Request for Decision

Electoral Area C
Zoning Amendment Bylaw No. 1549-2017

Date of Meeting: Board Meeting – August 29, 2018

Recommendation:

THAT Bylaw No. 1549-2017, cited as "Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1549-2017" be read a third time, as amended.

THAT pursuant to Section 52(3)(a) of the *Transportation Act*, Bylaw No. 1549-2017, cited as "Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1549-2017" be sent to the Ministry of Transportation & Infrastructure for their approval prior to adoption of the bylaw.

RELEVANT POLICIES:

Pemberton Valley Agricultural Area Plan
Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002

Background:

Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1549-2017 is meant to address the agricultural zoning components contained in the proposed (now rescinded) Zoning Bylaw 1485-2017. Squamish-Lillooet Regional District Electoral Area C Official Community Plan Bylaw No. 1484-2017 and Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 1485-2017 were comprehensive bylaws that were intended to replace the current Electoral Area C OCP Bylaw No. 689, 1999 and Electoral Area C Zoning Bylaw No. 765, 2002. The review of the whole Area C OCP and Zoning Bylaw and the non-agricultural areas will be addressed through a further process following the adoption of Zoning Amendment Bylaw No. 1549-2017.

The Pemberton Valley Agricultural Area Plan was adopted by the SLRD Board in 2012 after a thorough public engagement process and review by the Electoral Area C Agricultural Advisory Committee. The Area C AAC extensively reviewed all of the recommended actions in the plan in 2014 and 2015. As part of the Electoral Area C OCP and Zoning Review, there has been extensive public engagement involved regarding the agricultural regulations, which also flowed from the previously adopted Pemberton Valley Agricultural Area Plan. There have been numerous SLRD Board resolutions regarding the implementation of the Pemberton Valley Agricultural Area Plan, the farm residential footprint regulations, and the required updates related to agritourism activities, gathering for an event uses, and other recent ALR Regulation changes.

Timeline for Bylaw 1549-2017:

- December 13, 2017 Board meeting: Bylaw No. 1549-2017 was introduced as amended and read a first time.
- January 24, 2018 Board meeting: Bylaw No. 1549-2017 was read a second time and a public hearing was authorized.
- April 11, 2018 Board meeting: A public meeting was held with over 200 people in attendance
- June 28, 2018 Board/COW meeting: Report summarizing the questions, answers, and comments from the April 11, 2018 public information meeting.
- July 11, 2018 Community Open Houses: Two community open houses were held on July 11 from 3 – 4 pm and 6 – 8 pm at the Pemberton & District Community Centre. 8 people were in attendance at the afternoon session, and 15 people were in attendance at the evening session.
- July 25, 2018 Board meeting: Bylaw No. 1549-2017 was given second reading as amended.
- August 15, 2018 Public Hearing

Key Information:

The purpose of this report is to present Bylaw No. 1549-2017 following the public hearing held on August 15, 2018. The bylaw is ready to be considered for third reading and sent to the Ministry of Transportation & Infrastructure (MOTI) for their approval.

Public Hearing Summary:

The public hearing was held on August 15, 2018 at 7 pm in the Great Hall at the Pemberton & District Community Centre. 20 people attended as well as 3 members of the Board, including the Chair. The public hearing minutes are attached as Appendix 2, and the comments received summarized below. Four written submission were received and are attached as Appendix 3.

Seven members of the public spoke at the public hearing. The majority of speakers noted that they are in favour of the bylaw, with one speaker providing specific details that they were not in favour of. The following table summarizes the key issues raised at the public hearing:

TOPIC	STAFF RESPONSE	CHANGE REQUIRED?
R. Lincks spoke in support of protecting farmland and the farm residential footprint.	None.	No change to Bylaw 1549 is required.
A. Belter is in full favor of the Bylaw.	None.	No change to Bylaw 1549 is required.
A. Helmer noted that they support the Bylaw but do not believe that screening of shipping containers should be required.	The provision to screen shipping containers is in line with the OCP policies to protect the beautiful rural character of the Pemberton Valley. Unrestricted	No change to Bylaw 1549 is required.

Shirley asked what was meant by screening and if painting shipping containers would be considered screening.	shipping containers can cause visual pollution and are at risk of being used for billboards, graffiti, etc. Painting of shipping containers is possible, but is not a substitute for screening.	
J. Sturdy noted that retailing is the only way to be profitable as a farmer.	Farm sales are allowed in the bylaw	No change to Bylaw 1549 is required.
J. Sturdy disputed the proposed minimum parcel size of 60 ha for cannabis production facilities noted in s.6.2.3 of Bylaw 1549 and suggested that the SLRD cannot prohibit this use.	The minimum parcel size of 60 ha is not part of Bylaw 1549. This regulation was given thorough consideration by the Board and was subject to 8 public hearings in 2013/2014. The SLRD chose to regulate, not prohibit this use. Recent ALC regulation changes have deemed cannabis production facilities with non soil based, concrete foundations to be “non-farm uses” which the SLRD can prohibit.	No change to Bylaw 1549 is required. The recent changes to the ALC regulations will be reviewed and any necessary changes will be brought forward at a later date under a separate bylaw process. This will form part of the overall review of cannabis regulations that the Board has previously discussed.
J.Sturdy stated that he feels the proposed 16 ha minimum parcel size set out in s. 6.4.1 to be too restrictive and cited instances of hooked parcels. J. Sturdy stated that the ALC has the authority to approve subdivisions and the SLRD	The ALC has reviewed Bylaw 1549 and is in favour of it. The ALC and the Ministry of Agriculture have consistently stated that they support local governments in setting the largest minimum parcel size possible in order to prevent subdivision. Many studies have shown the impacts of small lot subdivisions on farm production. The SLRD has always provided input on subdivision applications in the ALR; in fact, the ALC’s process	No change to Bylaw 1549 is required.

should let the experts weigh the merits of subdivisions.	requires input from local government. The SLRD has already reduced the proposed minimum parcel size from 40 ha to 16 ha and this is deemed appropriate. If one had a special circumstance which they deemed appropriate for a subdivision, they could apply for a rezoning in order to have that special circumstance considered.	
J. Sturdy noted that he is a supporter of the farm residential footprint, but he feels that the proposed 75m setback from a road is too restrictive. He noted that he didn't think there were any standards to review variance applications, but he is happy that there are criteria. J. Sturdy spoke about aligning the footprint with the road frontage. J. Sturdy thinks that the variance process will take 6 months to get through.	The reason for the farm residential footprint is to regulate and contain uses that are not directly related to farm operations. The Ministry of Agriculture has advised that such regulations have consistently helped to reduce the conflict between farmers and non-farmers, while also preserving farmland. The farm residential footprint can align with a road frontage. The SLRD has a streamlined variance process for farm residential footprints that has been in place in Area D for several years which is working effectively. The proposed Official Community Plan bylaw includes a number of criteria for assessing variance applications. Usually variances can be achieved within 2 months.	No change to Bylaw 1549 is required.

	Any existing uses will be unaffected by this regulation.	
J. Sturdy spoke about maximum height regulations for a farm residence vs. a farm employee residence set out in s. 6.4.10 of Bylaw 1549 and asked that these be consistent.	Staff concur with this recommendation.	The height of farm employee and temporary farm worker housing has been changed to 8 m rather than 7.62 m.
J. Sturdy spoke about siting and size regulations for cannabis production facilities. Mr. Sturdy stated that a 2500m^2 size restriction is problematic and that he believes that this contravenes Ministry of Agriculture regulations.	The siting and size regulations for cannabis production facilities is not part of Bylaw 1549. This regulation was given thorough consideration by the Board and was subject to 8 public hearings in 2013/2014. The SLRD chose to regulate, not prohibit this use. Recent ALC regulation changes have deemed cannabis production facilities with non soil based, concrete foundations to be "non-farm uses" which the SLRD can prohibit.	No change to Bylaw 1549 is required.
J. Sturdy spoke about temporary farm worker housing. He stated that there is no requirement by the ALC with regard to maximum accommodation size. He does not feel that Bylaw 1549 allows for enough space to accommodate temporary worker housing. J. Sturdy believes that the 100 m^2 for farm worker housing on smaller parcels is arbitrary.	The SLRD has the authority to regulate temporary farm worker housing. Based on input from the ALC and the Ministry of Agricultures' regional agrologist, the SLRD set limits to the size of temporary worker accommodation. 100 m^2 per worker is for lots smaller than 4 ha. This is thought to be enough space to accommodate 2-3 workers in a home. Generally speaking, and according to the Ministry of Agriculture, lots smaller than 4 ha have	No change to Bylaw 1549 is required.

J. Sturdy believes that the 15 m setback from a residence for a farm employee residence is overly prescriptive.	little demonstrated need for farm worker housing. The SLRD is authorized to regulate siting and setbacks. The 15 m setback is considered adequate for reducing sprawl, while also allowing for privacy. For example, a typical residential home is setback 3 m from an adjacent property, ensuring a minimum 6 m distance between structures. The 15 m setback allows for more than double this setback which should be more than sufficient to allow for privacy.	
J. Sturdy referred to s. 6.4.18 of Bylaw 1549 with respect to the gross floor area of breweries. He does not believe that the ALC sets limits to the size of breweries and does not believe that SLRD should set limits.	The SLRD has the authority to regulate the size of breweries. The SLRD has chosen to set a limit of 600 m^2 (6,458 sq. ft.) based on input from the ALC, the Ministry of Agriculture and the Electoral Area C Agricultural Advisory Committee. By setting a cap on brewery size, the SLRD can help protect farmland for farming and prevents large brewery corporations from setting up on farmland, rather than in industrial or commercial areas. Breweries are meant to be ancillary uses to the farm. Agricultural land is not meant to be a place for large manufacturing uses. If one wishes to operate a brewery in a larger facility, they may apply for a rezoning.	No change to Bylaw 1549 is required.
J. Sturdy referred to s. 6.4.19 of Bylaw 1549 with respect to the size of food	The SLRD has the authority to regulate the size of food and beverage lounges. The SLRD has chosen to set a	No change to Bylaw 1549 is required.

and beverage lounges associated with breweries. J. Sturdy would like the SLRD to conform to the ALC policy limits of 125 m^2.	limit of 60 m^2 (645.8 sq. ft.) for indoor and space and the same for outdoor space, based on input from the ALC, the Ministry of Agriculture and the Electoral Area C Agricultural Advisory Committee. Food and beverage lounges associated with breweries are meant to be anciliary uses to the farm. Agricultural land is not meant to be a place for bars and lounges. These uses cause traffic and noise impacts that can affect neighbouring farms. If one wishes to operate a food and beverage use within a brewery in a larger facility, they may apply for a rezoning.	
J. Sturdy spoke about temporary farm worker housing and the proposed regulations set out in s.6.7.2 of Bylaw 1549. With respect to the requirement for an agrologist's report, he cited the ALC regulations and he doesn't know why the SLRD should be involved in reviewing this. He doesn't see why he should have to go through the added expense of having to provide an agrologist's report. He thinks that the SLRD should simply obtain advice from the Ministry.	The SLRD has been advised by the Ministry of Agriculture regional agrologist that it is best practice to require agrologist's reports in order to justify the need for temporary farm worker housing. This is a use that is often subject to abuse and can lead to zoning regulation violations (e.g. being used for nightly rentals and other uses) if not carefully reviewed and regulated.	No change to Bylaw 1549 is required.
J. Sturdy spoke about temporary farm worker housing and the proposed regulations set out in s.6.7.3 of Bylaw 1549 regarding the need to provide an annual	The SLRD utilizes statutory declarations for a number of temporary uses. These are legal declarations that the SLRD has pre-made so there is no legal cost to a	No change to Bylaw 1549 is required.

statutory declaration with respect to temporary farm worker housing. J. Sturdy is of the understanding that there is a housing crisis and he would like to be able to rent his housing to seasonal farm workers in the agricultural season and Whistler employees in the off season but he feels that the new government's fixed term lease limits will hinder him from doing so. J. Sturdy did acknowledge that this could be open to abuse and that people could live there who aren't workers.	property owner in signing a statutory declaration. These can be notarized for free at the SLRD office, in a process that takes less than 5 minutes. Essentially, it is a declaration that the property owner will use a given building only for temporary farm workers. It is considered best practice to require annual statutory declarations in order to ensure compliance with the bylaws. Temporary housing is a use that is often subject to abuse and can lead to zoning regulation violations (e.g. being used for nightly rentals and other uses) if not carefully reviewed and regulated.	
J. Sturdy spoke about temporary farm worker housing and the proposed regulations set out in s.6.7.4 of Bylaw 1549 with respect to the need for a section 219 covenant for temporary farm worker housing. He does not like this regulation and disagrees that housing should be removed from a property if unutilized for 2 years. He thinks this is draconian.	The SLRD utilizes section 219 covenants to achieve compliance and to protect the SLRD in the instance of non-compliance. Temporary housing is a use that is often subject to abuse and can lead to zoning regulation violations (e.g. being used for nightly rentals and other uses) if not carefully reviewed and regulated. Section 219 covenants help to ensure that unused temporary farm worker housing will be removed.	No change to Bylaw 1549 is required.
J. Sturdy spoke about temporary farm worker housing and the proposed regulations set out in s.6.7.5 of Bylaw 1549 with respect to the need for annual inspections of temporary farm worker housing.	The SLRD enforces its own bylaws and cannot rely on federal inspectors. Annual inspections are a way to ensure that temporary farm worker housing has not been converted to other, non-farm uses.	No change to Bylaw 1549 is required.

J. Sturdy feels that his federally required inspections should suffice.		
J. Sturdy spoke about temporary farm worker housing and the proposed regulations set out in s.6.7.8 of Bylaw 1549 with respect to farmworkers living on the farm they are employed at. J. Sturdy does not see why temporary farm worker housing cannot be shared amongst farms. He does not see how this applies to workers on leased land.	Temporary farm worker accommodation is meant to support individual farms. By considering this on a farm by farm basis, it is easier to regulate and manage. The needs of various farms can change, farms can close, etc. This allows for the temporary farm worker housing to be "right sized" to each farm. This would not be possible if there were single farms over-building large structures meant to house the workers of many farms. Such large structures would have large demands for parking, water and waste, etc. that are outside the capacity for an individual farm to handle. Problems could ensue if workers vacated the property and rooms were left unused, creating a temptation to rent the rooms to non-workers. Leased land is not specifically acknowledged in this regulation as temporary worker housing is meant to occur on the properties of farm owners. It is possible for farm workers who work on the farm on which the temporary housing exists to also work on leased land.	No change to Bylaw 1549 is required.

J. Sturdy spoke about special events at breweries, cideries, etc. as set out in proposed s.6.8 of Bylaw 1549. He asked how special events are different from gatherings for an event. He wanted a definition of special event.	Special events are considered separate from gathering for an event and are specific to breweries, cideries, meaderies, etc. Special events are considered to be events that are outside of the operations typical food and beverage public offerings. The limits on the number of special events was put in place in order to reduce the noise and nuisance impacts on neighbouring farms.	An explanation of special event (in context of breweries, cideries, meanderies) has been added within s. 6.8.1 to specify that these are gatherings that are not typical operations of the establishment.
J. Sturdy spoke about gathering for an event regulations set out in s.6.9 of Bylaw 1549 with respect to requiring these uses to be contained within the farm residential and/or the non-farm use footprint. He stated that the ALC does not allow these uses to be prohibited.	The SLRD is not prohibiting gatherings for an event. On the contrary, Bylaw 1549 proposes to provide regulations for gatherings for an event which are not currently included in the Area C Zoning Bylaw. As gatherings for an event are not a part of normal farm operations, the appropriate siting for these uses is within the farm residential and/or the non-farm use footprint. The SLRD has the authority to stipulate these uses are to be located within the farm residential and/or non-farm use footprint. This prevents agricultural operations from being hindered.	No change to Bylaw 1549 is required.
J. Sturdy spoke about gathering for an event regulations set out in s.6.9.8.1 of Bylaw 1549 with respect to the size of the non-farm use footprint and parking. He feels that 500 m^2 on 4 ha (~10 acre) properties is too restrictive.	The sizing of events is scaled to the size of properties, taking into consideration impacts on the land, parking pressures, noise, proximity to neighbours, etc. 500m^2 is considered adequate for	Staff will look into the size of special events vis a vis small parcels, and if needed will bring back an amendment to the Electoral Area C Zoning Bylaw in 2019 when the remainder of this bylaw is brought forward for review.

	small gatherings on small properties.	
J. Sturdy spoke about agritourism regulations set out in s.6.10.1.9 of Bylaw 1549 with respect to parking for agritourism activities being located within the farm residential and/or the non-farm use footprint area. He believes that this conflicts with ALC regulations.	The SLRD is allowed to regulate siting and parking. The SLRD referred draft Bylaw 1549 to the ALC and the Ministry of Agriculture and they sanctioned the contents of the bylaw.	No change to Bylaw 1549 is required.
J. Sturdy spoke about Agricultural Bed and Breakfast regulations set out in s.6.11 of Bylaw 1549 with respect to the maximum number of bedrooms. He questioned whether this meets with ALC rules.	The BC Building Code sets the maximum number of bedrooms in a bed and breakfast at 4 bedrooms. The SLRD has aligned their bylaw to address this regulation. The SLRD referred draft Bylaw 1549 to the ALC and the Ministry of Agriculture and they sanctioned this regulation.	Bylaw 1549 section 6.11 was renumbered and 6.11.3 was changed to add “as per the British Columbia Building Code” at the end of the sentence in order to clarify that the maximum of 4 bedrooms is as per the BCBC. In addition, the definition of Bed and Breakfast, Agricultural was amended to remove the words “at least” in order to clarify that only breakfast is to be served.
J. Sturdy spoke about sign regulations set out in s.3.18 of the general regulations. He noted that Agriculture is not mentioned in the Business Sign regulations. He has no objection to the prohibition on 3rd party signs. He does not like that signs are to be limited to 1 m^2. He believes that Agricultural use should be treated as commercial uses and allowed 5 m^2 of signage.	Agriculture uses are not commercial uses. Sign pollution is a concern as it impacts the rural landscape and creates a commercialization of farmland that conflicts with SLRD policies. A small sign should be adequate for agricultural uses.	Section 3.18 has been amended to provide for signs of 2 m^2 for permitted uses on agricultural property.
J. Sturdy spoke about s.3.27 prohibiting cannabis retail	The SLRD has opted to prohibit cannabis retail in all zones and consider	No change to Bylaw 1549 is required.

