



REQUEST FOR DECISION

Gun Lake Communications Site Zoning Amendment Application (Area A) Third Reading & Adoption

Meeting Date: January 30, 2019

To: SLRD Board

Applicant: Janie Bergeron (Agent); 5997889 Manitoba Ltd. (Tenure Holder)

Location: SLRD Electoral Area A – Gun Lake

Legal Descriptions:

Unsurveyed Crown Land (Gun Lake S Road, 80m south-east of junction with Hess Road, Gold Bridge)

RGS Designation: N/A	OCP Designation: Resource Management – Upper Bridge River Valley Official Community Plan Bylaw No. Bylaw 608, 1996	Zoning: RR2 – Rural Resource – Electoral Area A Zoning Bylaw No. 670, 1999	ALR Status: N/A	Development Permit Areas: Wildfire Protection
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RECOMMENDATIONS:

THAT Bylaw 1602-2018, cited as “Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1602-2018”, be given third reading.

THAT Bylaw 1602-2018, cited as “Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1602-2018”, be adopted.

KEY ISSUES/CONCEPTS:

The SLRD received a zoning amendment application for a private communications site on an unsurveyed parcel of Crown land in the Gun Lake vicinity. See Appendix B: Location Site Plan. The current RR2 zoning does not include private communications site as a permitted use. The proponent also submitted a similar zoning amendment application for a communications site on Mt. Penrose; the amendment bylaw was adopted by the SLRD Board in November 2017. At the time, the proponent anticipated using the Gun Lake Fire Protection Shed for the second required communications site. This is no longer an option, so a new location is being proposed and thus the resulting additional zoning amendment application.

Proposed Zoning Amendment:

- To allow for a private communications site/equipment on an unsurveyed parcel of Crown land in the vicinity of Gun Lake (Gun Lake S Road, 80m south-east of junction with Hess Road) to support the existing Jamie Creek Hydroelectric Facility and Mt. Penrose Communications Site.

Previous Board Resolution

At the November 28, 2018 SLRD Board meeting, the SLRD Board resolved:

THAT Bylaw 1602-2018, cited as "Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1602-2018" be given second reading.

THAT pursuant to s. 464(2) of the Local Government Act, the public hearing regarding Bylaw No. 1602-2018, cited as "Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1602-2018" be waived.

THAT notice of the waiver of the public hearing regarding Bylaw No. 1602-2018, cited as "Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1602-2018" be given in accordance with s. 467 of the Local Government Act.

Notice

Notice of the waiver of the public hearing was provided in the January 16 and 23, 2019 editions of the Lillooet News and neighbour notification letters were sent to all property owners within 150 meters of the subject property, as required by section 467 of the *Local Government Act*. Notice was also provided on the SLRD website. No concerns were identified through the notice of a waiver of the public hearing process, as of the date of the Board agenda deadline. Comments may be received up until the January 30 Board meeting and any new comments will be communicated verbally.

RELEVANT POLICIES:

Squamish-Lillooet Regional District [Electoral Area A] Zoning Bylaw No. 670, 1999
Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996
Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008

BACKGROUND:

The SLRD Board gave First Reading and initiated the 30-day referral period at the September 26, 2018 Board meeting. Referrals were extended to appropriate First Nations, the District of Lillooet, and provincial agencies including the Interior Health Authority, the Ministries of Transportation & Infrastructure, Forests, Lands, Natural Resource Operations and Rural Development, and Environment for comment (Note that as the subject zoning amendment is not within vicinity of a BC Park, no referral to BC Parks is necessary. SLRD staff have been advised by BC Parks to only include this ministry in referrals for development or rezonings that would have an impact on a protected area or access to protected area, within vicinity being the key determining factor). No concerns were received during the referral period. As the proposed private communications tower use is generally consistent with the Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996 a local government may waive the holding of a public hearing as per section 464(2) of the *Local Government Act*. Notice of the waiver of the public hearing was provided and no concerns were identified to date. Amendment Bylaw 1602-2018 is now being presented for third reading and adoption.

