



Request for Decision

Affordable Housing Amendments
(Second Reading and Public Hearing)

Zoning Amendment Bylaw No. 1676-2020 (Electoral Area A)
Zoning Amendment Bylaw No. 1679-2020 (Electoral Area C)
Zoning Amendment Bylaw No. 1678-2020 (Electoral Area D)

Meeting Date: February 24, 2021

To: SLRD Board

RECOMMENDATIONS

THAT Bylaw No. 1676-2020, cited as “Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1676-2020,” be given second reading.

THAT Bylaw No. 1679-2020, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1679-2020”, be given second reading.

THAT Bylaw No. 1678-2020, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1678-2020,” be given second reading.

THAT the Board direct staff to schedule and advertise an electronic public hearing and delegate the holding of the public hearing to Electoral Area A Director Sal DeMare, with Director Birch-Jones as alternate delegate, pursuant to Section 469 of the Local Government Act, for the consideration of the following:

- a) Bylaw 1676-2020, cited as “Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1676-2020”,
- b) Bylaw 1679-2020, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1679-2020”.
- c) Bylaw 1678-2020, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1678-2020”.

RELEVANT POLICIES

[Squamish-Lillooet Regional District Strategic Plan \(2019-2022\)](#)
[Squamish-Lillooet Regional District Housing Need and Demand Study \(February 2020\)](#)
[Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018](#)
[Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999](#)
[Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996](#)
[Squamish-Lillooet Regional District Electoral Area B Zoning Bylaw No. 1300-2013](#)

[Squamish-Lillooet Regional District Electoral Area B Official Community Plan Bylaw No. 1073, 2008](#)

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

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

[Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016](#)

[Squamish-Lillooet Regional District Electoral Area D Official Community Plan Bylaw No. 1135-2013](#)

KEY INFORMATION

In January 2020, the Squamish-Lillooet Regional District (SLRD) Board approved the SLRD Housing Need and Demand Study (HNDS) report completed by Urban Matters. The report contains a number of important region-wide recommendations for improving the availability and affordability of housing across the SLRD. In addition, recommendations tailored to each electoral area were developed.

Following Board approval of the HNDS, staff began working on bylaw amendments based on the HNDS recommendations to address the identified need for affordable housing in all regions of the SLRD. This report and the associated draft bylaws are now being brought forward to the Board for consideration. This report addresses proposed affordable housing zoning bylaw amendments for Electoral Areas A, C, and D. Affordable housing provisions in Electoral Area B may be considered once provisions are updated to be consistent with the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use Regulations*.

The purpose of this report is to present the comments received through the bylaw referral process.

Previous Board Resolutions

At the December 16, 2020 SLRD Board meeting, the SLRD Board resolved:

THAT Bylaw No. 1676-2020, cited as “Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1676-2020,” be introduced and given first reading.

THAT Amendment Bylaw No. 1676-2020 be referred to First Nations and Provincial agencies and ministries.

THAT Bylaw No. 1679-2020, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1679-2020”, be introduced and given first reading.

THAT Amendment Bylaw No. 1679-2020 be referred to First Nations, Provincial agencies and ministries, as well as the Resort Municipality of Whistler, and the Village of Pemberton.

THAT Bylaw No. 1678-2020, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1678-2020,” be introduced and given first reading.

THAT Amendment Bylaw No. 1678-2020 be referred to First Nations, Provincial agencies and ministries, as well as the District of Squamish.

Following first reading, SLRD staff initiated a 30-day referral to appropriate First Nations, the District of Lillooet, and provincial agencies including the Vancouver Coastal Health Authority, Interior Health Authority, the Resort Municipality of Whistler, the Village of Pemberton, the District of Squamish, the Ministries of Transportation & Infrastructure, and Forests, Lands, Natural Resource Operations and Rural Development for comment. No concerns were received during the referral period. SLRD staff are recommending the Board give second reading to Amendment Bylaws 1676-2020, 1679-2020, and 1678-2020, and direct staff to schedule and advertise an electronic public hearing.

Referral Comments

Zoning Amendment Bylaw No. 1676-2020, Bylaw No. 1679-2020, and 1678-2020

Lillooet Tribal Council

No response.