uses. He asked if this is a moral decision.	cannabis retail applications on a case by case basis.	
J. Sturdy spoke about regulations set out in s.4.1.4 of the parking regulations. He thinks limits on 2 large vehicles on parcels less than 2 ha to be too limiting. He recommends that this regulation instead apply to parcels smaller than 1 ha.	Staff concur with this recommendation.	Section 4.1.4 of Bylaw 1549 has been amended to change the parcel size from 2 ha to 1 ha.
J. Sturdy spoke about regulations set out in the parking table. With respect to agritourism, he does not think 40 spaces is adequate for his pumpkin day. J. Sturdy does not think that 40 parking stalls is enough for a 200 person event.	The ALR is not meant to be devoted to parking. The parking numbers were referred to the ALC and the Ministry of Agriculture and they sanctioned this regulation. It is not expected that farms should accommodate all parking on their farms, especially for large agritourism events that occur sporadically. In some cases, shuttles and alternative forms of transport will need to be considered.	No change to Bylaw 1549 is required.
J. Sturdy spoke about parking relating to surfacing as set out in s. 4.7 of the parking regulations. He does not agree that there should be no surfacing and thinks that this could create a mud pit when there is constant traffic.	The ALC prohibits surfacing of parking in order to preserve farmland. Farmland parking should not be subjected to regular traffic given that only 10 gatherings for an event are allowed per year and agritourism events are sporadic in nature.	Bylaw 1549 has been changed to state that there can be no gravel or fill on parking areas “unless otherwise permitted by the Agricultural Land Commission”.
R. Kuurne spoke up in support of the Bylaw and stated that she does not support those that do things on their farm that isn’t related to farming.	No comment.	No change to Bylaw 1549 is required.
T. Sturdy noted that the SLRD should support farming and farmers.	No comment.	No change to Bylaw 1549 is required.
A. Belter noted that much of the discussion had been around accessory uses and she stated that most farmers	No comment.	No change to Bylaw 1549 is required.

don't have time to run these accessory uses.		
D. Meredith submitted a letter regarding his concerns about the farm homeplate and the timing of the review of development variance applications. He noted his concerns that variances could take 6 months to a year to review and that this could impact the sale of farm properties.	As noted previously in this and other past reports, the variance process has been in place for several years and generally takes less than 2.5 months.	No change to Bylaw 1549 is required.
T. Ross submitted an email stating that he is against the homeplate and he would prefer that there be a referendum on this issue.	No comment.	No change to Bylaw 1549 is required.
A. Belter submitted a letter in support of the Bylaw and stated that local government needs to be more restrictive if farmland is to be used for farming vs. all other activities that are not farming.	No comment.	No change to Bylaw 1549 is required.
A. Helmer submitted a letter in support of the Bylaw.	No comment.	No change to Bylaw 1549 is required.

In addition to the changes to Bylaw 1549-2017 highlighted above, some minor typographical and numbering changes were made to the bylaw. These are highlighted in the attached Bylaw 1549-2017.

Analysis:

Based on comments made at the public hearing, there are several proposed changes to Zoning Amendment Bylaw No. 1549-2017. These changes have been highlighted in the attached Bylaw No. 1549-2017. Bylaw No. 1549-2017 is now ready for third reading and can be sent to the MOTI for their approval pursuant to Section 52(3)(a) of the *Transportation Act* prior to being brought back to the SLRD Board to be considered for approval. Depending on the MOTI review, the bylaw could potentially be adopted at the September or October SLRD Board meetings.

Regional Considerations:

The proposed zoning amendment bylaw would establish updated agricultural zoning in Electoral Area C, and rezone all the existing properties that are currently in the AGR zone or AGR_{PF} subzone to the new AGR1 zone, as well as rezone those properties *in the ALR* between Birken and D'Arcy, and those in the Blackwater Road area. Those parcels have not been properly zoned in the past and with all the changes to the ALR regulations, it is

necessary to ensure that all ALR land within Area C is properly zoned for agriculture and complies with the *ALCA* and Regulation.

Attachments:
Appendix 1: Zoning Amendment Bylaw No. 1549-2017 (with changes highlighted)
Appendix 2: Public Hearing Minutes – August 15, 2018
Appendix 3: Public Hearing – Four Written Submissions

Submitted by: I. Holl, Senior Planner and K. Needham, Director of Planning & Development Services
Approved by: L. Flynn, Chief Administrative Officer

SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1549-2017

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

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

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

1. This bylaw may be cited for all purposes as "Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1549-2017".

2. Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002 is amended as follows:

   (a) By rezoning the property identified by the I1 callout on Schedule 1, which is attached to and forms part of this bylaw, from AGR (Agriculture) to I1 (Industrial 1).

   (b) By rezoning the property identified by the RR3 callout on Schedule 1, which is attached to and forms part of this bylaw, from RR1 (Rural 1) to RR3 (Rural 3).

   (c) With the exception of the property noted in (a) above, by rezoning all properties currently zoned AGR (Agriculture) or AGR_{PF} (Agriculture Pemberton Fringe subzone) to the new AGR1 (Agriculture 1) zone as shown on Schedule 1, which is attached to and forms part of this bylaw.

   (d) By rezoning those properties that are in the Agricultural Land Reserve (ALR) identified on Schedule 1, which is attached to and forms part of this bylaw, from RR1 (Rural 1) (between Birken & D'Arcy) or $RR1_{RM}$ (Rural 1 Resource Management) (Blackwater) to AGR1 (Agriculture 1).

   (e) By deleting the existing Section 6 AGR (Agriculture) zone and AGR_{PF} (Agriculture Pemberton Fringe subzone).

   (f) By inserting the new AGR1 (Agriculture 1) zone as the new Section 6 - Agriculture Zone as shown on Schedule 3, which is attached to and forms part of this bylaw.

   (g) By deleting the term "light industry" from Section 11.1(a) Permitted Uses in the I1 zone and renumbering the subsections accordingly.

   (h) By deleting the phrase "combined commercial use and residential dwelling unit" from Section 11.1(q) Permitted Uses in the I1 zone and renumbering the subsections accordingly.

   (i) By deleting the term "light industry" from Section 12.1(e) Permitted Uses in the I2 zone and renumbering the subsections accordingly.

   (j) By deleting the existing section Part 1 - Interpretation in its entirety, and replacing it with a new Section 1 - Definitions as shown on Schedule 4, which is attached to and forms part of this bylaw.

(k) By deleting the existing section Part 2 - Basic Provisions in its entirety, and replacing it with a new Section 2 - Administration & Zones as shown on Schedule 5, which is attached to and forms part of this bylaw.

(l) By deleting the existing section Part 3 - General Subdivision Provisions and Regulations in its entirety, and replacing it with a new Section 3 - General Regulations as shown on Schedule 6, which is attached to and forms part of this bylaw.

(m) By deleting the existing section Part 4 – General Zoning Provisions and Regulations in its entirety, and replacing it with a new Section 4 - Parking and Loading Regulations as shown on Schedule 7, which is attached to and forms part of this bylaw.

(n) By replacing the existing term “farm use” with the term “agriculture” in the permitted uses section of the RR1 (Rural 1) zone.

(o) By deleting the term “bed and breakfast inn” from sections 5.1(3)(b) and 10.1(e).

(p) By deleting the second sentence in the existing Section 16.2(3) of the CD1 zone, and inserting a new Section 16.2(4) as follows:

16.2(4) For any parcel on which an auxiliary dwelling unit is constructed within an auxiliary building, the maximum gross floor area of the principal dwelling shall be reduced by the gross floor area of the auxiliary dwelling unit up to the maximum of 90 m^2.

(q) By replacing the existing Parking and Loading sections 5.13, 5.19, 7.7, 9.10, 9.11, 10.12, 11.10, 11.11, 12.9, 12.10, 14.7, 14.8, and 16.7 with the following new Parking & Loading provision as follows:

Parking & Loading

#.# Motor vehicle and bicycle parking and loading shall comply with the requirements of Section 4 of this Bylaw.

(r) By updating the Summary of Amendments table to reflect this amendment bylaw as follows:

BYLAW NO.		**DATE OF ADOPTION**
1549-2017	Area C Agricultural and Housekeeping Zoning Updates	Month Day, 2018

(s) By inserting a new heading section for each broad category of zones entitled Rural Zones, Residential Zones, Commercial Zones, Industrial Zones, Public and Institutional Zones, and Comprehensive Development Zones with the new heading style as follows:

SECTION - ZONE CATEGORY

(t) By replacing the existing heading section of each of the RR1, RR3, R1, MHP, C1, TC, I1, I2, I3, PA1, CWP, CD zones with the new heading style as follows:

SECTION #.# - ZONE CODE – ZONE NAME

(u) By inserting a new Table of Contents between the existing heading "Schedule A to Zoning Bylaw No. 765" and the new Section 1 Definitions, described by (h) above, and then deleting the "Schedule A to Zoning Bylaw No. 765" heading, as follows:

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SECTION 16.1 - CD-1 - COMPREHENSIVE DEVELOPMENT *ZONE* - WEDGEWOODS ESTATES

SCHEDULE B - MAPS

[SCHEDULE 3]

SECTION 6 - AGRICULTURE ZONES

SECTION 6.1 - AGR1 *ZONE* - AGRICULTURE 1

Intent

6.1 The intent of this *zone* is to provide for agricultural development and to protect the agricultural integrity of land within the Agricultural Land Reserve.

Permitted Uses

6.2 In the AGR1 *Zone* the *use* of land, *buildings* and *structures* is subject to the *Agricultural Land Commission Act* (*ALCA*) and the Agricultural Land Reserve Use Subdivision and Procedure Regulation (Regulation), and restricted to:

.1 On all Parcels:
- (a) *agriculture,* including *intensive agriculture*
- *(b) aquaculture*
- (c) forestry practices, including silviculture and harvesting, but not including processing or manufacturing
- (d) *brewery*, *cidery*, *distillery*, *meadery*, or *winery* subject *Liquor Control and Licensing Act*
- (e) *farm residence,* subject to Section 6.5
- (f) *agritourism activities,* subject to Section 6.10
- (g) *farm retail sales,* subject to Section 6.6
- *(h) secondary suite*
- (i) *agricultural home based business,* subject to Section 6.12
- (j) *agricultural bed and breakfast,* subject to Section 6.11
- *(k) farm employee residence,* subject to Section 6.5
- (l) *temporary farm worker housing,* subject to Section 6.7
- *(m) gathering for an event,* subject to Section 6.5 and 6.9
- (n) construction and maintenance, for the purpose of drainage or irrigation or to combat the threat of flooding, of
  - i. dikes and related pumphouses, and
  - ii. ancillary works including access roads and facilities;
- *(o) garden nursery*
- (p) *accessory buildings* and accessory *uses.*

.2 On *parcels* of 2 ha or greater, the additional permitted *uses* are:
- *(a)* Operation of a *portable sawmill* if at least 50% of the volume of the timber is harvested from the farm or *parcel* on which the *portable sawmill* is located.

.3 On *parcels* of 60 ha or greater, the additional permitted *uses* are:
- *(a) cannabis production facility.*

Non-Farm Uses

6.3 All applications to permit non-farm uses not enabled by the regulations of the *ALC*, including for rezoning, Temporary Use Permits and variances must be accompanied by an Agricultural Impact Assessment prepared by a *licensed or accredited professional*, such as a professional Agrologist that assesses if a proposed use enhances or impacts agriculture.

Regulations

6.4 On a *parcel* located in the AGR1 *Zone*, no *use*, *building* or *structure* shall be established, 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 *parcel area* for new subdivisions	16 ha
.2	Maximum number of *dwellings* per *parcel*	• on *parcels* less than 4 ha: 1 *farm residence* in accordance with s. 6.5 • on *parcels* 4 ha or greater, one *farm employee residence* may be permitted in accordance with s. 6.5 and subject to the following conditions: (i) the property has farm class under the *BC Assessment Act*, and (ii) an application on the prescribed form has been submitted to, and approved by, the *SLRD*, in consultation with the Ministry of Agriculture and the Agricultural Land Commission, that provides evidence that there is a demonstrated need for a *farm employee residence* commensurate with the present level of *agriculture* occurring on the property.
.3	*Parcel Coverage*	The *parcel coverage* of all *buildings* and *structures* shall not exceed 5 percent except: (i) where the *parcel* is one (1) hectare or less, the *parcel coverage* shall not exceed 15 percent. (ii) Subsection (i) does not apply where a *building* or *structure* is used in conjunction with a

COLUMN I Matter to be Regulated		COLUMN II Regulations
		bona fide agricultural operation as long as that operation is in compliance with the *ALCA* and Regulation.
.4	Maximum number of *secondary suites* per *farm residence*	1
.5	Maximum *gross floor area* for the *farm residence*	350 m^2
.6	Maximum *gross floor area* for *farm employee residence,* if authorized under Section 6.5	180 m^2
.7	Minimum *setback* • from the *front parcel line* • from all other *parcel lines*	 4.5 m 7.5 m
.8	Maximum *setback* for *farm residence,* and *farm employee residence,* where permitted, from the *front parcel line* to the rear of the *farm residence,* and the *rear of the farm employee residence*	75 m
.9	Maximum *setback* for the *farm residential footprint* from the *front parcel line* to the rear of the *farm residential footprint*	85 m
.10	Maximum *height* of • *farm building* • *farm residence* • *farm employee residence*, if authorized under Section 6.5 • *temporary farm worker housing*, if authorized under Section 6.7 • *accessory building*	 15 m 8 m ~~7.62~~8 m ~~7.62~~8 m 6 m
.11	Minimum *setback* for *cannabis production facility* (from all *parcel lines*)	25 m
.12	Maximum *height* for a *cannabis production facility*	15 m
.13	Maximum *gross floor area* for a *cannabis production facility*	2,500 m^2
.14	Minimum *setback* for *cannabis production facility* from any *watercourse*	30 m
.15	*Farm residential footprint*	See Section 6.5
.16	Maximum *gross floor area* for *temporary farm worker housing* • on parcels less than 4 ha • on parcels 4 ha or larger • per temporary farm worker	 100 m^2 280 m^2 10 m^2
.17	Maximum *setback* for a *farm employee residence* or *temporary farm worker housing* from a *farm residence*	15 m
.18	Maximum *gross floor area* of a *brewery,*	600 m^2

COLUMN I Matter to be Regulated		COLUMN II Regulations
	cidery, distillery, meadery or winery provided that the size of the facility is commensurate with the agricultural operation supporting it and in accordance with the *ALCA* and Regulation.	
.19	Maximum *gross floor area* of food and beverage lounge associated with a *brewery, cidery, distillery, meadery, or winery* • Indoor *gross floor area* • Outdoor *gross floor area*	 60 m^2 60 m^2
.20	Maximum *gross floor area* of a tasting room associated with a *brewery, cidery, distillery, meadery or winery*	60 m^2
.21	Additional regulations pertaining to a *brewery, cidery, distillery, meadery or winery*	See Section 6.8
.22	Maximum *setback* for the *non-farm use footprint* from the *front parcel line* to the rear of the *non-farm use footprint*	40 m

.23 The *setback* and *height* regulations elsewhere in Section 6.5 shall not apply to an existing *building* that is re-purposed for a *cannabis production facility*, so long as that *building* has been issued a valid building permit.

.24 Any *cannabis production facility* that is 3,700 m^2 or larger requires a Ministry of Agriculture-approved rainwater management plan and agricultural liquid waste management plan.

Farm Residential Footprint, Farm Residence and Farm Employee Residence

6.5 The following *farm residential footprint, farm residence and farm employee residence* requirements shall apply to all *lots* within an Agriculture *Zone* and any other *zone* within the *ALR* and are subject to the provisions of the *Agricultural Land Commission Act* and Regulation.

General Requirements

.1 On all *lots* within the AGR1 *Zone*, the *farm residence*, *farm employee residence*, *home office*, *home craft*, *gathering for an event* and all accessory *residential facilities* must be located within the *farm residential footprint* area.

.2 No non-agricultural or non-farm *uses* defined by the *Agricultural Land Commission Act* and Regulation are permitted outside the *farm residential footprint*.

Siting Requirements

.3 The maximum area of a *farm residential footprint* containing one *farm residence* is 2,000 m^2.

.4 A *farm residential footprint* containing a *farm employee residence* (where it has been approved by the *SLRD*) may be increased by a maximum of 500 m^2 to 2,500 m^2.

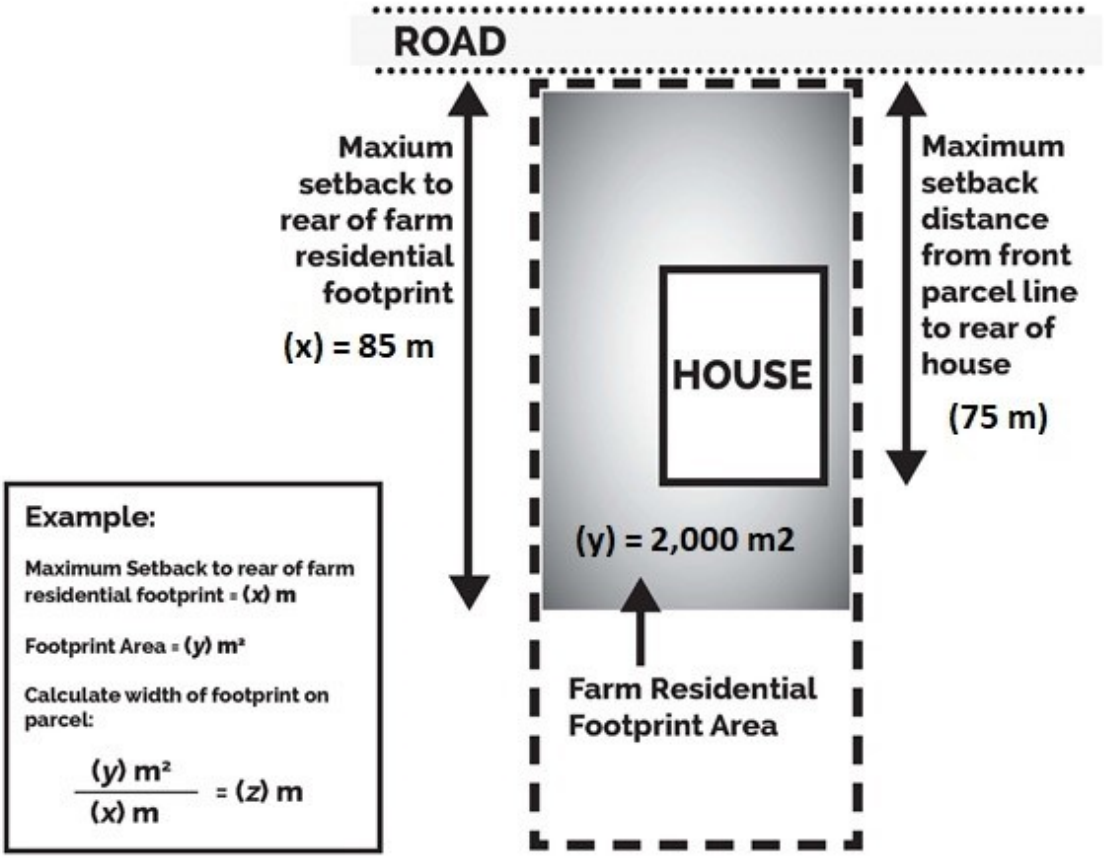
.5 The maximum depth for a *farm residential footprint* is 85 m, measured from a dedicated road. If the road is not dedicated then the depth shall be measured from the constructed road.

