



REQUEST FOR DECISION
North Arm Farm Brewery F&B Lounge GFA
Expansion – Zoning Amendment
(Public Hearing Waiver)

Meeting Date: September 13, 2023/September 27, 2023

To: SLRD Electoral Area Directors/SLRD Board

Applicant: Jordan and Trish Sturdy

Location: Pemberton, Electoral Area C

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

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

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

KEY ISSUES/CONCEPTS:

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

A geotechnical report has been submitted confirming the site is “safe for intended use”. Further technical information may be requested through the referral process to provincial agencies, to come after first reading. Further building details will be addressed as part of development permit and building permit processes.

As Amendment Bylaw 1829-2023 is consistent with the Electoral Area C Official Community Plan, a local government is not required to hold a public hearing and staff recommend waiving the public hearing. **The decision to waive a public hearing must be made by resolution, with notice given prior to first reading of the amendment bylaw.**

RELEVANT POLICIES & PLANS:

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

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

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

[Pemberton Valley Agriculture Area Plan](#)

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

[Mount Currie Landslide Risk Assessment](#)

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

BACKGROUND:

Project Description

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

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

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

Public Hearing Waiver

If a local government proceeds without a public hearing on a proposed zoning bylaw for which a public hearing is not required, it must give notice in accordance with section 94 of the *Community Charter* **prior to the first reading of the bylaw.**

As per section 464(2) of the *Local Government Act*, a local government is not required to hold a public hearing on a proposed zoning bylaw if:

- (a) an official community plan is in effect for the area that is the subject of the zoning bylaw, and
- (b) the bylaw is consistent with the official community plan.

Amendment Bylaw 1829-2023 is consistent with the Electoral Area C Official Community Plan Adoption Bylaw No. 689, 1999.

If a local government proceeds without a public hearing on a proposed zoning bylaw for which a public hearing is not required, it must give notice in accordance with section 94 of the *Community Charter* prior to the first reading of the bylaw.

Provided the SLRD Board resolves to waive the public hearing, process steps include:

1. Board Resolution to Waive Public Hearing
2. Public Hearing Waiver Notice (neighbour notifications, newspaper advertisement, website)
3. First and Second Reading and Referrals
4. Third reading and MOTI approval
5. Adoption

ANALYSIS:

SLRD Regional Growth Strategy Bylaw No. 1062, 2008 – Review

Goal 1: Focus Development into Compact, Complete, Sustainable Communities

The subject property is designated Non-settlement Area under the SLRD Regional Growth Strategy (RGS). Under the RGS, Rural Communities are defined as:

Non-settlement Area means an area predominantly used for agriculture, including non-farm uses approved by the ALC in accordance with the Agricultural Land Commission Act and Regulation, rangeland, forestry, outdoor recreation or resource extraction uses or areas of undisturbed natural environments. Non-settlement areas include watersheds, conservation areas, farmland, forests, and major parks and large areas of unsurveyed Crown land. They may be characterized by some sparse settlement and localized, historic subdivisions. Parcel areas are generally greater than 15 hectares (40 acres) in non-settlement areas.

- The proposed expansion to the food and beverage service lounge gross floor area is aligned with the *ALR Use Regulation* as a permitted farm use (farm-related commercial use) and thus is consistent with the intent of non-settlement areas.

GOAL 10: Protection and Enhance Food Systems

Under Goal 10 of the RGS, Food Systems will be protected and enhanced by:

- *Developing mechanisms to preserve and enhance the agricultural land base for working agriculture.*
- *Improving the economic viability of the local agricultural sector within the region.*

Further, the following RGS strategic directions are relevant when considering the subject zoning amendment application:

b) Preserve the agricultural land base for sustainable agriculture through the recognition that the highest and best use of agricultural land is for agriculture. This will be pursued by supporting the

management of the Agricultural Land Reserve (ALR) by the provincial government, encouraging the provincial government to protect the agricultural land base through the ALR, and utilizing appropriate Zoning Bylaw, OCP, and RGS policy tools to strictly regulate non-farm uses and the subdivision of farmland in accordance with the Agricultural Land Commission Act and Regulation.