Project Description

5997889 Manitoba Ltd. (Boralex Inc.) is operating Jamie Creek hydroelectric plant (21.3 MW) located on the South side of Downton Lake, 18 km west of Gold Bridge in the Squamish-Lillooet Region. The current satellite communication system being unreliable, the proposed Project aims to install a point-to-point microwave communication link between the proposed site on Gun Lake Road S (with Telus service), Mt. Penrose and the Jamie Creek hydroelectric plant to ensure personnel safety and reliable monitoring and operation of the plant. The proposed communication site is in direct line of sight with the Mt. Penrose Communication Site to be built on Mt Penrose ridge, which is essential for point-to-point communication. According to the application, this site was also selected based on the following criteria:

- the site is easily accessible for construction and maintenance; and
- no significant environmental or social impacts are anticipated.

The site is considered a lower impact location, as the area already has BC Hydro and Telus structures on the road side and is largely cleared of vegetation (See Appendix B: Location Map) .

Communications Equipment

According to the application, the communication equipment will include a steel box of 0.6 m x 0.9 m x 1.2 m high installed on a concrete pad. The radio will be installed inside a 0.3 m diameter radome mounted on a monopole antenna, fixed to a concrete base, with a total height of 4.5 m (15 ft.) and dimensions from 0.3 m x 0.3 m at the base to 0.1 m x 0.1 m at the top. Two solar panels of 0.4 m x 0.6 m will be installed on the monopole antenna.

The communication equipment inside the steel box:

- One solar panel charge controller (Morningstar TS-MPPT-60)
- One managed switch – HP 1820 8G Switch
- One Power Over Ethernet (POE) injector – Power injector for Radio
- One Battery Backup Uninterruptible Power Supply (UPS) – Battery backup & Power Conditioner for network equipment
- One 25-watt heater

The steel box will be connected to BC Hydro and Telus services with underground wires to the interconnection point located approximately 5 m west of the steel box.

Concrete blocks will be installed as a protection barrier between the communication equipment and the adjacent road.

Total Application Area

The total application area is 361 metres square including:

- 1.75 m² for the steel box and the pole
- 2 m² for the underground services between the steel box and the nearest BC Hydro/Telus pole
- 5 m² for road protection (concrete blocks)
- 352.25 m² remaining area for vegetation control

Crown Land Tenure Application

A License of Occupation (Tenure # 348405, File # 3413183) was issued to 5997889 Manitoba Ltd on August 1, 2017, for a Term of 30 years, for the Communication site on the ridge of Mt.

Penrose, as a relay site between the Jamie Creek hydroelectric plant and the proposed site on Gun Lake Road S.

Boralex Inc. has submitted a License of Occupation (LOO) application for the communication site and equipment to be installed at the proposed site on Gun Lake Road S. As with the previous zoning amendment application for the Mt. Penrose Communications Site, **any SLRD zoning amendment will be contingent on the applicant receiving a Licence of Occupation Tenure for the private communications site. The SLRD has received confirmation from MFLNRORD that the related licence of occupation tenure has been approved and issued for the private communications site.**

ANALYSIS:

Current Zoning

The subject parcel is zoned RR2 - Rural Resource Zone (8 ha) under the Squamish-Lillooet Regional District [Electoral Area A] Zoning Bylaw No. 670, 1999. Permitted uses include:

- *agriculture*
- *forestry practices, including silviculture and processing but not including processing or manufacturing*
- *open land recreation including golf courses and motocross tracks*
- *single family dwelling*
- *garden nursery*
- *kennel*
- *campground*
- *secondary suite*
- *bed and breakfast*
- *home business*
- *home industry*
- *retail sale of farm products*
- *accessory buildings and accessory uses*

Amendment Bylaw 1602-2018 would add private communications site/equipment as a permitted use for the specific portion of unsurveyed Crown land on the Gun Lake S. Road, based on legal description (an unsurveyed parcel of Crown Land in the vicinity of Gun Lake, containing 362m², more or less, located at 50°49'58.66"N 122°53'38.40"W (latitude/longitude) on Gun Lake S Road, 80m south-east of junction with Hess Road). Note that public communications sites are allowed as of right on all properties, therefore if this were for a public communications site, no rezoning would be required.

Current OCP Designation

The subject parcel is designated Resource Management under the Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996. The proposed use is generally compatible with the Resource Management designation and the following objective and policies are relevant:

- *To promote management of mineral, forest, and agricultural resources that is compatible with existing uses and respects the social and environmental values of the community.*

11.2 Permitted uses on Resource Management lands are residential uses, agriculture, resource extraction, silviculture, dispersed outdoor recreation, and auxiliary uses related to these activities.

