



## Request for Decision

OCP Amendment Bylaw No. 1524-2017 and Zoning Amendment Bylaw No. 1525-2017, Electoral Area D

**Date of Meeting: Board Meeting – January 24, 2018**

### **Recommendations:**

THAT Bylaw No. 1525-2017, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1525-2017” be read a second time as amended.

THAT the Board direct staff to schedule and advertise a public hearing, hold the public hearing in Squamish, and delegate the holding of the public hearing to Electoral Area D Director Tony Rainbow with Chair Jack Crompton as alternate delegate pursuant to Section 469 of the *Local Government Act*, for the consideration of Bylaw No. 1524-2017, cited as “Electoral Area D Official Community Plan Bylaw No. 1135-2013, Amendment Bylaw No. 1524-2017” and Bylaw No. 1525-2017, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1525-2017”.

### **RELEVANT POLICIES:**

Electoral Area D Official Community Plan Bylaw No. 1135-2013  
Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016

### **Attachments:**

Appendix 1: Bylaw No. 1525-2017

### **Key Information:**

Both OCP Amendment Bylaw No. 1524-2017 and Zoning Amendment Bylaw No. 1525-2017 were given second reading at the October 25 and 26, 2017 Board meeting, as per the following resolution.

*THAT Bylaw No. 1524-2017, cited as “Electoral Area D Official Community Plan Bylaw No. 1135-2013, Amendment Bylaw No. 1524-2017” be read a second time.*

*THAT Bylaw No. 1525-2017, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1525-2017” be read a second time.*

*THAT the Board direct staff to schedule and advertise a public hearing and delegate the holding of the public hearing to Electoral Area D Director Tony Rainbow with Chair Jack Crompton as alternate delegate pursuant to Section 469 of the Local Government Act, for the consideration of Bylaw No. 1524-2017, cited as “Electoral Area D Official Community Plan Bylaw No. 1135-2013, Amendment Bylaw No. 1524-2017” and Bylaw*



*No. 1525-2017, cited as "Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1525-2017".*

**Analysis:**

Zoning Bylaw Amendments since October 2017

Following the October 25 and 26, 2017 Board meeting there are some changes proposed to the Zoning Amendment Bylaw No. 1525-2017.

**Evans Lake Forest Education Society**

This change is specific to one property in Area D where there is an existing education centre that was not addressed by the zoning. The Evans Lake Forest Education Society operates an education centre on a Crown land parcel and will be rezoned to a new CRC4 (Commercial Retreat Centre 4) zone in the new Section 12.4 CRC4 – Commercial Retreat Centre 4 Zone. This new zone will reflect the existing uses, buildings, and building areas on the property. Any future expansion or changes to land uses at the site would require a rezoning application.

The camp is a Forest Education Centre and operates year round with school groups and through the summer with camp programs. There are three residences that are occupied year round (Log Cabin, Shambala and Neschee) and house the Program Manager, Maintenance Manager and Watchmen/Custodian. These changes have been highlighted on the attached bylaw.

**Minor amendments**

There are several minor amendments that have been incorporated into this bylaw similar to changes made to the Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1549-2017. There are several minor wording changes that are proposed similar to changes made to the Area C bylaw following the ALC referral comments on that bylaw and other minor clarifications that were identified that are relevant to all agriculture zones. The changes below do not materially change any permitted uses or other regulations:

- Inserted the words "subject to the Agricultural Land Commission Act (ALCA) and the Agricultural Land Reserve Use Subdivision and Procedure Regulation (Regulation)" in subsection 6.1.2 at the request of the ALC for clarification so that it applies to the whole section rather than individual uses.
- Deleted all the words after "new subdivisions" in Column I of subsection 6.1.3.1 to clarify that it applies to all types of new subdivisions.
- Inserted the words "provided that the size of the facility is commensurate with the agricultural operation supporting it and in accordance with the ALCA and Regulation." following the words "or winery" in subsection 6.1.3.16 to clarify that the size must reflect the agricultural inputs.
- Deleted the words "Temporary Farm Worker Housing" from the heading of subsection 6.1.4 as it is dealt with in a separate section.
- Inserted the sentence "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." after the existing sentence in subsection 6.1.6.4. This is part of the application requirements and is added to the bylaw for clarity.

- Inserted the word “special” between “of” and “events” in subsection 6.1.7.1, between the words “4” and “events” in subsection 6.1.7.1.1 and 6.1.7.1.2, and between the words “1” and “event” in subsection 6.1.7.2, and by inserting the words “that occur outside of regular approved business hours” after the words “calendar year” in subsection 6.1.7.1.1; this change was done by deleting the full old section and including the updated full new section.

