SQUAMISH

DISTRICT OF SQUAMISH

Minutes of the Regular Business Meeting held Tuesday, June 2, 2015 at 6:00 p.m. in Council Chambers, Municipal Hall, 37955 Second Avenue, Squamish, BC

In Attendance:

Mayor Patricia Heintzman
Councillor Blackman-Wulff
Councillor Susan Chapelle
Councillor Karen Elliott
Councillor Peter Kent
Councillor Ted Prior
Councillor Doug Race

Also in Attendance:

Linda Glenday, Deputy CAO
Robin Arthurs, GM Corporate Services
Charlene Pawluk, Manager of Legislative Services
Joanne Greenlees, GM Financial Services
Gary Buxton, GM Business and Community Services
Jonas Velaniskis, Director of Development Services
Sarah McLennet, Planner
Lisa Gordon, Planning Technician
Rod MacLeod, Director of Engineering

Mayor Heintzman called the meeting to order at 6:00 p.m.

1. Welcome to the Squamish Nation Traditional Territory
   Ha7lh en skwalwn Kwis tl’iknumut tl’a Skwxwuu7mesh Uxwumixw

2. ADOPTION OF AGENDA
   It was moved by Councillor Kent, seconded by Councillor Chapelle,
   THAT Council adopt the June 2, 2015 Regular Business Meeting Agenda.
   CARRIED

3. NOTICE OF MOTION

4. DELEGATIONS/PETITIONS/PROCLAMATIONS
   (i) Access Awareness Day
   It was moved by Councillor Elliott, seconded by Councillor Race,
   THAT June 6, 2015 be proclaimed “Access Awareness Day” in the District of
   Squamish.
   CARRIED

5. CONSIDERATION OF UNSCHEDULED PUBLIC ATTENDANCE

6. PUBLIC HEARINGS
   (i) District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (40258 Glenalder) No. 2383, 2015
   At 6:02 p.m. Mayor Heintzman declared open the public hearing for District of Squamish Zoning
Mayor Heintzman announced the opportunity for persons who believe that their interest in property is affected by the bylaws to speak and present or leave submissions on the proposed bylaw and asked staff to introduce the bylaw.

Sarah McJannet, Planner presented on Zoning Amendment Bylaw No. 2383, including that it is a text amendment to add a permitted second floor use - a fitness centre, that legislative requirements, including notice, have been fulfilled, that no comments have been received to date, correspondence was received and was circulated to Council, and she advised on existing second floor uses and acoustic requirements through the lease agreement.

Council comments and questions:

- Request for clarification of where the issue raised by the Squamish Trails Society is located
  - Runs along the highway right of way. Staff provided background on the agreement between the original developers of Garibaldi Village and the Squamish Trails Society and that the agreement for compensation was only honoured for the first three years.
- How will the concern regarding compensation to the Squamish Trails Society be addressed?
  - Council has not made a formal motion directing any action of staff. Staff would require clarity and direction
- Request to find out what the outstanding funds are to the Squamish Trails Society
- Mayor Heintzman suggested that the public hearing could be recessed pending feedback from the proponent regarding the Squamish Trails Society issue.

Mayor Heintzman called for speakers who wished to speak to the District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (40258 Glenalder) No. 2383, 2015

Hearing none, Mayor Heintzman called again for further speakers wishing to speak to the Bylaws and called three times for speakers. Hearing none, she invited members of Council to comment or ask questions.

Council comment that there could be a condition of rezoning instead of recessing the public hearing.

Mayor Heintzman suggested that the public hearing be recessed to allow for the proponent and the Squamish Trails Society to potentially resolve the issue.

It was moved by Councillor Race, seconded by Councillor Blackman-Wulff

THAT the Public Hearing for District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (40258 Glenalder) No. 2383, 2015 be recessed to resume on June 16, 2015 at 6:00 p.m.

CARRIED
8. **STAFF REPORTS**
   A. **DEVELOPMENT SERVICES AND PUBLIC WORKS**
      (i) **Development Variance Permit No. 100: 40157 Garibaldi Way**

      M. Gunn, Planner presented on DVP No. 100, including the purpose of the variance, on letters received in opposition of the variance, that a petition of support was received with 18 signatures, and that the applicant has suggested a condition that suggests the setback from the rear lot line for a carriage home be 4.57 m or 15 feet.

