our office does not support the proposed rezoning since we are quite certain we would not recommend in favor of the subdivision”.

Following this referral response, SLRD staff informed the agent of these concerns and that the application would be placed on hold until concerns were adequately addressed. The applicants then retained a Professional Engineer to work with VCHA to address the identified concerns. This included a submission in accordance with the VCHA Subdivision Guidelines for the three proposed lots. A Septic Feasibility Assessment has also been conducted for the proposed three lot subdivision. Arden Consulting Engineers Ltd. (ACE) has confirmed that “Based on the results of our investigation, it is our opinion that each of the three proposed lots could safely accommodate both a primary and reserve septic field area using Type 1 effluent and servicing a four bedroom residence. The areas presented are judged to meet the requirements of the SSR Standard Practices Manual”. For full details of this septic assessment, see Current Project Page here: <http://www.slrld.bc.ca/planning-building/planning-development-services/current-projects/zoning-amendment-application-9118-portage-rd> .

Although VCHA has not fully confirmed support for the proposed subdivision, concerns have been adequately addressed for the application to proceed with the zoning amendment. **It should be noted that the full VCHA assessment will not be completed until a formal referral is received from Ministry of Transportation and Infrastructure (MOTI), as part of the subdivision process.**

Village of Pemberton

The Village of Pemberton has confirmed that Village interests are unaffected, assuming the proposed change is compatible with the RGS.

SLRD staff note that the proposed zoning amendment is provided for under the Electoral Area C Official Community Plan Bylaw No. 689, 1999 and that SLRD OCPs and the SLRD Regional Growth Strategy (RGS) must be consistent, therefore, this proposed change is consistent with the RGS. Further, the subject property is designated Rural Residential under the SLRD RGS; the proposed three lot subdivision meets the requirements of this land use designation.

Lilwat Nation

The Lil'wat referral response confirmed Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No 765, 2002, Amendment Bylaw No. 1497-2016 was reviewed and they do not have any comments at this time.

Ministry of Transportation and Infrastructure (MOTI)

In their referral response, MOTI stated “The ministry has no objections to the proposed rezoning, however, as we have not seen the proposed subdivision plan, it should be noted, that Highway 99 is a controlled access highway, therefore, access for the proposed 3 lot subdivision shall be from an internal road network, limiting access to the highway”. Further, it was noted “Being that the proposed subdivision is within 800 metres of a public highway, the proposed plans will be required to be reviewed by this office”. These aspects will be addressed through the subdivision process, as MOTI is the subdividing authority.

Forests, Lands & Natural Resource Operations (FLNRO)

No response received.

Ministry of Environment (MOE)

No response received.