c) Promote agricultural viability with an emphasis on food production and sustainable practices. This will be pursued by working with other levels of government to ensure all jurisdictional regulations are aligned and beneficial to producers and food production, including pursuing strategies and actions to increase actively farmed agricultural land, encourage sustainable land-based aquaculture, emphasize food production, support local food processing and distribution, and reduce barriers to the economic viability of agricultural activities. This will be pursued further by encouraging communities to set policies/targets for local and sustainable food procurement.

g) Support opportunities to educate, increase awareness and celebrate local food systems. This will be pursued by continuing to support: farmers markets; festivals/events; school, youth and community-based education programs; farm-to-school/institution programs; community gardens and kitchens; and traditional foods initiatives and teachings about food preservation, seed saving, eating seasonally, and eating locally.

- The proposed expansion to the food and beverage service lounge gross floor area is aligned with the *ALR Use Regulation* and the lot coverage ratio is aligned with ALC policies for farm-related commercial. The proposed food and beverage service lounge associated is located within the existing built footprint areas, so additional land is not being taken out of production. The addition of brewery uses does not increase emphasis on food production, but the farm-related commercial use may support the financial viability of the existing food production taking place on the farm. The farm-related commercial use may also increase awareness and opportunities to celebrate local food systems.

Electoral Area C Official Community Plan - Review

The subject property is designated Agriculture under the Electoral Area C OCP and the proposed expansion of the food and beverage service lounge is consistent with this designation. All properties within Electoral Area C are covered by the Wildfire Protection Development Permit Area, which will be addressed at the Building Permit stage.

Pemberton Valley Agriculture Area Plan

The plan describes 7 Goals, and then lists several objectives and action steps that stem from each goal. The goals are as follows:

1. *Maintain the integrity of the ALR.*
2. *Develop mechanisms to maintain the agricultural land base for working agriculture.*
3. *Coordinate with other users to ensure that the natural advantages of the Pemberton Valley are protected.*
4. *Diversify agriculture and comply with Seed Potato Regulations.*
5. *Improve the economic viability of farming.*
6. *Increase community awareness of, and support for, agriculture.*

7. *Attract new farmers and engage new workers.*

Goal 5: Improve the economic viability of farming

Objective 5.2 – Pursue value-added opportunities There is opportunity for local farmers and agricultural entrepreneurs to process commodities, create specialty items, and add value to products grown in the valley. The increasing inflow of recreationists and tourists promises a steady flow of potential customers seeking to purchase differentiated products that can be manufactured in the Pemberton Valley. The Village of Pemberton is well positioned to support opportunities to create business in the community.

Action Steps The SLRD endorses the following key actions that the agriculture sector and/or local government can pursue to provide the greatest potential for supporting local valued opportunities: 5.2.1 Encourage and support innovative value-added opportunities for farmers.

- The proposed expansion to the food and beverage service lounge gross floor area is supportive of Goal 5, Objective 5.2 of the Pemberton Valley Agriculture Area Plan. As the ALC considers breweries and associated food and beverage service lounge areas to be a farm-related commercial use, the proposed zoning amendment is considered consistent with Goal 1 (maintain the integrity of the ALR). The current SLRD zoning provisions to limit the scope of food and beverage service lounge areas was brought in place to address Goal 2 (Develop mechanisms to maintain the agricultural land base for working agriculture).

Electoral Area C Zoning Bylaw – Review

The subject property is zoned Agriculture 1 (AGR1) under the Electoral Area C Zoning Bylaw Amendment Bylaw No. 1829-2023 provides the following site-specific exemption, while maintaining the Agriculture 1 zoning:

Site Specific Exception

1. The Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, is hereby amended as follows:
 - a. By inserting under Section 6.13 – Exceptions a new Section 6.13.5, as follows:

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

Parking Requirements

The Electoral Area C Zoning Bylaw No. 765 includes the following general parking and loading regulations for Agriculture Zones:

- .3 *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. Parking must not interfere with the farm's agricultural productivity.*

.1 Notwithstanding Section 4.7, all parking areas and loading areas associated with agritourism activities, brewery, cidery, distillery, meadery, winery, farm retail sales, gathering for an event or 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 may be used to cover the land where the parking area is located.