      Council comments and questions:

      - What was the original setback requirement?
        - The setback for garages is between 5 and 8 feet from the rear property line. For carriage houses on properties without lanes, staff consider that the regulation doesn’t have a strong justification.
      - Is there a definition of what a carriage house is?
        - Carriage house is not a term used in the zoning bylaw. Commonly they are referred to as an accessory building.
      - Does the carriage home have a garage on the bottom?
        - Yes.
      - A garage does not affect neighbours as a home does. Being close to the rear lot lane affects the neighbours. Is there a gap in our zoning bylaw?
        - Staff will be looking at the zoning bylaw. Other municipalities treat carriage homes the same as residences.
      - Where are the other three carriage houses are in the neighbourhood?
        - M. Gunn showed a map and indicated the location of the carriage homes.
      - Concern with the lack of policy and inconsistency in the zoning bylaw. Suggestion to change inconsistencies as they are noticed.
        - Staff are making a list of amendments.
      - The need for rental properties in Squamish.
      - Question regarding the lighted pathway – will the lights be on continually and has any thought been given to the neighbours?
        - There is a requirement in the zoning bylaw for a lit pathway. Staff can look into how it has been implemented in other situations.

      Mayor Heintzman invited members of the public to speak to the proposed variance.

      Dave Goddam, 40152 Kalodon Road advised of his concern that the carriage house may be closer to his home than to the resident property.

      Robert Forsyth, 38501 Westway Avenue spoke to laneway homes in the city and that there is a three foot side setback with a seven foot setback at the back, that setbacks would affect the size of the home and suggestion that the style, windows, doors could be altered to have less affect on the neighbours.

      Sukhdev Grewal, applicant, 40157 Garibaldi Way advised that the carriage homes that
are facing Mamquam Road won’t be looking into the rear property, that they made the application so that it conforms to the other carriage homes in the area and has a better utilization of the space, that they have worked with the Fire Department and included the added setback following opposition from the neighbours.

Council comment and questions:

- Is a 15 foot setback at the rear lot line enough?
  - Yes - seems reasonable to staff
- The carriage house issue needs to come back to Council.

It was moved by Councillor Blackman-Wulff seconded by Councillor Kent, THAT the District of Squamish authorize the issuance of Development Variance Permit No. 100 for lands legally described as: Lot 1, Section 11, Township 50, New Westminster District, Plan EPP39096, located at 40157 Garibaldi Way, Squamish, British Columbia, approving the following variance subject to conditions outlined in the Permit:

- Zoning Bylaw No. 2200, 2011 Section 4.5 (h) Secondary Suite Use

FROM:

(i) a continuous unobstructed lighted pathway of not be more than 45 m in length, consisting of a minimum width of at least 900 mm and vertical headroom clearance of at least 2.1 m, is provided from the fronting street to the principal entrance serving the suite and to the rear lane where a lane exists, or on a corner lot;

TO:

(i) a continuous unobstructed lighted pathway of not be more than 71.5 m in length, consisting of a minimum width of at least 900 mm and vertical headroom clearance of at least 2.1 m, is provided from the fronting street to the principal entrance serving the suite and to the rear lane where a lane exists, or on a corner lot;

CONDITIONAL TO:

The setback from the rear lot line for a carriage home/garage shall be 4.57 m (15 ft);

AND FURTHER THAT the Mayor and Corporate Officer be authorized to execute the Development Variance Permit and the required legal agreements.

OPPOSED: Councillor Race and Councillor Elliot CARRIED

(ii) Development Variance Permit No. 97: 1036 Jay Crescent

E. Naisby, Planner presented on DVP 97, on the variance requested to the rear setback, that required notification has been fulfilled, no comments were received, and that the variance would have minimal impact to neighbouring properties.

Mayor Heintzman invited members of the public to speak to the variance.
Chris Pettingill, 1065 Jay Crescent advised that his recollection is that the rock wall is actually higher than the house so he doesn’t see any problems.

It was moved by Councillor Elliott, seconded by Councillor Race, THAT the District of Squamish authorize the issuance of Development Variance Permit No. 97 for lands legally described as: Lot 66, District Lot 511, Group 1, New Westminster District, Plan BCP20558 and located at 1036 Jay Crescent, Squamish, British Columbia, approving the following variance to District of Squamish Zoning Bylaw No. 2200, 2011, Section 6 Residential 1 (RS-1):

a) Sub-section 6.6 Minimum Setbacks for Principal Buildings; Rear Setback
   i. FROM: 7.62m (25 ft.)
   ii. TO: 6.9m (22.6 ft.);

AND FURTHER THAT the Mayor and Corporate Officer be authorized to execute the Development Variance Permit and the required legal agreements.

