



# Request for Decision

## Black Tusk Helicopters Zoning Amendment, Area D Permission to Proceed

**Date of Meetings:** EAD/Board Meetings – April 5/19, 2017

**File No. 3360.20.97**

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**Owner:** Crown Land (Province) / Tenure Holder: Black Tusk Helicopters Inc.

**Applicant/Agent:** Cascade Environmental Resource Group

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**Location:** Echo Lake, Electoral Area D

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**Legal description:** THAT PARCEL OR TRACT OF LAND IN THE VICINITY OF MOUNT MURCHISON, GROUP 1, NWD.

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<b>OCP</b>	<b>Zoning:</b>	<b>ALR</b>	<b>DP Area:</b>
<b>Designation:</b>	RR4 (Rural Resource	<b>Status:</b>	Wildfire Protection
Resource	4)	No	RAR
Management			Comprehensive

### RECOMMENDATIONS:

THAT staff be directed to proceed with review of the Black Tusk Helicopter zoning amendment application for Echo Lake.

### KEY INFORMATION:

Black Tusk Helicopters (BTH), which operates a commercial recreational tenure on Crown land in Electoral Area D, has submitted an application for rezoning. The subject area for the rezoning is less than 0.2 ha (~0.165 ha):

- the Echo Lake satellite camp in the Red Tusk zone of BTH's Crown Land tenure.

The existing satellite camp consists of a helipad and camping area. The rezoning application proposes:

- a cabin primarily for BTH's commercial use though still available to the public for overnight stays and as an emergency shelter
- the cabin would have a maximum gross floor area (GFA) of ~150 m<sup>2</sup> which would contain
  - two bathrooms
  - lower level with one bunkroom that sleeps 10 people with a small common area (~45 – 50 m<sup>2</sup>)
  - upper level with kitchen, foyer, lounge, and deck (~100 – 105 m<sup>2</sup>)
- two camping pads as no formal campsites currently exist
- the cabin and decks are all outside the 30 m riparian assessment area (RAA)

The applicant is basing their proposal on their 2013 management plan that has been approved by the Province. The Red Tusk zone of BTH's tenure:

- is used for winter and summer activities – heli-skiing/boarding, and heli-hiking/biking/fishing.
- requires a boat, helicopter or plane to access the area with the exception of Mount Sedgewick.
- has hiking trails to Henrietta and Echo Lakes.

## **REZONING APPLICATION HISTORY:**

BTH had previously submitted a number of rezoning applications for this area starting back in 2006.

- 2006 application for a 4 ha parcel of land with a 3 storey, 4 bedroom, 2,365 ft<sup>2</sup> building
  - The SLRD determined that the building was too large and did not comply with the draft Sea to Sky LRMP ("LRMP"). In December 2006 the SLRD Board determined that the application was inconsistent with the LRMP.
- 2007 application with revised plans.
  - This application was rejected due to the similarity of the revised plans with the original plans from 2006.
- 2008 application that changed the building to a 2 storey, 1,587 ft<sup>2</sup> building that would accommodate 12 people still on the same 4 ha parcel of land
  - The footprint of the building remained the same as the 2007 version, but was reduced in height and gross floor area.
  - There was an ongoing issue regarding whether the proposed building constituted a cabin or a lodge as the LRMP has certain prohibitions for the area that Echo Lake falls within. There was correspondence between the SLRD and the Province on the language in the LRMP.
  - The result was that the LRMP does not permit a commercial backcountry lodge at Echo lake, however, it does not specifically exclude a small cabin with accommodation for up to 12 people for either commercial or public use.
  - The LRMP makes the distinction between commercial lodges (more than 12 people) and commercial cabins (less than or equal to 12 people).
  - This application was put on hold.
- 2009 application was submitted in October following on from the previous application that was put on hold.
  - The application was presented to the SLRD Board in December.
  - At that time BTH was renewing its Licence of Occupation with the Province and revising their management plan.
  - The SLRD received correspondence from the Squamish Nation in early 2010 regarding their concerns with the proposal and the Provincial tenure renewals.
  - The SLRD Board resolved to defer the application for a two month period at the March 2010 meeting.
  - No further progress was made by BTH on the application and it lapsed.

