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Request for Decision - OCP Amendment Bylaw No. 1524-2017 and Zoning Amendment Bylaw No. 1525-2017, Electoral Area D

The following resolutions were made at the July 12, 2017 Electoral Area Directors Committee meeting (the added portion of the resolution is shown in bold):

THAT staff make changes to Bylaw No. 1524-2017, cited as “Electoral Area D Official Community Plan Bylaw No. 1135-2013, Amendment Bylaw No. 1524-2017” to narrow the tree removal provisions and to revise the definition of basement and the inclusion of garage space vis a vis gross floor area calculations.

THAT Bylaw No. 1524-2017, cited as “Electoral Area D Official Community Plan Bylaw No. 1135-2013, Amendment Bylaw No. 1524-2017” be introduced and read a first time.

THAT Bylaw No. 1524-2017 be referred to the appropriate First Nations, the District of Squamish, the Resort Municipality of Whistler, and provincial agencies including the Vancouver Coastal Health Authority, the Ministries of Forests, Lands, and Natural Resource Operations, and Transportation & Infrastructure, for comment.

THAT Bylaw No. 1525-2017, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1525-2017 be introduced and read a first time.

THAT Bylaw No. 1525-2017 be referred to the appropriate First Nations, the District of Squamish, the Resort Municipality of Whistler, and provincial agencies including the Vancouver Coastal Health Authority, the Ministries of Forests, Lands, and Natural Resource Operations, and Transportation & Infrastructure, for comment.

New information to be read in conjunction with the attached staff report.

Since the time of writing of the attached staff report, SLRD staff has revised both the OCP Amendment Bylaw No. 1524-2017 and the Zoning Amendment Bylaw No. 1525-2017 in accordance with the first resolution above as per the Electoral Area Directors Committee. The changes to the bylaws have been highlighted on the attached bylaws.

OCP Amendment Bylaw No. 1524-2017

Based on the Electoral Area Directors committee comments, the tree pruning and removal provisions proposed in the Comprehensive Development Permit Area have been revised.

- The provisions originally included that would have applied to all of Electoral Area D will now apply to Britannia Beach only.
- There are new provisions that would cover all of Area D only to address two key scenarios:
 1. The removal, alteration, disruption or destruction of vegetation for non-farm uses within the Agricultural Land Reserve that would require an application to the Agricultural Land Commission.
 2. The removal, alteration, disruption or destruction of vegetation on land with slopes of 20% or greater, and land within 20 m of land with slopes of 20% or greater.
- The proposed provisions would ensure that any land clearing associated with non-farm use where that non-farm use would require an application to the ALC, would also require a DP. In order to address potential hazard issues, any land clearing proposed on or near steep slopes would require a DP.

Zoning Amendment Bylaw No. 1525-2017

The zoning amendment bylaw has been revised following comments from the Electoral Area Directors committee, and planned staff changes to the bylaw.

- Partly in response to concerns over house sizes in Britannia Beach, SLRD staff have reviewed various zoning regulations. In addition to the proposed changes to the basement gross floor area regulations from the EAD report, there are now similar provisions for garages. A garage with a maximum gross floor area of 60 m² or less would not be counted in the overall gross floor area calculation of a dwelling. A garage larger than 60 m² would have that area exceeding 60 m² counted in the calculation, similar to what was proposed for basements (a 90 m² maximum gross floor area).

- A gap was identified in the RR1 zone where no agriculture related uses were permitted in the zone. Since that zone applies to a number of smaller rural parcels such as Ring Creek, Levette Lake etc. across Area D, all of which previously had agriculture as a permitted use. The SLRD has received a number of inquiries from residents in these areas about small scale keeping of farm animals. In order to address this, the proposed zoning amendment bylaw has been revised since the EAD meeting. In this way, limited “urban agriculture” uses will be allowed on small lots. It was felt that restoring a full agriculture use to the lots created a risk of neighbourhood conflicts, thus the new “urban agriculture” zone was developed (described below).
- A new land use “urban agriculture” has been added to the RR1 zone. There is now a definition of that new land use, and there are proposed regulations for urban agriculture (bees and hens) that would be added to the Section 4 General Regulations. These proposed regulations are based on the District of Squamish’s urban bee and hen regulations.



Request for Decision

OCP Amendment Bylaw No. 1524-2017 and Zoning Amendment Bylaw No. 1525-2017, Electoral Area D

Date of Meetings: Electoral Area Directors/Board Meetings – July 12/26, 2017

Recommendations:

THAT Bylaw No. 1524-2017, cited as “Electoral Area D Official Community Plan Bylaw No. 1135-2013, Amendment Bylaw No. 1524-2017 be introduced and read a first time.

THAT Bylaw No. 1524-2017 be referred to the appropriate First Nations, the District of Squamish, the Resort Municipality of Whistler, and provincial agencies including the Vancouver Coastal Health Authority, the Ministries of Forests, Lands, and Natural Resource Operations, and Transportation & Infrastructure, for comment.

THAT Bylaw No. 1525-2017, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1525-2017 be introduced and read a first time.

THAT Bylaw No. 1525-2017 be referred to the appropriate First Nations, the District of Squamish, the Resort Municipality of Whistler, and provincial agencies including the Vancouver Coastal Health Authority, the Ministries of Forests, Lands, and Natural Resource Operations, and Transportation & Infrastructure, for comment.

RELEVANT POLICIES:

Electoral Area D Official Community Plan Bylaw No. 1135-2013
Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016

Attachments:

Appendix 1: Bylaw No. 1524-2017

Appendix 2: Bylaw No. 1525-2017

Key Information:

As a result of the changes to the Agricultural Land Reserve (ALR) Use, Subdivision, and Procedure Regulation in July 2016, the SLRD needs to update all of its zoning bylaws to incorporate those regulations into the zones that apply to ALR lands. The Board passed the following resolution at its August 24, 2016 meeting:

THAT the Board direct staff to draft zoning amendment bylaws for Electoral Areas A, B, C, and D to address the new Agricultural Land Reserve Use, Subdivision, and Procedure Regulation changes regarding agritourism and events.

For Electoral Area D there are a number of other agriculture related changes proposed for the AGR1 zone, and broader housekeeping issues for the whole zoning bylaw.

The OCP is also being amended with an updated Riparian Protection Development Permit Area, and other changes to the Comprehensive Development Permit Area around tree cutting, and housekeeping issues.

Analysis:

OCP Bylaw Amendments

- Riparian Protection Development Permit Area
 - A new DPA for riparian protection is being proposed (same version will be incorporated into all electoral area OCPs).
 - This revised DPA includes new provisions regarding renovation and reconstruction of existing buildings within a Riparian Assessment Area (RAA) or Streamside Protection and Enhancement Area (SPEA) as established by a Qualified Environmental Professional (QEP).
 - There have been some recent situations where a property owner is looking to renovate or potentially reconstruct a building that exists within a SPEA which is intended as the final no go boundary protecting the riparian area.
 - The current DPA guidelines do not address these situations so the proposed amendments identified below would be applied:
 - DP application and regular fee, plus QEP assessment required for: “Reconstruction, renovations, repairs, or maintenance to an existing building on its existing foundation that are equal to or greater than 75% of the building’s value above its foundations (and thus considered new development/construction) in accordance with Section 532 of the *Local Government Act*”.
 - DP application with reduced fee, QEP assessment may or may not be required for: “Reconstruction, renovations, repairs, or maintenance to an existing building on its existing foundation that are less than 75% of the building’s value above its foundations in accordance with Section 532 of the *Local Government Act*”.
- Comprehensive Development Permit Area
 - Revising the Comprehensive DPA to address tree pruning and removal issues (primarily in Britannia Beach, but elsewhere as well). The changes identify how many trees can be removed from a property without a permit, and how many trigger a permit with a reduced application fee. This is in response to requests for additional tree cutting controls made by the Britannia Beach community through a community engagement process held in 2016, including a community meeting held on September 15, 2016 on land use and zoning items. The current guidelines in the Comprehensive DPA do not provide any exemptions or reduced fees for removal of a small amount of trees.
 - A DP with a reduced application fee would be required for:

- The removal of two or more trees from a property within a 2 year period, only where those trees are located outside a covenant area as described on the land title of the subject property.
- The pruning (not topping) of trees and shrubs, removal of any tree(s), and/or planting of vegetation on a property, where such activities would occur inside a covenant area as described on the land title of the subject property.
- No DP would be required for:
 - The removal of one tree from a property within a 2 year period, only where that tree is located outside a covenant area as described on the land title of the subject property.
 - For Britannia Beach in particular there are slope stability covenants on many of the lots, and no vegetation or tree removal is permitted in the covenanted area without SLRD approval.
 - Clarifying a provision to the effect that it applies to multifamily residential, commercial, and industrial, as the current wording would include single family residential. A Development Permit Area for form and character issues does not apply to single family residential buildings.
- Clarifying and adding policies regarding farm worker housing (permanent and/or temporary) and agricultural decision making criteria. Similar provisions are being proposed for Area C in the current new zoning bylaw, and will be adapted for all electoral areas.
- Agricultural decision making criteria and policy provisions are added to the OCP to be used when evaluating applications, making recommendations and decisions regarding proposals that could affect farmland.
- Such provisions are intended to facilitate the ability of the Board, staff and the public to properly assess proposals that could affect farmland including but not limited to permitted land uses, non-farm uses, parcel size, subdivision, Development Variance Permits and Temporary Use Permits in Electoral Area D.
- Removing the Mixed Residential (MR) land use designation at Britannia Beach North and changing those 11 properties currently designated MR to Single Family Residential. This is carrying out the resolution from the December 14, 2016 Board meeting

THAT staff prepare an amendment bylaw for Electoral Area D Official Community Plan Bylaw No. 1135-2013 in order to re- designate the upper 11 lots on Copper Drive from Mixed Residential to Single Family Residential.