The following provisions have been added to the Gathering for an Event definition though they are replicated in the gathering for an event section of the AGR1 zone:

- No more than 10 gatherings or such other number as may be allowed by the *Agricultural Land Commission Act* and Regulation for an event of any type 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.
- No single event can be more than 24 hours in duration.

The existing subsection 4.4.7 “Timing and Frequency Requirements” in the Agritourism Activities section of the general regulations currently allows for “a maximum of 4 agritourism events per calendar year between the months of May and September inclusive.” The ALC has suggested that a *minimum* of 12 agritourism events should be allowed on ALR properties. As such, the entire section 4.4 Agritourism Activities is being deleted and moved into the AGR1 zone as the new section 6.1.9 Agritourism Activities, and subsection 6.1.9.3 has been modified to read as follows: “Agritourism activities are limited to a maximum of 12 events per calendar year.”

The AGR1 zone applies to the Upper Squamish Valley in Area D, which has suffered from noise issues in the past, given the topography, so it is felt that this number will satisfy the ALC requirements while also keeping a minimum cap of events in the valley.

The following sections have been added for clarification to the outdoor storage and screen provisions in the general regulations section 4.13 Landscaping and Screening, where outdoor storage and shipping containers are meant to be screened by a landscape screen (e.g. section 4.13.1) and derelict vehicles are not to be left on properties (e.g. section 4.13.1):

- 4.13.1.1 Section 4.13.1 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*.
- 4.13.3.1 Section 4.13.3 does not apply to farm equipment left outside on a parcel that is classified as a farm under the *BC Assessment Act*.

The following section has been added to the accessory building section in the general regulations to clarify how the maximum gross floor area provisions for accessory buildings apply to parcels that are hooked:

- 4.3.5.5 If a parcel is hooked, then the parcel area in Column I is determined by the area of that portion of the parcel where the accessory building is to be located, and not the parcel area of the whole lot.



**Request for Decision**  
OCP Amendment Bylaw No. 1524-2017 and Zoning Amendment  
Bylaw No. 1525-2017, Electoral Area D

**Options:**

- (1) Give Bylaw No. 1525-2017 second reading as amended and continue with scheduling the public hearing.
- (2) Refer back to staff for more information prior to giving the bylaw second reading as amended.
- (3) Other decision, as determined by the Board.

**Preferred Option:** Option 1 is the preferred option as the proposed bylaw amendments are needed to address a number of agriculture, riparian protection, and housekeeping related issues for the OCP and Zoning Bylaw of Area D, and include input from the public through a community engagement process held in 2016 as well as the public information meeting in September 2017.

**Regional Considerations:** The proposed bylaws affect Electoral Area D only, however Electoral Area D is contiguous to the District of Squamish and the Resort Municipality of Whistler.

**Submitted by:** I. Holl, Senior Planner

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

**Approved by:** L. Flynn, Chief Administrative Officer

## SQUAMISH-LILLOOET REGIONAL DISTRICT

### BYLAW NO. 1525-2017

A bylaw of the Squamish-Lillooet Regional District to amend the Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016

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**WHEREAS** the Board of the Squamish-Lillooet Regional District wishes to amend Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016;

**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 D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1525-2017”.
2. Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016 is amended as follows:
  - (a) By rezoning the properties (Rustad Road – Upper Squamish Valley) outlined in bold dashed lines on Schedule A, which is attached to and forms part of this bylaw, from RR3 (Rural Resource 3) to RR2 (Rural Resource 2).
  - (b) By adding the sentence “Unless explicitly permitted in a *zone*, a *dwelling unit* cannot be used for commercial *tourist accommodation*.” to the end of the existing definition of Dwelling Unit in Section 1 Definitions.
  - (c) By deleting the sentence “Unless explicitly permitted in a *zone*, a *single family dwelling unit* cannot be used for *tourist accommodation*.” from the existing definition of Single Family Dwelling in Section 1 Definitions.
  - (d) By deleting the sentence “Unless explicitly permitted in a *zone*, a *secondary suite* cannot be used for *tourist accommodation*.” from the existing definition of Secondary Suite in Section 1 Definitions.
  - (e) By inserting the following new definitions into the existing Section 1 Definitions in alphabetical order:

**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.

**BEES** means any insect of the species *apis mellifera*.

**BEEHIVE** means a *structure* which houses a colony of worker *bees* with a queen and drones.

**COOP** means a covered enclosed *structure* to shelter *hens*.

**BREEZEWAY** means a solid structural connection between buildings with a maximum length of 5 metres, and a maximum gross floor area of 20 m<sup>2</sup>.