## RELEVANT POLICIES:

Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008  
Electoral Area D Official Community Plan Bylaw No. 1135-2013  
Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016  
Sea to Sky LRMP

## ANALYSIS:

Appendices 1 and 2 provide an overview of the site location and aerial view of Echo Lake respectively. The applicant indicates that there are no existing wells, and no proposed wells. Any additional water would require a water licence. There would be a water reservoir of approx. 2,500 L located in the attic of the cabin. Water would then be gravity fed from that attic reservoir, and greywater collected in buckets under the sinks.

The application proposes that all waste (garbage, recycling, organic) and residual wastewater will be flown back to Squamish. No septic system planned - a composting toilet will be used at the site.

The SLRD will be following up with the Vancouver Coastal Health Authority on the proposed water, wastewater and waste approaches. To address any wildlife management/interaction concerns, the SLRD can use guidelines in the Comprehensive Development Permit Area (DPA) in the Area D OCP as it includes site design, landscaping, and solid waste guidelines.

While the proposed development is outside the 30 m riparian assessment area, the Wildfire Protection DPA would be triggered by the proposed cabin. The proposed rezoning area is designated Non-Settlement Area in the Regional Growth Strategy. Backcountry Resorts without residential components are considered consistent with the Non-Settlement Area designation. The proposed commercial cabin with accommodation for 12 or fewer people could be considered consistent with a backcountry resort in the RGS as there is no residential component to it.

While the LRMP does not speak to the gross floor area of a commercial cabin, based on information from the previous files (see attached excerpt in Appendix 3), the LRMP does consider commercial cabins that accommodate less than or equal to 12 people as a permitted use in the Echo Lake area.

The size of the proposed cabin has been a long-standing issue identified in previous applications brought to the Board. The current proposed two storey 150 m<sup>2</sup> cabin is approximately 3 m<sup>2</sup> larger than the two storey cabin proposed in the 2008/09 application plans. Given concerns raised regarding previous application proposals to the Board may wish to specifically consider the gross floor area of the cabin and any limitations thereon.

If the zoning amendment bylaw receives first reading in a subsequent meeting, it would be referred to various provincial ministries and First Nations as part of the standard referral process.

**Options:**

- (1) Direct SLRD Staff to proceed with the zoning amendment application process and to draft a zoning amendment bylaw.
- (2) Refer the application back to SLRD Staff for more information, or revision.
- (3) Reject the zoning amendment application.

**Preferred Option:** Option 1 is the preferred option as it would allow the SLRD to draft a new zoning amendment bylaw that will be referred to the Province, First Nations, and several SLRD member municipalities. It will allow the consideration of BTH's new proposal based on the currently approved Crown tenure and management plan.

**Regional Considerations:** While the actual application area located within Area D is quite small, it is connected to the larger BTH commercial tenure area. BTH operates out of the District of Squamish throughout its tenure covering a large portion of Electoral Area D.

**Attachments:**

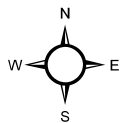
- Appendix 1: Site Location Map
- Appendix 2: Aerial View of Echo Lake
- Appendix 3: Sea to Sky LRMP Excerpt

**Follow-Up Action & Communications Plan:** If approved by the Board, proceed with development of a zoning amendment bylaw.

**Submitted by:** Ian Holl, Senior Planner

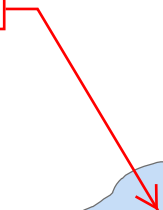
**Reviewed by:** Kimberly Needham, Director of Planning and Development Services

**Approved by:** Lynda Flynn, Chief Administrative Officer



0 500 1,000 2,000 Meters

Echo Lake



District of Squamish

SLRD Electoral Area D

### Legend

- MOTI Roads
- District of Squamish
- Lake
- Property Boundaries
- Ocean

Appendix 1: Black Tusk Heli Rezoning - Echo Lake Satellite Camp



## APPENDIX 2

Black Tusk Helicopter Inc. Management Plan **DRAFT**  
FLNRO File: 2407357

**BLACK TUSK**  
HELICOPTER INC.

CERG File: 1530109

Date: December 2013

Page: IX

### Appendix 3 - Black Tusk Helicopter Inc. Echo Lake Satellite Camp



View to the east from Alec Lake (foreground) to Echo Lake (in distance)



View to the northwest over Echo Lake, Satellite Camp and heli-pad landing area in the foreground south side of Lake.

development, access controls should be applied, as necessary, to restrict public motorized access to maintain the unroaded character of the Zone.

