



REQUEST FOR DECISION

North Arm Farm Brewery F&B Lounge GFA Expansion – Zoning Amendment (Third Reading & MOTI Approval)

Meeting Date: December 13, 2023

To: SLRD Board

Applicant: Jordan and Trish Sturdy

Location: Pemberton, Electoral Area C

Legal Description: LOT A DISTRICT LOT 214 LILLOOET DISTRICT PLAN EPP68874; PID: 030-277-922

RGS Designation: Non-Settlement Area	OCP Designation: Agriculture	Zoning: AGR1	ALR Status: Yes	Development Permit Areas: Wildfire Protection
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RECOMMENDATIONS:

THAT Bylaw 1829-2023, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023” be given third reading.

THAT pursuant to Section 52(3)(a) of the *Transportation Act*, Bylaw 1829-2023, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023” be sent to the Ministry of Transportation and Infrastructure for their approval prior to adoption of the bylaw.

KEY ISSUES/CONCEPTS:

The SLRD received a zoning amendment application from North Arm Farm (Jordan and Trish Sturdy) to increase the gross floor area (GFA) of the food and beverage service lounge associated with a brewery at 1888 Sea to Sky Hwy 99. The site-specific text amendment would provide for a food and beverage service lounge with 125m² of indoor GFA and 125m² of outdoor GFA, as per the maximum set by the *Agricultural Land Reserve Use Regulation (ALR Use Regulation)*. The current SLRD Area C Zoning Bylaw provides for 60m² of indoor GFA and 60m² of outdoor GFA. The application states that North Arm Farm holds a brewery manufacture license, and it is understood that the intention is to build a food and beverage service lounge associated with this brewery use.

SLRD staff are comfortable the parcel can accommodate the proposed increase in GFA of the food and beverage service lounge associated with a brewery as well as associated parking, noting that the application remains within the 5% lot coverage limit recommended for *farm-related commercial and farm-related industrial uses* as per ALC Policy L-24.

SLRD staff are also comfortable the site is “safe for intended use” based on the submitted geotechnical report. Referral comments are generally supportive of the application and do not

REQUEST FOR DECISION

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– Zoning Amendment (Third Reading & MOTI Approval)

identify any issues with the zoning amendment bylaw (some additional items are noted to be addressed through other permitting processes to come). Zoning Amendment Bylaw No. 1829-2023 is being presented for consideration of third reading.

Note that the proponent will need to confirm compliance with Section 13(2) of the *ALR Use Regulation* pertaining to 'farm product processing' prior to the SLRD issuing permits (development permits or building permits).

RELEVANT POLICIES & PLANS:

[Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008](#)

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

[Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002](#)

[Pemberton Valley Agriculture Area Plan](#)

[SLRD Natural Hazards Policy No. 7.5](#)

[Mount Currie Landslide Risk Assessment](#)

[ALC Policy L-24 Farm Related Commercial and Farm Related Industrial Uses](#)

[ALR Use Regulation Section 13](#)

BACKGROUND:

Project Description

North Arm Farm has noted that they hold a brewery manufacture license and is seeking a zoning amendment to allow the maximum gross floor area of food and beverage service lounge associated with a brewery, cidery, distillery, meadery or winery of 125m² indoors and 125m² outdoors, as per the *ALR Use Regulation* Section 13. Note the SLRD Area C Zoning Bylaw limits the gross floor area of the food and beverage service lounge to 60m² indoors and 60m² outdoors.

The application states that the vision is to expand North Arm Farm's on-farm processing capacity to include beer manufacturing and sales in order to incorporate farm grown barley and hops. The proposed location of the food and beverage service lounge is between the existing residence and barn. The required parking is also already in place, so there is no expansion of the amount of land taken out of agricultural production for farm-related commercial. The property is connected to municipal sewer and water. As the proposed use is farm-related commercial (as opposed to residential), the application proposes to build the lounge addition at the same flood construction level as the existing barn.

See [Site Drawings](#) for additional details.

Previous Reports

[Public Hearing Waiver – September 27, 2023](#)

[First and Second Reading – October 25, 2023](#)

Previous Board Resolutions

At the September 27, 2023 SLRD Board meeting it was resolved:

THAT notice of the waiver of the public hearing regarding Bylaw No. 1829-2023, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023” be given in accordance with section 467 of the Local Government Act.

At the October 25, 2023 SLRD Board meeting it was resolved:

THAT Bylaw 1829-2023, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023” be given first and second reading.

THAT Bylaw 1829-2023, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023” be referred to the appropriate First Nations, Village of Pemberton, and provincial agencies including the Ministry of Transportation and Infrastructure, and Vancouver Coastal Health for comment.