That resolution was in response to the MOTI letter regarding possible subdivision and further development of those parcels related to the two rezoning applications previously received for that area.

- Housekeeping amendments regarding *Local Government Act* references.

Zoning Bylaw Amendments

- 2016 ALR Regulation changes
 - Incorporate 'gathering for an event' provisions from the ALR regulations into the AGR1 zone, and include definitions of new terms along with parking regulations. The gathering for an event provisions are integrated with the farm residential footprint regulations already established.
 - The agritourism activities regulations are moved from the general regulations section to the AGR1 zone and updated to reflect the ALR regulatory changes specific to agritourism, but separate from the gathering for an event use.
- Definition changes including new and revised definitions related to the ALR regulations and housekeeping fixes, as well as ensuring common definitions between different electoral area zoning bylaws for shared terms.
- Rezoning parcels on Rustad Road in the Upper Squamish Valley from RR3 to RR2 as this was a mapping error in the original zoning bylaw. Those properties were meant to be zoned RR2.
 - In the RR2 zone the minimum parcel size for new subdivisions is smaller (8 ha vs. 16 ha in the RR3 zone), and the RR2 zone included a site specific provision regarding a medical marihuana production facility for the Rustad Road area.
- Changes and additions to the section on minimum parcel sizes for new subdivisions in the general regulations to clarify the different scenarios where reduced minimum parcel sizes may be allowed based on a number of conditions.
 - This refers to describing different subdivision scenarios where different Provincial regulations may apply. For example, section 10 of the ALR Use, Subdivision, and Procedure Regulation allows for lot line adjustments and consolidations whereby no new lots are created. Such applications can be approved by the MOTI approving officer without ALC approval if an application is deemed to meet the requirements.
- Changes to the parking regulations regarding agricultural and non-agricultural uses, and limits to the number of RVs parked on a lot.
- Changes to the PR1 (Pinecrest Residential 1) zone to address encroachment onto common property and the option for use of limited common property under the BC *Strata Property Act*.
 - The Pinecrest Estates strata council has been authorizing strata lot owners to encroach onto small areas of common property adjacent to their lots that has been designated limited common property.
 - While there is a process for this under the *Strata Property Act*, it has not been permitted under the Land Use Contract, nor under the existing PR1 zone. SLRD staff have determined that it is possible to amend the PR1 zone to allow consideration for such encroachments subject to the *Strata Property Act* requirements.

- The 'building area' term is replaced with the 'building footprint' term in the AGR1 zone specific to the size of the farm residence to clarify the horizontal areal extent of the dwelling.
- The definition of Industrial Use is being revised to exclude water extraction for water bottling, and water bottling facilities as a permitted land use based on the May 24, 2017 Board resolution:

THAT staff bring a report to the Board that explores a change to the definition of "light industrial use" to exclude water extraction in the zoning bylaws of all four electoral areas.

- The PS1 Zone, RCLHA1 and RCLHA2 zones are added to the list of exclusions in Section 4.22 Temporary Use Permit Areas.
- Gross floor area regulations have been updated to better reflect enclosed vs. unenclosed spaces i.e. balconies, decks, etc., and address attic spaces. The proposed changes do not apply to the Porteau Cove CD1 zone as that particular zone deals with those issues separately.
- Placement of a maximum size on the area of a basement that is excluded from the GFA calculation, and beyond which the basement space is included in that calculation.
 - A basement that is 90 m² or less in area is excluded from overall GFA calculation for a dwelling.
 - A basement that is greater than 90 m² in area is counted and included in GFA calculation for a dwelling.

Britannia Beach – dwelling size issues in the zoning bylaw

- At the public hearing for Zoning Bylaw No. 1350-2016 there were approx. 6 people who expressed concern about the dwelling size cap, of which, at least 4 of those people had already constructed homes larger than what was to be the maximum house size (465 m²).
- The dwelling size cap takes into account the water servicing at Britannia Beach. While there was a decrease in allowable dwelling size, the number of suites permitted was substantially increased across Britannia Beach where previously suites were not permitted.
- After the adoption of the zoning bylaw, a subsequent workshop held in Britannia Beach presented further information to the community with respect to the house size concerns that were raised at the public hearing. The concept of increasing the maximum house size was not raised as a concern by anyone at the meeting, so no amendments, other than as noted below, have been made in this regard.
- The change in gross floor area calculations with respect to basements, as outlined above, would provide an additional "free" space on top of the maximum gross floor area. This will help to address concerns about the 465m² house size limit.
 - For example, where someone puts in a basement as defined in the zoning bylaw, they could get an extra 90 m² on top of the 465 m². In other words, now it could be 5,000 ft² plus ~969 ft², as well as ~1,500 ft² cottage on the larger lots (greater than 1.15 ha).

Options:

- (1) Give Bylaw No. 1524-2017 and Bylaw No. 1525-2017 first reading and initiate the referral process.
- (2) Refer back to staff for more information prior to giving the bylaws first reading.
- (3) Other decision, as determined by the Board.

Preferred Option: Option 1 is the preferred option as the proposed bylaw amendments are needed to address a number of agriculture, riparian protection, and housekeeping related issues for the OCP and Zoning Bylaw of Area D, and include input from the Britannia Beach community through a community engagement process held in 2016.

Regional Considerations: The proposed bylaws affect Electoral Area D only, however Electoral Area D is contiguous to the District of Squamish and the Resort Municipality of Whistler.

Other: Amendments to the Area A and Area B OCP and Zoning Bylaws are also being drafted, and will be brought to the Board in the fall. Those amendments will include the ALR regulatory changes (gathering for an event, agritourism, breweries, etc.) that are incorporated into the Area C and D zoning amendments currently proposed. The amendments for Area A and B zoning would also include the farm residential footprint regulations similar to the Area C and D zoning bylaws. Like the Pemberton Valley Agricultural Area Plan, the Area B Agricultural Area Plan includes developing farm residential footprint (homeplate) regulations as a key action item for the SLRD. The Area B Agricultural Advisory Committee will have the opportunity to review the draft agricultural zoning bylaw amendments.

Submitted by: I. Holl, Senior Planner

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

Approved by: L. Flynn, Chief Administrative Officer



**ELECTORAL AREA D OFFICIAL COMMUNITY PLAN BYLAW NO. 1135-2013,
AMENDMENT BYLAW NO. 1524-2017**

An amendment to the Electoral Area D Official Community Plan bylaw

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 “Electoral Area D Official Community Plan Bylaw No. 1135-2013, Amendment Bylaw No. 1524-2017”.
2. Electoral Area D Official Community Plan Bylaw No. 1135-2013 is hereby amended as follows:

- a. By removing Section 4.3.1.8 of the Howe Sound East Sub Area Plan Schedule C.

By removing the Mixed Residential land use designation at Britannia Beach North from the Howe Sound East Sub Area Plan Schedule C; specifically, below Section 4.3.1.8 underneath the heading Designations, delete the second provision ‘Mixed Residential – for development clusters incorporating a range of housing types from 15 to 40 units per hectare (6 to 16 units per acre)’.

- b. By changing the Mixed Residential land use designation to Single Family Residential on the 11 properties at Britannia Beach North identified in Schedule C Map 6 as outlined in bold dashed lines on Schedule 2 that is attached to and forms part of this bylaw.
- c. By removing Section 6.2 Implementing Zoning Bylaws of Schedule A, and replacing it with a new Section 6.2 Implementing Zoning Bylaw as follows:

6.2 Implementing Zoning Bylaw

The current zoning bylaw within the plan area is:

- Electoral Area D Zoning Bylaw No. 1350-2016

Applications for amendments to the implementing zoning bylaw should be reviewed with respect to the policies of this **plan**, and only approved if they are consistent with the policies of this **plan**.

- d. By updating all the *Local Government Act* references with their new section numbers as follows:
 - i. Schedule A, Section 3.3.4, Page 15 is changed from 919.1(1)(b) to 488.
 - ii. Schedule A Page 17 above section 3.4.1 is changed from 877(3) to 473.
 - iii. Schedule A Section 6.3 Page 40 is changed from 920.1 to 484.
 - iv. Schedule A Section 6.3 Page 41 is changed from 920.1 to 484.