.6 One boundary of the *farm residential footprint* must be located at a property line fronting on a road from which vehicular access is obtained.

.7 The rear face of a *farm residence* or *farm employee residence* must not be less than 10 m from the rear of the *farm residential footprint*.

See Figure 1 for a diagram describing *farm residential footprint* and *farm residence*/*farm employee residence setback*.

FIGURE 1



Farm Employee Residence

.8 A person may apply for a *farm employee residence* by completing an application on the prescribed form and shall include a detailed site plan.

.9 The property owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify the *farm employee residence* details submitted in the application form and accompanying site plan.

.10 A *farm employee residence* is not permitted on any lot less than 4 ha.

.11 A maximum of one *farm employee residence* is permitted on any *lot*.

Farm Retail Sales

6.6 *Farm retail sales* shall be conducted in accordance with, and are subject to, the provisions of the *Agricultural Land Commission Act* and Regulation.

.1 Land, *buildings* and *structures* used for *farm retail sales* shall:

.1 where both farm products and off-farm or non-farm products are being sold, have a maximum gross floor area of 300 m^2, including both indoor and outdoor sales and display areas.

.2 dedicate at least 50% of the total retail sales area to the sale of farm products produced on the farm on which the retail sales are taking place.

.2 Off-street parking for *farm retail sales* must be located within the *farm residential footprint* area, and/or the *non-farm use footprint*, and be in accordance with Section 4 and Section 6.9.8 of this Bylaw.

Temporary Farm Worker Housing

6.7 *Temporary farm worker housing* shall be in accordance with the provisions of this Section 6.7.

.1 A person may apply for *temporary farm worker housing* by completing an application on the prescribed form and shall include a detailed site plan.

.2 An assessment report from a professional agrologist regarding the agricultural need for farm worker housing must be submitted to and approved by the SLRD.

.3 A statutory declaration must be filed with the SLRD annually, stating that the *temporary farm worker housing* building(s) will be used only for *temporary farm worker housing* for a specified period of time.

.4 The property owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify the *temporary farm worker housing* details submitted in the application form and accompanying site plan. The covenant will state that the farm worker housing will be removed by the owner and the land restored to agricultural use if the farm worker housing is vacant for two consecutive years.

.5 *Temporary farm worker housing* must meet the standards in the *BC Public Health Act*, the *BC Building Code*, and the "Guidelines for the Provision of Seasonal Housing for Migrant Farm Workers in BC." Inspections are required prior to initial occupancy, as per the above noted guidelines, and annually thereafter.

.6 A geotechnical report from a qualified professional must be submitted, in order to determine the Flood Construction Level (FCL) for the *temporary farm worker housing.*

.7 The *parcel* on which the *temporary farm worker housing* is located is classified as a farm under the BC Assessment Act.

.8 The *temporary farm worker housing* shall be used for the temporary accommodation of seasonal agricultural workers who are employed by the owner of the *parcel* to work in the owner's farm operation.

.9 *Temporary farm worker housing* must be sited within the *farm residential footprint* area.

Brewery, cidery, distillery, meadery or winery

6.8 *Breweries, cideries, distilleries, meaderies or wineries* shall be in accordance with the provisions of this Section 6.8.

.1 The number and frequency of special events (gatherings that are not typical operations of the establishment), other than those that fall within the *gathering for an event* use, held at a *brewery, cidery, distillery, meadery, or winery* lounge (indoor and outdoor space) and a valid lounge endorsement shall be limited to:

.1 A maximum of 4 special events in a calendar year, that occur outside of regular approved business hours.

.2 Of those 4 special events in a calendar year, no more than 1 special event per weekend.

.2 Off-street parking for a *brewery, cidery, distillery, meadery or winery* must be located within the *farm residential footprint* area, and/or the *non-farm use footprint*, and be in accordance with Section 4 and Section 6.9.8 of this Bylaw.

Gathering for an Event and the Non-Farm Use Footprint

6.9 The *gathering for an event* use shall be in accordance with the *Agricultural Land Commission Act* and Regulation, ALC Policy L-22 Gathering for an Event, and the provisions of this Section 6.9.

.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 (asphalt, concrete, gravel, etc.) 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,* or such other number as may be allowed by the *Agricultural Land Commission Act* and Regulation, 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* and/or the *non-farm use footprint*.
.8 the *non-farm use footprint* shall be in accordance with the following:
    .1 On parcels that are less than 4 ha, the *non-farm use footprint* shall be a maximum of 500 m^2.
    .2 On parcels that are 4 ha or greater but less than 8 ha, the *non-farm use footprint* shall be a maximum of 1,500 m^2.
    .3 On parcels that are 8 ha or larger but less than 16 ha, the *non-farm use footprint* shall be a maximum of 2,000 m^2.
    .4 On parcels that are 16 ha or greater, the *non-farm use footprint* shall be a maximum of 2,500 m^2.

Agritourism Activities

6.10 The following *agritourism activities* requirements shall apply to all lots within the *ALR* and are subject to the provisions of the *Agricultural Land Commission Act* and Regulation.

<u>General Requirements</u>

.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.
    .9 Off-street parking for *agritourism activities* must be located within the *farm residential footprint* area and/or the *non-farm use footprint* area, and be in accordance with Section 4 and Section 6.9.8 of this Bylaw.

Agricultural Bed and Breakfast

6.11 The *agricultural bed and breakfast use* shall be in accordance with the *Agricultural Land Commission Act* and Regulation, and the provisions of this section 6.11.

.1 A person must apply for an *agricultural bed and breakfast* by completing a building permit application or change of use permit application for the dwelling.

.2 the *agricultural bed and breakfast use* shall be located within, and be *accessory* to a *single family dwelling use*.

.~~5~~3 the maximum number of let bedrooms shall be 4, serving a maximum of 8 persons in total, as per the British Columbia Building Code;

.~~6~~4 one additional off-street *parking space* shall be provided for each let room;

~~.7~~ signage for an *agricultural bed and breakfast use* shall be in accordance with SLRD Sign Bylaw No. 681, 1998, as amended from time to time.

.~~8~~5 the *agricultural bed and breakfast* establishment shall be operated by a person or persons whose ordinary and principal residence is within such single family dwelling .

.~~9~~6 no meal shall be served in the *agricultural bed and breakfast*, other than breakfast, which may only be served to registered overnight guests.

.~~10~~7 Where the property on which an *agricultural bed and breakfast use* is to be located is not served by an approved sewer system, the method by which sewage is to be disposed of shall be approved by the Vancouver Coastal Health Authority.

.~~11~~8 An *agricultural bed and breakfast use* shall be established and maintained in accordance with all applicable regulations and requirements of the BC Building Code, Fire Code, and all other pertinent health and safety regulations, and all subsequent amendments and revisions thereof.

.~~12~~9 An *agricultural bed and breakfast use* may include a separate commonly accessible kitchen for *use* by all the guests.

.~~13~~10 For clarity of interpretation, *commercial assembly uses* are not permitted to be held in conjunction with an *agricultural bed and breakfast use*.

Agricultural Home Based Business

6.12 The *agricultural home based business* shall be in accordance with the *Agricultural Land Commission Act* and Regulation, and the provisions of this section 6.12:

Agricultural Land Reserve (ALR) Requirements

.1 The *agricultural home based business use* shall be accessory to the *residential or agricultural use* on the same *lot*.

.2 The *agricultural home based business use* shall not exceed a maximum *gross floor area* of 100 m² on a parcel. The 100 m^2 includes the ≤10 m^2 of associated *agricultural home based business* retail and/or gallery space.

.3 An *agricultural home based business use* within the *ALR* shall not be detrimental to any existing or potential *agriculture* or *farm use* on the property, or on adjacent properties.

.4 An *agricultural home based business use* within the *ALR* shall be limited to the *farm residence*, and/or an *accessory building*, and cannot be located in the *farm employee residence*, if one is permitted on a *parcel* in accordance with this Bylaw.

.5 All activities associated with the *agricultural home based business use* shall be entirely conducted within a completely enclosed building.

.6 There shall be no outdoor storage of materials, equipment, containers or finished products associated with the *agricultural home based business*.

.7 On a *parcel* within the *ALR*, an *accessory building* and/or off-street parking used for and in relation to an *agricultural home based business* must be located within an established *farm residential footprint* area.

General Requirements

.8 An *agricultural home based business use* must be located within a building that has a valid building permit from the SLRD for the *agricultural home based business use*.

.9 An *agricultural home based business use* shall only be permitted when the owner of the property is a registered owner of the *agricultural home based business*.

.10 Any *building* containing a *dwelling unit* shall not be used for manufacturing, welding, or any other light or heavy *industrial use*.

.11 No external indication shall exist that a building is used for any purpose other than that normally associated with a residential dwelling or accessory building except for a single sign not exceeding 3,500 cm^2.

.12 Employees of an *agricultural home based business use* shall be restricted to members of a family residing on the *parcel* and may include a maximum of two other people.

.13 The owners of any *agricultural home based business use* involved in the production and/or storage of food must have the appropriate approvals and permits from the SLRD and the Vancouver Coastal Health Authority.

.14 An *agricultural home based business use* shall not involve the sale of food or drink.

.15 Motor vehicle and bicycle parking and loading for an *agricultural home based business use* shall comply with the requirements of Section 4 of this Bylaw.

.16 An *agricultural home based business use* is not a *farm retail sales use* and may be conducted in association with a *farm retail sales use*.

Parking & Loading

6.13 Motor vehicle and bicycle parking and loading shall comply with the requirements of Section 4 of this Bylaw.

Exceptions

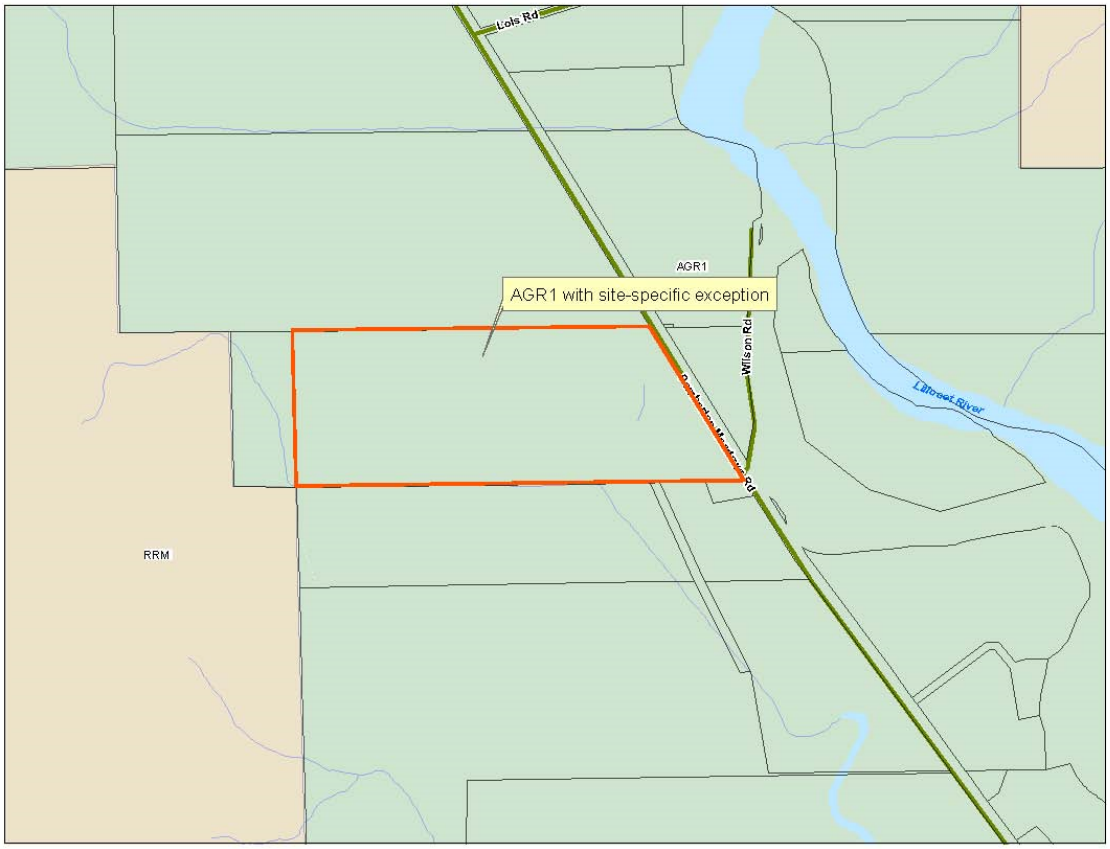
6.14 Exceptions

.1 On the *Parcel* legally described as PID 009-458-832, Lot 1 District Lot 171 Lillooet Land District Plan 11798, the additional *use* permitted is:

- Cemetery.

.2 On the *Parcel* known as PID 011-512-172, Lot A, DL 173, Plan 1613 except Plan 18218, Lillooet Land District, the following additional *uses* are permitted:

- Two (2) additional single family residences, and
- One (1) small *portable sawmill* and planer mill for the use of the resident as long as the use is temporary and at least 50% of the volume of timber processed is harvested from the farm or the parcel on which the sawmill is located. The use of the portable sawmill and planer mill must be in compliance with the *Agricultural Land Commission Act* and Regulation.

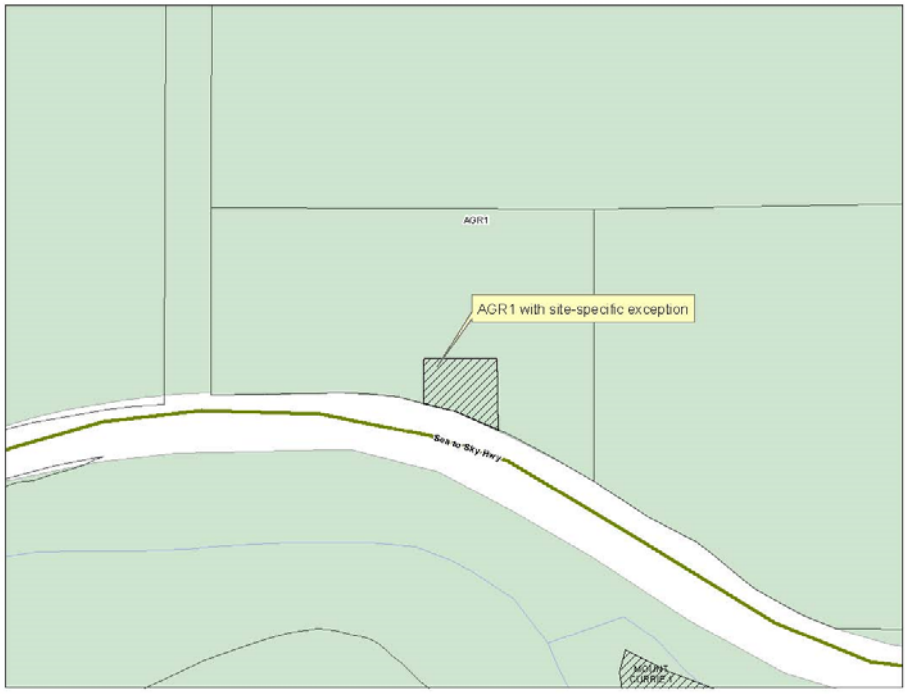


<u>Applicability of Land Use Contract Until Terminated</u>

In the event of conflict between provisions of these zoning regulations and those of the 4D Ranch Land Use Contract Authorization Bylaw No. 123, 1977, the Land Use Contract Bylaw shall apply until it is terminated.

.3 On the *Parcel* known as PID 009-810-331, Lot 13, DL 210, Plan KAP1241, LLD, except Plan 4249, the additional uses permitted on that portion of the parcel indicated in cross hatched markings on the following map are:

- Autobody shop and car repair, and
- Parking for the vehicles being repaired.



[SCHEDULE 4]

SECTION 1 - DEFINITIONS

ACCESSORY BUILDING means a *building* or *structure* that is subordinate, customarily incidental and exclusively devoted to a *principal building* or *use* permitted on the same *parcel s*such as a detached *garage*, *carport* or storage shed.

ACCESSORY OR ACCESSORY USE means a *use*, other than a principal use, that is subordinate, customarily incidental and exclusively devoted to a *principal use* or building permitted on the same *parcel*.

AGRICULTURE means the use of land, *buildings*, and *structures* for the growing, producing, raising or keeping of animals and plants, including apiculture, and the primary products of those plants or animals. It includes the harvesting, processing, storing, and wholesale of agricultural products produced from the same *parcel* or same farm, *farm retail sales*, the repair of farm machinery and related equipment used on the same farm. It also includes agroforestry, horse riding, training, and boarding, greenhouse and nursery *uses*, but does not include *kennels,* pet breeding, or a *cannabis production facility*.

AGRITOURISM ACTIVITY 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 ancillary to any of these.
- (iii) cart, sleigh and tractor rides on the land comprising the farm.
- (iv) 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), and that are in compliance with the *ALC Act*, and the ALR Use, Subdivision, and Procedure Regulation.