P'egg'iq'lha Council

No response.

N'Quatqua

No response.

Lil'wat Nation

The Lil'wat Nation does not have any comments about the proposed bylaw amendments. However, if any new information were to arise that may impact on Lil'wat aboriginal rights, title or interests, the Lil'wat Nation would expect to receive notice and to have an opportunity to provide comments at that time.

Interior Health Authority

Interior Health (IH) has stated that in order to minimize biological hazards for housing, parcels would need to have a safe, potable water source and supply and the onsite sewerage systems would need to comply with the Sewerage System Regulation. The onsite sewerage systems should be sustainable for all new residential dwellings therefore, the parcel should be suitable to accommodate reserve sites for alternate sewerage disposal areas. In addition, the Ministry of Community, Sport and Cultural Development has proposed a minimum lot size of one hectare for a single-family dwelling as sustainable in the long term when needing to be independent for onsite water and sewer servicing.

Vancouver Coastal Health Authority

(Please see Interior Health's comments)

Ministry of Transportation & Infrastructure

The referral was reviewed, and the Ministry of Transportation and Infrastructure has no objection in principle to the proposed zoning amendments.

Forests, Lands, Natural Resource Operations and Rural Development

The referral was reviewed, and the Ministry of Forests, Lands and Natural Resources Operations has no concerns/comments about the proposed bylaws as the Land Act is unaffected.

Squamish Nation

No response.

Village of Pemberton

No response.

Resort Municipality of Whistler

The RMOW is generally supportive of the proposed zoning amendments in Bylaw No. 1679-2020 to permit one additional auxiliary residential dwelling unit for employee restricted housing within the existing approved subdivision for Wedgewood Estates. Further comments were provided on the Section 219 covenant requirements. RMOW suggests consideration be given to the following: housing should be restricted to affordable employee housing, and eligible renters may include people employed within the member municipalities in addition to people employed within the geographic boundary of the SLRD. A clear definition of employee should be created that specifies minimum amount of time employed, and minimum number of hours worked. A mechanism such as a maximum rental rate, to ensure affordability should be created.

District of Squamish

No response.

Background

Affordable Housing

The SLRD has been experiencing growth pressures and escalating housing costs in recent years which has led to a lack of available and affordable housing. Based on information gathered through the HNDS, housing affordability concerns tend to be the most significant in regions where there is spillover from member municipalities experiencing housing pressures. This includes Area C, where there is pressure from both the Resort Municipality of Whistler and the Village of Pemberton, as well as Area D where pressure is being exerted from the District of Squamish and the City of Vancouver. There are unique housing pressures in each Electoral Area which are identified through this report and the proposed bylaw amendments.

This report and the associated bylaws address the following resolution from the August 29, 2018 Board meeting:

THAT the Board authorize staff to proceed with a review of all Zoning Bylaws and Official Community Plans in order to strengthen the regulations around affordable housing in those documents.

DISCUSSION

Affordable Housing

The discussion below outlines the key recommendations that emerged through the HNDS which are being addressed through the proposed amendments. These include both region-wide recommendations, and recommendations specifically tailored to each Electoral Area.

Region-Wide Recommendations

Policy and zoning bylaw amendments are a valuable tool in terms of creating improved opportunities for the provision of affordable housing. The proposed bylaw amendments specifically address the following region-wide recommendation and action items from the HNDS:

- **7.1 Increase Collaboration and Explore Partnerships**
 - While policy and zoning bylaw changes are incredibly valuable in creating opportunities for more diverse housing options in rural areas, it is ultimately up to individuals and community associations to take the lead on many potential initiatives. One role the SLRD can play is in promoting ideas about the different housing forms that are possible through the zoning bylaw, for example, cohousing, cluster housing, small housing forms, and others.
- **7.2 Support Gentle and Moderate Density in Appropriate Areas**
 - Consider allowing both secondary suites and carriage homes in residential zones, if provided for long-term rental or family use (not short-term rental). If two secondary suites are allowed on a property, utilize restrictive covenants to require units to be used for either family or long-term rental (minimum four months) and to restrict rent levels. The purpose of allowing two secondary rental units on a property is to create additional long-term rental. This allowance is not intended to be used for vacation rental.
 - Explore opportunities to allow for existing individual residential lots in the non-ALR areas to be subdivided into smaller lots to provide for additional housing opportunities (small lot subdivision).
 - Consider allowing clusters of up to four small homes in rural residential zones for long-term affordable rental. Utilize restrictive covenants to regulate price, restrict the use of such units for long-term rental, and to prevent the use of such units for vacation rental.
- **7.5 Explore Innovative and Complementary Actions on Housing**
 - Require a minimum of 15% of units in new developments to be affordable housing units. Utilize restrictive covenants and housing agreements to secure units at affordable rental rates in new developments. One of the key gaps is workforce housing and affordability should be defined as no more than 30% of typical wages and salaries in the community.