- v. Schedule C Section 6.3.1.7. Page 19 is changed from 919.1 to 488.
- e. By deleting the existing Policy 5.5.15 (agritourism accommodation), renumbering the subsequent subsections from 5.5.16 – 5.5.21 to 5.5.15 – 5.5.20, and replacing the existing Policy 5.5.17 (dwellings on agricultural land) with a new Policy renumbered as 5.5.16 as follows:
- 5.5.16 Additional farm worker housing such as a farm employee residence or temporary farm worker housing may be considered in accordance with the provisions of the applicable zoning bylaw, subject to the *Agricultural Land Commission Act*, Agricultural Land Reserve Use, Subdivision, and Procedure Regulation, and the following conditions:
- .1 the property has farm class under the *BC Assessment Act*.
 - .2 an application approved by the SLRD in consultation with the Ministry of Agriculture, including an assessment report from a professional agrologist, that provides evidence that there is a demonstrated need for a farm employee residence or temporary farm worker housing commensurate with the present level of agriculture occurring on the property.
- f. By inserting a new section 5.5.21 and 5.5.22 Decision making criteria for lands designated Agriculture as follows:

Decision making criteria for lands designated Agriculture

- 5.5.21 The following criteria shall be used when making decisions, recommendations, setting conditions of approval, application requirements and setting policy for Zoning Bylaws and Development Permit Area guidelines including but not limited to permitted uses, non-farm uses, parcel size, subdivision, Development Variance Permits and Temporary Use Permits in Electoral Area D:
- What is the agricultural potential of subject & adjacent parcels and how would it be affected?
 - What is the Agriculture capability rating (CL) of the land?
 - Does the proposal, decision or action benefit / support / restrict farming on the property?
 - Does the proposal, decision or action benefit / support / restrict farming on neighbouring properties?
 - What is the Impact on existing or potential farm uses?
 - What is the potential for conflict between farm and non-farm uses?
 - What are the good and bad examples of similar applications? What might the precedence be of those related applications, and/or of this application?
 - Does it conform to regional & community planning objectives?
 - Is there an alternate location outside ALR where a use or activity could be located?
 - What alternative sites outside the ALR have been explored?



- What are the cumulative negative effects on agriculture of the proposal in conjunction with other development occurring in the area?
- How does the application align with the policies of this OCP and with other SLRD policies and bylaws?
- What is the recommendation of the professional agrologists at the Ministry of Agriculture?

5.5.22 Agricultural Impact Assessments should be considered to measure the impacts of a proposed major rezoning, subdivision or non-farm use on the ALR or farmed lands. Mitigation should be required for identified impacts. An Agricultural Impact Assessment prepared by a qualified professional should address the following:

- Loss of ALR land and existing agricultural use, and consequential impacts on existing farm operations as a result of the development proposal;
- Severance or separation of ALR lands and areas of existing agricultural use from the main body of the ALR, or from the main portion of operating farms;
- Loss or alteration of access to ALR lands and existing agricultural use;
- Disturbance of drainage and aquifers affecting ALR lands and existing agricultural use;
- Disturbance of on-farm irrigation systems or other utilities;
- Disturbance of fencing and other works used for livestock control and property security;
- Increased noise near noise-sensitive agricultural operations;
- Increased public access and consequential problems (e.g. littering, vandalism, theft, interference with livestock etc.); and
- Disturbance of existing livestock and machinery movements, either on-farm or between farm properties.

g. By inserting the words “commercial, industrial, and multifamily residential” between ‘existing’ and ‘building’ in the Application section of the Comprehensive Development Permit Area for ‘additions to existing buildings and structures that require a building permit’, which will become ‘additions to existing commercial, industrial, and multifamily residential buildings and structures that require a building permit.’

h. By replacing the existing phrase “Removal, alteration, disruption, or destruction of vegetation” in the Application section of the Comprehensive Development Permit Area with new provisions as follows:

- Removal, alteration, disruption or destruction of vegetation for, or in relation to, a non-farm use within the Agricultural Land Reserve that would require an application to the Agricultural Land Commission.
- Removal, alteration, disruption or destruction of vegetation on land with slopes of 20% or greater, and land within 20 m of land with slopes of 20% or greater.



- i. By inserting a new phrase to the Application section of the Comprehensive Development Permit Area following the existing 'additions to existing buildings and structures that require a building permit' as follows:
 - Additions to existing single family dwellings within 300 m of the ALR.
- j. By inserting a new section (ii) and a new section (iii) under the subheading "A Comprehensive Development Permit is required for the following cases where a reduced application fee will apply:" in the Exemptions section of the Comprehensive Development Permit Area (s. 7.3) after the existing section (i) as follows:
 - ii. The removal of two or more trees from a property **in Britannia Beach** within a two year time period, only where those trees are located outside a covenant area as described on the land title of the subject property.
 - iii. The pruning (not topping) of trees and shrubs, removal of any tree(s), and/or planting of vegetation on a property **in Britannia Beach**, where such activities would occur inside a covenant area as described on the land title of the subject property.
- k. By inserting a new section xiii under the subheading "A Comprehensive Development Permit is not required for:" in the Exemptions section of the Comprehensive Development Permit Area (s. 7.3) before the existing section xiii., as follows, and renumbering all the subsections under that subheading from i. to xv.:
 - xiii. The removal of one tree from a property **in Britannia Beach** within a two year time period, only where that tree is located outside a covenant area as described on the land title of the subject property.
- l. The existing Section 7.1 Riparian Protection Development Permit Area is replaced with a new Section 7.1 Riparian Protection Development Permit Area included in Schedule 1 that is attached to and forms part of this bylaw.



[SCHEDULE 1]

7.1 RIPARIAN PROTECTION DEVELOPMENT PERMIT AREA

Categories

Pursuant to Section 488(1)(a) of the *Local Government Act*, the Riparian Protection Development Permit Area is designated as a DPA for protection of the natural environment, its ecosystems, and ecological diversity.

Area

The Riparian Protection DPA applies to all land within Electoral Area D, including mapped and unmapped streams, as indicated on Map 6. This DPA consists of the following Riparian Assessment Areas within and adjacent to all streams, which by definition includes fish bearing and non-fish bearing habitat, wetlands, and lakes:

- For a stream, a 30 m strip on both sides of the stream, measured from the **high water mark**.
- For a ravine less than 60 m wide, a strip on both sides of the stream measured from the **high water mark** to a point that is 30 m beyond the top of the ravine bank.
- For a ravine 60 m wide or greater, a strip on both sides of the stream measured from the **high water mark** to a point that is 10 m beyond the top of the ravine bank.

Justification & Special Conditions

The purpose of the Riparian Protection DPA is to recognize the range of valuable and sensitive ecological features within Electoral Area D. It will also implement the *Riparian Areas Regulation* enacted under Section 12 of the *Riparian Areas Protection Act*, as required by the provincial government. Implementation of this DPA will provide protection for the features, functions, and conditions that are vital in the natural maintenance of ecosystem health and productivity. Where a conflict arises between the Riparian Protection DPA and the Wildfire Protection DPA, the requirements of the Riparian Protection DP shall be given priority. In other words, unless recommended by a Qualified Environmental Professional (QEP) and authorized under a Riparian Protection DP, vegetation in the riparian assessment area may not be cleared for fire safety purposes.

Issuance

The **Board** delegates the authority to issue Riparian Protection Development Permits to the Director of Planning and Development.



Application

A Riparian Protection Development Permit is required for the following development activities located within 30 m of a stream:

- Removal, alteration, disruption or destruction of vegetation
- Disturbance of soils
- Construction or erection of buildings and structures
- Additions to existing buildings and structures that encroach into the Riparian Assessment Area
- Creation of non-structural impervious or semi-pervious surfaces
- Flood protection works
- Construction of roads, trails, docks, wharves and bridges
- Provision and maintenance of sewer and water services
- Development of drainage systems
- Development of utility corridors
- Any reconstruction, renovations, repairs, or maintenance to an existing building that will require work to the existing foundation.
- Reconstruction, renovations, repairs, or maintenance to an existing building on its existing foundation that are equal to or greater than 75% of the building's value above its foundations (and thus considered new development/construction) in accordance with Section 532 of the *Local Government Act*;

Riparian Protection Development permit applications are required for the following cases where a reduced application fee will apply, and the QEP assessment report may not be required:

1. Works approved by the Department of Fisheries and Oceans Canada (DFO) and/or the Ministry of Environment (MOE), and/or the Ministry of Forests, Lands, and Natural Resource Operations (MFLNRO).
2. Stream enhancement and fish and wildlife habitat restoration works that have obtained the required Provincial and Federal approvals. Any activity within the stream channel that has or may have an impact on a stream requires compliance with Provincial and Federal legislation, and notification to the SLRD.
3. Removal of invasive species on a small scale provided that such works are conducted in accordance with a vegetation management plan prepared by a qualified professional, and measures are taken to avoid sediment or debris being discharged into the watercourse or onto the foreshore and the area is replanted immediately in accordance with 'Application' provisions 1 and 2 above.
4. Reconstruction, renovations, repairs, or maintenance to an existing building on its existing foundation that are less than 75% of the building's value above its foundations in accordance with Section 532 of the *Local Government Act*;



Exemptions

Riparian Protection Development permits are not required for the following:

1. Development activities located outside of the Riparian Assessment Area. For properties where the distance from the Riparian Assessment Area is questionable, a survey may be required.
2. To resolve emergency situations that present an immediate danger related to flooding, erosion, or other immediate threats to life or property.
3. Activities conducted under the Provincial Emergency Program or the SLRD Emergency Management Program within 28 days of the emergency incident/event.
4. Removal of trees deemed hazardous by a qualified professional that threaten the immediate safety of life and buildings.
5. Agricultural development activities on lands used, or proposed to be used, for a farm operation as defined by the *Farm Practices Protection Act*, except where such activities are done in conjunction with, or in preparation for, non-farm uses.
6. Development activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act*.
7. Subdivision of the land.