- e) Mineral, geothermal, and oil and gas development and its associated infrastructure (including access roads) must minimize/mitigate impacts on the environment and the overall character of the Wildland Zone. After the completion of the resource development, the road access is to be rehabilitated (including re-contouring). Any other development sites are to be remediated and reclaimed.

**Recreational use and development (public and commercial):**

- f) Backcountry commercial and non-commercial recreation activities are permitted, if they are consistent with area-specific direction for specific Wildland Zones (see Appendix 7).
- g) Seek to minimize conflicts between commercial and non-commercial recreational users in the planning of facilities and associated infrastructure, e.g., by locating lodges and public cabins in separate locations while considering aesthetic values such as viewsapes.
- h) Hunting and angling are acceptable activities throughout the Zones, except where prohibited under the *Wildlife Act* and other relevant legislation.
- i) Facilities and infrastructure associated with recreational use will be managed as outlined in Tables 2 and 3.

**Table 2. Management of recreation facilities and infrastructure<sup>33</sup> within Wildland Zones.**

Wildland Emphasis	Type of facility / infrastructure				
	New commercial lodge to accommodate more than 12 persons	New public cabin or commercial lodge to accommodate up to 12 persons	Cabin or other building for First Nations cultural purposes	Other recreational infrastructure	Trails
Tourism	Y	Y	Y	Y	Y
Recreation	N	Y	Y	Y	Y
Cultural	See Table 3.				
Wildlife	N	N	Y	Y	Y

<sup>33</sup> *Recreation facilities* refers to structures built for overnight accommodation. *Recreation infrastructure* refers to other built structures to support backcountry recreational activities, such as viewing platforms, picnic furniture, and tent platforms.

<b>Emphasis</b>	<b>WL #</b>	<b>Zone name or location</b>
Recreation	21	Sky Pilot
	22	South Creek
	23	19 and 21 Mile Creeks - Upper Madely
	24	Twin 1 / Twin 2 Divide to Joffre Lakes Park
	25	Upper Meager Creek
	26	Westside Elaho River below Sims Creek
Tourism	27	Birkenhead Peak
	28	Gowan Creek - Livingston Creek
	29	Salal Creek - Athelney Pass
	30	Tantalus South - Woodfibre - Echo Lake
	31	Twin Two Peak to Storm Peak
	32	Upper Ashlu
	33	Upper Haylmore Creek
	34	Manatee Glacier
	35	Upper Sloquet - East
	36	Upper Sloquet - West
Wildlife	37	Tenquille Lake
	38	Sockeye Creek
	39	Phelix to D'arcy
	40	Rogers Creek Watershed
	41	Salal Creek - NW fork
	42	Falk Creek
	43	Upper Douglas Creek
	44	Seven Mile Creek to Haylmore Creek
	45	Upper Sims Creek



Emphasis	WL #	Zone Description	Detailed Management Direction
Recreation	24	Twin 1 / Twin 2 Divide to Joffre Lakes Park	No commercial backcountry lodges.
	25	Upper Meager Creek	No aerial access to 100 Lakes Plateau Wildland.
	26	Westside Elaho River below Sims Creek	Refer to Appendix 5 for commercial recreation zoning.
Tourism	27	Birkenhead Peak	Manage all activities to maintain the natural, wilderness and visual/aesthetic qualities within the park and also within the Wildlands draining into the park. This includes noise management.  Manage recreation and development activities to minimize impacts to mountain goat, bull trout, wolverine and grizzly bears. This area provides high value summer forage habitat for grizzly bears.
	28	Gowan Creek - Livingston Creek	
	29	Salal Creek - Athelney Pass	
	30	Tantalus South - Woodfibre - Echo Lake	No commercial backcountry lodges. Refer to Appendix 5 for commercial recreation zoning.
	31	Twin Two Peak to Storm Peak	No commercial recreation infrastructure is allowed, except for lodges and associated infrastructure.
	32	Upper Ashlu	Due to cultural and wildlife values, the development of commercial recreation lodges is discouraged. Refer to Appendix 5 for commercial recreation zoning.
	33	Upper Haylmore Creek	Commercial backcountry lodge or hut-to-hut development is acceptable.  Assess appropriate timing and levels of use to minimize impacts to wildlife and public recreation when issuing commercial recreation tenures in the Elliot Creek area below the motorized access line.