(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.

ALC means Agricultural Land Commission.

ALR means Agricultural Land Reserve.

APPROVING OFFICER means the approving officer designated under the *Land Title Act.*

ASSEMBLY USE means a *use* providing for the assembly of persons during the term of a defined program or activity for religious, charitable, philanthropic, cultural, recreational, educational, and health care purposes, but does not include *commercial assembly uses*.

ASSEMBLY USE, COMMERCIAL means a *use* providing for the assembly of persons during the term of a defined event or activity, including but not limited to a party, wedding, or corporate retreat, where there is an exchange of money or other consideration for the use of the property for the said event or activity.

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.

AUXILIARY USE means an *accessory use*.

AVERAGE FINISHED GRADE means the average ground elevation, after placement of fill, removal of soil, regrading or construction, adjoining the perimeter of a building or *structure* excluding steps, eaves, sunlight controls, canopies, balconies, open porches, patios, and uncovered swimming pools.

BACKCOUNTRY TOURISM GUEST STAGING means commercial use of land that is subject to a commercial recreation tenure issued by the Province of British Columbia to congregate paying guests for the purpose of facilitating motorized open land recreation, including but not limited to helicopter accessed recreation, all-terrain vehicle tours, jet boating, and snowmobiling.

BAY WINDOW means a window protruding from a wall line which adds space, but not floor area, to a *building*.

BALCONY means an exterior extension of a floor projecting from the wall of a *building* and enclosed by a parapet or railing.

BASEMENT means that portion of a *building* between two floors, the lower of which is at least 1.2 m below the lower of the average natural *grade* or the *average finished grade*, but does not include a *crawlspace*.

BED AND BREAKFAST means an auxiliary use of a *single family dwelling* as a transient accommodation business for overnight accommodation of travellers, providing at least breakfast to those being accommodated.

BED AND BREAKFAST, AGRICULTURAL means an *accessory use* of a *single family dwelling* in an agricultural *zone* as a transient accommodation business for overnight accommodation of travellers, providing ~~at least~~ breakfast to those being accommodated. See the AGR1 *zone* for details.

BOARD means the duly elected board of the *Regional District*.

BONA FIDE AGRICULTURAL OPERATION means the growing, rearing, producing and harvesting of primary agricultural products on lands classified as a farm by the British Columbia Assessment Authority.

BONA FIDE FARM OPERATION means *a bone fide agricultural operation.*

BREEZEWAY means a solid structural connection between buildings with a maximum length of 5 m, and a maximum gross floor area of 20 m^2.

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 the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation (B.C. Reg. 171/2002), as amended.

BUILDING means any *structure* used or intended for supporting or sheltering any *use* or occupancy.

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.

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

CANNABIS means cannabis as defined in the Federal *Cannabis Act*.

CANNABIS PRODUCTION FACILITY means a premise used for cultivation, processing, testing, destroying, storing, or distribution of cannabis authorized by a licence issued by Health Canada.

CANNABIS RETAIL means the sale of cannabis.

CARPORT means an unroofed or roofed *structure* used for the storage or parking of motor vehicles that has less than 60% of the total perimeter of the *structure* enclosed by walls, doors, or windows.

COMMUNITY WATERSHED means all or part of the drainage area above the most downstream point of diversion for a water use that is for human consumption and that is licensed under the *Water Act* for a domestic purpose or a waterworks purpose as defined under the *BC Forest and Range Practices Act*;

COTTAGE means a single family dwelling that has a maximum gross floor area of 140 m^2. *Secondary suites* are not permitted in *cottages*.

COMMERCIAL LODGING means a *building* used for the *temporary* accommodation of the travelling public, including hotels, motels and other commercial resort operations and may contain commerce, entertainment, or *restaurant uses* and premises licensed for on-site consumption of alcoholic beverages.

CRAFT (in the context of Agricultural Home Based Business) means an occupation or trade requiring manual dexterity or artistic skill.

CRAWLSPACE means the space at or below *grade* between the underside of the joist of the floor next above and the floor slab on the ground surface below with a vertical clear *height* of 1.5 m or less.

DAY LODGE means *a building* that hosts *assembly* and *commercial assembly uses* for the enjoyment of guests attending the facility.

DERELICT VEHICLE means an unlicenced motor vehicle, or motor vehicle that is uninsured for more than eight months of a calendar year.

DEVELOPMENT means the carrying on of any construction, excavation or operation, in, on, over, or under land or water; or the making of any change in the use or intensity of use of any land, water, *building* or premises.

DUPLEX means a residential *building* that is divided into two *dwelling units*, each of which is occupied or intended to be occupied as a permanent home or residence of one *family*. A *secondary suite* is not permitted in a *duplex*.

DWELLING means a *building* containing one or more *dwelling units*.

DWELLING UNIT means a self-contained set of habitable rooms containing not more than one kitchen facility. Unless explicitly permitted in a *zone*, a *dwelling unit* cannot be used for commercial *tourist accommodation*.

***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.

FAMILY means an individual, or two or more persons related by blood, marriage, common law marriage, adoption, or foster parenthood sharing one *dwelling unit*; or not more than five unrelated persons sharing one *dwelling unit.*

FARM BUILDING means a *building* or part thereof that does not contain a residential occupancy or *dwelling unit*, and that is associated with and located on land devoted to the practice of farming, and used essentially for the housing of equipment or *livestock*, or the production, storage or processing of agricultural and horticultural produce or feeds.

FARM EMPLOYEE RESIDENCE means an additional dwelling on a lot within the ALR 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 OPERATION means any of the following activities involved in carrying on a farm business:

(a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
(b) clearing, draining, irrigating or cultivating land;
(c) using farm machinery, equipment, devices, materials and *structures*;
(d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
(e) conducting any other agricultural activity on, in or over agricultural land; and includes
(f) intensively cultivating in plantations, any
    (i) specialty wood crops, or
    (ii) specialty fibre crops prescribed by the Minister of Agriculture;
(g) conducting turf production
    (i) outside of an agricultural land reserve, or

(ii) in an agricultural land reserve with the approval under the *Agricultural Land Reserve Act* of the Land Reserve Commission;

(h) aquaculture as defined in the *Fisheries Act* if carried on by a person licensed, under Part 3 of that *Act*, to carry on the business of aquaculture;

(i) raising or keeping game, within the meaning of the *Game Farm Act*, by a person licensed to do so under that *Act*;

(j) raising or keeping fur bearing animals, within the meaning of the *Fur Farm Act*, by a person licensed to do so under that *Act*;

(k) processing or direct marketing by a farmer of one or both of
   (i) the products of a farm owned or operated by the farmer, and
   (ii) within limits prescribed by the minister, products not of that farm,
   to the extent that the processing or marketing of those products is conducted on the farmer's farm;

but does not include:

(l) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the *BC Forest and Range Practices Act*;

(m) breeding pets or operating a *kennel*;

(n) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by the minister.

FARM PRODUCT means a commodity or good derived from the cultivation or husbandry of land, plants, or animals (except pets and exotic animals) that are grown, reared, raised or produced on a farm.

FARM RESIDENCE means the principal *single family dwelling* that accommodates one *dwelling unit* and located on a *lot* within the ALR.

FARM RESIDENTIAL FACILITIES, ACCESSORY means the following *buildings*, *structures*, or improvements associated with a principal *farm residence* and/or additional *farm residence* on a farm:

(a) Attached or detached *garages* or *carports*.
(b) Driveways to residences.
(c) Decorative landscaping.
(d) Attached or detached household greenhouse or sunroom.
(e) Residential-related workshop, tool and storage sheds.
(f) Artificial ponds not serving farm drainage, irrigation needs, or *aquaculture use*.
(g) Residential-related recreation areas limited to outdoor non-motorized and/or non-mechanized recreational activities. Permitted recreational activities exclude any *uses* involving motorized and non-motorized vehicles.

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*.

FARM RETAIL SALES means the retail sale to the public of tangible products grown or raised on a farm, from that farm and may include the sale of non-farm products as permitted by the Agricultural Land Reserve Use, Subdivision and Procedure Regulation. *Farm retail sales* exclude the retail sale of *cannabis*.

FARM USE means an occupation or use of land for husbandry of land, plants, and animals, and any other similar activity designated as *farm use* by regulation but excluding a *cannabis production facility*.

FARM WORKERS, TEMPORARY means an individual or individuals who carry out agricultural work on a *temporary*, seasonal basis on a farm that has farm class under the *BC Assessment Act*.

FENCE means a free standing *structure* used to screen or enclose all or part of a *parcel*.

GARAGE means a roofed *structure* used for the storage or parking of motor vehicles that has more than 60% of the total perimeter of the *structure* enclosed by walls, doors, or windows.

GARDEN NURSERY means an area of land of which the *principal use* is the propagation and growing of plants for transplantation and includes the sale of plants propagated and grown in the same nursery and the use of no more than 10 percent of the nursery area to a maximum of 100 square metres of floor or land area for auxiliary retail sale of fertilizer, insecticide, herbicide, seeds, small garden hand tools, Christmas trees, animal feed and animal bedding, and excludes all other wholesale or retail sales.

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 (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 accessory to and related to the *principal use* of the property, which is farming.
    (v) must be in compliance with the *Agricultural Land Commission Act*, and the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation.

(c) No more than 10 gatherings for an event of any type, or such other number as may be allowed by the *Agricultural Land Commission Act* and Regulation, may occur on the farm within a single calendar year and 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.

(d) No single event can be more than 24 hours in duration.

GOLF COURSE means the use of land for golfing activity including pitch and putt, driving range and clubhouse facilities.

GUEST LODGE means a commercial accommodation establishment consisting of not more than 20 sleeping rooms or a combination, not exceeding a total of 20, of sleeping rooms and up to 5 rental guest cabins for temporary occupancy by transient persons, which may include a restaurant and recreation facilities for the use of tourists.

GRADE, AVERAGE FINISHED means the average ground elevation, after placement of fill, removal of soil, re-grading or construction, adjacent to each corner of the exterior wall of the *building* or *structure*, excluding steps, stairwells, window wells, or similar localized depressions.

GRADE, AVERAGE NATURAL means the average elevation of undisturbed ground adjacent to each corner of the exterior wall of the *building* or *structure* prior to human alteration, or where the

undisturbed ground level cannot be ascertained because of an existing *building* or *structure*, the average existing *grade*.

GROSS FLOOR AREA means the total floor area of all floors in all *buildings* on a *parcel*, measured to the outside surface of the exterior walls of the *building*. Floor area below the site specific Flood Construction Level (FCL) is exempt from this calculation.

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:

(a) the highest point of the roof surface of a flat roof
(b) the deck line of a mansard roof
(c) the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof
(d) 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*.

HIGHWAY includes a street, road, *lane*, bridge, viaduct and any other way intended for vehicular access and open to public *use*, but does not include private rights of way on private property.

HOME BASED BUSINESS, AGRICULTURAL means a use that is *accessory* to the residential *use* of a property where a resident carries on a profession or occupation that is clearly incidental to the residential or agricultural *use* of the land. The *agricultural home based business use* is a limited and small scale *craft* carried on for remuneration, and may include a home office. *Agricultural home based business* may include limited sales in an associated retail and/or gallery space of up to 10 m^2, only of *agricultural home based business* products produced from the parcel where the *agricultural home based business use* is located. *Agricultural home based business* does not include *industrial uses,* commercial production and/or retail of marihuana or cannabinoids, any kind of food or drink service establishment, or vehicle or equipment repair.

HOME BASED BUSINESS means an *auxiliary use* of a parcel in conjunction with a dwelling for business purposes such as home offices; studios; woodworking; upholstering and other home workshops; personal services except dry cleaners and laundromats.

HOME INDUSTRY means an *auxiliary use* of a *parcel* in conjunction with a *dwelling* for manufacturing, processing, fabricating, assembling, storing, distributing, testing, servicing, or repairing of goods or materials including non-commercial vehicle repair and maintenance.

HOOKED PARCEL means a *parcel* of which one portion is physically separated from the other portion by a *highway*, except a Forest Service Road, or another *parcel*.

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 commercial production and/or sale of marihuana or cannabinoids, bulk water extraction for water bottling, and bottling plants for water.

INTENSIVE AGRICULTURE means a *farm use* of land, *buildings* or *structures* for confinement of poultry, *livestock* or fur bearing animals or the growing of mushrooms.

INTERPRETIVE CENTRE means an institution for the dissemination of knowledge of natural or cultural heritage subjects.

JUNK YARD means the area outside of an enclosed *building* where junk, waste, used *building* and industrial materials, scrap metal, discarded or salvage materials are bought, sold exchanged, stored, baled, packed, disassembled or handled.

KENNEL means a building, *structure*, compound or group of pens or cages where four or more dogs, cats or exotic pets are, or are intended to be, trained, cared for, bred, boarded or kept.

LANDSCAPE SCREEN means an opaque barrier formed by a row of shrubs, trees or by a wooden *fence* or masonry wall or by a combination of these.

LANE means a *highway* which provides secondary access to the side or rear of the *parcel* and is less than 8 m wide.

LICENSED OR ACCREDITED PROFESSIONAL means an applied scientist or technologist, acting alone or together with another *licensed or accredited professional*, where

(a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,

(b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and

(c) the individual is acting within that individual's area of expertise.

LIGHT INDUSTRY means an *industrial use*, which is enclosed within a *building* and is not offensive by reason of smoke, vibration, smell, toxic fumes, electrical or electronic interference and produces no significant noise that in any way interferes with the use of any contiguous *parcel*.

LIVESTOCK includes cattle, horses, mules, donkeys, sheep, goats, swine, bison, llamas, alpacas, poultry and rabbits.

LOADING AREA means open area of land, other than a street, used for the loading and/or unloading of vehicles and may include *loading spaces*.

LOADING SPACE means a space located on a *lot* used for the temporary parking of one commercial vehicle while loading or unloading goods and materials.

LOT means a *parcel*.

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.

MOBILE HOME means a trailer *structure* manufactured and assembled as a *dwelling unit* which is intended to be capable of movement from place to place, and which comprises one *dwelling unit* with complete bathroom. *Mobile home* excludes travel or tourist trailers, campers, *park model recreational vehicles*, and *recreational vehicles*.

MOBILE HOME PARK means a *parcel* used for the purpose of providing spaces for the accommodation of *mobile homes* on land zoned for *mobile home park use* and for imposing a charge or rental for such space.

NATURAL BOUNDARY means the visible high-water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

NATURE CONSERVATION AREA means land that is retained in its natural state for the purpose of protecting and preserving natural ecosystems, biological diversity, and steeply sloped lands, and may include *passive recreation*.

NEIGHBOURHOOD PUB means a liquor outlet that is licensed as a pub by the BC Liquor Control Branch.

NON-FARM USE FOOTPRINT means the portion of a *parcel* that includes, where permitted, the *gathering for an event use* and associated parking, and, where such uses are permitted, parking associated with the *agritourism activities, brewery, cidery, distillery, meadery, winery*, and/or *farm retail sales uses*.

OFFICE means a place in which functions such as directing, consulting, record keeping, clerical work and sales (without the presence of merchandise) of a firm are carried on; also a place in which a professional person conducts his or her professional business.

OPEN LAND RECREATION means the use of land for non-motorized, non-commercial recreational activities but does not include *golf courses*, mechanized ski lift facilities or motorcross tracks.

PANHANDLE means that part of a *parcel* used to gain *highway* access by way of a narrow strip of land.

PARCEL means any *lot*, block, or area in which land is held or into which it is subdivided, but does not include a *highway*.

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

PARCEL COVERAGE means the figure obtained when the total horizontal area of:

(a) all *buildings* measured to the outside surface of the exterior walls or posts;
(b) all *structures*, other than *buildings*, measured to their extreme outer limits;

and is expressed as a percentage of the *parcel area*.

Parcel coverage includes covered walkways, and covered and uncovered variations of decks, verandas, porches, and *carports*.

PARCEL LINE means any boundary of a *parcel*.

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

PARCEL LINE, FRONT means:

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

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

PARCEL LINE, REAR means: the *parcel line* that is opposite to, most distant from, and is not connected to the *front parcel line, or* where the rear portion of the *parcel* is bounded by intersecting *side parcel lines*, is the point of intersection.

PARKING AREA means an open area of land, other than a street, used for the parking of vehicles and may include *parking spaces*.

PARKING SPACE means a space within a *building* or *parking area*, for the parking of one vehicle, excluding driveways, aisles, ramps, columns, *office* and work areas.

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).

PERSONAL SERVICE means a barbershop, beauty shop, dry cleaner, laundromat, or shoe repair shop including sale of goods auxiliary to the *personal service.*

PERSONAL SERVICE ESTABLISHMENT means a business where services are provided and where the sale of retail goods is only accessory to the provision of such services including, but not limited to, barber shops, beauty salons, tailor shops, laundry or dry cleaning shops, watch repair shops, dog groomers and shoe repair shops.

PORTABLE SAWMILL means a portable sawmill located on a private *parcel* for the processing of timber cut only from that *parcel* or from abutting *parcels.*

PORTABLE WOOD MANUFACTURING PLANT means a portable sawmill.

PRINCIPAL BUILDING means the *building* which contains the *principal use* of the *parcel* and shall include attached *garages* or *carports*, but does not include an *accessory building*.

PRINCIPAL USE means the main purpose for which land, *buildings* or *structures* are ordinarily used.

PUBLIC UTILITY USE means a system, work, *building*, plant equipment or resource owned by a municipality, public or private utility company or other government agency for the provision of public water, sewer, drainage, gas, electricity, power, transportation, communication services, such as an electrical substation, community sewer system or public works yard. This may include Independent Power Producers/Projects (IPPs) where such projects have a *Certificate of Public Convenience and Necessity* or an exemption/authorization from the Province.

RECREATION, PASSIVE means the use of land for informal, low intensity *recreation* activities such as hiking, walking and wildlife viewing.

RECREATIONAL VEHICLE(S) means any vehicle, trailer, or constructed *dwelling* on a trailer, that is constructed or equipped to be used for recreational enjoyment as *temporary* living or sleeping quarters not requiring a continuous connection to sanitary, water and electrical hookups and not having a width of transit mode greater than 2.6 m at any point. *Recreational vehicles* shall only be used for *tourist accommodation* or for occupancy during construction in accordance with Section 4.14 of this Bylaw.