**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 B.C. Reg. 171/2002, as amended.

**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.

**FLOOR SPACE RATIO** means the figure obtained when the gross floor area of all buildings and structures on a parcel is divided by the parcel area.

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

**HEN** means a domesticated female chicken that is at least four months old.

**PEN** means a fully enclosed outdoor space for *hens*.

**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).

**RESIDENTIAL USES, ACCESSORY (in the context of the Pinecrest Residential 1 zone)** means that portion of a dwelling, accessory building, deck, patio, carport, or other structure that extends from a private strata lot onto common property. Accessory residential uses are permitted only in accordance with section 73 and 74 of the BC

*Strata Property Act*, and the provisions of this bylaw.

**ROOSTER** means a domesticated male chicken.

**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.

**URBAN AGRICULTURE** means the *use* of land, *buildings*, and *structures* for the limited raising or keeping of *bees* and/or *hens*, and the primary products of those *bees* and/or *hens*. It does not include pet breeding, kennels or a medical marihuana production facility.

**URBAN BEEKEEPING** means the keeping, owning or maintaining of *beehives* on a *parcel* of land occupied by a resident beekeeper. This only includes land zoned for *urban agriculture use*, and does not include land zoned for *agriculture use*.

**URBAN HEN** means a *hen* that is kept on a *parcel* of land occupied by a resident. This only includes land zoned for *urban agriculture use*, and does not include land zoned for *agriculture use*.

- (f) By deleting the existing Agritourism Accommodation and Mobile Home definitions in the existing Section 1 Definitions.
- (g) By replacing the existing Agritourism Activities, Bed and Breakfast, Building Area, Farm Employee Residence, Farm Residential Footprint, Height, Industrial Use, Manufactured Home, Medical Marihuana Production Facility definitions in Section 1 Definitions with revised definitions as follows:

**AGRITOURISM ACTIVITIES** 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 accessory to any of these.
  - (iii) cart, sleigh, and tractor rides on the land comprising the farm.
  - (iv) subject to Section 2(2)(h) of the ALR Use, Subdivision, and Procedure Regulation, 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.

**BED AND BREAKFAST** means an *accessory use* of a *single family dwelling* that includes:

- The business of renting not more than 4 guest rooms in the *dwelling* for the *temporary* lodging of paying guests.
- The *use* of common living and dining areas by such guests.
- The provision of limited food services (breakfast) to guests utilizing the accommodation.
- The *use* of the dwelling as the residence of the operator of such a business.

**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.

**FARM EMPLOYEE RESIDENCE** means an additional dwelling on a lot within the Agricultural Land Reserve 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 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*.

**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:

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

**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 bulk water extraction for water bottling, and bottling plants for water.

**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.

**MEDICAL MARIHUANA PRODUCTION FACILITY** means building(s) used for the growing, cultivation, production, storage, distribution, or destruction of marihuana or cannabis oil as lawfully permitted and authorized pursuant to the Federal Access to Cannabis for Medical Purposes Regulations, as amended from time to time.

**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*.

- (h) By inserting new sections 2.10 - 2.13 Conformity with the Official Community Plan and Amendment to the Bylaw following the existing section 2.9 Severability as follows:

**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 implement and comply with the Area D Official Community Plan, its intent, policies, amendments, and successors.
- 2.11 The implementation and interpretation of this Bylaw shall comply with the Electoral Area D Official Community Plan and its intent.
- 2.12 Amendments to this Bylaw, the subdivision of land, exceptions and variances, shall comply with the Electoral Area D Official Community Plan and its intent.
- 2.13 Detailed criteria may be established for proposals and applications to amend, and for the amendment, evaluation and approval of amendments and conditions of amendment of this Bylaw. This is with the proviso that they are consistent with the Area D Official Community Plan and its intent and use the Official Community Plan's policies as their primary guidance.

- (i) By deleting Section 4.4 Agritourism Accommodation in its entirety.

- (j) By inserting the new subsections into the existing subsections 4.13.1 and 4.13.3 respectively as follows:

4.13.1.1 Section 4.13.1 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*.

4.13.3.1 Section 4.13.3 does not apply to farm equipment left outside on a parcel that is classified as a farm under the *BC Assessment Act*.

- (k) By replacing the existing Section 4.8 Gross Floor Area with the following revised Section 4.8 Gross Floor Area:

**Gross Floor Area**

4.8 Gross floor area shall include:

- .1 all common, utility, and occupied portions of the *building or structure*, including storage, and 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 *basements* with a total gross floor area of greater than 90 m<sup>2</sup>.
- .4 *garages* with a total gross floor area of greater than 60 m<sup>2</sup>.