11.4 The development of small hydroelectric facilities is considered to be consistent with the Resource Management land designation where they are shown to be compatible with adjacent land uses, technically sound, environmentally responsible, socially responsible, and licensable.

11.5. The Regional District encourages the Ministry of Forests and Range to complete an inventory update for the plan area to reflect its very high visual sensitivity and the increased emphasis on retaining wilderness values and promoting tourism.

Community Watershed Protection Areas

The proposed Communications Site is located within the Community Watershed Protection Area (CWPA).

The following objective and policies pertain to the CWPA.

- *To support the protection of community watersheds.*

12.1. The Community Watershed Protection Areas, as indicated on Map 1, includes existing and pending community watersheds where lands shall be managed to maintain local water quality.

12.2. Permitted uses within Community Watershed Protection Areas are dispersed outdoor recreation and auxiliary uses related to these activities.

12.3. Intensive recreation, subdivision and rezoning of lands within Community Watershed Protection Areas shall be discouraged. Recreationalists are encouraged to minimize stream crossings and stay on existing trails to prevent erosion.

12.4. The Regional District encourages the Ministry of Forests and Range to ensure that forest practices within community watersheds are conducted in accordance with the B.C. Forest Practices Code Standards.

The CWPA policies do not speak specifically to communications sites; they do refer to discouraging rezonings. However given the minimal communications equipment proposed, and the proximity to Gun Lake Road S., staff are not concerned about impacts to the CWPA. encroachment into the CWPA.

Other SLRD Permits

- The SLRD Building Inspector has determined that the proposed private communications tower/equipment will require a building permit, as the structure will be over 1.5 metres in height and public safety is a concern given the proximity to the road.
- The SLRD Building Inspector has determined that the proposed private communications site may be exempt from a Wildfire Development Permit, as per section 6.14 of the Upper Bridge River Valley Official Community Plan Bylaw No. Bylaw 608, 1996. The proposed private communications site involves a steel box, concrete pad, and monopole antenna. It is felt that the proposed works do not impact wildfire protection efforts or warrant further mitigation.

Proposed Zoning Amendment

- Site specific rezoning to allow for private communications site/equipment as a permitted use.
- Zoning would restrict use to the proposed location, as outlined on the Location Map (Appendix B).
- All other aspects of the current RR2 zoning would remain unaffected.

As the proposed private communication site/equipment use is generally compatible with other surrounding Rural Resource/Resource Management uses, staff do not have concerns with a site specific rezoning. Visual impacts will be minimal (See Appendix B: Communications Equipment example), the area already has BC Hydro and Telus structures on the roadside, and there is no private property in close proximity. Additionally, no concerns were received during the referral period or notice of a waiver of a public hearing process. As such, SLRD staff are recommending the Board give third reading and adopt Amendment Bylaw 1602-2018.

REGIONAL IMPACT ANALYSIS:

The proposed zoning amendment is for a site specific rezoning to provide for a private communication site on an unsurveyed parcel of Crown land in the vicinity of Gun Lake. There are no existing land uses on the parcel and the surrounding area already has BC Hydro and Telus structures located along the roadside. Any impacts will be isolated to the specific location, thus regional impacts are negligible.

OPTIONS:

Option 1

Give Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1602-2018 third reading and adoption.

Option 2

Do not give Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1602-2018 third reading and adoption.

Option 3

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

Option 4

Reject the zoning amendment application and rescind readings.

PREFERRED OPTION: Option 1

FOLLOW UP ACTION: None.