REGIONAL DISTRICT means the Squamish-Lillooet Regional District.

RESTAURANT means a *building*, or portion thereof, containing tables, chairs and/or booths, which is designed, intended and used for the sale and consumption of food prepared on and/or off the premises. A *restaurant* may contain a bar area or lounge provided that such area(s) does not include in the aggregate more than sixty (60%) percent of the total seats available in the *restaurant* and that food is offered for sale at such bar area / lounge area during all times the *restaurant* is open. *Restaurant* does not include drive through restaurants.

RETAIL means a *building* where goods, ware, merchandise, substances, articles or things are offered or kept for sale to the general public, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service the retail *use*. Retail does not include *cannabis retail*.

RETREAT CENTRE means a facility incorporating education, accommodation, and cultural *uses*. The accommodation *use* is solely in the form of sleeping rooms that do not include individual cooking facilities.

RIPARIAN AREA means a riparian area as defined in the BC Riparian Areas Regulation, as amended from time to time.

SEASON *(in the context of Agritourism)* means one of the four periods of the year: spring, summer, autumn, or winter.

SECONDARY SUITE means an additional *dwelling unit* contained within a *single family dwelling*. *Secondary suites* are not permitted in a *duplex* or a townhouse. The following conditions apply to a *secondary suite*:

(a) Has a total floor space of not more than 90 m^2 in area
(b) Has a floor space less than 40% of the habitable floor space of the *building*
(c) Is located within a *building* of residential occupancy containing only one other *dwelling unit*
(d) Is located in and part of a *building* which is a single real estate entity (i.e. a single title).

SERVICE STATION means:

(a) a *building* used principally for the retail sale of fuels, lubricating oils, and accessories for motor vehicles; and
(b) the servicing of motor vehicles, excluding body repairs and painting; and may include a retail convenience store.

SETBACK means the required minimum distance between a *building, structure,* or *use* and each of the respective *parcel line*s; or a withdrawal of a *building* or landfill from the *natural boundary* of a watercourse or other reference line to maintain a floodway and to allow for potential land erosion. *Setbacks* are measured as follows for:

(a) All *buildings* measured to the outside surface of the exterior walls or posts.
(b) All *structures*, other than *buildings*, measured to their extreme outer limits.

SHIPPING CONTAINER means a portable metal container customarily used for the transport of freight or cargo, or for storage. *Shipping container* specifically excludes dumpsters, recycling receptacles, railway boxcars and semi-truck trailers.

SINGLE FAMILY DWELLING means a detached *building* consisting of one *dwelling unit* which is occupied or intended to be occupied as a permanent home or residence of one *family*. It may also include a *secondary suite* only where explicitly permitted in a particular *zone*.

SITE means a *parcel*, a portion of a *parcel*, contiguous *parcels* or a defined area of land set apart for a specific use permitted within a *zone*.

SLRD means the Squamish-Lillooet Regional District.

STRUCTURE means any erection or construction fixed to, supported by or sunk into land or water, but does not include:

(a) concrete, asphalt, brick, tile or other artificial surfacing on a *site*.
(b) *fences* or walls having a *height* less than or equal to the maximum *fence height* permitted in the applicable *zone* under this Bylaw.

TEMPORARY *(in the context of* ***Agritourism*** *and* ***Temporary Farm Worker****)* means having a limited duration, lasting or designed to last for only a limited time each week, month or year.

TEMPORARY (in the context of ***Bed and Breakfast*** and ***Tourist Accommodation***) means a total of less than four consecutive weeks in a calendar year.

TEMPORARY TOURIST ACCOMMODATION means a *single family dwelling* that is used primarily for short term or nightly lodging by visitors for a total of less than four consecutive weeks per guest per calendar year.

TOURIST ACCOMMODATION means occupancy of any *building*, *structure, recreational vehicle,* or *temporary structure* for less than four consecutive weeks in a calendar year.

TWO FAMILY DWELLING means a *duplex.*

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.

USABLE PARCEL AREA means all the area of a *parcel* except areas that are:

(a) part of a *panhandle*,
(b) subject to a restrictive covenant that prohibits all *use* of the area subject to the covenant, and
(c) beneath the *natural boundary* of a lake, river, stream or other body of water or watercourse.

USE means the purpose for which any *parcel*, tract of land, *building* or *structure* is designed, arranged or intended or for which it is occupied or maintained.

WATERCOURSE or WATERBODY means any natural or man-made depression with well-defined banks and a bed 0.6 m or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 km^2 or more upstream of the point of consideration.

WHARFAGE means the tying of a boat or other vessel to a wharf, float, pier or dock. *Wharfage* cannot be used for residential purposes including floating homes.

WRECKING YARD means land and/or *building*s where motor vehicles, tractors, logging equipment, farm implements, motorcycles and boats are disassembled, prepared for disposal, are rebuilt or are reused as part of a recycling program, and the keeping and/or storing of salvaged materials where such materials are bought, sold, exchanged, baled or otherwise processed for further *use*.

ZONE means a *zone* as established by this Bylaw.

[SCHEDULE 5]

SECTION 2 – ADMINISTRATION & ZONES

Title

2.1 This Bylaw may be cited for all purposes as the "Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002".

Application

2.2 This Bylaw shall apply to Electoral Area C of the Squamish-Lillooet Regional District as defined in the Letters Patent and amendments thereto.

Prohibition

2.3 Land, including air space and the surface of water, shall not be used and *buildings* and *structures* shall not be constructed, altered, located or used except as specifically permitted in this Bylaw.

Administration

2.4 The Director of Planning and Development Services, the Chief Administrative Officer, the Director of Legislative and Corporate Services, the Building Inspector, Bylaw Enforcement Officer, or any other person appointed by resolution by the *Board* shall administer this Bylaw.

2.5 Persons appointed under Section 2.4 may enter any premises at a reasonable time for the purpose of administering or enforcing this Bylaw.

Violation

2.6 Every person who:

.1 violates any of the provisions of this Bylaw;
.2 causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
.3 neglects or omits to do anything required under this Bylaw;
.4 carries out, causes or permits to be carried out any *development* in a manner prohibited by or contrary to any of the provisions of this Bylaw;
.5 fails to comply with an order, direction or notice given under this Bylaw; or
.6 prevents or obstructs, or attempts to prevent or obstruct, the authorized entry of an officer onto property under Section 2.5,

commits an offence under this Bylaw.

2.7 It shall be unlawful for any person to prevent or obstruct any official appointed under Section 2.4 from the carrying out of their duties under this Bylaw.

Penalty

2.8 Any person who commits an offence under this Bylaw:

.1 shall be liable on summary conviction to the penalties under the *Local Government Act* or the *Offence Act* or both.

.2 the penalties and remedies imposed under Section 2.8.1 shall be in addition to and not in substitution for any other penalty or remedy imposed by or permissible under this Bylaw or any other enactment.

.3 each day that a violation is caused or allowed to continue constitutes a new and separate offence under this Bylaw.

Severability

2.9 If any section, subsection, sentence, clause or phrase of this Bylaw is held to be invalid by a court of competent jurisdiction, that section, subsection, sentence, clause or phrase, as the case may be, shall be severed and the validity of the remaining portions of the Bylaw shall not be affected.

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 and its implementation and interpretation shall implement and comply with the Squamish-Lillooet Regional District Electoral Area C Official Community Plan Bylaw No. 689, 1999, as amended or replaced from time to time, its intent, policies, amendments and successors.

2.11 Amendments to this Bylaw, the subdivision of land, exceptions and variances, shall comply with Squamish-Lillooet Regional District Electoral Area C Official Community Plan Bylaw No. 689, 1999 and its intent.

2.12 Detailed criteria may be established for proposals and applications to amend this Bylaw and for evaluation and approval of amendments and conditions of amendment of this Bylaw, provided they are consistent with the Squamish–Lillooet Regional District Electoral Area C Official Community Plan Bylaw No. 689, 1999 and its intent, and use the policies contained in the Squamish–Lillooet Regional District Electoral Area C Official Community Plan Bylaw No. 689, 1999 as their primary guidance.

Designation

2.13 For the purpose of this Bylaw the area incorporated into Electoral Area C of the *Regional District* is classified and divided into the following *zones*:

TABLE 2-1
Designation of *Zones*

Column 1 ***Zones***	**Column 2** **Title Elaboration**
RR1	Rural 1 Zone
$RR1_{RES}$	Rural 1 – Residential Sub Zone
$RR1_{RES(SD)}$	Rural 1 – Residential (Single Dwelling) Sub Zone
$RR1_{RM}$	Rural 1 – Resource Management Sub Zone
$RR1_{TA}$	Rural 1 – Tourist Accommodation Sub Zone
$RR1_{LUC}$	Rural 1 – Land Use Contract Sub Zone

RR3	Rural 3 Zone
AGR1	Agriculture 1 Zone
R1	Residential Zone
MHP	Mobile Home Park Zone
C1	Community Commercial Zone
TC1	Tourist Commercial 1 Sub Zone
TC2	Tourist Commercial 2 Sub Zone
TC3	Tourist Commercial 3 Sub Zone
TC4	Tourist Commercial 4 Sub Zone
TC5	Tourist Commercial 5 Sub Zone
I1	Light Industrial Zone
I2	Resource Industrial Zone
I3	Independent Power Project
PA1	Public Assembly and Institutional Zone
CWP	Community Watershed Protection Zone
CD1	Comprehensive Development Zone – WedgeWoods Estates

2.14 The correct name of each *zone* provided for in this Bylaw is set out in Column 1 of Table 2-1 and the Title Elaboration contained in Column 2 of Table 2-1 is for information purposes only.

2.15 The extent of each *zone* is shown in Schedule B that is attached to and forms part of this Bylaw and which bears the words “Schedule B”.

2.16 When the *zone* boundary is designated as following a road allowance or stream, the centre line of such road allowance or stream shall be the *zone* boundary.

2.17 Where a *zone* boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from Schedule B.

SECTION 3 - GENERAL REGULATIONS

Applicability of General Regulations

3.1 Except as expressly provided for elsewhere in this Bylaw, Section 3 applies to all *zones* established under this Bylaw.

Uses Permitted in all *Zones*

3.2 The following *uses* are permitted in all *zones* except in the Community Watershed Protection land use *Zone*:

.1 Roads and *highways*
.2 *public utility use*
.3 *nature conservation area*
.4 *passive recreation*
.5 ecological reserve established under the *Ecological Reserve Act* or by the *Protected Areas of BC Act*
.6 park established under the *Park Act* or by the *Protected Areas of BC Act*
.7 protected area established under the *Environmental Land Use Act*
.8 wildlife management area established under the *Wildlife Act*
.9 reserve established under Section 15 of the *Land Act* for recreational *uses*
.10 recreation site established under Section 56 of the *BC Forest and Range Practices Act*

.11 In addition to the *uses* listed in 3.2.1 – 3.2.10, and the *uses* described in each *zone*, the following additional *uses* are permitted in the RR1 zone, the $RR1_{RES}$, $RR1_{RES(SD)}$, $RR1_{RM}$, and $RR1_{TA}$ subzones, the RR3, R1, C1, and TC zones, the TC1, TC2, TC3, TC4, and TC5 subzones, the I1, I2, I3, and PA1 *zones*:
.1 *home based business*
.2 *bed and breakfast*
.3 *accessory buildings and accessory uses*

Accessory Buildings

3.3 The maximum combined *gross floor area* of all *accessory buildings* permitted on a *parcel* shall be calculated according to Table 3.3.1, where in each table Column I lists the *parcel area* and Column II lists the maximum permitted combined *gross floor area* of all *accessory buildings*:
.1 Table 3.3.1 applies to all *zones* except CD *Zones*.
.2 Section 3.9 Home Based Business and Section 6.12 Agricultural Home Based Business include a maximum *gross floor area* requirement for the *use* on a parcel.

Table 3.3.1

COLUMN I **Where *Parcel Area* is:**	**COLUMN II** **Maximum Permitted Combined *Gross Floor Area* of All *Accessory Buildings***	**COLUMN III** **Maximum Permitted Number of Accessory Buildings**
i) less than 2,000 m^2	150 m^2	2
ii) 2,000 m^2 to 1 ha	200 m^2	3

iii)	> 1 ha to 4 ha	300 m^2	4
iv)	> 4 ha	350 m^2	5

.2 The following provisions for *accessory buildings* and *uses* apply to all *zones*:

.1 An *accessory building* shall not be used as a dwelling or for providing overnight accommodation.

.2 Subject to the requirements of Table 3.3.I, no more than two *accessory buildings*, one having a maximum *gross floor area* of 55 m^2, and the other having a maximum *gross floor area* of 10 m^2, shall be permitted on a *parcel* prior to construction of a *principal building* or establishment of a *principal use*.

.3 No person shall operate a *home based business* or *agricultural home based business* in an *accessory building* on a *parcel* unless a lawfully constructed *principal building* exists on a *parcel* or a valid building permit under the Squamish-Lillooet Regional District Building Bylaw 863, 2003, as amended or replaced from time to time, has been issued for a *principal building* on a *parcel*.

.4 For clarity of interpretation, *farm buildings* and *structures* used in conjunction with an *agriculture use* on land classified as a farm under the BC *Assessment Act*, shall not be subject to the maximum *gross floor area* regulations for *accessory buildings,* or the regulation regarding the maximum number of *accessory buildings*.

.1 Notwithstanding this Section 3.3.2.5, *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.

Assembly* and *Commercial Assembly Uses

3.4 Where expressly permitted in a *zone*, or expressly permitted in association with a *use* in this section, *assembly* and *commercial assembly uses* shall comply with the following regulations:

<u>*Assembly Uses*</u>

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

.2 *Assembly uses* are permitted in conjunction with the following *uses*:

.1 *restaurant*

.2 *commercial lodging*

.3 *campground*

.4 *retreat centre*

.5 *day lodge*

.6 *neighbourhood pub*

<u>*Commercial Assembly Uses*</u>

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

.4 *Commercial assembly uses* are not permitted in conjunction with *single family dwellings*.

.5 *Commercial assembly uses* are permitted in conjunction with the following *uses*:

.1 *restaurant*

.2 *commercial lodging*

.3 *retreat centre*

.4 *day lodge*

.5 *neighbourhood pub.*

Bed and Breakfasts

[Note: *Agricultural Bed and Breakfast* is a separate *use* addressed in the AGR1 *zone*]

3.5 Where expressly permitted in a non-agricultural *zone*, *bed and breakfasts* shall comply with the following regulations:

.1 only one bed and breakfast operating from one dwelling shall be permitted on a parcel.
.2 the maximum number of let bedrooms shall be 4, serving a maximum of 8 persons in total.
.3 bedrooms used for the bed and breakfast accommodation shall not exceed 28 m^2 in area.
.4 no external indication shall exist that a building is used for any purpose other than normally associated with a dwelling except for a single sign not exceeding 3,500 cm^2, and in accordance with the *SLRD Sign Bylaw*.
.5 the *bed and breakfast* establishment shall be operated by a resident of the parcel.
.6 employees of a bed and breakfast are restricted to members of a family residing on the parcel plus one other person.
.7 Where the property on which a *bed and breakfast use* is to be located is not served by an approved sewer system, the method by which sewage is to be disposed of shall be approved by the Medical Health Officer.
.8 A *bed and breakfast use* shall be established and maintained in accordance with all applicable regulations and requirements of the BC Building Code, Fire Code, and all other pertinent health and safety regulations, and all subsequent amendments and revisions thereof.
.9 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*.
.10 A *bed and breakfast use* may include a separate commonly accessible kitchen for *use* by all the guests.

Gross Floor Area

3.6 *Gross floor area* shall include:

.1 all common, utility, and occupied portions of the *building* or *structure*, including storage, 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 *basement* space in excess of 90 m^2.
.4 *garage* space in excess of 60 m^2.

And for all *zones*, shall exclude:

.5 *basements*; with a total *gross floor area* of less than or equal to 90 m^2.
.6 *garage* space up to and including 60 m^2.
.7 *carports.*
.8 crawl spaces.
.9 *unenclosed balconies*, verandas, porches, patios, or decks not exceeding 10% of the allowable *gross floor area* of the *single family dwelling*.
.10 *attics.*

Height Regulations

Height Calculation and Flood Construction Level

3.7 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*.

.1 Except in the AGR1, I1, I2, and I3 zones, the height of principal buildings and structures shall not exceed 11 m.

Height Exceptions

3.8 Any of the following *structures* may exceed the maximum *height* regulations of this Bylaw:

.1 antenna;
.2 chimney;
.3 dome, cupola;
.4 flag, lighting pole;
.5 hose and fire alarm tower;
.6 mast;
.7 mechanical appurtenance on roof tops;
.8 monitor;
.9 public monument;
.10 radio and television tower or antenna;
.11 silo;
.12 spire, steeple or belfry;
.13 transmission tower;
.14 ventilating machinery; and
.15 water tank.

Home Based Business

[Note: *Agricultural Home Based Business* is a separate *use* addressed in the AGR1 *zone*]

3.9 A *home based business* shall be subject to the following regulations:

.1 no external indication shall exist that a *building* is used for any purpose other than that normally associated with a *dwelling* except for a single sign not exceeding 3500 cm^2.
.2 all activities associated with the *home based business* shall be entirely conducted within a completely enclosed *building*.
.3 there shall be no outdoor storage of materials, equipment, containers or finished products.
.4 the floor area used for a *home based business* shall not exceed 100 m^2.
.5 employees of a *home based business* shall be members of a family residing on the parcel plus one other person.
.6 notwithstanding the definition of a *dwelling unit*, a *home based business* may include a commercial kitchen involving a second set of cooking facilities within a dwelling where the Squamish-Lillooet Regional District has issued a building permit for it, and the Vancouver Coastal Health Authority has issued a permit for the same.
.7 the owners of any *home based business* involved in the production, storage, sale, or service of food must have the appropriate approvals and permits from the Vancouver Coastal Health Authority.

Home Industry

3.10 A home industry shall be subject to the following regulations:

.1 no external indication shall exist that a building is used for any purpose other than that normally associated with a dwelling except for a single sign not exceeding 3500 cm^2.

.2 all activities associated with the home industry shall be entirely conducted within a completely enclosed building.

.3 there shall be no outdoor storage of materials, equipment, containers or finished products.