And for all zones, except the CD1 zone, shall exclude:

- .5 *basements* with a total gross floor area of less than or equal to 90 m<sup>2</sup>.
- .6 *garages* with a total gross area of less than or equal to 60 m<sup>2</sup>.
- .7 *carports*.
- .8 *crawlspace*s.
- .9 *unenclosed* balconies, verandas, porches, patios, or decks not exceeding 10% of the allowable gross floor area of the *single family dwelling*.
- .10 *attics*.

- (l) By replacing the existing Sections 4.3.5.1 and 4.3.5.4.1 under Accessory Buildings with the following revised Sections 4.3.5.1, and 4.3.5.4.1, and inserting a new Section 4.3.5.5:

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

4.3.5.4.1 Notwithstanding this Section 4.3.5.4, *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.

4.3.5.5 If a parcel is hooked, then the parcel area in Column I is determined by the area of that portion of the parcel where the accessory building is to be located, and not the parcel area of the whole lot.

- (m) By replacing the existing Sections 4.6.1 and 4.6.3 under Assembly and Commercial Assembly with the following revised Sections 4.6.1 and 4.6.3.

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

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

- (n) By deleting the existing subsections 4.7.3 and 4.7.12 in Section 4.7 Bed and Breakfasts.

- (o) By adding a new subsection 4.7.11 in Section 4.7 Bed and Breakfast after the existing section 4.7.10, and renumbering the existing sections 4.7.11 and 4.7.12 accordingly.

4.7.11 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*.

- (p) By deleting the phrase “or Pinecrest Open Space 1 zone’ from the existing Section 4.13.10 in Section 4.13 Landscaping & Screening.

- (q) By replacing the existing Section 4.15.3 under Minimum Parcel Area for New Subdivisions with the following revised Section 4.15.3.

4.15.3 The minimum parcel area for new subdivisions is reduced by a maximum of 20 percent for that amount of land required for the proposed subdivision in the

particular zone where the proposed subdivision is located, where all of the following conditions are met:

- (r) By adding the sentence “The total combined maximum reduction, where applicable under Section 4.15, is 20 percent.” after the sentence “If one of the cases outlined in this section is applicable, exceptions to the minimum parcel area may be granted.” in the existing Section 4.15 Minimum Parcel Area for New Subdivisions.

- (s) By deleting the existing subsection 4.15.5.1 under Minimum Parcel Area for New Subdivisions, renumbering the remaining subsections accordingly, and adding the following new subsection 4.15.5.3.

4.15.5.3 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*.

- (t) By deleting the existing Section 4.15.6, and replacing it with the following new Section 4.15.6 under Minimum Parcel Area for New Subdivisions.

4.15.6 The minimum parcel area for new subdivisions is reduced by a maximum of 20 percent for that amount of land required for the proposed subdivision in the particular zone where the proposed subdivision is located, 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 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*.
- .2 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.
- .3 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) By adding the following items “PS1 Zone, RCLHA1 and RCLHA2 Zones” to the list of exclusions in the existing Section 4.22 Temporary Use Permit Areas.

- (v) By adding new Sections 5.1.4 and 5.1.4.1 to the existing Section 5.1 Off-Street Parking & Loading Spaces under Section 5 Parking Regulations as follows:

5.1.4 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 5.7, all *parking areas* and *loading areas* associated with *agritourism activities, brewery, cidery, distillery, meadery, winery, farm retail sales, gathering for an event, 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 shall be used to cover the land where the parking is located.

- (w) By adding the following new entries to Section 5.14 Table 2 Required Off Street & Bicycle Parking Spaces under Table 2 Section 2 Agricultural and Rural, and deleting the existing entries for Agritourism Accommodation and Agritourism Activity.