CARRIED

Councillor Blackman-Wulff declared a conflict in Item 8A(iv) as he has a potential pecuniary interest in the property and immediately left the room and Council Chambers at 6:55 p.m.

(iv) Temporary Use Permit No. 45: Cheekeye Ranch Camping

L. Gordon, Planning Technician presented on the Temporary Use Permit No. 45, advised on department comments, location is in the Cheekeye Fan Hazard Area, application was referred to Squamish Nation, staff are recommending camping use only for the SVMF - not for further events. She spoke to the conditions outlined in the TUP Permit and spoke to comments received.

Mayor Heintzman invited members of the public to comment on the TUP application.

Chris Latham and Greg Hindes, applicants, 60001 Squamish Valley Road, advised that they have a report saying that there is no risk on the site, expressed appreciation to District staff for their work on the project, advised that they have followed all requirements, that they would like to be able to host some additional smaller events, that they don’t want to apply for a zoning amendment at this time, that they want the venue to be small and contained, they have addressed some of the Squamish Nation issues, that they have located the camping to higher ground, there will be many other larger concerns in the community if the debris flow happens and that there are three other events that they would like to host on the property.

Council comments and questions included:

- Confirmation that the applicant would like to host further events and question regarding whether they need to make the request to the District for further events
  - The applicants would have the opportunity to come back and request
another TUP or to rezone the property. The recommendation of staff is to approve SVMF camping only
  o The applicants advised that they are limiting themselves with just one event and that it is costly and time consuming to apply for a separate TUP for each occurrence

- Are the plans attached to the event or to the property
  o The plans are attached to the TUP as a schedule to the permit

- Is there an opportunity to put a limit on the number of events, as a trial period
  o Any conditions that Council would like to see can be included on the TUP, and the limit could be on the time frame.

- Discussion regarding limitation to the number of events but not fully restricting other events and that one of the conditions should be duration of time that people are on the site – due to mitigation concerns
  o Applicants are open to having a cap on the number of events

- Suggestion to put 20 days in a year, including the SVMF
  o Jonas Velaniskis, Director of Building and Planning provided background on the reason that staff suggested that the use be limited to the SVMF.

- One event seems restrictive, but concern with making a decision on a limit tonight - discussion should take place with the applicant, District and Squamish Nation

- There is an impact locally that needs to be considered, particularly over an extended period
  o G. Buxton spoke to the increased risk on the Cheekye Fan.

- What question was posed to Squamish Nation
  o The entire application was referred, including future events to Squamish Nation. Response was that they could support the SVMF but they had concerns around other events – particularly to the unknowns

- Could Council approve SVMF use and defer decision on other events – is it possible for this TUP to come back to Council for additions?
  o The permit can be amended to add additional events or days

- Suggestion that the applicants come up with a template for future plans and to consult further with Squamish Nation.

Chris Latham and Greg Hindes, applicants, 60001 Squamish Valley Road advised that the site was initially lower and closer to Squamish Nation reserve, that a Squamish Nation member advised that they weren’t aware that the camping area had been moved back, they are environmentalists and want to maintain the land, that Squamish Nation has not received the new proposal and this will likely change their concerns and that there is no risk in the new location.

L. Gordon advised that staff met with Mr. Wick. Squamish Nation and showed him the proposed new location. The concerns were brought up in that meeting.

Robert Forsyth, 38501 Westway Avenue spoke to the geotech report and that the events
being proposed are before the rainy season, and that it is his understanding that they would be required to submit an event permit for each event and they could be reviewed by staff at that time.

Council comments and questions:

- Preference to allow a second event scheduled for shortly after the SVMF
  - The applicants advised that the Blessed Coast event needs an answer right away
- Clarification that the application presented to the public is for temporary use for multiple events.