.4 exclusive of the resident's own licenced vehicles, no more than three vehicles for repair shall be parked outdoors.

.5 a building used for home industry use must not exceed a gross floor area of 150 m^2 or a height of 4.5 m.

.6 noise created by the home industry must not exceed 0 decibels above ambient noise levels at the property lines.

.7 no building containing a home industry shall be located within 10 m of a parcel line.

.8 employees of a home industry shall be members of a family residing on the parcel plus two other people.

.9 the owners of any business involved in the production, storage, sale, or service of food must have the appropriate approvals and permits from the Vancouver Coastal Health Authority.

Landscaping & Screening

3.11 Landscaping, screening, and storage on a *parcel* shall be in accordance with the provisions in this section.

<u>Storage</u>

.1 Outdoor storage, and *shipping containers* where permitted, on a *parcel* shall be screened by way of a *landscape screen*.

.1 Section 3.11.1 does not apply to *farm products* or farm equipment stored outside on a parcel that is classified as a farm under the BC *Assessment Act*.

.2 Unless expressly permitted in a *zone*, no *parcel* may be used as a salvage yard, *junk yard*, or a *wrecking yard*.

.3 No person shall permit any *derelict vehicle* to be left outside on the *parcel* they own or occupy.

.1 Section 3.11.3 does not apply to farm equipment left outside on a parcel that is classified as a farm under the BC *Assessment Act*.

<u>*Fence Height*</u>

.4 *Fences* located within a *parcel line setback* in a Rural (RR) *Zone* shall be a maximum of 3 m.

.5 *Fences* located within a *parcel line setback* in a Residential, Commercial, Tourist Commercial or Industrial *Zone* shall be a maximum of 1.8 m.

.6 *Fences* located outside a *parcel line setback* shall comply with the *setbacks* and *heights* for *accessory structures* in the applicable *zone*.

.7 *Fences* in any *zone*, where a *fence* is used for agricultural purposes as part of a *bona fide farm operation* on land classified as a farm under the BC *Assessment Act*, shall be exempt from Section 3.11.4 to 3.11.6.

.8 Notwithstanding Sections 3.11.4 to 3.11.7, *fences* shall comply with the Ministry of Transportation & Infrastructure sight line regulations.

.9 *Fences* used for recreational purposes, such as ball parks, playgrounds, *golf courses,* and other similar sports or utility *uses*, shall not exceed a *height* of 6 m provided such *fences* are constructed of material that permits visibility, such as wire mesh.

Industrial Zones

.10 All parcels zoned Industrial (M) must establish a *landscape screen* of at least 2 m in depth as a buffer between the industrial zoned *parcel* and any adjacent road and/or non-industrial zoned *parcel*.

Minimum *Parcel* Width for *Parcels* Fronting a Waterbody/Watercourse

3.12 The minimum *parcel* width for new subdivisions for *parcels* that are adjacent to a *waterbody/watercourse* is 50 m.

Minimum *Parcel* Area for New Subdivisions

3.13 Minimum *Parcel* Areas shall be in accordance with the provisions in this section.

.1 The minimum *parcel* area for subdivision shall be determined by:
- (a) the minimum *parcel area* in the particular *zone*;
- (b) the minimum *usable parcel area*;
- (c) the minimum *site* area required under this Bylaw for the actual or intended *use* of the *parcel* (e.g. number of *dwellings*); and
- (d) the servicing requirements applying to the *parcel*.

Usable *Parcel Area*

.2 Each new *parcel* shall have a minimum *usable parcel area* of 1,000 m^2 unless connected to a community sewer system.

Hooked Parcels

.3 A *hooked parcel* may be created where:

- (a) each portion satisfies the minimum *parcel area* requirements of the applicable *zone*; or
- (b) a physically separate portion does not satisfy the minimum *parcel area* requirements of the applicable *zone* and:
  - (i) the area of the non-complying portion is not reduced by the subdivision;
  - (ii) a lawful sewage generating *use* exists on the non-complying portion; or
  - (iii) a covenant is registered restricting the *use* of the non-complying portion to *uses*, *buildings* and *structures* that are not sewage generating.

Exceptions

If one of the cases outlined in this section is applicable, exceptions to the minimum *parcel area* may be granted.

.4 The minimum *parcel area* regulation for new subdivisions does not apply if **all** of the following conditions are met:
- .1 *parcel lines* are relocated to facilitate an existing *development* or improve a subdivision pattern;
- .2 no additional *parcels* are created;

.3 all *parcels* are contiguous;
.4 no *parcels* are enlarged to a size permitting a further subdivision.

.5 The minimum *parcel area* regulation for new subdivisions does not apply if **all** of the following conditions are met:
.1 a portion of the *parcel* is physically separated from the remainder of the *parcel* by a *highway*;
.2 the subdivision is restricted to dividing the *parcel* along the *highway* that physically separates the *parcel*;
.3 the subdivision will not result in the creation of a *parcel* less than 80% of the minimum *parcel area* regulation for new subdivisions prescribed in the *zone* in which the *parcel* is designated;
.4 the *parcel* was not registered as part of a reference, explanatory or subdivision plan in the Land Title Office after September 1, 1998.

.6 The minimum parcel area for new subdivisions is reduced by that amount of land required for the proposed subdivision in the particular zone where the proposed subdivision is located, to a maximum of 20 percent, where the following conditions are met:
.1 a portion of the *parcel* is physically separated from the remainder of the *parcel* by another *parcel* or *parcels* such that one portion of the *parcel* is completely non-contiguous from the other;
.2 the subdivision is restricted to dividing the *parcel* along the *parcel* boundaries that physically separate the *parcel*;
.3 The combined maximum reduction under Sections 3.13.6, 3.13.7, 3.13.8 and 3.13.9 is 20 percent.

.7 The minimum *parcel area* required by this Bylaw for a proposed subdivision is reduced by that amount of land required for road widening, to a maximum of 10 percent, where this Bylaw or the *Approving Officer* requires that land be provided by the owner for *highway*s when:
.1 the land is required for the purpose of widening an existing *highway* or right-of-way; and
.2 the proposed subdivision would create less than three *parcels*; and
.3 but for this section the proposed subdivision would be prohibited because the *parcels* created would not attain the required minimum *parcel area*.

<u>Subdivision to provide residence for a relative</u>

.8 The minimum *parcel area* for new subdivisions is reduced by that amount of land required for the proposed subdivision in the particular *zone* where the proposed subdivision is located, to a maximum of 20 percent, where the proposed subdivision is to provide a residence for a relative pursuant to Section 514 of the *Local Government Act*, providing no *parcel* is less than 2,500 m^2. As noted in Section 514(5) of the *Local Government Act*, this does not apply to the land within the *ALR* unless certain restrictions as noted in the *Agricultural Land Commission Act* apply.
.1 The combined maximum reduction under Sections 3.13.6, 3.13.7, 3.13.8, and 3.13.9 is 20 percent;
.2 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*;

.3 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*;

.4 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.*

<u>Subdivision approval for parcel consolidation, resolving building encroachments, and boundary adjustment to enhance farming</u>

.9 The minimum *parcel area* for new subdivisions is reduced by that amount of land required for the proposed subdivision in the particular zone where the proposed subdivision is located, to a maximum of 20 percent, 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 combined maximum reduction under Sections 3.13.6, 3.13.7 and 3.13.8 and 3.13.9 is 20 percent;

.2 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*;

.3 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;

.4 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.*

.10 The minimum *parcel area* for new subdivisions do not apply to parks, *public utilities*, fire halls, ambulance stations or police stations.

Occupancy During Construction

3.14 A *recreational vehicle* may be used to provide temporary accommodation for the owner or builder during construction of a principal *dwelling* on a *parcel* provided that:

.1 a building permit under the Squamish-Lillooet Regional District Building Bylaw 863, 2003, as amended or replaced from time, has been issued for the principal *dwelling* on the *parcel* and the *dwelling* is under construction.

.2 the *recreational vehicle* shall be connected to a community sewer system or have on-*site* sewage disposal facilities in compliance with *Health Act* regulations.

.3 no addition shall be made to the *recreational vehicle*.

.4 occupancy of the *recreational vehicle* shall not continue beyond the commencement of occupancy of the permanent *dwelling*.

Parcel Coverage

3.15 All *parcel coverage* regulations on a *parcel* shall be in accordance with the provisions in Section 3 except if exempted in this Bylaw.

<u>*Parcel Coverage* Exemptions</u>

.1 The following *structures* shall be excluded from *parcel coverage* calculations required by this Bylaw:

.1 retaining walls
.2 *fences*
.3 *landscape screens.*

***Setback* Requirements**

3.16 This section outlines *setbacks* that apply in all *zones*, unless otherwise noted in this Bylaw, and includes exceptions to *parcel line setbacks*. The Provincial Riparian Area Regulations (RAR) are enacted in a Development Permit Area (DPA) in the *Area C Official Community Plan*, as amended from time to time. Alteration of land or *building* within 30 m of a waterbody requires a Development Permit (DP).

Minimum distance between *buildings* in Residential *Zones*

.1 For all *buildings* in Residential and Comprehensive Development *Zones* in this Bylaw, there is a minimum distance of 1.5 m between *buildings*, or part thereof.

Ministry of Transportation & Infrastructure (MOTI) Right-of-Way setbacks

.2 Notwithstanding any other *setbacks* identified in this Bylaw, no *building* or *structure* or any part thereof shall be constructed, reconstructed, moved, extended or located within 4.5 m of any MOTI right-of-way.

Parcel Line Setback Exceptions

No *building* or *structure* other than the following shall be located in the area of *parcel line setback* required by this Bylaw:
.3 signs, provided they are not closer than 1 m from any *side parcel line.*
.4 *fences* less than the maximum *height* permitted in the applicable *zone* in accordance with Section 3.11.
.5 roof overhangs, chimneys, cornices, leaders, gutters, eaves, belt courses, sills, *bay window*s, or other similar *structures* may intrude no more than 0.6 m, measured horizontally, into the required *setback.*
.6 steps, provided they are not closer than 1 m from any *side parcel line.*
.7 a patio, sundeck, terrace, porch, *balcony* or canopy may intrude no more than 0.6 m into the required *setback.*
.8 arbours, trellises, fish ponds, ornaments, flag poles or similar landscape features, provided they are not closer than 1 m from any *parcel line.*
.9 hot tubs and uncovered swimming pools provided they are not located within any required *front parcel setback*, and no closer than 2 m from any other *parcel line.*
.10 an off-street *parking space* or *loading space.*
.11 *landscape screens* and other forms of landscaping and screening.
.12 retaining walls.

Shipping Containers

3.17 No person shall place a *shipping container* in any *zone* except in accordance with the following:

.1 *Shipping containers* are only permitted on AGR1 (Agriculture 1) and Rural (RR) Zoned property.
    .1 A maximum of two shipping containers is permitted on properties that do not have farm class under the BC *Assessment Act* within the AGR1 or RR zones.

.2 A maximum of two shipping containers is permitted on properties that are less than 5 ha, and have farm class under the BC *Assessment Act* within the AGR1 or RR zones.

.3 Shipping containers are permitted on properties that are at least 5 ha or larger, and have farm class under the BC *Assessment Act* within the AGR1 or RR zones.

.2 *Shipping containers* are not permitted for any *use*, in any other *zone* not listed in Section 3.17.1.

.3 *Shipping containers* may be used for *dwellings* if a valid building permit has been issued by the *SLRD*.

.4 *Shipping containers* can only be used for storage of materials related to the approved *uses* in the zoning for the *site*. They cannot be used as enclosed rental storage units.

.5 A *shipping container* shall not exceed a *height* of 3.05 m and a total length of 12.19 m.

.6 *Shipping containers* can be stacked or placed above ground level to a maximum *height* of 6.10 m.

.7 *Shipping containers* used as a *dwelling* must conform to the *principal building setback, height*, *parcel coverage* and *gross floor area* requirements in this Bylaw.

.8 *Setbacks* for a *shipping container* used as an *accessory building* or for an accessory use shall be in accordance with established *accessory building setbacks* for each *zone*.

.9 *Shipping containers* used as an *accessory building* are included in the maximum permitted *accessory building gross floor area* requirements.

.10 A *shipping container* shall not be placed for the purpose of display or advertising.

.11 A *shipping container* shall not be used for the purpose of screening or fencing.

.12 Landscaping and screening for *shipping containers* shall be in accordance with Section 3.11.

.13 One shipping container may be temporarily located on a property in any zone during an active construction period associated with a valid SLRD building permit. Once the construction associated with the building permit is completed the shipping container must be removed from the property.

Signage

3.18 Signs in all *zones* shall comply with the following regulations and the *SLRD Sign Bylaw*.

Third Party Signs

.1 No sign shall be located on a parcel in any zone for the purpose of advertising any person, matter, thing, or property that is not directly related to a business conducted on that parcel.

Business Signs in Non-Commercial and Non-Industrial Zones

.2 Signs for businesses, other than home office, home craft, home based businesses, home industry, and bed and breakfasts, in zones other than the C1, I1, I2, and I3 zones shall be subject to the following conditions:

.1 no more than one sign may be located on a parcel.

.2 a sign in conjunction with business uses shall have a maximum of two faces.

.3 the maximum area of each face of a sign shall be 1 m^2.

.4 the maximum height of a sign shall be 2.5 m.

Signs in Agriculture Zones

.3 Signs in the AGR zone shall be subject to the following conditions:

.1 no more than one sign may be located on a parcel.

.2 a sign in conjunction with permitted business uses shall have a maximum of two faces.

.3 the maximum area of each face of a sign shall be 2 m^2.
.4 the maximum height of a sign shall be 2.5 m.

Business Signs in Commercial and Industrial Zones

.~~3~~4 Signs for businesses in the C1, I1, I2, and I3 zones shall be subject to the following conditions:

.1 the maximum total area of all sign faces on a parcel shall be 5 m^2.

.2 the maximum height of a sign shall be 3 m.

Split *Zones*

3.19 In the event that a *parcel* lies within more than one *zone*, *uses*, *buildings* and *structures* may be located only within a *zone* in which they are permitted, and the permissible density of *uses*, *buildings*, and *structures* must be calculated on the basis of the area of the *parcel* that is within the *zone* in which the *use*, *building*, or *structure* in question is permitted.

.1 In the event that a *parcel* lies within more than one *zone* and this Bylaw specifies minimum *lot* sizes for those *zones*, no *lot* may be created by subdivision of such *lot* that is smaller than the minimum specified for the *zone* in which the new *lot* lies.

.1 Whenever practicable the creation of a *lot* lying within two or more *zones* must be avoided.

.2 Where the creation of a *lot* lying within two or more *zones* is unavoidable, the *lot* must have an area equal to or greater than the minimum specified for that *zone* in which the greatest portion of the *lot* lies.

Temporary Commercial and *Industrial Uses*

3.20 Pursuant to Section 492 of the *Local Government Act*, land in all *zones*, with the exception of land in the CWP Zone and in the Open Space Area and Riparian Area of a CD *Zone* is designated as a temporary commercial and *industrial use* permit area.

Use of Water Surfaces

3.21 No *building* or *structure* located over a water surface may be used as a *dwelling* or for the *wharfage* of a vessel used as a *dwelling*.

.1 The restriction in Section 3.21 does not apply to the temporary *wharfage* of transient vessels, licenced commercial fishing boats, or the *use* of one vessel as a temporary *dwelling* for security personnel at a public docking facility.

.2 The following *structures* only shall be permitted on the surface of water:

.1 private boat moorage facility for pleasure craft associated with a residential *use* located or permitted on the adjacent upland.

.2 public boat dock and ramp.

Water Servicing Where Two or More Dwellings Permitted

3.22 Where a duplex or two or more dwellings are permitted on a parcel, each dwelling shall be serviced by an individual private water source or by a waterworks system as defined under the Safe Water Drinking Regulation under the Health Act.

Cottages

3.23 A cottage, where permitted in a zone, shall be in accordance with this section:

.1 The maximum gross floor area for a cottage shall be 140 m^2.
.2 The maximum height for a cottage shall be 5 m.
.3 A cottage shall not include a garage as part of the building.

Siting of Sewage Treatment Plants

3.24 Notwithstanding any other provision of this bylaw, the location of any community sewage treatment plant or addition thereto shall be:
.1 a minimum of 100 m from the property lines where adjacent parcels are zoned RR1, $RR1_{RES}$, $RR1_{RES(SD)}$, $RR1_{RM}$, $RR1_{TA}$, $RR1_{LUC}$, AGR1, R1, CWP, or MHP.

Visibility

3.25 There shall be no obstruction to the line of vision by buildings or structures between the heights of 1 m and 3 m above the established grade of highways within an area bounded by the centre lines of intersection highways and a line joining a point on each of the centre lines 25 m from their intersection.

Cannabis Production Facility

3.26 Notwithstanding any other section of this bylaw except the AGR1 zone, the *setback* and *height* regulations shall not apply to an existing building that is repurposed for a *cannabis production facility*, so long as that building has been issued a valid building permit.

Cannabis Retail

3.27 Unless expressly permitted in this bylaw, *cannabis retail* is prohibited in all zones including zones which broadly permit retail sales/stores or use, farm retail sales/retail sales of farm products, convenience store, or accessory retail use/auxiliary retail sales.

SECTION 4 - PARKING AND LOADING REGULATIONS

Off-Street Parking & Loading Spaces

4.1 Space for the off-street parking and loading of *motor vehicles* in respect of a *use* permitted under this Bylaw shall be provided and maintained in accordance with the regulations of Section 4.

.1 No off-street *parking spaces* shall protrude onto public property or a dedicated public right-of-way.

.2 Unless otherwise permitted, off-street parking shall not be used for unenclosed parking or storage of *derelict vehicles* or wrecked vehicles in all *zones* except Commercial, Industrial, or Rural Resource zoned *lots* where they are necessary as part of the authorized business on the *lot*.

.3 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* and/or *the non-farm use footprint*.

.1 Notwithstanding Section 4.7, all *parking areas* and *loading areas* associated with *agritourism activities*, *brewery, cidery, distillery, meadery, winery*, *farm retail sales*, *gathering for an event* or *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 may be used to cover the land where the *parking area* is located.

.4 On parcels smaller than ~~2~~ 1 ha, no more than two large vehicles 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.