APPENDIX:

Appendix A: Zoning Amendment Bylaw 1602-2018

Appendix B: Location Map and Detailed Site Map

Prepared by: C. Dewar, Senior Planner

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

Approved by: L. Flynn, Chief Administrative Officer

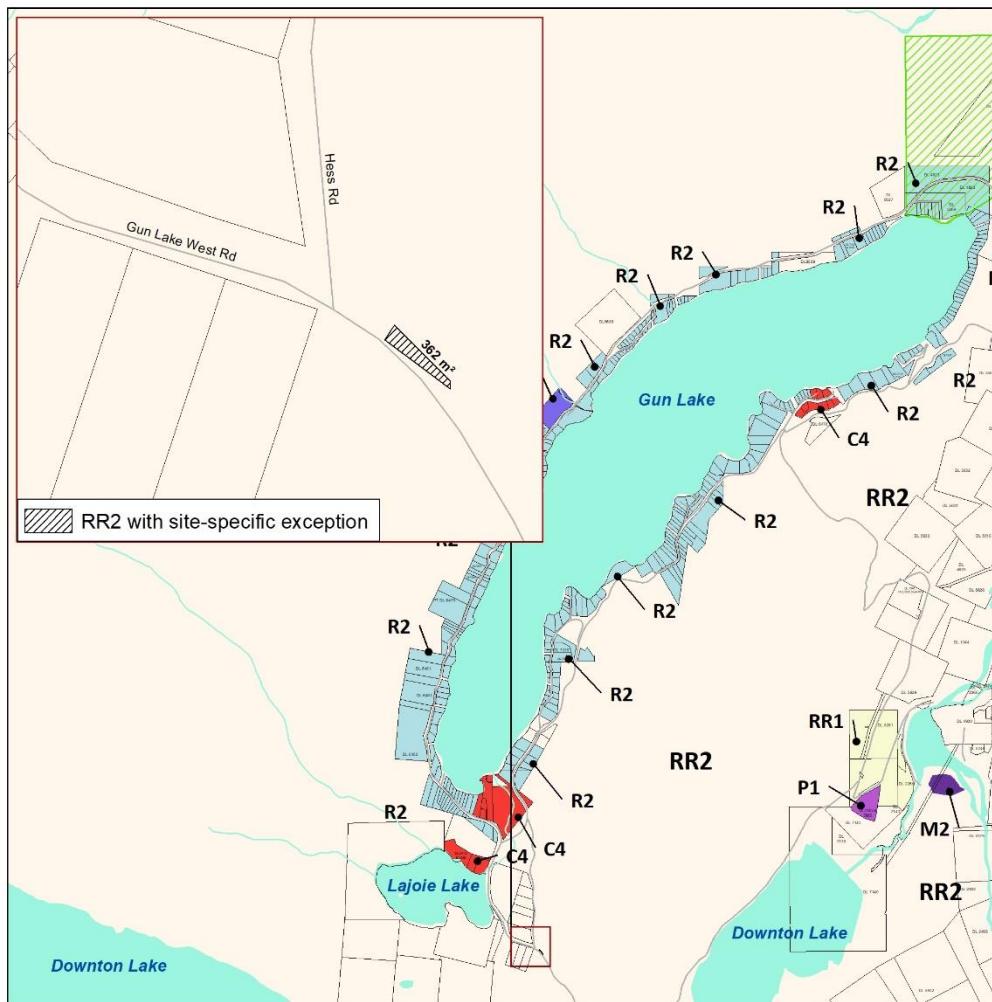
**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1602-2018**

A bylaw of the Squamish-Lillooet Regional District to amend the Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, as amended from time to time.

WHEREAS the Board of the Squamish-Lillooet Regional District wishes to amend Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999;

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 Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1602-2018”.
2. Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999 is amended as follows:
 - (a) By updating the Summary of Amendments table to include this bylaw.
 - (b) By inserting under Section 7.5 – Exceptions a new Section 7.5.3, as follows:
 - .3 On the parcel legally described as an unsurveyed parcel of Crown Land in the vicinity of Gun Lake, containing 362m², more or less, located at 50°49'58.66"N 122°53'38.40"W (latitude/longitude) on Gun Lake S Road, 80m south-east of junction with Hess Road, the additional permitted *uses* are:
 - Private communications site/equipment.



READ A FIRST TIME this	26 th day of	September, 2018.
READ A SECOND TIME this	28 th day of	November, 2018.
PUBLIC HEARING waived this	28 th day of	November, 2018.
READ A THIRD TIME this	30 th day of	January, 2019.
ADOPTED this	30 th day of	January, 2019.