Guidelines - General

1. All development within this DPA must be consistent with the provincial *Riparian Areas Regulation*.
2. A qualified environmental professional (QEP) must be retained at the expense of the applicant for the purpose of preparing a report pursuant to Section 4(2) of the *Riparian Areas Regulation* and the RAR Assessment Methodology Guidebook.
3. The report must be submitted to the Province via the Riparian Areas Regulation Notification System (RARNS), and a copy must be provided to the SLRD.
4. A Development Permit shall not be issued without notification via RARNS, or from the Department of Fisheries and Oceans Canada and/or the Ministry of Environment, and/or the Ministry of Forests, Lands, and Natural Resource Operations that they have been notified of the proposed development and provided with an acceptable copy of the QEP assessment report, or having received evidence of the Minister of Fisheries and Oceans Canada approval under the authority of Section 4(3) of the RAR.
5. Where the QEP report proposes a Harmful Alteration, Disruption, or Destruction (HADD) or serious harm to fish habitat pursuant to Section 35(2) of the Canada Fisheries Act, the development permit shall not be issued unless approval under the authority of Section 4(3) of the RAR is received from the DFO. The SLRD may consider providing comments to the DFO in regards to a proposed approval under the authority of Section 4(3) of the RAR.
6. The SLRD may, when considering comments to the DFO on a proposed approval under Section 4(3) of the RAR, require additional information from the QEP and other senior levels of government.



7. The applicant shall be requested to provide an explanatory plan of the Streamside Protection and Enhancement Area (SPEA).
8. The property owner shall implement all measures necessary to maintain the integrity of the SPEA as specified in the QEP report, and such measures as may be included as conditions of the development permit.
9. Where a mapped or unmapped stream in Electoral Area D is found not to be subject to the RAR, a report prepared by a QEP, generally following the RAR methodology shall be required to be submitted to the SLRD.

Guidelines - Restoration & Remediation

Where development has occurred in violation of this Development Permit Area, the following guidelines shall apply:

1. A qualified environmental professional (QEP) must be retained at the expense of the applicant for the purpose of preparing a report outlining the necessary remediation and restoration work.
2. The QEP must certify that they have carried out a remediation assessment, that they are qualified to carry out such an assessment, and that all applicable provincial regulations have been followed.
3. The report must outline how to mitigate the damage done by any clearing and site development, and how to restore the area to its previous condition.
4. Any cleared areas must be replanted with native riparian vegetation at the applicant's expense.
5. Buildings and structures constructed in violation of this DPA may be subject to removal at the applicant's expense in order to restore the integrity of the riparian area.

All development permits issued may require that:

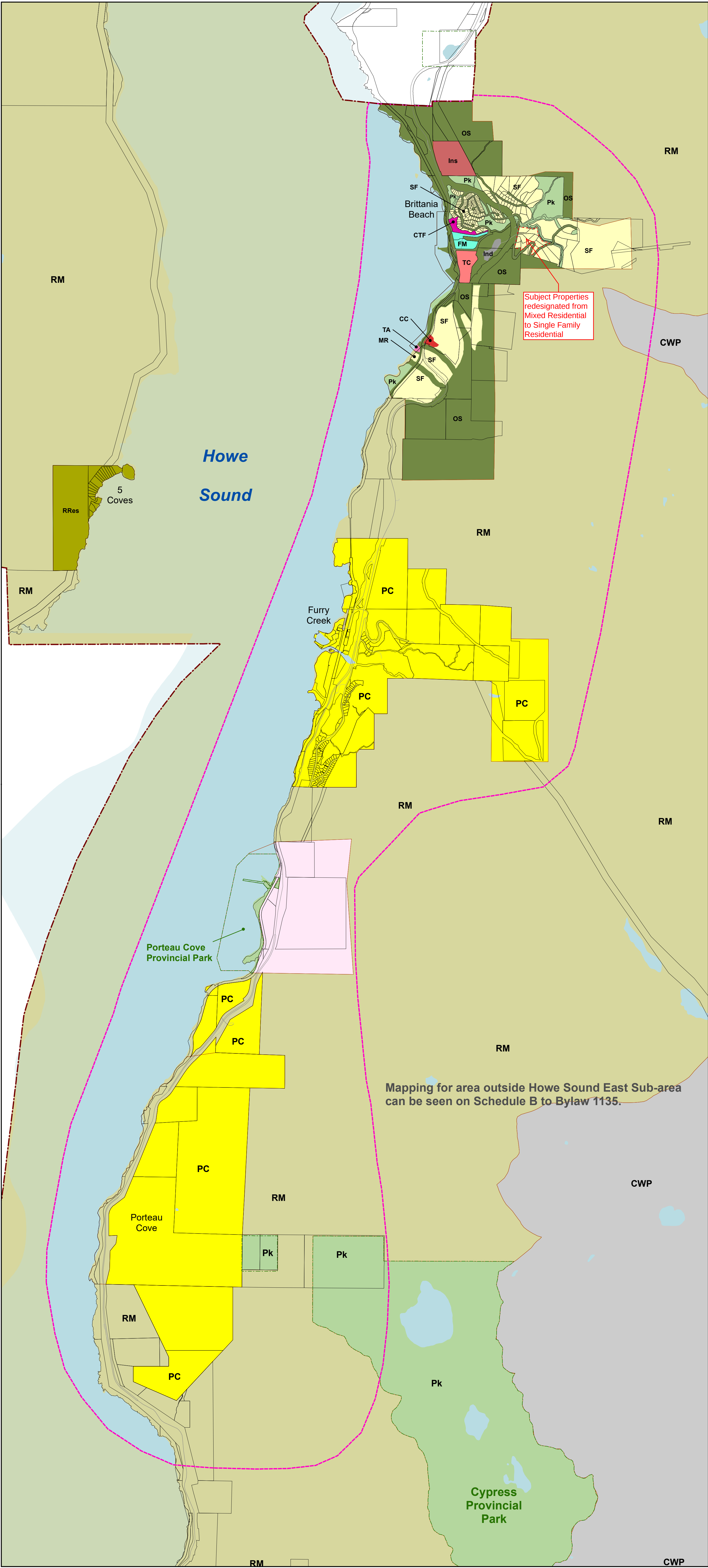
- Areas of land, specified in the permit, must remain free of development, except in accordance with any conditions contained in the permit.
- Works be constructed to preserve, protect, restore, or enhance watercourses, or other specified natural features of the environment in accordance with the permit.
- Natural watercourses be surveyed and returned to the Crown.
- Protection measures be implemented, including that trees or other vegetation be planted or retained in order to preserve, protect, restore or enhance fish habitat or riparian areas, control drainage, or control erosion or protect banks.
- An explanatory or reference plan be prepared by a BC Land Surveyor that delineates the identified SPEA.
- Development complies with current best practices for land development in and around riparian areas.



READ A FIRST TIME this	26 th day of	JULY, 2017
READ A SECOND TIME this	day of	, 2017
PUBLIC HEARING HELD on	day of	, 2017
READ A THIRD TIME this	day of	, 2017
PER s.52 (3)(a) of the <i>Transportation Act</i> , APPROVED by the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this	day of	, 2017
ADOPTED this	day of	, 2017

Jack Crompton
Chair

Kristen Clark
Corporate Officer



Howe Sound East Sub-area

Schedule C
Map 1 - Land Use Designations

Legend

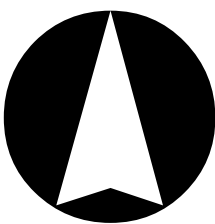
- SLRD Area D Boundary
- Sub-area Boundary
- SLRDParks
- Parcel Lines