.1 Large vehicles include, but are not limited to, *recreational vehicles*, boats, trailers and semi-trailers, buses, etc.

Exemption of Existing Buildings from Parking & Loading Requirements

4.2 The regulations contained in Section 4 shall not apply to lawfully established *buildings*, *structures* and *uses* existing on the effective date of this Bylaw except that:

.1 off-street parking and loading shall be provided and maintained in accordance with Section 4 for any addition to any existing *building* and *structure* or any change in the *principal use* or addition to such existing *use* or for an increase in total *gross floor area* that is in excess of 10% of the existing *gross floor area*.

.2 off-street parking and loading prior to the adoption of this Bylaw shall not be reduced below the applicable off-street parking and loading requirements of Section 4.

Number of Parking & Loading Spaces

4.3 The number of off-street *parking space*s and *loading spaces* for motor vehicles required for any *use* is calculated according to the Table in Section 4.3.6 in which Column I classifies the types of *uses,* Column II sets out the number of required off-street *parking space*s that are to be provided for each *use* in Column I, and Column III sets out the number of required off-street *loading space*s that are to be provided for each *use* in Column I.

.1 In respect of a *use* permitted under this Bylaw which is not specifically referred to in Column I of the Table in Section 4.3.6, the number of off-street *parking spaces* is calculated on the basis of the requirements for a similar *use* that is listed in the Table in Section 4.3.6 as determined by the Director of Planning and Development.

.2 Where *gross floor area* is used as a unit of measurement for the calculation of *parking spaces*, it shall include the *gross floor area* of *accessory buildings* and *basements*, except where they are used for parking, heating or storage.

.3 Where more than one *use* is located on a *parcel*, the total number of *parking spaces* to be required shall be the sum total of the requirements for each *use*.

.1 Notwithstanding Section 4.3.3, the maximum number of combined parking spaces permitted for any combination of the *Agritourism Activity*, *Brewery, Cidery, Distillery, Meadery, Winery, Farm Retail Sales,* and *Gathering for an Event* uses shall be in accordance with the provision in Section 2 of the Table in Section 4.3.6:

.4 Where more than one *use* is located in a *building*, the total number of *parking space*s to be required may recognize the mix of *uses* and determine the number of spaces required based on the various portions of the *building* dedicated to each *use*.

.5 Accessible *parking spaces* shall be provided in accordance with the *BC Building Code*, as amended from time to time.

.6 **Table: Required Off-Street *Parking* and *Loading Spaces***

COLUMN I **Class of Building or Use**	**COLUMN II** **Off-Street *Parking Spaces***	**COLUMN III** **Off-Street *Loading Spaces***
1.0 Dwellings		
Single family dwelling	2	No Requirement.
Secondary suite	1	No Requirement.
Home Based Business	1	No Requirement.
Agricultural Home Based Business	2	No Requirement.
Duplex	4	No Requirement.
Townhouse	2 spaces per *dwelling unit*, plus 1 visitor space per 5 units	No Requirement.
Three or more *dwelling units* designated solely for senior citizen's housing	1 space per *dwelling unit*, plus 1 visitor space per 5 units	No Requirement.
2.0 Agricultural & Rural		
Any combination of *Agritourism Activity*, *Brewery, Cidery, Distillery, Meadery, Winery, Farm Retail Sales,* and/or *Gathering for an Event* uses • on parcels less than 4 ha • on parcels that are 4 ha or greater but less than 8 ha • on parcels that are 8 ha or	 20 spaces maximum combined 40 spaces maximum combined 60 spaces maximum	

COLUMN I **Class of Building or Use**	**COLUMN II** **Off-Street *Parking Spaces***	**COLUMN III** **Off-Street *Loading Spaces***
larger but less than 16 ha • on parcels that are 16 ha or greater	combined 80 spaces maximum combined	
Agritourism Activity • on parcels less than 4 ha • on parcels that are 4 ha or greater but less than 8 ha • on parcels that are 8 ha or larger but less than 16 ha • on parcels that are 16 ha or greater	10 spaces maximum 20 spaces maximum 30 spaces maximum 40 spaces maximum	No Requirement.
Brewery, Cidery, Distillery, Meadery, Winery • on parcels less than 4 ha • on parcels that are 4 ha or greater but less than 8 ha • on parcels that are 8 ha or larger but less than 16 ha • on parcels that are 16 ha or greater	10 spaces maximum 20 spaces maximum 30 spaces maximum 40 spaces maximum	No Requirement.
Farm Retail Sales • on parcels less than 4 ha • on parcels that are 4 ha or greater but less than 8 ha • on parcels that are 8 ha or larger but less than 16 ha • on parcels that are 16 ha or greater	10 spaces maximum 20 spaces maximum 30 spaces maximum 40 spaces maximum	No Requirement.
Gathering for an Event • on parcels less than 4 ha • on parcels that are 4 ha or greater but less than 8 ha • on parcels that are 8 ha or larger but less than 16 ha • on parcels that are 16 ha or greater	10 spaces maximum 20 spaces maximum 30 spaces maximum 40 spaces maximum	No Requirement.
Temporary Farm Worker Housing	1 per 40 m^2 of Gross Floor Area	No Requirement.
Riding stable and academy	1 per stall	No Requirement.
Garden nursery	4 per 100 m^2 of retail sales area plus 1 per 185 m^2 of greenhouse area	No Requirement.
Animal shelters	1 per 100 m^2 *gross floor area* plus 2 per 100 m^2	No Requirement.

COLUMN I **Class of Building or Use**	**COLUMN II** **Off-Street *Parking Spaces***	**COLUMN III** **Off-Street *Loading Spaces***
	office floor area plus 1 per fleet vehicle	
3.0 Office		
Business and Professional *Office* Use	1 space for every 50 metres^2 of *gross floor area*	No Requirement.
4.0 Commercial		
Bed & Breakfast *Agricultural Bed & Breakfast*	1 per guest room 1 per guest room	No Requirement. No Requirement.
Hotel/Motel/Lodge/*Campground*	1 per guest room or 1 per sleeping unit or 1 per campsite	1 space for every 1,000 m^2 of *gross floor area*
Service station	4 per service bay or a minimum of 4	1 space for every 1,000 m^2 of *gross floor area*
Cafes, *Restaurant*, and Liquor Primary Licenced Premises	0.33 per 100 m^2 *gross floor area* 6 per 100 m^2 of *gross floor area*	1 space for every 1,000 m^2 of *gross floor area*
Marina	1 space for every 10 mooring berths for boats	1 space for every 1,000 m^2 of *gross floor area*
All other Commercial *uses*	3 per 100 m^2 *gross floor area*	1 space for every 1,000 m^2 of *gross floor area*
5.0 Industrial		
Light industry/heavy industry/manufacturing and *cannabis production facility*	1 per 100 m² *gross floor area*	1 space for every 1,000 m^2 of *gross floor area*
6.0 Institutional		
Places of public assembly, including churches, arenas, armouries, art galleries, assembly halls, auditoriums, lodges, and fraternal *buildings*, community centres, recreation centres, dance halls, exhibition halls, funeral homes and undertaking establishments, gymnasiums, meeting halls, museums, public libraries, stadiums, theatres, billiard halls, arcades, bowling alleys, curling rinks, and similar *uses* *Retreat centre*	1 space for each 10 seats, or 1 space for each 10 m² of *gross floor area* in areas without fixed seats that are used or intended to for *public assembly use*, including playing surfaces 1 space per sleeping room, or 1 per 187 m^2 of *gross floor area*,	1 space for every 1,000 m^2 of *gross floor area*

COLUMN I Class of Building or Use	COLUMN II Off-Street *Parking Spaces*	COLUMN III Off-Street *Loading Spaces*
	whichever is less 1 handicapped space 1 per auxiliary residential *dwelling unit* 1 per caretaker's unit	
Civic *uses* including local, provincial or federal government offices providing public functions	1 space for each 50 m^2 of *gross floor area*	1 space for every 1,000 m^2 of *gross floor area*
School: Kindergarten and Elementary Senior Secondary	1 space for each 50 m^2 of *gross floor area* plus 4 temporary off-street *parking spaces* in a designated area near the entrance of a *building* for the pickup and drop off of students 1 space for each 50 m^2 of *gross floor area* plus 4 temporary off-street *parking spaces* in a designated area near the entrance of a *building* for the pickup and drop off of students	1 space for every 1,000 m^2 of *gross floor area*

Location & Siting of *Parking Spaces*

4.4 Required off-street *parking areas* shall be located on the same *parcel* as the *use* being served except where off-site parking is secured by easement.

.1 Off-street *parking space*s may be located on another *parcel* within 100 m of the *building* or *use* the spaces serve under the condition that legal assurances are established to ensure that the *parcel* is used only for parking serving the *building* or *use*.

.2 Off-street *parking space*s may be provided for collectively if the total number of spaces provided is not less than the sum of the separate requirements for each *use* and provided that all regulations governing location of *parking spaces* in relation to *use* are adhered to.

.3 Up to 2 required off-street *parking spaces* on a *parcel* may be sited in tandem.

Dimensions of *Parking Spaces*

4.5 Each off-street *parking space* required by this Bylaw shall conform with the dimensions required in Section 4.5.

.1 All residential off-street *parking spaces* shall meet the following minimum dimensions:

Type of *Parking Space*	Width	Length	Clear *Height*
Standard Space	2.5 metres	5.5 metres	2.0 metres
Standard Parallel *Parking Space*	2.6 metres	7.3 meters	2.0 metres
Small Car Space	2.3 metres	4.6 metres	2.0 metres
Disabled Space	4.0 metres	5.5 metres	2.1 metres
Loading Space	3.0 metres	9.0 metres	4.0 metres

.2 For any residential *use* except a *single family dwelling* or *two family dwelling*, each off-street *parking space* and required *loading space* shall have access from a maneuvering aisle as indicated in the following table:

	Minimum Maneuvering Aisle Width		
	90 degrees	60 degrees	45 degrees
Two-Way Traffic	6.6 metres	6.4 metres	6.1 metres
One-Way Traffic	6.1 metres	4.9 metres	4.6 metres

.3 For any commercial *use* the off-street *parking spaces* and maneuvering aisles shall meet the following minimum dimensions:

Type of *Parking Space*	Width	Length	Clear *Height*
Standard Space	2.8 metres	5.8 metres	2.1 metres
Standard Parallel *Parking Space*	2.6 metres	7.3 meters	2.1 metres
Small Car Space	2.7 metres	5.5 metres	2.1 metres
Disabled Space	3.7 metres	5.8 metres	2.1 metres
Loading Space	3.0 metres	9.0 metres	4.0 metres
	Minimum Maneuvering Aisle Width		
	90 degrees	60 degrees	45 degrees
Two-Way Traffic	7.0 metres	6.4 metres	6.1 metres
One-Way Traffic	7.0 metres	4.9 metres	4.6 metres

.4 Up to 25% of *parking spaces* may be small car spaces provided each such space is identified and signed with the words “Small Car Only”.

.5 Tandem parking is permitted in conjunction with *two-family,* townhouse *and* stacked townhouse *dwelling units* provided that tandem *parking spaces* are provided at a minimum width of 2.7 metres.

.6 All required visitor *parking spaces* shall be clearly identified and signed with the words “Visitor Parking Only”.

.7 One *parking space* for disabled persons shall be provided for every 50 required *parking spaces* and must be clearly marked and located so as to provide convenient access to the entrance of the *principal use* for which the space is required.

.8 Where the calculation of required *parking spaces* results in a fraction, any fraction less than 0.5 shall be disregarded and one space shall be provided in respect of any fraction of 0.5 or greater.

.9 The width of parking stalls shall be measured between the centre lines of painted stripes or between the centre line of a painted stripe and the nearest edge of an abutting curb, *fence*, wall or landscaped area.

.10 The width of *parking spaces* abutting a wall or *fence* shall be increased by at least 0.2 m for the entire length of the space.

Driveway Gradients

4.6 For vehicular driveways:

.1 The maximum gradient shall be 2% within 2 m of a curb or edge of pavement or public or private roadway or ditch, whichever distance is greater.
.2 In all *zones*, there shall be a maximum gradient and cross-slope of 6%.
.3 Driveways with gradients exceeding 10% shall terminate in at least one unenclosed *parking space*.

Surfacing of Parking & *Loading Spaces*

4.7 All *parking areas* and *loading areas* shall contain a durable surface that is graded and drained so as to properly dispose of all surface water.

.1 Notwithstanding Section 4.7, all *parking areas* and *loading areas* associated with *agritourism activities*, *brewery, cidery, distillery, meadery, winery*, *farm retail sales*, *gathering for an event* or *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 may be used to cover the land where the *parking area* is located, unless otherwise permitted by the Agricultural Land Commission.

Lighting

4.8 Any lighting used to illuminate *parking areas* and *loading areas* shall be so arranged that all direct rays of light are reflected upon such *parking areas* and *loading areas*, and not on any adjoining premises.

Loading Spaces

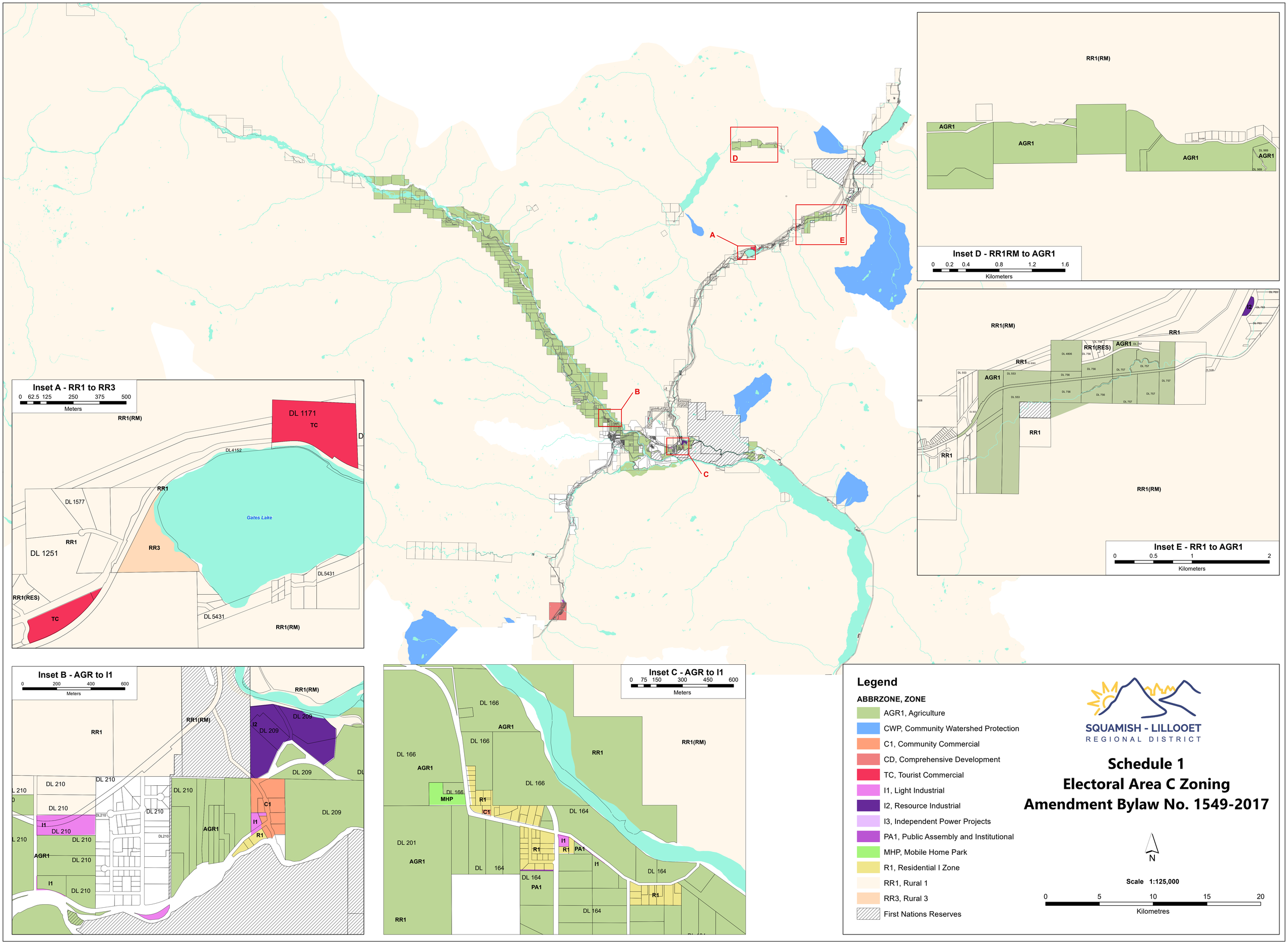
4.9 Subject to the Table in Section 4.3.6, if a *use* requires less than 4 *parking spaces*, then no *loading space* is required.

.1 In the case of mixed *uses*, the total off-street loading requirements shall be the sum of the requirements for the various *uses* calculated separately.
.2 Off-street *loading spaces* shall be located on the same *lot* as the *use* served.
.3 All off-street *loading spaces* shall be a minimum of 9 m in length and 3 m in width, and have a vertical clearance of 4 m.
.4 Adequate provision shall be made for access by vehicles to all off-street *loading spaces* by means of a 6 m manoeuvering aisle and shall be located so that each separate *use* within a *development* has access to a *loading space*.
.5 All off-street *loading spaces* shall be clearly marked with the words “LOADING SPACE ONLY” on the pavement or wall facing.

READ A FIRST TIME this	13th day of	DECEMBER, 2017.
READ A SECOND TIME this	24th day of	JANUARY, 2018.
SECOND READING RESCINDED this	25th day of	JULY, 2018
READ A SECOND TIME AS AMENDED this	25th day of	JULY, 2018.
PUBLIC HEARING held on the	15th day of	AUGUST, 2018.
READ A THIRD TIME this	29th day of	AUGUST, 2018.
PER s.52 (3)(a) of the *Transportation Act*, APPROVED by the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this	day of	, 2018.
ADOPTED this	day of	, 2018.