THAT the SLRD Board receive the DRAFT October 10, 2023 Area C Agricultural Advisory Committee minutes, attached as Appendix C.

ANALYSIS:

See previous staff reports linked above for analysis of the subject application in relation to SLRD bylaws/plans, ALR regulations/ALC policies and submitted professional reports as well as AAC input and public hearing waiver submissions. The following section focuses on agency referral responses and related actions.

Provincial Ministry/Agency Referral Responses

Following first/second reading, a 30-day referral period was initiated, with referrals sent to neighbouring First Nations, adjacent local governments, and provincial ministries/agencies.

Referral Agency	Referral Responses
Agricultural Land Commission	Referral response noted that, “the ALC has no objection to the proposed site-specific text amendment to increase the permitted indoor and outdoor floor area of a food and beverage service lounge associated with a proposed brewery on the parcel (PID 030-277-922) from 60 sq m to 125 sq m, as the

REQUEST FOR DECISION

North Arm Farm Brewery F&B Lounge GFA Expansion – Zoning Amendment (Third Reading & MOTI Approval)

	bylaw provisions appear to be consistent with s. 13(1)(b) of the ALR Use Regulation. - Referral response also stated “the proponent should be advised that construction and operation of a brewery in the ALR is only permitted in conjunction with production of ‘primary farm product’ (barley) under s. 13(2) of the ALR Use Regulation (excerpt below). Based on the information available, it’s unclear whether the landowner is currently producing the requisite crops that would enable construction of a brewery and an associated food and beverage service lounge on the property. Subsequent District permits for site prep and/or building construction should only be issued if the proponent can demonstrate consistency with the ALC Act and regulations.” - See Section 13(2) of the ALR Use Regulation and included below.
Ministry of Agriculture & Food	Referral response noted that “As the proposed building is already setback from the front, rear and side is within the limits recommended in the Ministry’s Guide for Edge Planning, and the proposed floor area is within what is currently permitted in the Agricultural Land Commission Act and Use Regulations; Ministry staff do not have additional comments on this proposal. Depending on the popularity of the proposed brewery parking may become an issue during peak season.”
Ministry of Transportation & Infrastructure	- Referral response granted Preliminary Approval for the rezoning for one year pursuant to section 52(3)(a) of the <i>Transportation Act</i>. - Referral response also noted the following: “A commercial/industrial access permit was granted to the owner under MOTI file 2018-04975. Condition #11 of this permit stated the access would require a paved apron, of a minimum 5-7 metres. This helps prevent gravel shoulder and highway edge of pavement damage, and reduces the risk of tracking materials onto the highway. - Given the increased vehicle traffic that could be generated from this text amendment approval, we kindly request the owner revisit the conditions of their access permit, and ensure all conditions have been met”.
Vancouver Coastal Health	- Referral response noted that VCH has no objection to the zoning amendment. - The following considerations* were provided: - VCH confirmed that “the food and beverage service lounge would be in addition to the existing food service establishment operating under a Permit and inspected by VCH under the Food Premises Regulation”. - Further, VCH stated “an application including building plans and operational plans (food safety plans) for any new food premises would need to be submitted to VCH for approval prior to construction and

REQUEST FOR DECISION

North Arm Farm Brewery F&B Lounge GFA Expansion – Zoning Amendment (Third Reading & MOTI Approval)

	operation” and that “any renovation/addition to the existing food service establishment on the property would also require approval.” - VCH identified that the design and operational plans need to address pest control issues, which “can sometime be more prevalent where food service occurs in farm settings”. - VCH noted “the property is serviced with municipal water and sewer and that backflow prevention of the water system will need to be reviewed to ensure all facilities where food is handled and/or served (including the food service lounge, brewery and tasting room) as well as the municipal water system itself are adequately protected from cross-contamination”. *These considerations will be addressed at the building permit stage and through VCH permitting processes.
Lil’wat Nation	• Lil’wat Nation staff have requested an extension* to accommodate Referral Committee meeting dates/workloads. SLRD staff will proceed with presenting Amendment Bylaw No. 1829-2023 to the SLRD Board for consideration of third reading in December. Lil’wat Nation comments will be provided to the SLRD Board prior to bylaw adoption. As there is a requirement for the amendment bylaw to be referred MOTI for approval, the Lil’wat Nation referral can be incorporated into this process/timeframe**. *Referral comments will be submitted by the end of January 2024. **This process and timeline have been communicated to Lil’wat Nation staff, and all are comfortable with the approach.
Village of Pemberton	• Referral response stated support for the application, noting that “the Village of Pemberton maintains Official Community Plan polices that support agriculture with direction to preserve and facilitate productive farmland”. • Referral response also noted that “the proposed expansion will be within the existing developed footprint and will not result in increased parking area, preserving the farmland”. • Further, the referral response highlighted support “for value-added farm products and experiences that align with directions in the Pemberton Valley Agricultural Area Plan” and that “the recently completed Council Strategic Plan contains growth management strategies that create a community where residents thrive and businesses prosper, including support for initiatives that increase food security. The Village believes that the proposed expansion at North Arm Farm meets the intent of these strategies.”