COLUMN I Class of Building or Use	COLUMN II Off Street Parking Spaces	COLUMN III Off Street Loading Spaces	COLUMN IV Bicycle Parking Spaces	
			Class I (long term) Bicycle Parking	Class II (short term) Bicycle Parking
<b>2.0 Agricultural &amp; Rural</b>				
Any combination of <i>Agritourism Activity, Brewery, Cidery, Distillery, Meadery, Winery, Farm Retail Sales, and/or Gathering for an Event</i> uses <ul style="list-style-type: none"> <li>• on parcels less than 4 ha</li> <li>• on parcels that are 4 ha or greater but less than 8 ha</li> <li>• on parcels that are 8 ha or larger but less than 16 ha</li> <li>• on parcels that are 16 ha or greater</li> </ul>	20 spaces maximum combined 40 spaces maximum combined 60 spaces maximum combined 80 spaces maximum combined	No Requirement	No Requirement	A minimum of 6 spaces.
<i>Agritourism Activity</i> <ul style="list-style-type: none"> <li>• on parcels less than 4 ha</li> <li>• on parcels that are 4 ha or greater but less than 8 ha</li> <li>• on parcels that are 8 ha or larger but less than 16 ha</li> <li>• on parcels that are 16 ha or greater</li> </ul>	10 spaces maximum 20 spaces maximum 30 spaces maximum 40 spaces maximum	No Requirement.	No Requirement.	A minimum of 6 spaces.
<i>Brewery, Cidery, Distillery, Meadery, Winery</i> <ul style="list-style-type: none"> <li>• on parcels less than 4 ha</li> <li>• on parcels that are 4 ha or greater but less than 8 ha</li> <li>• on parcels that are 8 ha or larger but less than 16 ha</li> <li>• on parcels that are 16 ha or greater</li> </ul>	10 spaces maximum 20 spaces maximum 30 spaces maximum 40 spaces maximum	No Requirement.	No Requirement.	A minimum of 6 spaces.
<i>Farm Retail Sales</i> <ul style="list-style-type: none"> <li>• on parcels less than 4 ha</li> <li>• on parcels that are 4</li> </ul>	10 spaces maximum 20 spaces	No Requirement.	No Requirement.	A minimum of 6 spaces.

COLUMN I Class of Building or Use	COLUMN II Off Street Parking Spaces	COLUMN III Off Street Loading Spaces	COLUMN IV Bicycle Parking Spaces	
			Class I (long term) Bicycle Parking	Class II (short term) Bicycle Parking
ha or greater but less than 8 ha <ul style="list-style-type: none"> <li>on parcels that are 8 ha or larger but less than 16 ha</li> <li>on parcels that are 16 ha or greater</li> </ul>	maximum 30 spaces maximum 40 spaces maximum			
<i>Gathering for an Event</i> <ul style="list-style-type: none"> <li>on parcels less than 4 ha</li> <li>on parcels that are 4 ha or greater but less than 8 ha</li> <li>on parcels that are 8 ha or larger but less than 16 ha</li> <li>on parcels that are 16 ha or greater</li> </ul>	10 spaces maximum 20 spaces maximum 30 spaces maximum 40 spaces maximum	No Requirement.	No Requirement.	A minimum of 6 spaces.

(x) By adding new Section 5.1.5 to the existing Section 5.1 Off-Street Parking and Loading Spaces under Section 5 Parking Regulations as follows:

5.1.5 No more than one *recreational vehicle* or *park model recreational vehicle* and one boat 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.

(y) By adding the following new land use 'gathering for an event' to Section 6.1.2 Permitted Uses in the AGR1 zone.

- gathering for an event*, subject to Section 6.1.8

(z) By replacing the existing subsections 6.1.3.4, 6.1.3.5 and 6.1.3.14, and adding the new 6.1.3.8 and 6.1.3.20 as outlined in the table below, to Section 6.1.3 Regulations [in the AGR1 zone]. The existing section 6.1.3.8 is renumbered as 6.1.3.9 and the subsequent sections are renumber accordingly.

### 6.1.3

COLUMN I Matter to be Regulated		COLUMN II Regulations
.4	Maximum <i>gross floor area</i> for the <i>farm residence</i>	350 m <sup>2</sup>
.5	Maximum <i>gross floor area</i> for the <i>farm employee residence</i> , if authorized under Section 6.1.4	180 m <sup>2</sup>

COLUMN I Matter to be Regulated		COLUMN II Regulations
.8	Maximum <i>setback</i> for <i>farm residential footprint</i> from the <i>front parcel line</i> to the rear of the <i>farm residential footprint</i> <ul style="list-style-type: none"> <li>• on <i>parcels</i> 4 ha or less</li> <li>• on <i>parcels</i> greater than 4 ha</li> </ul>	70 m 85 m
.14	Maximum <i>gross floor area</i> for <i>temporary farm worker housing</i> <ul style="list-style-type: none"> <li>• on <i>parcels</i> 4 ha or larger</li> <li>• per temporary farm worker</li> </ul>	280 m <sup>2</sup> 10 m <sup>2</sup>
.20	Maximum <i>setback</i> for the <i>non-farm use footprint</i> from the <i>front parcel line</i> to the rear of the <i>non-farm use footprint</i>	40 m