_____
Jack Crompton
Chair

_____
Kristen Clark
Corporate Officer


A
B
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Inset A - RR1 to RR3
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DL 5431
RR1(RM)
Inset B - AGR to I1
0 200 400 600
Meters
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DL 209
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I1
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C1
R1
DL 209
Inset C - AGR to I1
0 75 150 300 450 600
Meters
DL 166
AGR1
DL 166
DL 166
AGR1
RR1
RR1(RM)
DL 166
MHP
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DL 201
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R1
I1
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PA1
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DL 164
DL 164
PA1
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DL 164
RR1
Inset D - RR1RM to AGR1
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0 0.5 1 2
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RR1
RR1(RM)
I2
Legend
ABBRZONE, ZONE
AGR1, Agriculture
CWP, Community Watershed Protection
C1, Community Commercial
CD, Comprehensive Development
TC, Tourist Commercial
I1, Light Industrial
I2, Resource Industrial
I3, Independent Power Projects
PA1, Public Assembly and Institutional
MHP, Mobile Home Park
R1, Residential I Zone
RR1, Rural 1
RR3, Rural 3
First Nations Reserves
SQUAMISH - LILLOOET
REGIONAL DISTRICT
Schedule 1
Electoral Area C Zoning
Amendment Bylaw No. 1549-2017
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0 5 10 15 20
Kilometres

APPENDIX 2

PUBLIC HEARING

Squamish-Lillooet Regional District Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1549-2017

SQUAMISH-LILLOOET REGIONAL DISTRICT

Minutes of a Public Hearing convened by the Squamish-Lillooet Regional District Board, held in the Great Hall at the Pemberton & District Community Centre, Pemberton, BC on August 15, 2018, at 7:00 p.m.

Present were: J. Crompton, SLRD Chair, R. Mack, Electoral Area C Director; M. Richman, SLRD Director and Mayor of Pemberton, K. Needham, Director of Planning & Development; C. Daniels, Planner, T. Mitchell, Planning & Building Assistant, and 20 members of the public.

CALL TO ORDER

Director Mack/Chair Crompton introduced and called the meeting to order at 7:00 PM.

CHAIR'S INTRODUCTORY COMMENTS

Good evening, my name is Jack Crompton, and as the Chair for the Squamish-Lillooet Regional District Board, I will be chairing this public hearing. I would like to introduce Kim Needham, Director of Planning & Development, and Trish Mitchell, Planning & Building Assistant who will be recording your comments.

This public hearing is convened pursuant to Section 464 of the *Local Government Act* to allow the public to make representations to the Board respecting matters contained in the proposed bylaws:

1. Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1549-2017

This public hearing was advertised in the August 2 and 9 issues of the Pique Newsmagazine. Every one of you present who believes that your interest in the property is affected by the proposed bylaws shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw.

I would ask that everyone attending the meeting conduct themselves in a respectful manner and treat each other with courtesy. Anyone who disrupts the meeting or engages in impolite or disrespectful behaviour will be asked to leave the meeting.

None of you will be discouraged or prevented from making your views known. However, it is important that you restrict your remarks to matters contained in the proposed bylaw. When speaking please address myself as Chair and commence your remarks by clearly stating your name and community.

Members of the Regional Board or staff may ask or respond to questions following a presentation. However, the function of the Board representatives at this public hearing is to listen rather than to debate the merits of the proposed bylaw.

After this public hearing has concluded, the Regional Board may, without further notice or hearing, adopt or defeat the bylaw, or alter and then adopt the bylaw, provided that the alteration does not alter the use or increase density.

I remind you that tonight is your opportunity for input on the bylaws and that after the conclusion of this hearing, no further public comments can be received.

Chair Crompton

To date, we have received 4 written submissions regarding Zoning Amendment Bylaw No. 1549-2017.

I will now ask Kim Needham to introduce the bylaw.

Following that, the floor will be opened to members of the public, and you will be given the opportunity to speak to the bylaw.

STAFF PRESENTATION

(STAFF PRESENTATION)

PUBLIC COMMENTS

Randy Lincks - Pemberton

R. Lincks spoke about his farm that he has owned for three years and of his food production. He stressed the importance of protecting agriculture and the ALC rules and not the development of other uses aside from farming on farmland. It is about the protection of food for now and future generations. More people want to eat locally. He supports the farm residential homeplate.

Alyssa Belter - Pemberton

A. Belter is in full support of Bylaw 1549. She thanked the Board and the SLRD staff for their hard work in putting this Bylaw together.

Anna Helmer - Pemberton

A. Helmer thanked the Board and the SLRD for all their work. She fully supports the Bylaw and the homeplate changes and

said that it is good for farming. She mentions that the Bylaw was good timing to align with the Provincial review. She felt that farms need storage containers and that they shouldn't have to be screened.

Shirley – Pemberton Fringe

Shirley asked what does it mean to screen containers and why is this necessary? What type of screens are acceptable? Would painting the container be considered screening?

Kim Needham - SLRD

K. Needham clarified that screening would involve either fencing or landscaping and that painting a container would not be acceptable. The purpose of screening is to protect the rural aesthetics of the farmland area.

Jordan Sturdy – Pemberton

J. Sturdy thanked the Board for the public hearing and the opportunity to speak. He acknowledged that some changes had been made in the Bylaw since the previous public meeting and thanked the Board for that. He spoke about his farm and how he and his wife felt that a commodity-type operation would not be successful on their acreage. The only way for them to be profitable was through a retail farm operation.

J. Sturdy proceeded to address various points in the Bylaw:

6.2.3 – The implementation of cannabis production on parcels 60 hectares or more essentially prohibits the production in the area. This would be a very lucrative business for farmers and should be allowed on smaller parcels. He stressed that the SLRD is only allowed to prohibit cement-based facilities and discussed the need to amend the bylaw to reflect the latest release from the Ministry of Agriculture.

6.4.1 – The minimum parcel size for subdivision is 16 hectares and he felt that this was too restrictive. This affects hook parcels in the area. By subdividing, it could realign parcels to have frontage on the road. The ALC approves subdividing so why not let the experts decide this and not the local government.

6.4.8 – The maximum setback for a farm residential footprint of 75 metres has its challenges. His farm would not comply. They built where there was high ground on their farm. It made sense on a floodplain. He was glad to see a variance criteria for exceptions.

6.4.10 – He asked why is the maximum height for a farm residence different than a farm employee's residence?

6.4.11-14 – He spoke about the setbacks, height and gross floor area for cannabis production facilities and felt this was in contravention of the ALC regulations. He believes that a local government is not allowed to restrict production other than to conform to Provincial regulations.

6.4.16 – The maximum gross floor area for temporary farm worker housing is 100 $m^{2.}$. He gave examples of square footage versus workers and said that the numbers are arbitrary and don't make sense.

6.4.17 – The maximum setback for a farm worker's residence is 15 metres and he wants to know the rationale for this? It doesn't solve any problems. Situating a farm worker's residence closer to the field would make better sense.

6.4.18 – The maximum gross floor area for a Brewery has been set to 600 m^2. Why set a limit when the ALC has no limit?

6.4.19 – The maximum gross floor area for a food and beverage lounge in a Brewery, cidery, etc. has been set to 60 m^2 inside and 60 m^2 outside. The ALC has both areas set at 125 m^2 each. Why is the SLRD more restrictive? They should conform to the ALC policy limits.

6.5.6 – He agrees with the residential farm footprint and the size limit but has issues with the footprint aligning to a property line with road frontage. The land in the Fraser Valley is more structured which makes this easier for the farmer to do this but the Pemberton Valley has issues such as rivers, sand bars, etc. He would like to see more flexibility with the placement. He is aware there is a variance process for this but feels that it is too expensive and time-consuming (he estimates 6 months to a year).

6.7.2 – He questions why an Agrologist report is necessary for farm worker housing? It is an unnecessary expense of $1,500.00. Farmers should be able to refer to the ALC for better advice.

6.7.3 – He asked why an annual statutory declaration is required? There is a housing shortage in the area so why can't they put seasonal workers in farm worker housing in the summer and rent out this housing to Whistler workers in the winter? He did acknowledge that this could be open to abuse and that people could live there who aren't workers.

6.7.4 – He spoke about temporary farm worker housing and the

proposed regulations set out in s.6.7.4 of Bylaw 1549 with respect to the need for a section 219 covenant for temporary farm worker housing. He does not like this regulation and disagrees that housing should be removed from a property if unutilized for 2 years. He thinks this is draconian.

6.7.5 – In regards to the temporary farm worker housing inspections, he asks who will be doing the inspections? Why is this necessary if housing inspections are already required at the Federal and Provincial level? Does the SLRD inspect B & B's? Why is agriculture being treated differently?

6.7.8 – He disagrees that his seasonal employee housing can only be used by his workers that work his land. What if he farms on leased land? Does that mean his workers can't work on leased land? Wouldn't it make sense to have the temporary housing shared by multiple properties?

6.8 – The limit on special events for a Brewery, etc. is limited to 4 per year. What is the difference between a special event and a gathering? Why limit the special events? This may be challenging to enforce. There are bylaws in place to address issues that arise, i.e. –noise bylaws, special event permits, etc.

6.9.8.1 – The location of any gathering shall be on the residential footprint. This is not the definition from the ALC. He finds this very restrictive.

6.10.1.9 – He asked why doesn't the SLRD reflect the same policy of the ALC when it comes to off-street parking for gatherings? There is no mention of parking being restricted to the homeplate. They should be allowed to park along the edges of the field.

6.11- Why is there a limit of only 4 bedrooms in an Agricultural B & B when the ALC's policy offers more? He believes the SLRD should encourage this use for bona fide farm operations. This is the type of accommodation that tourists are seeking in Europe. Why must the SLRD be so restrictive? The SLRD is picking and choosing only parts of the ALC's policy.

3.18. – J. Sturdy spoke about sign regulations set out in s.3.18 of the general regulations. He noted that Agriculture is not mentioned in the Business Sign regulations.
He has no objection to the prohibition on 3rd party signs. He does not like that signs are to be limited to 1 m^2. He believes that Agricultural use should be treated as a commercial use and allowed 5 m^2 of signage.

3.27 - He is disappointed that the SLRD is prohibiting cannabis retail in all zones. He does not support this. He asked if this is a moral decision on the SLRD's part.

Mike Richman – SLRD Board

M. Richman clarified that the Board is waiting on Federal regulations to define this area before making any further decisions on how to proceed. This is not a moral decision.

Jordan Sturdy – Pemberton continued

4.1.4 - J. Sturdy expressed his disappointment about the limit on large vehicles on smaller farms of 2 hectares. He finds this very restrictive and that fencing or screening would resolve the issue of many vehicles on the property. This will be a problem for enforcement. He felt this restriction should be on even smaller parcels of one acre.

4.3.6 – In regards to the limit of parking spaces based on farm size, he felt that this was too restrictive. This would not work for his pumpkin day. His farm would be non-compliant. He asked if he was supposed to bus people to his property. There is no definition of parking spaces. How would you define 40 parking spaces? A riding stable is allowed one parking spot per horse stall. He doesn't understand this rationale. This part of the bylaw should reflect what the ALC allows.

4.7 - He spoke to the surfacing of parking spaces and is disappointed that a gravel or concrete surface would not be allowed for parking. What happens if it rains? His parking lot becomes a mud pit with constant use.

J. Sturdy concluded by thanking the Board for allowing him to express his concerns. He stated that there is a need to embrace and support agriculture, not constrain it. We have a unique opportunity to create a vibrant and creative agricultural sector but it needs support not prohibition and bureaucracy.

Roxie Kuurne - Pemberton

R. Kuurne thanked the Board for this bylaw and fully supports it. She owns 600 acres of farmland in the area and wants to see all farmland protected. Pemberton has some of the best farmland in BC. We have to produce food for the world. She does not support those that do things on their farm that isn't related to farming.

Trish Sturdy - Pemberton

T. Sturdy added that the SLRD should support farming but also support farmers.

Alyssa Belter - Pemberton

A. Belter stated this bylaw is about farming and not accessory uses like retail, breweries, B & B's, etc. Farmers don't have time to run these accessory uses.

Jordan Sturdy - Pemberton

J. Sturdy asked if there are statistics on what is farmed and what land has been cleared in the Pemberton area? His understanding was that two-thirds of the agricultural land has been cleared. He felt that clearing any remaining farmland should be a priority.

Kim Needham - SLRD

K. Needham stated that the 2009 Pemberton Valley Land Use Inventory includes these statistics. Staff will be seeking to update the land use inventory soon.

CLOSURE

Chair Crompton - Chair

I am now going to call three times for further submissions.

For the first time, are there further submissions?

For the second time, are there further submissions?

For the third time, are there further submissions?

With no further comments, I will now declare this hearing on Bylaw No. 1549 closed.

8:25 pm

_____

J. Crompton, Chair

_____

T. Mitchell, Recording Secretary

APPENDIX 3

Kimberly Needham

From: Planning
Sent: Wednesday, August 15, 2018 8:38 AM
To: Kimberly Needham
Subject: FW: Public Hearing Bylaw 1549

Just wanted to make sure you saw this today.
Trish

From: Drew Meredith <[redacted]>
Sent: August 15, 2018 8:33 AM
To: Planning <planning@slrd.bc.ca>
Cc: Jack Crompton <[redacted]>
Subject: Public Hearing Bylaw 1549

Wednesday, August 15, 2018

Board of Directors
Squamish Lillooet Regional District
Pemberton, BC

Re: Public Hearing - Area C Zoning Amendment Bylaw No. 1549-2017 - August 15, 2018
Dear Board of Directors:

I would like to take issue with only one part of this bylaw. That is is the imposition of the Farm Home Plate on all properties zoned AGR. This bylaw requires all property owners to build their home within a specified area 75 m (246 ft.) from the highway. It will hurt everyone who has AGR land and perhaps the "real" farmers the most . We are trying to put a square peg in a round hole.

A little background on the Farm Home Plate
This planning tool was developed by the Province, in consultation with the farming municipalities in the Lower Mainland. It is a direct response to people buying small ALR parcels (2 ha or less) and basically covering the entire parcel with large houses, pools and landscaping, and not farming. I get it.

However if you look at a map of Surrey, Maple Ridge, Delta, Chilliwack, Richmond, Kent you will see nothing but really small rectangular parcels.

- Maple Ridge the average parcel size is 3.9 ha
- Richmond 75% of ALR parcels are less than 2 ha
- Kent's average parcel size is 2.7 ha

Contrast this with Pemberton where 75% of ALR parcels are 40 ha or greater.
Couple that fact with a lot of irregular shaped parcels, some of which do not even front on a road, and we are looking at a recipe for planning disaster. If the intent is to put the brakes on people buying farmland in Pemberton, for any reason, then this will do it in spades.

According to the Appendicies in the Pemberton Agricultural Plan there are 14 properties in area C that do not comply with this proposed farm home plate requirement. 6 are "commercial farmers". So how big a problem is this. Not very.

A lot of affected property owners have been lulled into a sense of false security as they have already built on their property and are therefore "grandfathered". So what happens if you want to tear down your old farmhouse and build a slightly bigger one or just renovate and add on to the existing home? You are "grandfathered' for what is there before the bylaw is passed, nothing more.

According to this new bylaw you can always apply for a "Development Variance Permit". If you want to rebuild or add on, or you have bought a vacant property, and the "Farm Home Plate" configuration does not work for you, you will have to apply for a "DVP".

There is no process outlined for a DVP in the proposed bylaw. The proposed OCP says "A streamlined DVP process would be established to consider an application to vary the farm residential footprint setbacks based on "agricultural need and protecting the viability of the farmland".

However, In other jurisdictions you would have to, at a minimum, do the following:

- Provide detailed drawings as to your plans and rationale for the change of location or whatever
- Provide a report from a certified agrologist supporting the variance
- Receive approval from the local Agricultural Advisory Committee
- Receive approval from The Regional District Board
- Receive a positive response from all your neighbours
- Pay fees for all of the above

All with no guarantee of success.

Imagine if Joe and Sally Farmer tied up a property subject to getting a simple DVP approved. Maybe there was a better place to build the house but it is a little further into the property, say 10 ft. Maybe their farming concept lent itself to a different layout than the FHP would allow. They would need 6 months to a year for the process to unfold before they could remove subjects and buy the property. What seller is going to allow that?

A suggestion

Allow the farm home plate to be on any property line. Driveways must be along the property line.

Yours Sincerely

R.H. Drew Meredith

R.H. Drew Meredith

Kimberly Needham

From: Terry <[redacted]>
Sent: Thursday, August 9, 2018 5:49 AM
To: Kimberly Needham
Subject: Re: bylaw 1549

All aspects around the home plate to make a bylaw change around where a property owner can build a dwelling you people making changes to a bylaw with out a referendum really seems to be pushing our society into a dictatorship.
Public meetings do not seem to work start a referendum send it to all property owners and lets see what the people really want then go with the majority vote and those that voted the other way will just have to live with the decision like a democratic community is to be.

From: Kimberly Needham
Sent: Wednesday, August 08, 2018 9:06 AM
To: Terry
Subject: RE: bylaw 1549

HI Terry

Thanks for your input. For clarity, can you please let us know what particular aspects/sections of Bylaw 1549 you object to?

Regards,
Kim

SQUAMISH - LILLOOET
REGIONAL DISTRICT

Kimberly Needham
Director of Planning and Development Services
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From: Terry <[redacted]>
Sent: Wednesday, August 8, 2018 5:26 AM
To: Kimberly Needham <KNeedham@slrd.bc.ca>
Subject: bylaw 1549

I object to the contents of bylaw 1549 and feel further meaningful consultation needs to happen.
put it to a referendum for property owners only lets just see how the land owners vote.

August 15, 2018

I've heard a lot of nit-picking tonight but I hope the board remains steadfast in its commitment to protecting farmland in Pemberton for farming. ~~Although the SLRD is right to upheld the recommendations~~

I agree with and support the bylaw's intentions ~~despite~~ even those that are more restrictive than current ALC recommendations. It is clear that the ALC's mission has been hindered by the no longer in power Liberal government over the last 16 years. Local governments must be more restrictive if we want our farmland to be used for farming - not for farm stays, weddings, events and all other activities that are not farming

Alyssa Belter

Public Hearing aug 15, 2018

WRITTEN SUBMISSION

from Anna Helmer
Area C

Please do not allow extensive obstruction to scuttle the important provisions of this by-law
a lot of work has been done to protect and strengthen farming in our area, and it would be a shame to lose it all.
Please stay clear on the clear intention behind this, which is to make it hard to do anything but farm on our precious soils.

Thank you
Anna Helmer.