.2 Where there is insufficient remaining parking area in the farm residential footprint and non-farm use footprint on a parcel, then ancillary parking (in accordance with the table in Section 4.3.6) may be permitted as long as it occurs along field edges, adjacent to internal farm driveways and roads in farm yard areas or immediately adjacent to farm buildings and structures. All vehicles visiting the farm must be parked off-street. In accordance with the Agricultural Land Commission Act and Regulation, and ALC Policies, parking areas must not be permanent (no asphalt, concrete, gravel, etc.).

And as per Section 4, Table 4.3.6, the off-street parking spaces required for any combination of Agritourism Activity, Brewery, Cidery, Distillery, Meadery, Winery, Farm Retail Sales, and/or Gathering for an Event uses on parcels that are 16 ha or greater is 80 stalls.

- As per the application, the required 80 parking stalls are already in place, and these parking stalls are within the farm residential footprint and/or the non-farm use footprint (home plate).

ALR Use Regulation and ALC Policies

The [ALR Use Regulation](#) Section 13 sets out the following provisions with regards to alcohol production:

13 (1) *In this section:*

"alcohol product" means beer, cider, spirits, mead or wine;

"alcohol production facility" means a brewery, cidery, distillery, meadery or winery;

"ancillary use" means the following activities conducted at an alcohol production facility:

(a) processing, storing and retail sales of an alcohol product produced by the alcohol production facility;

(b) operating a food and beverage service lounge, if the area of the lounge does not exceed 125 m² indoors and 125 m² outdoors;

- The proposed text amendment is aligned with these regulations.

[ALC Policy L-24 Farm Related Commercial and Farm Related Industrial Uses](#) sets out recommended limits for *farm-related commercial and farm-related industrial uses*. This policy states: *"the amount of land taken out of agricultural production for farm-related commercial and farm related industrial uses, if any, should be minimized to ensure balance between farmland protection and the economic opportunities provided for farmers in the ALR Use Regulation. The*

key concept in this regard is total lot coverage (referred to as the lot coverage limit) described below.

Lot coverage limit is the ratio of the total area occupied by the farm-related commercial and farm-related industrial uses on a lot (parcel) divided by the size of the lot (parcel), expressed as a percentage.

The calculation of lot coverage should account for all aspects related to the farm-related commercial and farm-related industrial uses, including buildings, outdoor storage, landscaped areas, parking and loading areas, and new access roads. The lot coverage limit should be calculated based on the size of the individual lot (parcel) of land where the farm-related commercial and farm-related industrial uses are located, not the total area of a farm operation which may include several lots (parcels) – see Exception Notes below.

The recommended lot coverage limit is:

For parcels greater than 4 hectares (10 acres): • Lot coverage limit is 5% of the lot (parcel)

Farm-related commercial and farm-related industrial uses means:

- Farm product processing facilities under section 11(2) of the ALR Use Regulation;*
 - Farm product retail sales buildings under section 11(3) of the ALR Use Regulation;*
 - Alcohol production facilities and their ancillary uses under section 13 of the ALR Use Regulation;*
 - Pet breeding and boarding facilities under section 23 of the ALR Use Regulation;*
 - Class A compost facilities under section 27(2) of the ALR Use Regulation;*
 - Permanent infrastructure to support agri-tourism activities if approved through application by the Commission under section 25 of the ALC Act; and,*
 - Permanent infrastructure to support gathering for events if approved through application by the Commission under section 25 of the ALC Act.*
- As the subject parcel is 21.53 ha in size, the 5% lot coverage limit is 1.08ha (~10,000 square meters). The proposed expansion of the food and beverage service lounge GFA from 120m² (combined) to 250m² (combined) remains within the lot coverage limit for farm-related commercial and farm-related industrial uses.*

Geotechnical Report

A geotechnical report was required as part of the zoning amendment application; this report confirms the site is “safe for intended use”. As stated in the report, the scope is to “satisfy requirements under section 56 of the *Community Charter*, whereby the Building Inspector may require a report certified by a professional engineer that the land may be used safely for the use intended. Additionally, the report further satisfies the legislated requirements of the BC Building Code and aligns with the guidelines of the EGBC guidelines for landslide and flood assessments for development approvals.