Roads

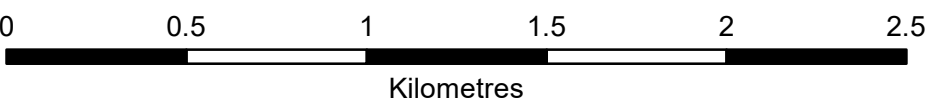
- Roads - Main
- Roads - Secondary

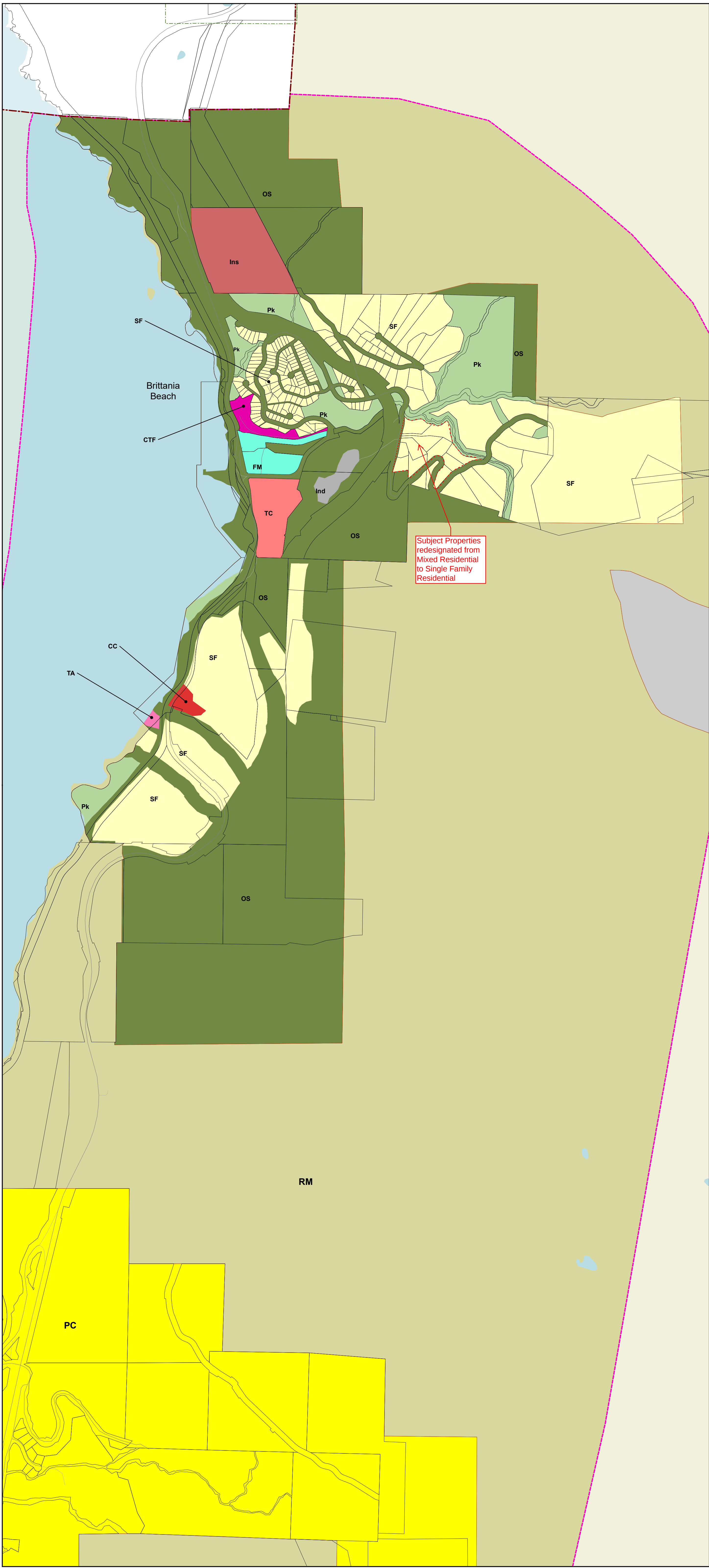
Land Use Designations

- RRes - Rural Residential
- RM - Resource Management
- Pk - Park
- CWP - Community Watershed Protection
- PC - Planned Community
- Open Space
- Park
- Flood Management
- Single Family
- Industrial
- Institutional
- Tourist Accommodation
- Tourist Commercial
- Community Commercial
- Community Treatment Facility



NAD 1983 UTM Zone 10N
Date of Map Production: July 5, 2017





Howe Sound East Sub-area
Britannia Beach

Schedule C
Map 1 A - Land Use Designations

SLRD Area D Boundary

Sub-area Boundary

SLRDParks

Parcel Lines

Roads

Roads - Main

Roads - Secondary

Land Use Designations

RRes - Rural Residential

RM - Resource Management

Pk - Park

CW/P - Community Watershed Protection

PC - Planned Community

SPA - Special Planning Area

Open Space

Park

Flood Management

Single Family

Mixed Residential

Industrial

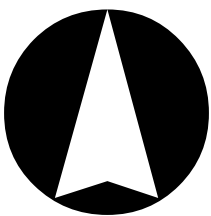
Institutional

Tourist Acommodation

Tourist Commercial

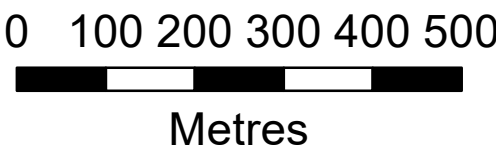
Community Commercial

Community Treatment Facility



NAD 1983 UTM Zone 10N

Date of Map Production: June 28, 2017



SQUAMISH-LILLOOET REGIONAL DISTRICT

BYLAW NO. 1525-2017

A bylaw of the Squamish-Lillooet Regional District to amend the Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016

WHEREAS the Board of the Squamish-Lillooet Regional District wishes to amend Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016;

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 D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1525-2017”.
2. Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016 is amended as follows:
 - (a) By rezoning the properties (Rustad Road – Upper Squamish Valley) outlined in bold dashed lines on Schedule A, which is attached to and forms part of this bylaw, from RR3 (Rural Resource 3) to RR2 (Rural Resource 2).
 - (b) By adding the sentence “Unless explicitly permitted in a *zone*, a *dwelling unit* cannot be used for commercial *tourist accommodation*.” to the end of the existing definition of Dwelling Unit in Section 1 Definitions.
 - (c) By deleting the sentence “Unless explicitly permitted in a *zone*, a *single family dwelling unit* cannot be used for *tourist accommodation*.” from the existing definition of Single Family Dwelling in Section 1 Definitions.
 - (d) By deleting the sentence “Unless explicitly permitted in a *zone*, a *secondary suite* cannot be used for *tourist accommodation*.” from the existing definition of Secondary Suite in Section 1 Definitions.
 - (e) By inserting the following new definitions into the existing Section 1 Definitions in alphabetical order:

ATTIC means the space between the underside of the roof sheathing/roof rafters and the top of the ceiling joists of the storey immediately below where the vertical distance between the two does not exceed 1.2 m.

BEES means any insect of the species *apis mellifera*.

BEEHIVE means a *structure* which houses a colony of worker *bees* with a queen and drones.

COOP means a covered enclosed *structure* to shelter *hens*.

BREEZEWAY means a solid structural connection between buildings with a maximum length of 5 metres, and a maximum gross floor area of 20 m².

BREWERY, CIDERY, DISTILLERY, MEADERY AND WINERY mean a brewery, cidery, distillery, meadery or winery, as applicable, that is licensed under the *Liquor Control and*

Licensing Act to produce beer, cider, spirits, mead or wine and *ancillary use(s)* as defined by B.C. Reg. 171/2002, as amended.

ENCLOSED (in the context of balconies, verandas, porches, patios, or decks and gross floor area calculations) means 60% or more of the total perimeter of the balcony, veranda, porch, patio, or deck *structure* surrounded by exterior walls, doors, or windows.

FLOOR SPACE RATIO means the figure obtained when the gross floor area of all buildings and structures on a parcel is divided by the parcel area.

GATHERING FOR AN EVENT means:

- (a) a gathering of people on a farm for the purposes of attending the following activities:
 - (i) A wedding, unless (a)(iii)(.2) applies,
 - (ii) A music festival, or
 - (iii) An event, other than
 - .1 an event held for the purpose of agritourism, or
 - .2 the celebration, by residents of the farm and those persons whom they invite, of a family event for which no fee or other charge is payable in connection with the event by invitees.
- (b) The activities identified in (a)(i)-(iii):
 - (i) must be carried out on land that is classified as a farm under the *Assessment Act*.
 - (ii) must be to which members of the public are ordinarily invited, with or without a fee.
 - (iii) must not use, construct, or erect any *permanent facilities*. No existing *permanent facilities* may be used, or converted for use, without an approved non-farm use application and a valid building permit for assembly use.
 - (iv) must be in compliance with the *Agricultural Land Commission Act*, and the ALR Use, Subdivision, and Procedure Regulation.
 - (v) must be *accessory* to and related to the *principal use* of the property, which is farming.

HEN means a domesticated female chicken that is at least four months old.

PEN means a fully enclosed outdoor space for *hens*.

PERMANENT FACILITIES (in the context of Agritourism Activities and Gathering for an Event) means facilities that include, but are not limited to: new or converted buildings or permanent structures, hard surface parking areas, concrete pads, structural foundations, retaining walls, permanent tents (erected for more than 2 consecutive days) and permanent alteration to the landscape (fill, gravel, berms, hills, dugouts, amphitheatres).

RESIDENTIAL USES, ACCESSORY (in the context of the Pinecrest Residential 1 zone) means that portion of a dwelling, accessory building, deck, patio, carport, or other structure that extends from a private strata lot onto common property. Accessory residential uses are permitted only in accordance with section 73 and 74 of the BC *Strata Property Act*, and the provisions of this bylaw.

ROOSTER means a domesticated male chicken.

UNENCLOSED (in the context of balconies, verandas, porches, patios, or decks and gross floor area calculations) means less than 60% of the total perimeter of the

balcony, veranda, porch, patio, or deck *structure* surrounded by exterior walls, doors, or windows.

