



## REQUEST FOR DECISION

9669 Pemberton Portage Rd (Area C) – Zoning Amendment  
Bylaw No. 1705-2021 (Adoption)

**Meeting Date:** March 30, 2022

**To:** SLRD Board

**Applicant:** Sebastian De La Rosa

**Location:** Electoral Area C, 9669 Pemberton Portage Rd in the vicinity of Blackwater Creek

**Legal Description:** PID 029-238-412 (LOT A, DL 5024)

**RGS Designation:**  
Rural  
Residential

**OCP Designation:**  
Rural  
Residential

**Zoning:**  
Rural 1

**ALR Status:**  
N/A

**Development Permit Areas:**  
N/A

### RECOMMENDATIONS:

THAT Bylaw 1705-2021, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021” be adopted.

### KEY ISSUES/CONCEPTS:

Amendment Bylaw 1705-2021 was given second reading at the November 24, 2021 SLRD Board meeting and a Public Hearing was held February 1, 2022. Ministry of Transportation (MOTI) Approval was granted on March 2, 2022 and the required Community Amenity Contributions have been received from the proponent. As such, Amendment Bylaw 1705-2021 (Appendix A) is being presented for consideration of adoption.

### RELEVANT POLICIES:

[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](#)  
[Squamish-Lillooet Regional District Park Dedication Policy No: 6.9](#)  
[Squamish-Lillooet Regional District Subdivision Proof of Water Policy 6.7](#)  
[Squamish-Lillooet Regional District Community Amenity Contributions Policy No: 2-2018](#)

### BACKGROUND:

The application is for a zoning amendment to reduce the minimum parcel size to facilitate the subdivision of the land at 9669 Pemberton Portage Road. The applicant is proposing an eight-lot subdivision with one common property lot (see [Site Plan](#)). The final lot configuration will be determined during the subdivision process. Staff are proposing the creation of a new Rural 2

(RR2) Zone, which complements the existing Rural 1 (RR1) and Rural 3 (RR3) Zones and creates additional housing opportunities that are aligned with the Electoral Area C Official Community Plan (OCP).

Given the scale of the proposed subdivision, the following SLRD Board policies will apply and have been addressed as part the zoning amendment process.

[Park Dedication Policy No: 6.9](#)

A park dedication is required, or the applicant may provide cash in lieu totalling 5 percent of the market value of the land being proposed for subdivision. In this case, the applicant is providing a 5 percent park dedication.

[Community Amenity Contributions Policy No. 12-2018](#)

As per the SLRD Community Amenity Contributions Policy, an amenity contribution of \$15,000 per new lot created is recommended. While the subdivision is for eight residential lots, seven new residential lots are proposed to be created. This amounts to a value of \$105,000. The applicant will submit cash funds of this amount to the SLRD prior to adoption of the zoning amendment bylaw. The cash funds will go into the Amenities reserves (30040) with a specific project code.

Note Section 6.1 of the Community Amenity Contributions Policy it states:

“The Director(s) representing the area(s) where the rezoning application is being proposed will take the lead in determining the disbursement of the monies in the CAC fund.”

[Previous Board Resolutions](#)

At the February 24, 2021 SLRD Board meeting, the SLRD Board resolved:

*THAT Bylaw 1705-2021, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021” be introduced and given first reading.*

*THAT Bylaw 1705-2021, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021” be referred to the appropriate First Nations, Vancouver Coastal Health Authority, and provincial agencies including the Ministries of Transportation & Infrastructure, and Forests, Lands, Natural Resource Operations and Rural Development.*

At the November 24, 2021 SLRD Board meeting, the SLRD Board resolved:

*THAT Bylaw 1705-2021, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021” be given a second reading.*

*THAT the Board direct staff to schedule and advertise a public hearing, to be held electronically, and delegate the holding of the public hearing to Electoral Area C Director Russell Mack with Director Jen Ford as alternate delegate pursuant to Section 469 of the Local Government Act, for the consideration of Bylaw 1705-2021, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021”.*

At the February 23, 2022 SLRD Board meeting, the SLRD Board resolved:

*THAT Bylaw 1705-2021, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021” be read a third time; and*

*THAT pursuant to Section 52(3)(a) of the Transportation Act, Bylaw 1705-2021, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021” be sent to the Ministry of Transportation and Infrastructure for their approval prior to adoption of the bylaw.*

*THAT cash funds in the amount of \$105,000, as per the SLRD Community Amenity Contributions Policy No. 2-2018, be submitted to the SLRD prior to adoption of the bylaw.*

#### Cash Funds

As per the condition of bylaw adoption, the proponent has provided the Community Amenity Contributions in the amount of \$105,000 as cash funds to the Amenities reserves, with a special project code P34: 9669 Pemberton Portage Road CACs.