The report confirms that the author has reviewed several reports including the Mt Currie Landslide Risk Assessment (BGC, 2018), the Rock Slope Movements along Mt. Currie “fault

scrap” (Can J. Earth Sci. Vol 31, 1995); and the Lillooet River Flood Mapping Final Report (Northwest Hydraulic Consultants, 2018), and draws conclusions from the results of these studies specific to the development.

The geotechnical report notes the use of the building is as a tasting room, and as an addition to a farm storage building. Its intended use is considered as a non-inhabitable use. The geotechnical report does include recommendations on constructing the building with due regard to flood damage – such as ensuring electrical panels or mechanical systems are installed at levels higher than 206.75m geodetic and ensuring wastewater systems are installed with adequate backflow prevention valves. These recommendations will be addressed at the building permit stage.

For further details, see the full [Geotechnical Report](#).

Provincial Ministry/Agency Referrals

Following first reading, a 30-day referral period will be initiated, with referrals sent to neighbouring First Nations, adjacent local governments, and provincial ministries/agencies. As part of this process, the Ministry of Transportation and Infrastructure (MOTI) will review any access/egress/traffic considerations and Vancouver Coastal Health (VCH) will review any servicing considerations. The Zoning Amendment Bylaw No. 1829-2023 also requires sign off from MOTI prior to adoption.

Development Permit and Building Permit Considerations

A Wildfire Protection Development Permit will be required at the building permit stage. Additional aspects that may be considered through the building permit process include:

- Sprinkler requirements: the proposed food and beverage service lounge area may require sprinklers dependent on building design and BC Building Code provisions associated with capacity.
- Building Code requirements: it appears that the proposed food and beverage service lounge is connected to unpermitted farm buildings. Further clarification will be required at Building Permit Application stage, as occupancies of unpermitted buildings are restricted to agricultural use.
- Geotechnical Report recommendations (associated with Flood Construction Level): geotechnical report recommendations associated with flood proofing will be addressed at the Building Permit Application stage.
- Outstanding permits: there are currently existing buildings on the subject property that are in contravention of the SLRD’s Building Bylaw No. 1611-2020. Section 10.21 of the SLRD’s Building Bylaw states that “*Building Permits may not be issued when the owner has been notified of a violation of the bylaw about the construction of another building or structure by the owner*”.

REGIONAL IMPACT ANALYSIS:

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

OPTIONS:

Option 1 (PREFERRED OPTION)

Waive the public hearing for Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023

Option 2

Schedule a public hearing for Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023

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, proceed with the public hearing waiver notifications as required by the *Local Government Act*.

ATTACHMENTS:

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

Prepared by: C. Dewar, Senior Planner

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

Approved by: N. Gilmore, Interim Chief Administrative Officer

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

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

WHEREAS the Board of the Squamish-Lillooet Regional District wishes to amend the Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765-2002;

NOW THEREFORE, the Regional Board of the Squamish-Lillooet Regional District, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as the 'Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1829-2023.
2. The Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, is hereby amended as follows:
 - a. By inserting under Section 6.13 – Exceptions a new Section 6.13.5, as follows:

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

BYLAW NO.	SUMMARY OF AMENDMENTS	DATE OF ADOPTION
1829-2023	Site Specific text amendment to increase the maximum GFA of the food and beverage service lounge associated with Brewery at LOT A DISTRICT LOT 214 LILLOOET DISTRICT PLAN EPP68874; PID: 030-277-922	_____, 202X

PUBLIC HEARING WAIVED this _____ day of _____, 2023.

READ A FIRST TIME this _____ day of _____, 2023.

READ A SECOND TIME this _____ day of _____, 2023.

READ A THIRD TIME this _____ day of _____, 202X.

APPROVED BY THE MINISTRY OF
TRANSPORTATION AND INFRASTRUCTURE _____ day of _____, 202X.

ADOPTED this _____ day of _____, 202X.

Jen Ford
Chair

Angela Belsham
Corporate Officer