- (aa) By inserting the words “subject to the *Agricultural Land Commission Act (ALCA)* and the *Agricultural Land Reserve Use Subdivision and Procedure Regulation (Regulation)*” in subsection 6.1.2 between the existing words “structure” and “is restricted to”.
- (bb) By deleting all the words after “new subdivisions” in Column I of subsection 6.1.3.1.
- (cc) By inserting the words “provided that the size of the facility is commensurate with the agricultural operation supporting it and in accordance with the *ALCA* and *Regulation*.” following the words “or winery” in subsection 6.1.3.16.
- (dd) By adding the term ‘gathering for an event’ after ‘home craft’, and before ‘and all accessory...’ in subsection 6.1.4.1 Farm Residential Footprint, Farm Residence, Farm Employee Residence, and Temporary Farm Worker Housing.
- (ee) By deleting the words “Temporary Farm Worker Housing” from the heading of subsection 6.1.4.
- (ff) By inserting the sentence “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.” after the existing sentence in subsection 6.1.6.4.
- (gg) By adding the phrase ‘other than those that fall within the gathering for an event use’ between the words ‘events’ and ‘held’ in subsection 6.1.7.1.
- (hh) By adding new Section 6.1.8 Gathering for an Event, deleting the existing Section 4.4 Agritourism Activities, and adding new Section 6.1.9 Agritourism Activities, and renumbering the existing Section 6.1.8 Parking & Loading to new section 6.1.10 Parking & Loading as follows:

### Gathering for an Event

6.1.8 The gathering for an event use shall be in accordance with the *Agricultural Land Commission Act* and *Regulation*, ALC Policy L-22 Activities Designated as a Permitted Non-Farm Use: Gathering for an Event in the Agricultural Land Reserve, and the provisions of this section.

- .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 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 of any type may occur on the farm within a single calendar year **or such other number as may be allowed by the Agricultural Land Commission Act and Regulation.**
- .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<sup>2</sup>.
  - .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<sup>2</sup>.
  - .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<sup>2</sup>.
  - .4 On parcels that are 16 ha or greater, the *non-farm use footprint* shall be a maximum of 2,500 m<sup>2</sup>.

### **Agritourism Activities**

- 6.1.9 The following *agritourism activities* requirements shall apply to all lots within the Agricultural Land Reserve (ALR) and are subject to the provisions of the Agricultural Land Commission Act.

#### General Requirements

- .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.

#### Siting Requirements

- .2 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 5 and Section 6.1.8 of this Bylaw.

Timing and Frequency Requirements

.3 Agritourism activities are limited to a maximum of 12 events per calendar year.

(ii) By inserting the following new subsection 6.1.5.2 into the existing Section 6.1.5 Farm Retail Sales as follows:

6.1.5.2 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 5 and Section 6.1.8 of this Bylaw.

(jj) By deleting the existing subsection 6.1.7.1 and replacing it with a new subsection 6.1.7.1 as follows:

.1 The number and frequency of special events, 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.

(kk) By replacing the existing subsection 6.1.7.2 in Section 6.1.7 Brewery, cidery, distillery, meadery, or winery with the revised subsection 6.1.7.2 as follows:

6.1.7.2 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 5 and Section 6.1.8 of this Bylaw.

(ll) By changing the minimum setback for accessory buildings from the front parcel line in Section 9.1.3.6 from 3.6 m to 4.5 m.

(mm) By adding the words “commercial lodging and” after ‘of’ and before ‘pensions’ in Section 12.2.3.3.

(nn) By adding the words “employee housing” to Column I of Section 12.2.3.6 and the number “8 m” to Column II of Section 12.2.3.6 related to employee housing.

(oo) By adding the new land use ‘accessory residential uses’ to Section 8.2.2.2 Permitted Uses on Common Property in the PR1 zone, replacing the term ‘building area’ with the term ‘building footprint’ in the existing subsections 8.2.3.6 and 8.2.3.8, and adding the new subsections 8.2.3.15 and 8.2.3.16 to Section 8.2 Pinecrest Residential 1 zone as follows.

- *accessory residential uses*, subject to Section 8.2.3.15 and .16

8.2.3

COLUMN I Matter to be Regulated	COLUMN II Regulations
.15 Maximum gross floor area of <i>accessory residential uses</i> permitted on limited common property per strata lot	14 m <sup>2</sup>



COLUMN I Matter to be Regulated		COLUMN II Regulations
.16	Maximum combined <i>gross floor area</i> of all <i>accessory residential uses</i> permitted on limited common property	1,050 m <sup>2</sup>

- (pp) By adding the new land use “*urban agriculture*” to the existing Section 7.1 Rural Resource 1 (RR1) zone in the permitted uses section 7.1.2.
- (qq) By adding the new *urban agriculture* provisions into Section 4 General Regulations as a new Section 4.24 *Urban Agriculture* as follows:

***Urban Agriculture***

- 4.24 *Urban agriculture* shall be in accordance with the provisions of sections 4.24 - 4.26 of this bylaw.