URBAN AGRICULTURE means the *use* of land, *buildings*, and *structures* for the limited raising or keeping of *bees* and/or *hens*, and the primary products of those *bees* and/or *hens*. It does not include pet breeding, kennels or a medical marihuana production facility.

URBAN BEEKEEPING means the keeping, owning or maintaining of *beehives* on a *parcel* of land occupied by a resident beekeeper. This only includes land zoned for *urban agriculture use*, and does not include land zoned for *agriculture use*.

URBAN HEN means a *hen* that is kept on a *parcel* of land occupied by a resident. This only includes land zoned for *urban agriculture use*, and does not include land zoned for *agriculture use*.

- (f) By deleting the existing Agritourism Accommodation and Mobile Home definitions in the existing Section 1 Definitions.
- (g) By replacing the existing Agritourism Activities, Bed and Breakfast, Building Area, Farm Employee Residence, Farm Residential Footprint, Height, Industrial Use, Manufactured Home, Medical Marihuana Production Facility definitions in Section 1 Definitions with revised definitions as follows:

AGRITOURISM ACTIVITIES means:

(a) The following activities:

- (i) an agricultural heritage exhibit displayed on the farm.
- (ii) a tour of the farm, an educational activity or demonstration in respect of all or part of the farming operations that take place on the farm, and activities accessory to any of these.
- (iii) cart, sleigh, and tractor rides on the land comprising the farm.
- (iv) subject to Section 2(2)(h) of the ALR Use, Subdivision, and Procedure Regulation, activities that promote or market livestock from the farm, whether or not the activity also involves livestock from other farms, including shows, cattle driving, and petting zoos.
- (v) dog trials held at the farm.
- (vi) harvest festivals and other seasonal events held at the farm for the purpose of promoting or marketing farm products produced on the farm.
- (vii) corn mazes prepared using corn planted on the farm.
- (viii) services that are ancillary to (i) through (vii).

(b) The activities identified in (a)(i)-(viii):

- (i) must be carried out on land that is classified as a farm under the *Assessment Act*.
- (ii) must be to which members of the public are ordinarily invited, with or without a fee.
- (iii) must not use, construct, or erect any *permanent facilities*. No existing *permanent facilities* may be used, or converted for use, without an approved non-farm use application and a valid building permit for assembly use.
- (iv) must be in compliance with the Agricultural Land Commission Act, and the ALR Use, Subdivision, and Procedure Regulation.
- (v) must be *accessory* to and related to the *principal use* of the property, which is farming.
- (vi) must be *temporary and seasonal*, and *promote or market farm products* grown, raised, or processed on the farm.

(vii) must not include any accommodation.

BED AND BREAKFAST means an *accessory use* of a *single family dwelling* that includes:

- The business of renting not more than 4 guest rooms in the *dwelling* for the *temporary* lodging of paying guests.
- The *use* of common living and dining areas by such guests.
- The provision of limited food services (breakfast) to guests utilizing the accommodation.
- The *use* of the dwelling as the residence of the operator of such a business.

BUILDING FOOTPRINT means the greatest horizontal area of a *building* above natural grade within the outside surface of exterior walls, or within the outside surface of exterior walls and the center line of firewalls. For those *buildings* and *structures* sited within a floodplain, the *building footprint* shall be calculated above the flood construction level, as determined by a geotechnical engineer/professional, rather than the natural grade.

FARM EMPLOYEE RESIDENCE means an additional dwelling on a lot within the Agricultural Land Reserve used as a residence by an individual or individuals employed by the farm on the same lot that the *agricultural use* occurs. A farm employee residence cannot be used for *tourist accommodation*, and cannot have a *secondary suite*. Those residing in a farm employee residence must be a full time employee(s) of the farm.

FARM RESIDENTIAL FOOTPRINT means the portion of a *lot* that includes, where permitted, such uses as a principal *farm residence*, *farm employee residence* and *accessory farm residential facilities*.

HEIGHT means, in reference to a *building* or *structure*, the vertical distance from the lower of the *average finished grade* or the *average natural grade* to:

- the highest point of the roof surface of a flat roof
- the deck line of a mansard roof
- the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof
- the highest point of a *building* or *structure* with no roof

For those *buildings* and *structures* sited within a floodplain, the *height* shall be calculated from the top of the flood construction level, as determined by a geotechnical engineer/professional, rather than the lower of the *average natural* or *average finished grade*.

INDUSTRIAL USE means the manufacturing, processing, assembling, fabricating, testing, servicing or repairing of goods or materials including wholesale of products manufactured or processed on the lot, and excluding bulk water extraction for water bottling, and bottling plants for water.

MANUFACTURED HOME means a dwelling designed for residential *use* by a single family. The home conforms to the CSA Z240 and/or the CSA A277 standards of the Canadian Standards Association.

MEDICAL MARIHUANA PRODUCTION FACILITY means building(s) used for the growing, cultivation, production, storage, distribution, or destruction of marihuana or cannabis oil as lawfully permitted and authorized pursuant to the Federal Access to Cannabis for Medical Purposes Regulations, as amended from time to time.

(h) By inserting new sections 2.10 - 2.13 Conformity with the Official Community Plan and

Amendment to the Bylaw following the existing section 2.9 Severability as follows:

Conformity with the Official Community Plan and Amendment to the Bylaw

- 2.10 It is the intent of the SLRD Board that this Zoning Bylaw implement and comply with the Area D Official Community Plan, its intent, policies, amendments, and successors.
 - 2.11 The implementation and interpretation of this Bylaw shall comply with the Electoral Area D Official Community Plan and its intent.
 - 2.12 Amendments to this Bylaw, the subdivision of land, exceptions and variances, shall comply with the Electoral Area D Official Community Plan and its intent.
 - 2.13 Detailed criteria may be established for proposals and applications to amend, and for the amendment, evaluation and approval of amendments and conditions of amendment of this Bylaw. This is with the proviso that they are consistent with the Area D Official Community Plan and its intent and use the Official Community Plan's policies as their primary guidance.
- (i) By deleting Section 4.5 Agritourism Accommodation in its entirety.
 - (j) By replacing the existing Section 4.8 Gross Floor Area with the following revised Section 4.8 Gross Floor Area:

Gross Floor Area

4.8 Gross floor area shall include:

- .1 all common, utility, and occupied portions of the *building or structure*, including storage, and mechanical areas, *accessory buildings* and areas giving access thereto such as corridors, foyers, staircases, and elevators.
- .2 *enclosed* balconies, verandas, porches, patios, decks or *breezeways*.
- .3 *basements* with a total gross floor area of greater than 90 m².
- .4 *garages* with a total gross floor area of greater than 60 m².

And for all zones, except the CD1 zone, shall exclude:

- .5 *basements* with a total gross floor area of less than or equal to 90 m².
- .6 *garages* with a total gross area of less than or equal to 60 m².
- .7 *carports*.
- .8 *crawlspaces*.
- .9 *unenclosed* balconies, verandas, porches, patios, or decks not exceeding 10% of the allowable gross floor area of the *single family dwelling*.
- .10 *attics*.

- (k) By replacing the existing Sections 4.3.5.1 and 4.3.5.4.1 under Accessory Buildings with the following revised Sections 4.3.5.1, and 4.3.5.4.1:

- 4.3.5.1 An *accessory building* shall not be used as a *dwelling* or for providing overnight accommodation.
- 4.3.5.4.1 Notwithstanding this Section 4.3.5.4, *permanent facilities, farm buildings and structures* cannot be used in conjunction with an *agritourism activity* or a *gathering for an event* use without an approved non-farm use application

from the Agricultural Land Commission, an approved rezoning application from the SLRD, and valid building permits from the SLRD.

- (l) By replacing the existing Sections 4.6.1 and 4.6.3 under Assembly and Commercial Assembly with the following revised Sections 4.6.1 and 4.6.3.

4.6.1 *Assembly uses* are not permitted in *farm buildings*.

4.6.3 *Commercial assembly uses* are not permitted in *farm buildings*.

- (m) By deleting the existing subsections 4.7.3 and 4.7.12 in Section 4.7 Bed and Breakfasts.

- (n) By adding a new subsection 4.7.11 in Section 4.7 Bed and Breakfast after the existing section 4.7.10, and renumbering the existing sections 4.7.11 and 4.7.12 accordingly.

4.7.11 A building permit for a single family dwelling must be upgraded to a building permit for a *bed and breakfast use* prior to the use of that dwelling as a *bed and breakfast*.

- (o) By deleting the phrase “or Pinecrest Open Space 1 zone’ from the existing Section 4.13.10 in Section 4.13 Landscaping & Screening.

- (p) By replacing the existing Section 4.15.3 under Minimum Parcel Area for New Subdivisions with the following revised Section 4.15.3.

4.15.3 The minimum parcel area for new subdivisions is reduced by a maximum of 20 percent for that amount of land required for the proposed subdivision in the particular zone where the proposed subdivision is located, where all of the following conditions are met:

- (q) By adding the sentence “The total combined maximum reduction, where applicable under Section 4.15, is 20 percent.” after the sentence “If one of the cases outlined in this section is applicable, exceptions to the minimum parcel area may be granted.” in the existing Section 4.15 Minimum Parcel Area for New Subdivisions.