It was moved by Councillor Chapelle, seconded by Councillor Prior, that the District of Squamish authorize the issuance of Temporary Use Permit No. 45 to permit camping during annual Squamish Valley Music Festival 2015-2017 events on Lands legally described as Lot 1, Section 34, Township 50, Plan 20073 subject to conditions outlined in the attached Temporary Use Permit No. 45;
  AND THAT a total of 15 days use for events be permitted;
  AND FURTHER THAT the Mayor and Corporate Officer be authorized to execute the Temporary Use Permit No. 45.

OPPOSED: Councillors Race, Elliot and Kent

MOTION FAILED

It was moved by Councillor Chapelle, seconded by Councillor Race, that the District of Squamish authorize the issuance of Temporary Use Permit No. 45 to permit camping during annual Squamish Valley Music Festival 2015-2017 events on Lands legally described as Lot 1, Section 34, Township 50, Plan 20073 subject to conditions outlined in the attached Temporary Use Permit No. 45;
  AND FURTHER THAT the Mayor and Corporate Officer be authorized to execute the Temporary Use Permit No. 45.

OPPOSED: Councillor Prior

CARRIED

Councillor Blackman-Wulff returned to Council Chambers at 7:41 p.m.

7. BYLAWS
A. FIRST READING
(i) District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (1499 Depot Road) No. 2298, 2013

Council comments and questions:

- Why bareland strata vs other?
  - The applicant has applied for a bareland strata. It is not in a DP area where additional guidelines can be applied
  - Staff spoke to requirements for bareland stratas and to parking requirements
• Concern with lack of community amenities
• Are home based businesses permitted in RS3
  o Staff spoke to home based business requirements
• Concern with lack of parking
• Suggestion for a sheltered bus stop and a cash in lieu contribution to the District housing reserve.

It was moved by Councillor Blackman-Wulff, seconded by Mayor Heintzman, THAT the District of Squamish give First Reading to District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (1499 Depot Road) No. 2298, 2013;

AND THAT prior to consideration of Second Reading for District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (1499 Depot Road) No. 2298, 2013, the following items be addressed to the satisfaction of the GM of Development Services & Public Works:
  i. Completion and submittal of an addenda to the April 21, 2015 GeoTek Designs hazard assessment to certify that the site of the proposed development is safe for the intended use and address identified additional information, including but not limited to, provision of a Debris Flow Management Plan and risk assessment in accordance with APEGBC guidelines;
  ii. CN Rail proximity and safety review, including any setback and berm requirements, fencing, vibration isolation measures as necessary as well as recommendations and/or improvements for the adjacent public grade crossing;
  iii. Confirmation and provision of a report prepared by a Qualified Environmental Professional (QEP) that no significant vegetation or species-at-risk impacts exist prior to rezoning of the lands.

AND FURTHER THAT staff negotiate a cash in lieu contribution towards the District of Squamish Housing Reserve.

CARRIED

B. FIRST TWO READING
(i) District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (Dowad Drive) No. 2381, 2015

It was moved by Councillor Chapelle, seconded by Councillor Elliott, THAT the District of Squamish give first and second reading to District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (Dowad Drive) No. 2381, 2015

AND THAT a Public Hearing Date for District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (Dowad Drive) No. 2381, 2015 be scheduled for June 23, 2015 at a Special Council meeting.

CARRIED

C. FIRST THREE READINGS
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Council comments and questions:
• Suggestion to use the old highways works site for a portable vendor location
  o Staff can look into
• Are there restrictions on hours and locations
  o The Business Licence bylaw doesn’t speak to restrictions
• Suggestion to make the licences non transferrable
• Can the licences be amended after they are issued
  o Staff will forward the suggestions to the Business Licence bylaw re-write to look into including nuisance language and restrictions in the new bylaw.

It was moved by Mayor Heintzman, seconded by Councillor Kent, THAT District of Squamish Business Licence Bylaw No. 651, 1978, Amendment Bylaw No. 2395, 2015 be given first three readings. CARRIED

Pursuant to Section 100 of the Community Charter, Councillor Prior declared a conflict in the next item as he owns property adjacent to the subject property and immediately left the room and Council Chambers at 8:36 p.m.

(ii) District of Squamish, Squamish Oceanfront Development Lands Road Closure Bylaw No. 2396, 2015

It was moved by Councillor Race, seconded by Councillor Kent, THAT District of Squamish, Squamish Oceanfront Development Lands Road Closure Bylaw No. 2396, 2015 be given first three readings. CARRIED

Councillor Prior returned to Council Chambers at 8:38 p.m.