Tony Rainbow
Chair



Kristen Clark
Director of Legislative and Corporate Services

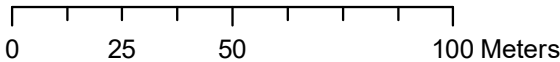


**Gun Lake
Communication Site
Application Area**

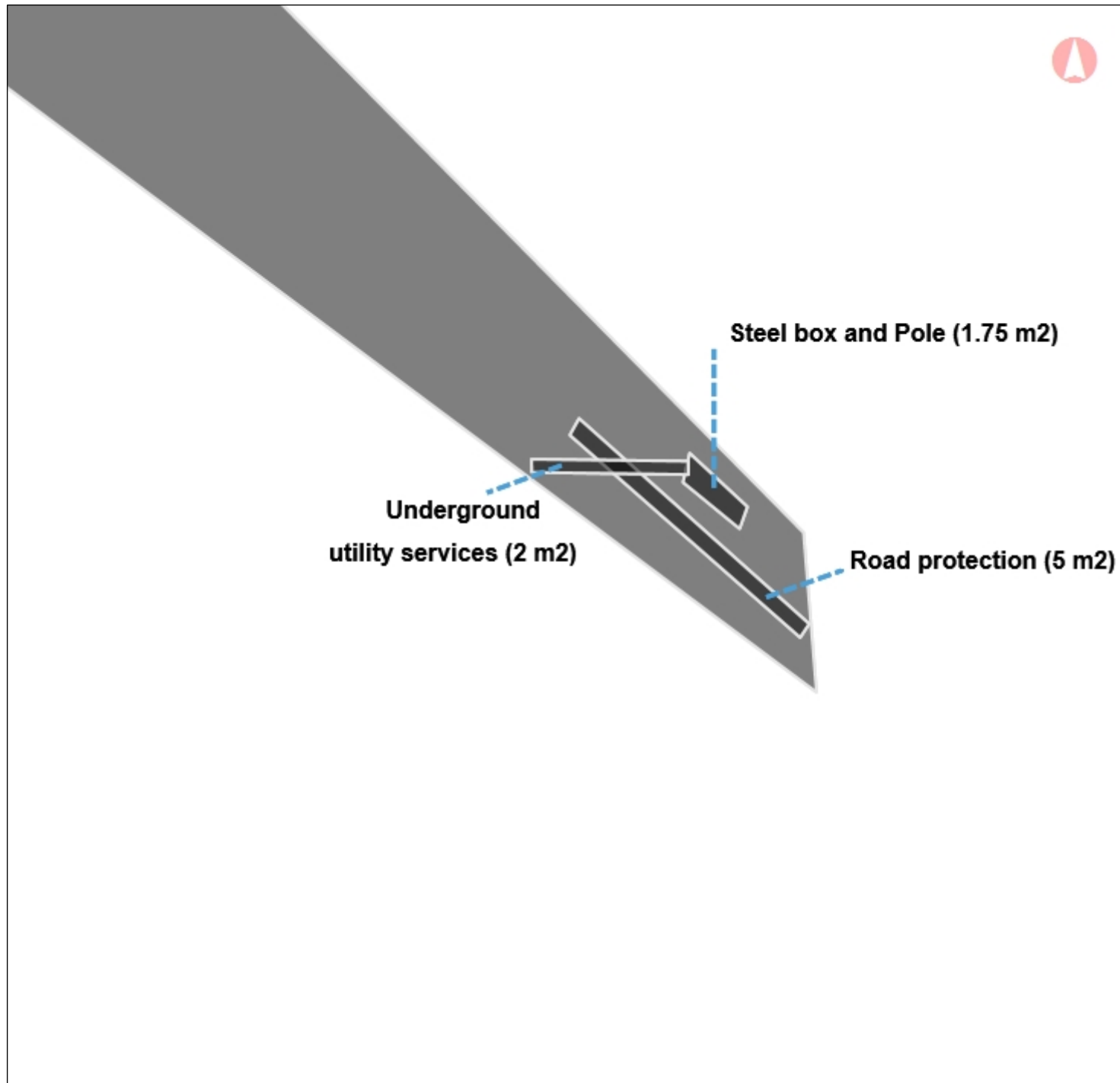
Date: July 31, 2018

Legend

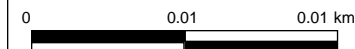
-  Parcel Fabric
-  Application Area







Gun Lake
Communication Site
Legend
Detailed map



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Key Map of British Columbia