- (r) By deleting the existing subsection 4.15.5.1 under Minimum Parcel Area for New Subdivisions, renumbering the remaining subsections accordingly, and adding the following new subsection 4.15.5.3.

4.15.5.3 The subdivision approving officer will be asked to require that a covenant be registered to prevent any future subdivision for each *parcel* created under Section 514 of the *Local Government Act*.

- (s) By deleting the existing Section 4.15.6, and replacing it with the following new Section 4.15.6 under Minimum Parcel Area for New Subdivisions.

4.15.6 The minimum parcel area for new subdivisions is reduced by a maximum of 20 percent for that amount of land required for the proposed subdivision in the particular zone where the proposed subdivision is located, where the proposed subdivision is pursuant to Section 10(1)(a), (b), (c), or (d) of the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation.

.1 The subdivision approving officer will be asked to require that a covenant be registered to prevent a change in the *parcel’s use* for five years as set out in Section 514(7) of the *Local Government Act*.

- .2 The subdivision approving officer will be asked to require that a covenant be registered to limit each *parcel* created under Section 514 of the *Local Government Act* to one single family dwelling.
 - .3 The subdivision approving officer will be asked to require that a covenant be registered to prevent any future subdivision for each *parcel* created under Section 514 of the *Local Government Act*.
- (t) By adding the following items “PS1 Zone, RCLHA1 and RCLHA2 Zones” to the list of exclusions in the existing Section 4.22 Temporary Use Permit Areas.
- (u) By adding new Sections 5.1.4 and 5.1.4.1 to the existing Section 5.1 Off-Street Parking & Loading Spaces under Section 5 Parking Regulations as follows:
- 5.1.4 All *parking and loading spaces* associated with any and all of the permitted land uses in an Agriculture zone, must be located within the *farm residential footprint*.
- .1 Notwithstanding Section 5.7, all *parking areas and loading areas* associated with *agritourism activities, brewery, cidery, distillery, meadery, winery, farm retail sales, gathering for an event, temporary farm worker housing uses* in an Agriculture zone, must not use any hard surfacing such as asphalt or concrete. Furthermore, no gravel or any other type of fill shall be used to cover the land where the parking is located.
- (v) By adding the following new entries to Section 5.14 Table 2 Required Off Street & Bicycle Parking Spaces under Table 2 Section 2 Agricultural and Rural, and deleting the existing entry for Agritourism Accommodation.

COLUMN I Class of Building or Use	COLUMN II Off Street Parking Spaces	COLUMN III Off Street Loading Spaces	COLUMN IV Bicycle Parking Spaces	
			Class I (long term) Bicycle Parking	Class II (short term) Bicycle Parking
2.0 Agricultural & Rural				
Agritourism Activity	40 spaces maximum	No Requirement.	No Requirement.	A minimum of 6 spaces.
Brewery, Cidery, Distillery, Meadery, Winery	20 spaces maximum	No Requirement.	No Requirement.	A minimum of 6 spaces.
Farm Retail Sales	20 spaces maximum	No Requirement.	No Requirement.	A minimum of 6 spaces.
Gathering for an Event	50 spaces maximum	No Requirement.	No Requirement.	A minimum of 6 spaces.

- (w) By adding new Section 5.1.5 to the existing Section 5.1 Off-Street Parking and Loading Spaces under Section 5 Parking Regulations as follows:

5.1.5 No more than one *recreational vehicle or park model recreational vehicle* and one boat may be parked on a lot at any one time, and must be sited on the lot, and not on the street, and must not protrude onto public property or a dedicated

public right-of-way.

- (x) By adding the following new land use 'gathering for an event' to Section 6.1.2 Permitted Uses in the AGR1 zone.

- *gathering for an event*, subject to Section 6.1.8

- (y) By replacing the existing subsection 6.1.3.4, and adding the new 6.1.3.8 as outlined in the table below, to Section 6.1.3 Regulations [in the AGR1 zone]. The existing section 6.1.3.8 is renumbered as 6.1.3.9 and the subsequent sections are renumber accordingly. Replace the existing term 'building area' with the new term 'building footprint' in existing section 6.1.3.14, which is renumbered as section 6.1.3.15.

6.1.3

COLUMN I Matter to be Regulated		COLUMN II Regulations
.4	Maximum <i>building footprint</i> for the <i>farm residence</i>	200 m ²
.8	Maximum <i>setback</i> for <i>Farm Residential Footprint</i> from the <i>front parcel line</i> to the rear of the <i>Farm Residential Footprint</i> • on <i>parcels</i> 4 ha or less • on <i>parcels</i> greater than 4 ha	70 m 85 m
.14	Maximum <i>building footprint</i> for <i>temporary farm worker housing</i> • on <i>parcels</i> 4 ha or larger	280 m ²

- (z) By adding the term 'gathering for an event' after 'home craft', and before 'and all accessory...' in subsection 6.1.4.1 Farm Residential Footprint, Farm Residence, Farm Employee Residence, and Temporary Farm Worker Housing.
- (aa) By adding the phrase 'other than those that fall within the gathering for an event use' between the words 'events' and 'held' in subsection 6.1.7.1.
- (bb) By adding new Section 6.1.8 Gathering for an Event, deleting the existing Section 4.4 Agritourism Activities, and adding new Section 6.1.9 Agritourism Activities, and renumbering the existing Section 6.1.8 Parking & Loading to new section 6.1.10 Parking & Loading as follows:

Gathering for an Event

- 6.1.8 The gathering for an event use shall be in accordance with the ALR Use, Subdivision, and Procedure Regulation, ALC Policy L-22 Activities Designated as a Permitted Non-Farm Use: Gathering for an Event in the Agricultural Land Reserve, and the provisions of this section.
- .1 the farm must be located on land classified as a farm under the BC Assessment Act.
 - .2 *permanent facilities* must not be used, constructed, or erected in connection with the event.

- .3 parking for those attending the event must be available on the farm, but must not be permanent nor interfere with the farm's agricultural productivity.
- .4 no more than 150 people, excluding residents and employees of the farm, may be gathered on the farm at one time for the purpose of attending the event.
- .5 the event must be of no more than 24 hours duration.
- .6 no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year.
- .7 the *gathering for an event use* and *uses accessory* to it must be located entirely within the *farm residential footprint*.

Agritourism Activities

- 6.1.9 The following *agritourism activities* requirements shall apply to all lots within the Agricultural Land Reserve (ALR) and are subject to the provisions of the Agricultural Land Commission Act.

General Requirements

- .1 *Agritourism Activities*
 - .1 can only occur on a property that has farm class under the BC Assessment Act.
 - .2 only include those specific activities included in the definition of *agritourism activities* in this bylaw.
 - .3 must be *accessory* to and related to the *principal use* of the farm.
 - .4 must promote or market *farm products* from the farm.
 - .5 must be *temporary* and *seasonal*.
 - .6 *permanent facilities* must not be used, constructed, or erected in connection with the agritourism activity.
 - .7 do not include any overnight accommodation.
 - .8 excludes permanent commercial kitchen facilities.

Siting Requirements

- .2 Off street parking for *agritourism activities* must be located within the *farm residential footprint* area, and be in accordance with Section 5 of this Bylaw.

Timing and Frequency Requirements

- .3 *Agritourism activities* are limited to a maximum of 4 events per calendar year between the months of May and September inclusive.

(cc) By changing the minimum setback for accessory buildings from the front parcel line in Section 9.1.3.6 from 3.6 m to 4.5 m.

(dd) By adding the words "commercial lodging and" after 'of' and before 'pensions' in Section 12.2.3.3.

(ee) By adding the words "employee housing" to Column I of Section 12.2.3.6 and the number "8 m" to Column II of Section 12.2.3.6 related to employee housing.

(ff) By adding the new land use 'accessory residential uses' to Section 8.2.2.2 Permitted Uses on Common Property in the PR1 zone, and adding the new subsections 8.2.3.15 and 8.2.3.16 to Section 8.2 Pinecrest Residential 1 zone as follows.

- *accessory residential uses*, subject to Section 8.2.3.15 and .16

8.2.3

COLUMN I Matter to be Regulated		COLUMN II Regulations
.15	Maximum <i>gross floor area</i> of <i>accessory residential uses</i> permitted on limited common property per strata lot	14 m ²
.16	Maximum combined <i>gross floor area</i> of all <i>accessory residential uses</i> permitted on limited common property	1,050 m ²

(gg) By adding the new land use "*urban agriculture*" to the existing Section 7.1 Rural Resource 1 (RR1) zone in the permitted uses section 7.1.2.

(hh) By adding the new *urban agriculture* provisions into Section 4 General Regulations as a new Section 4.24 *Urban Agriculture* as follows:

Urban Agriculture

4.24 *Urban agriculture* shall be in accordance with the provisions of sections 4.24 - 4.26 of this bylaw.