D. THIRD READING
(i) Item removed
(ii) Item removed

8. STAFF REPORTS
A. DEVELOPMENT SERVICES AND PUBLIC WORKS
(iii) Official Community Plan Staff Advisory Committee
Discussion regarding the role of the OCP Staff Advisory Committee, that it is an advisory body to Council and public engagement is a key part of the process.

It was moved by Councillor Race, seconded by Councillor Elliott, THAT the District of Squamish Council approve the Terms of Reference for the Official Community Plan Staff Advisory Steering Committee, and direct Staff to commence recruiting for the committee. CARRIED

It was moved by Councillor Race, seconded by Councillor Chapelle,


CARRIED

(vi) Appointment of Approving Officer

It was moved by Councillor Chapelle, seconded by Councillor Blackman-Wulff,

THAT Council appoint Gary Buxton as a second Approving Officer for the District of Squamish pursuant to s. 77 of the Land Title Act.

CARRIED

9. CORRESPONDENCE

A. ACTION REQUESTED

(i) (0511) Mayor Dale Bumstead, City of Dawson Creek, Re: Invitation to a Natural Gas Tour


(iii) (0511) Councillor Sav Dhaliwal, President UBCM, Re: 2014 Resolutions

It was moved by Councillor
seconded by Councillor
THAT Items 8A(i), (ii), and (iii) be received for information and filed.

CARRIED

B. RECEIVE FOR INFORMATION

(i) (May) Joslyn Young, UBCM & LMLGA, Re: 2015 LMLGA Resolution Disposition
(ii) (0511) James Gracie, Re: Marine Strategy Draft Report
(iii) (May) Claire Daniels, Planner, SLRD, Re: SLRD Regional Growth Strategy – Review Update

It was moved by Councillor Kent,
seconded by Councillor Chapelle,
THAT item 10B(i) to (iv) be received for information and filed.

CARRIED
10. APPROVAL OF MINUTES
   (i) Regular Business Meeting, May 19, 2015
   (ii) Special Business Meeting, May 19, 2015
   (iii) Special Business Meeting, May 26, 2015

   It was moved by Councillor Kent, seconded by Councillor Elliott, that Council approve the following minutes:
   - May 19, 2015 Regular Business Meeting
   - May 19, 2015 Special Business Meeting
   - May 26, 2015 Special Business Meeting
   CARRIED

11. BUSINESS ARISING FROM MINUTES
   Business Licence for Seasonal Business (Fruit stand) at Garibaldi Village from the May 19, 2015 Regular Council meeting – request to bring the motion back for reconsideration.

   It was moved by Councillor Chapelle, seconded by Councillor Race, that the following motion be brought back for reconsideration:
   THAT the District of Squamish authorize issuing of a business licence for a fruit stand in the parking lot of 40147 Glenalder Place (Garibaldi Village) from June 1, 2015 to September 15, 2015.
   OPPOSED: Councillors Prior, Blackman-Wulff, Kent and Mayor Heintzman
   MOTION FAILED

12. COMMITTEE MINUTES AND REPORTS
   (i) Board of Variance Appointment
   It was moved by Councillor Elliott, seconded by Mayor Heintzman, that Scott Bennett be appointed to the Board of Variance for a three year term, ending May 31, 2018.
   CARRIED

13. COUNCIL – STAFF IN CAMERA ITEM ANNOUNCEMENTS

14. UNSCHEDULED PUBLIC ATTENDANCE

15. OPEN QUESTION PERIOD – CLARIFICATION RELATED TO AGENDA ITEMS
   Daniel Costa, applicant for the fruit stand business asked for clarification as to why the reconsideration was not considered by Council. Mayor Heintzman explained that Council did not vote in favour of reconsidering the motion.

16. COUNCIL OR STAFF ANNOUNCEMENTS
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- Councillor Prior is going to China to look at an LNG facility
- Mayor for a Day contest – many very good applications were received. A Mayor and two deputy Mayors were chosen and the winners will get to ride in a fire truck and pizza will be delivered to their classes.

17. **TERMINATION**
   It was moved by Councillor Elliott, seconded by Councillor Chapelle, THAT the meeting be terminated.
   CARRIED

Meeting terminated at 9:11 p.m.

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Patricia Heintzman, Mayor

CERTIFIED CORRECT:

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Robin Arthurs, GM Corporate Services