#### MOTI Approval

As per Section 52(3)(a) of the *Transportation Act*, Amendment Bylaw 1705-2021 was sent to the Ministry of Transportation and Infrastructure (MOTI) for their approval prior to adoption of the bylaw. Approval pursuant to Section 52(3)(a) of the *Transportation Act* was granted on March 2, 2022.

#### **REGIONAL IMPACT ANALYSIS:**

The SLRD Regional Growth Strategy Bylaw No. 1062, 2008 and Electoral Area C Official Community Plan Bylaw No. 689, 1999 support opportunities to provide for rural residential development on one hectare lots in the Mount Currie – D’Arcy Corridor within the Rural Residential Land Use Designation. Similar precedents have been set by in the area where water quantity and quality criteria, and geotechnical and riparian conditions have been met, thus regional impacts are minor. The Ministry of Transportation and Infrastructure (MOTI), as the subdivision approving authority, will ultimately determine the suitability for subdivision.

#### **OPTIONS:**

##### Option 1 (PREFERRED OPTION)

Adopt Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021.

##### Option 2

Revise as per Board direction and adopt Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1705-2021. Note that any changes to use, increases in density, or decreases in density (without the applicant’s consent) may trigger the need for an additional public hearing.

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, consolidate the Electoral Area C Zoning Bylaw and communicate bylaw adoption to the proponent.

**ATTACHMENTS:**

**Appendix A:** Zoning Amendment Bylaw No. 1705-2021

Prepared by: C. Dewar, Senior Planner

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

Approved by: C. Dalton, Chief Administrative Officer

# Appendix A

## SQUAMISH-LILLOOET REGIONAL DISTRICT BYLAW NO. 1705-2021

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

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**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. 1705-2021”.
2. Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002 is amended as follows:
  - (a) By adding the following designation to Table 2-1 Designation of Zones, to come after RR1<sub>LUC</sub> Rural 1 – Land Use Contract Sub Zone:  
RR2 – Rural 2 Zone
  - (b) By renumbering Schedule A Zoning BLAW as follows, with formatting/renumbering amendments to current Section 5 and update the Table of Contents Accordingly:  
SECTION 5 – RURAL ZONES  
SECTION 5.1 RR1 ZONE – RURAL 1  
SECTION 5.2 RR2 ZONE – RURAL 2  
SECTION 5.3 RR3 ZONE – RURAL 3  
SECTION 5.4 RR PON ZONE – PONDEROSA ESTATES  
SECTION 5.5 RR MCG ZONE – MCGILLIVRAY FALLS
  - (c) By inserting the following 5.2 RR2 ZONE – RURAL 2 into Schedule A Zoning Bylaw under SECTION 5 RURAL ZONES and following the SECTION 5.1 RR1 ZONE - RURAL 1 as follows:

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### SECTION 5.2 – RR2 ZONE – RURAL 2

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#### Permitted Uses

- 5.2.1 Land, buildings and structures in the RR2 zone shall be used for the following purposes only:
- (1)
    - (a) one single family dwelling;
    - (b) one secondary suite;
    - (c) farm use excluding intensive agriculture;
    - (d) home based business;
    - (e) auxiliary uses, buildings and structures;
    - (f) horticulture, excluding cannabis production facility.

**Dwelling Size**

5.2.2 The maximum gross floor area of a single family dwelling shall be 350 m<sup>2</sup> or up to 430 m<sup>2</sup> if a secondary suite is provided.

**Siting Requirements**

5.2.3 No structure shall be located within 7.5 metres of a parcel line.

**Parcel Coverage**

5.2.4 The parcel coverage of all buildings and structures shall not exceed 20 percent.

**Parcel Area**

5.2.5 The minimum parcel area in the Rural 2 RR2 zone shall be 1 hectare.

**Dwelling per Parcel**

5.2.6 No more than one dwelling, which may include a secondary suite may be located on a parcel.

**Parking & Loading**

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

(d) The Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 762, 2002, Schedule B Maps is amended as follows:

The land outlined on the map on Schedule 1 to this bylaw and legally described as “District Lot 5024, Lillooet District Plan KAP92970” is rezoned from RR1 Zone (Rural 1) to RR2 Zone (Rural 2)

(e) By adding Amendment Bylaw 1705-2021 to the Summary of Amendments table as follows:

1705-2021	9669 Pemberton Portage Road Rezoning – RR2	, 2022
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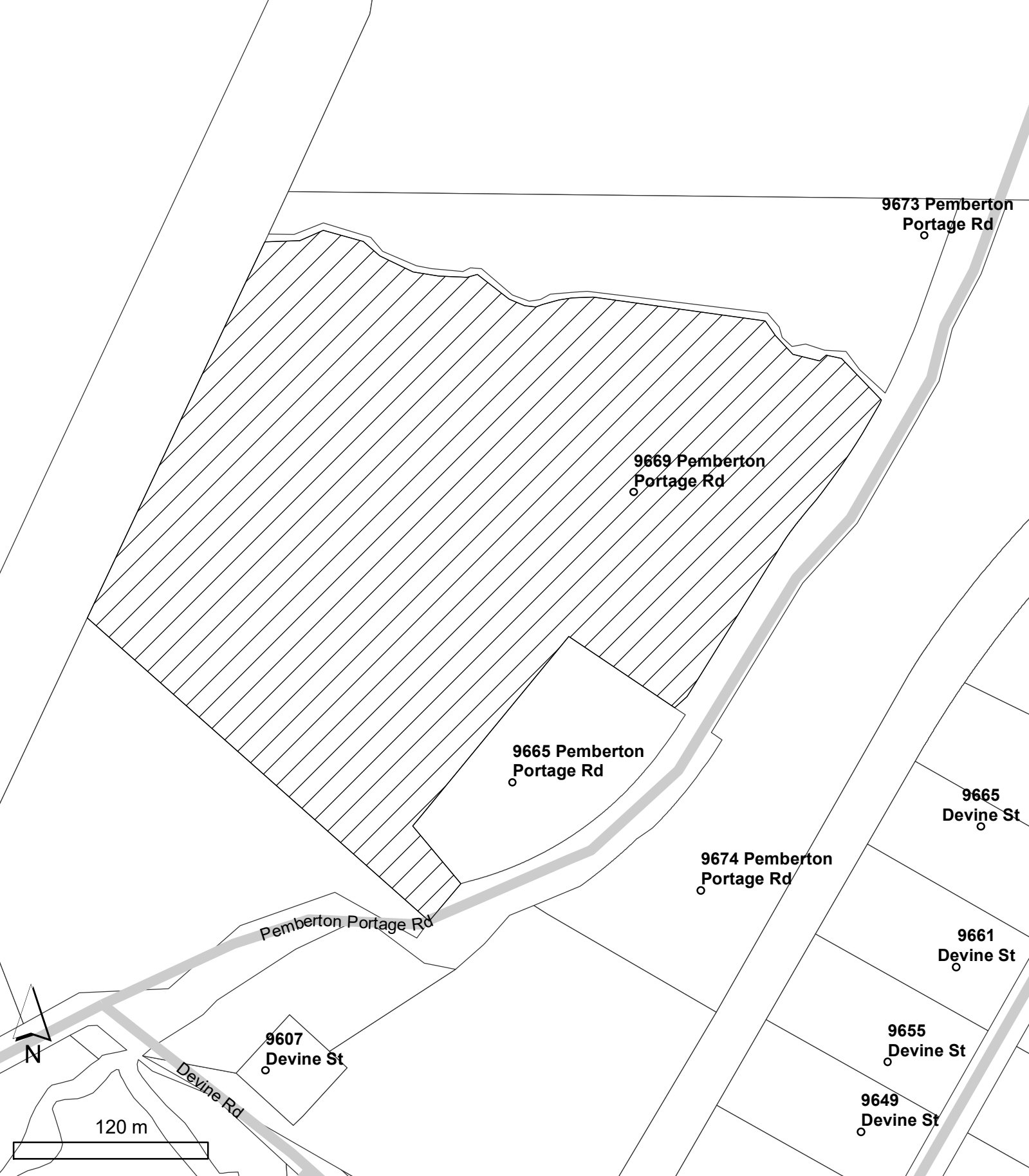
READ A FIRST TIME this	24 <sup>th</sup> day of	February , 2021
READ A SECOND TIME this	24 <sup>th</sup> day of	November, 2021
PUBLIC HEARING held this	1 <sup>st</sup> day of	February, 2022
READ A THIRD TIME this	23 <sup>rd</sup> day of	February, 2022
APPROVED PURSUANT TO SECTION 52 (3)(a) OF THE TRANSPORTATION ACT this	2 <sup>nd</sup> day of	March, 2022
ADOPTED this	day of	, 2022

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Jen Ford  
Chair

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Kristen Clark  
Corporate Officer



# Schedule 1: Zoning Amendment Bylaw No. 1705-2021

 RR1 to RR2