Urban Hens

4.25 The keeping of up to six *hens* is permitted accordance with this section and any other applicable Local, Provincial, and Federal Government regulations, and provided that no neighbourhood health, environmental or nuisance problems result. A person who keeps one or more *hens*, up to a maximum of six, must:

- .1 be a resident of the property where the *hens* are kept.
- .2 keep no more than six *hens* on any *parcel* of land despite the number of permissible *dwelling units* on that *parcel*.
- .3 not keep a *rooster*.
- .4 ensure that all *hens* are kept within a secure *coop* from sunset to 7:00 am.
- .5 ensure that each hen remains at all other times in a *coop* or *pen*.
- .6 not permit a *hen* within a residential *dwelling unit* or on a balcony or deck.
- .7 provide a *coop* and a *pen* each with a minimum of 0.37 m² in floor area and 0.92 m in height per hen.
- .8 provide each *hen* with its own nesting box and perch that is at least 15 cm long.
- .9 not keep a *hen* in a cage unless for the purposes of transport of the *hen*.
- .10 ensure that the *coop* and *pen* do not exceed 10 m² in floor area or 2 m in height.
- .11 ensure that the *coop* and *pen* are situated in a yard that has a continuous *fence* that is in accordance with the applicable *zone*.
- .12 ensure that the *coop* is situated in accordance with the *accessory building setbacks* identified in the applicable *zone*.
- .13 ensure that the *coop* and *pen* are situated at least 3 m away from any windows or dwelling doors.

- .14 ensure that the *coop* and *pen* are situated in such a way that would reasonably prevent entry by wildlife.
- .16 ensure that the *coop* and *pen* are fully enclosed by electric fencing and situated no less than 1 m from the electric fencing.
- .17 maintain each *coop* and *pen* in good repair and sanitary condition, and free from vermin and obnoxious smells and substances.
- .18 construct and maintain each *coop* and *pen* such that it is secure from other animals and prevents any rodent from harbouring underneath or within it or within its walls.
- .19 not sell any manure or meat derived from the *hens*.
- .20 secure all *hen* food that is stored outdoors from vermin and wildlife.
- .21 ensure the timely removal of leftover food, debris and manure from each *coop* and *pen*.
- .22 store manure within a fully enclosed *structure* in a manner that does not generate excessive heat or odour, and ensuring that no more than 0.085 m³ (3 ft³) is stored at a time.
- .23 not slaughter or euthanize a *hen* on the property.
- .24 not dispose of a deceased *hen* other than by delivering it to a veterinarian, landfill in a sealed bag, a farm, an abattoir or other facility with the ability to lawfully dispose of the carcass.
- .25 not bury a *hen* on the property.
- .26 follow biosecurity procedures recommended by the Canadian Food Inspection Agency.

Urban Beekeeping

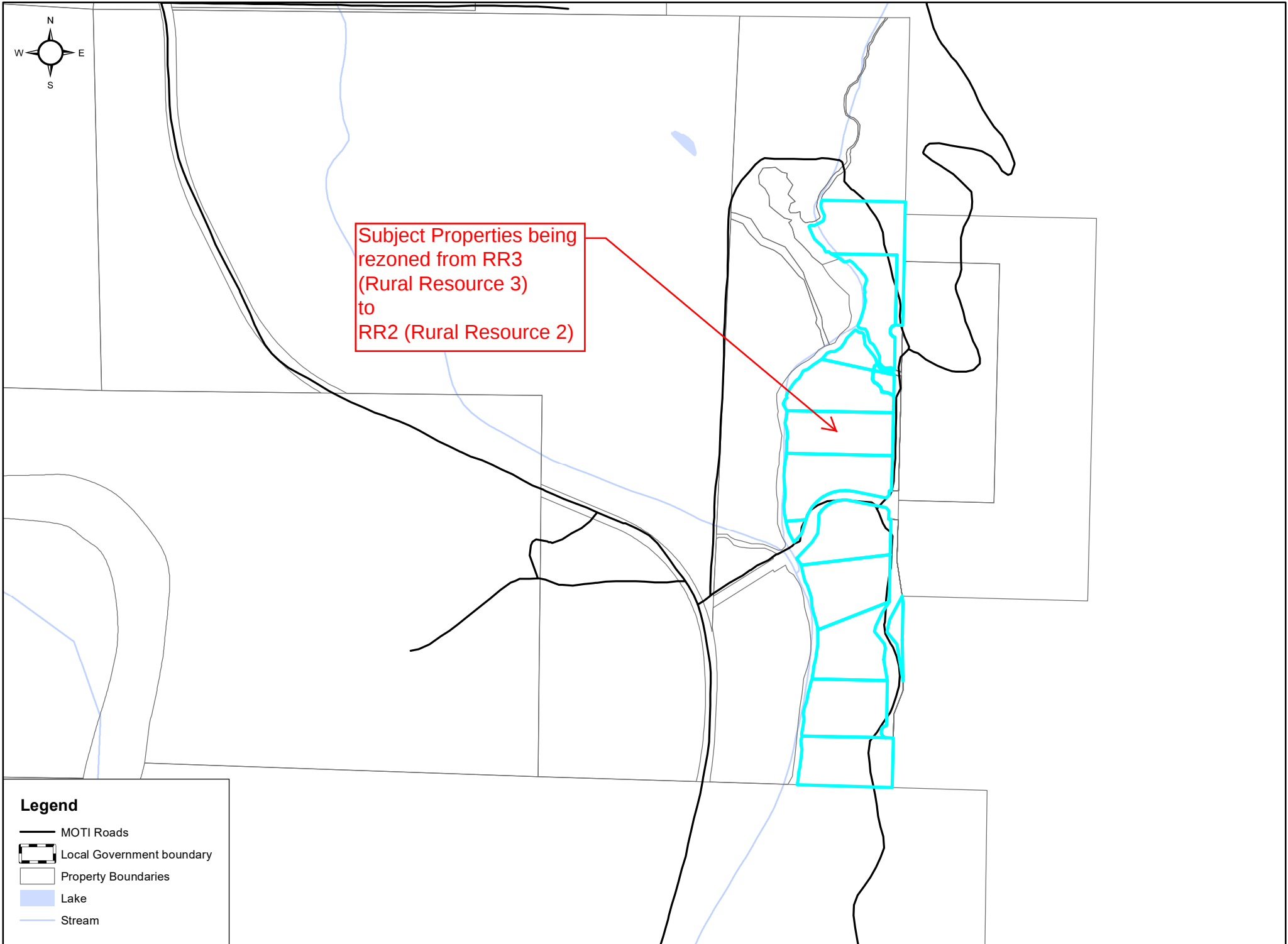
- 4.26 The keeping of *beehives* is permitted accordance with this section and any other applicable Local, Provincial, and Federal Government regulations, and provided that no neighbourhood health, environmental or nuisance problems result. A person who keeps *urban bees* must:
- .1 be a resident of the property where the *bees* are kept.
 - .2 keep no more than:
 - .1 two *beehives* on any *parcel* of land under 929 m² (10,000 ft²) in size despite the number of *dwelling units* permissible on that *parcel*.
 - .2 four *beehives* on any *parcel* of land over 929 m² (10,000 ft²) in size and under 1,394 m² (15,000 ft²) in size despite the number of *dwelling units* permissible on that *parcel*.
 - .3 six *beehives* on any *parcel* of land over 1,394 m² (15,000 ft²) in size despite the number of *dwelling units* permissible on that *parcel*.
 - .3 ensure that the *beehives* are situated in a yard that has a continuous *fence* that is 1.8 m in *height* so as to ensure an appropriate flight path for *bees*.
 - .4 ensure that the *beehives* are situated in accordance with the *accessory building setbacks* in the applicable *zone*.
 - .5 ensure that the *beehives* are situated in such a way that reasonably prevents access by wildlife.
 - .6 ensure that the *beehives* are fully enclosed by electric fencing and situated no less than 1 m from the electric fencing.
 - .7 ensure that the entrances to the *beehives* are facing away from the closest neighbouring property.
 - .8 maintain the *bees* in a condition that reasonably prevents swarming and aggressive behaviour.
 - .9 ensure that immediate action is taken to end swarming or aggressive behaviour of *bees*.
 - .10 provide sufficient water for the *bees* that reasonably prevents them from seeking water on adjacent *parcels* of land.

- .11 post clear, visible signage on the *parcel* of land warning that *bees* and electric fencing are present.
- .12 be registered with the apiculture registration system for British Columbia, coordinated by the BC Ministry of Agriculture. Under the authority of the Provincial *Bee Act*, a person must not keep *bees*, or possess beehive equipment unless the person is registered.

READ A FIRST TIME this	26 th day of	JULY, 2017
READ A SECOND TIME this	day of	, 2017
PUBLIC HEARING HELD on	day of	, 2017
READ A THIRD TIME this	day of	, 2017
PER s.52 (3)(a) of the <i>Transportation Act</i> , APPROVED by the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this		
	day of	, 2017
ADOPTED this	day of	, 2017

Jack Crompton
Chair

Kristen Clark
Corporate Officer



Subject Properties being
rezoned from RR3
(Rural Resource 3)
to
RR2 (Rural Resource 2)

- Legend**
- MOTI Roads
 - Local Government boundary
 - Property Boundaries
 - Lake
 - Stream