***Urban Hens***

- 4.25 The keeping of up to six *hens* is permitted accordance with this section and any other applicable Local, Provincial, and Federal Government regulations, and provided that no neighbourhood health, environmental or nuisance problems result. A person who keeps one or more *hens*, up to a maximum of six, must:
- .1 be a resident of the property where the *hens* are kept.
  - .2 keep no more than six *hens* on any *parcel* of land despite the number of permissible *dwelling units* on that *parcel*.
  - .3 not keep a *rooster*.
  - .4 ensure that all *hens* are kept within a secure *coop* from sunset to 7:00 am.
  - .5 ensure that each hen remains at all other times in a *coop* or *pen*.
  - .6 not permit a *hen* within a residential *dwelling unit* or on a balcony or deck.
  - .7 provide a *coop* and a *pen* each with a minimum of 0.37 m<sup>2</sup> in floor area and 0.92 m in height per hen.
  - .8 provide each *hen* with its own nesting box and perch that is at least 15 cm long.
  - .9 not keep a *hen* in a cage unless for the purposes of transport of the *hen*.
  - .10 ensure that the *coop* and *pen* do not exceed 10 m<sup>2</sup> in floor area or 2 m in height.
  - .11 ensure that the *coop* and *pen* are situated in a yard that has a continuous *fence* that is in accordance with the applicable *zone*.
  - .12 ensure that the *coop* is situated in accordance with the *accessory building setbacks* identified in the applicable *zone*.
  - .13 ensure that the *coop* and *pen* are situated at least 3 m away from any windows or dwelling doors.
  - .14 ensure that the *coop* and *pen* are situated in such a way that would reasonably prevent entry by wildlife.
  - .16 ensure that the *coop* and *pen* are fully enclosed by electric fencing and situated no less than 1 m from the electric fencing.
  - .17 maintain each *coop* and *pen* in good repair and sanitary condition, and free from vermin and obnoxious smells and substances.
  - .18 construct and maintain each *coop* and *pen* such that it is secure from other animals and prevents any rodent from harbouring underneath or within it or within its walls.
  - .19 not sell any manure or meat derived from the *hens*.
  - .20 secure all *hen* food that is stored outdoors from vermin and wildlife.

- .21 ensure the timely removal of leftover food, debris and manure from each *coop* and *pen*.
- .22 store manure within a fully enclosed *structure* in a manner that does not generate excessive heat or odour, and ensuring that no more than 0.085 m<sup>3</sup> (3 ft<sup>3</sup>) is stored at a time.
- .23 not slaughter or euthanize a *hen* on the property.
- .24 not dispose of a deceased *hen* other than by delivering it to a veterinarian, landfill in a sealed bag, a farm, an abattoir or other facility with the ability to lawfully dispose of the carcass.
- .25 not bury a *hen* on the property.
- .26 follow biosecurity procedures recommended by the Canadian Food Inspection Agency.

### **Urban Beekeeping**

- 4.26 The keeping of *beehives* is permitted accordance with this section and any other applicable Local, Provincial, and Federal Government regulations, and provided that no neighbourhood health, environmental or nuisance problems result. A person who keeps *urban bees* must:
- .1 be a resident of the property where the *bees* are kept.
  - .2 keep no more than:
    - .1 two *beehives* on any *parcel* of land under 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) in size despite the number of *dwelling units* permissible on that *parcel*.
    - .2 four *beehives* on any *parcel* of land over 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) in size and under 1,394 m<sup>2</sup> (15,000 ft<sup>2</sup>) in size despite the number of *dwelling units* permissible on that *parcel*.
    - .3 six *beehives* on any *parcel* of land over 1,394 m<sup>2</sup> (15,000 ft<sup>2</sup>) in size despite the number of *dwelling units* permissible on that *parcel*.
  - .3 ensure that the *beehives* are situated in a yard that has a continuous *fence* that is 1.8 m in *height* so as to ensure an appropriate flight path for *bees*.
  - .4 ensure that the *beehives* are situated in accordance with the *accessory building setbacks* in the applicable *zone*.
  - .5 ensure that the *beehives* are situated in such a way that reasonably prevents access by wildlife.
  - .6 ensure that the *beehives* are fully enclosed by electric fencing and situated no less than 1 m from the electric fencing.
  - .7 ensure that the entrances to the *beehives* are facing away from the closest neighbouring property.
  - .8 maintain the *bees* in a condition that reasonably prevents swarming and aggressive behaviour.
  - .9 ensure that immediate action is taken to end swarming or aggressive behaviour of *bees*.
  - .10 provide sufficient water for the *bees* that reasonably prevents them from seeking water on adjacent *parcels* of land.
  - .11 post clear, visible signage on the *parcel* of land warning that *bees* and electric fencing are present.
  - .12 be registered with the apiculture registration system for British Columbia, coordinated by the BC Ministry of Agriculture. Under the authority of the Provincial *Bee Act*, a person must not keep *bees*, or possess beehive equipment unless the person is registered.