ALR Use Regulation s. 13(2):

The ALR Use Regulation section 13(2) sets out the following requirements in relation to brewery uses:

(2) The use of agricultural land for constructing, maintaining and operating an alcohol production facility and the use of the facility for ancillary uses are designated as farm uses and may not be prohibited as described in section 4 if

(a) at least 50% of the primary farm product used to make the alcohol product produced each year is harvested from the agricultural land on which the alcohol production facility is located, or (b) the agricultural land on which the alcohol production facility is located is more than 2 ha in area and at least 50% of the primary farm product used to make the alcohol product produced each year is

(i) harvested from that agricultural land, or

(ii) both harvested from that agricultural land and received from a farm operation located in British Columbia that provides that primary farm product to the alcohol production facility under a contract having a term of at least 3 years

MOTI Approval

Pursuant to Section 52(3)(a) of the *Transportation Act*, Zoning Amendment Bylaw No. 1829-2023 requires approval from MOTI prior to adoption. This is undertaken by way of a formal referral following third reading.

Development Permit and Building Permit Considerations

A Wildfire Protection Development Permit will be required at the building permit stage. Additional aspects that may be considered through the building permit process include: building code requirements; geotechnical report recommendations; outstanding permits; VCH design and operational plans/permits for food establishment and servicing; and compliance with ALR Use Regulation for primary farm product.

Next Steps

Amendment Bylaw 1829-2023 process steps include:

1. Board Resolution to Waive Public Hearing – **Complete**
2. Public Hearing Waiver Notice & AAC Input – **Complete**
3. First and Second Reading and Referrals – **Complete**
4. Third reading
5. MOTI approval
6. Adoption

REGIONAL IMPACT ANALYSIS:

Impacts of the increase in gross floor area of the food and beverage service lounge associated with a brewery will be largely local. There may be positive regional spin off impacts associated with agritourism in the area and there may be negative regional spin off impacts associated with increased farm-related commercial uses competing with other commercially zoned properties.

OPTIONS:

Option 1 (PREFERRED OPTION)

Give third reading to Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023 and refer the bylaw to MOTI for approval.

Option 2

Revise as per Board direction and give third reading to Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023 as revised and refer the bylaw to MOTI for approval.

Option 3

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

Option 4

Reject the zoning amendment application.

FOLLOW UP ACTION: If approved by the Board, refer the bylaw to MOTI for approval.

ATTACHMENTS:

Appendix A: Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023

Prepared by: C. Dewar, Senior Planner

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

Approved by: N. Gilmore, Interim Chief Administrative Officer

SQUAMISH-LILLOOET REGIONAL DISTRICT
ELECTORAL AREA C ZONING BYLAW NO. 765-2002
AMENDMENT BYLAW NO. 1829-2023

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

WHEREAS the Board of the Squamish-Lillooet Regional District wishes to amend the
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 the ‘Squamish-Lillooet Regional District
Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023.
- 2. The Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, is
hereby amended as follows:
 - a. By inserting under Section 6.13 – Exceptions a new Section 6.13.5, as follows:

.5 Despite Section 6.4.19 and 6.4.20, on the parcel legally described as LOT A
DISTRICT LOT 214 LILLOOET DISTRICT PLAN EPP68874; PID: 030-277-922, the
maximum combined gross floor area of the food and beverage service lounge (which
includes tasting room) associated with a *brewery, cidery, distillery, meadery, or
winery* shall be 125 m² indoors and 125 m² outdoors.
- 3. By updating the Summary of Amendments Table, as follows:

BYLAW NO.	SUMMARY OF AMENDMENTS	DATE OF ADOPTION
1829-2023	Site Specific text amendment to increase the maximum GFA of the food and beverage service lounge associated with Brewery at LOT A DISTRICT LOT 214 LILLOOET DISTRICT PLAN EPP68874; PID: 030-277-922	_____, 2024

PUBLIC HEARING WAIVED this	27 day of	September, 2023.
READ A FIRST TIME this	25 day of	October, 2023.
READ A SECOND TIME this	25 day of	October, 2023.
READ A THIRD TIME this	day of	, 2023.
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE	day of	, 2024.
ADOPTED this	day of	, 2024.

Jen Ford
Chair

Angela Belsham
Corporate Officer