(rr) By rezoning the property (surveyed Crown land) legally described as Block A of District Lot 6793, Group 1 NWD, as shown on Plan EPC 459, containing 12.18 ha outlined in bold dashed lines on Schedule B, which is attached to and forms part of this bylaw, from RR2 (Rural Resource 2) to CRC4 (Commercial Retreat Centre 4).

(ss) By inserting the new CRC4 (Commercial Retreat Centre 4) zone as Section 12.4 CRC4 – Commercial Retreat Centre 4 Zone as outlined below:

## SECTION 12.4 – CRC4 – COMMERCIAL RETREAT CENTRE 4 ZONE

### Intent

12.4.1 The intent of this zone is to provide for a year round education centre, summer childrens camp, associated staff accommodation, and related development associated with the Evans Lake Forest Education Society Crown land tenure.

### Permitted Uses

12.4.2 In the CRC4 Zone the use of land, buildings and structures is restricted to:

- retreat centre
- accommodation for educational guests of the Evans Lake Forest Education Centre
- employee housing, associated with employment at the Evans Lake Forest Education Centre
- dining hall
- administrative office and workshop
- assembly
- Indoor and outdoor recreation uses which uses shall be exclusively for guests occupying the accommodation
- accessory buildings and uses

### Regulations

12.4.3 On a parcel located in the CRC4 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	12 ha
.2	Maximum number of buildings associated with administrative office and workshop use	1
.3	Maximum number of buildings associated with retreat centre (recreation hall) use	1
.4	Maximum number of buildings associated with dining hall use	1
.5	Maximum number of buildings associated with educational guest accommodation use	5
.6	Maximum number of employee housing dwelling units	4
.7	Minimum setback from all parcel lines	7.5 m
.8	Maximum height of <ul style="list-style-type: none"> <li>• retreat centre</li> <li>• educational guest accommodation buildings</li> </ul>	10 m 8 m

COLUMN I Matter to be Regulated		COLUMN II Regulations
	<ul style="list-style-type: none"> <li>• <i>employee housing</i></li> <li>• <i>accessory building</i></li> </ul>	8 m 5 m
.9	Maximum <i>parcel coverage</i>	5 %
.10	Maximum combined <i>gross floor area of employee housing dwelling units</i>	325 m <sup>2</sup>
.11	Maximum gross floor area of: <ul style="list-style-type: none"> <li>• dining hall</li> <li>• <i>retreat centre</i></li> <li>• administrative office and workshop</li> <li>• educational guest accommodation</li> </ul>	112 m <sup>2</sup> 288 m <sup>2</sup> 112 m <sup>2</sup> 73 m <sup>2</sup> per building and 365 m <sup>2</sup> combined total

### Parking & Loading

12.4.4 Motor vehicle and bicycle parking and loading shall comply with the requirements of Section 5 of this Bylaw.

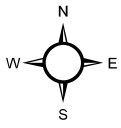
READ A FIRST TIME this	26 <sup>th</sup> day of	JULY, 2017
READ A SECOND TIME this	25 <sup>th</sup> day of	OCTOBER, 2017
READ A SECOND TIME as amended	24 <sup>th</sup> day of	JANUARY, 2018
PUBLIC HEARING HELD on	day of	, 2018
READ A THIRD TIME this	day of	, 2018
PER s.52 (3)(a) of the <i>Transportation Act</i> , APPROVED by the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this	day of	, 2018
ADOPTED this	day of	, 2018

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Jack Crompton  
Chair

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Kristen Clark  
Corporate Officer



Subject Properties being rezoned from RR3 (Rural Resource 3) to RR2 (Rural Resource 2)

**Legend**

- MOTI Roads
- Local Government boundary
- Property Boundaries
- Lake
- Stream

Schedule A: Zoning Amendment Bylaw No. 1525-2017