- Define affordability levels in cases where additional units (e.g. a carriage home and a secondary suite) are allowed in single family residential areas.

Area-Specific Recommendations

The HNDS contains the following specific recommendations for addressing affordable housing within Electoral Area A:

- Consider allowing triplexes and fourplexes in the R1 zone where affordability is provided. Utilize restrictive covenants to restrict use as affordable rental or affordable homeownership and ensure affordability in perpetuity for residents.
- Consider allowing employee housing in the C4 zone
- Consider allowing housing as a secondary use in zones C1, C2, and C3 if affordable units are provided.

The HNDS contains the following specific recommendations for addressing affordable housing within Electoral Area B:

- Consider allowing both secondary suites and carriage homes in residential zones. Where both are allowed on a property, utilize restrictive covenants to ensure that these types of units are provided at affordable rent levels and restricted to long-term rental (minimum four months) or family use. This allowance is not for the use of additional units as vacation rental.

The HNDS contains the following specific recommendations for addressing affordable housing within Electoral Area C:

- Explore opportunities to develop a new mobile home park in the Rural Residential areas.

The HNDS contains the following specific recommendations for addressing affordable housing within Electoral Area D:

- Require at least 15% of units in new developments to include affordable rental or attainable homeownership through BC Housing's Affordable Home Ownership Program (AHOP). See <https://www.bchousing.org/housinghub/programs-and-eligibility>.

ANALYSIS

Squamish-Lillooet Regional District Regional Growth Strategy, Bylaw No. 1062, 2008

The recently amended Regional Growth Strategy (RGS) contains the following goals which relate directly to the provision of affordable housing across all regions of the SLRD:

- **GOAL 1 Focus Development into Compact, Complete, Sustainable Communities**

- Accommodating affordable housing within existing areas of residential development will work to support this goal by focusing on development nodes and master-planned communities within the existing settlement areas. This includes opportunities to support gentle density increases, such as allowing multiple secondary dwelling units on a single parcel.

- **GOAL 3 Generate a Range of Quality Affordable Housing**

- Under Goal 3, the Regional Growth Strategy defines affordable housing as rental or homeownership housing priced so that monthly payments are less than 30% of gross household income. It is recognized that in order to facilitate this, a number of different tools are needed, including expanding the diversity of available housing types, and securing a range of housing that remains affordable for local employees and residents over the long term. This can be addressed in part through effective zoning changes coupled with restrictive covenants.
- The following mechanisms for working toward expanded housing choice and affordability are recognized under this goal:
 - Building cooperation among stakeholders and pursuing collaborative regional affordable housing solutions.
 - Adhering to Smart Growth Principles to create communities that advocate a range of affordable housing options within Official Community Plans.
 - Expanding the diversity of housing types for seniors and other population groups with special needs and lifestyles.
 - Securing a range of housing that remains affordable for local employees and residents over the long-term.
 - Increasing the rental housing supply, including purpose-built rental housing.
 - Integrating affordable housing in existing communities and in close proximity to services.
 - Promoting consistent affordable housing policies across the region, drawing upon lessons learned to date.

- Goal 3 contains the following Strategic Directions which relate to the proposed bylaw amendments (for the full list of Strategic Directions, refer to the [Regional Growth Strategy](#)):

3.1 The SLRD and member municipalities agree to:

- b) Adopt policies and regulations that support live-work studio space, mixed-use neighbourhoods, and a variety of residential intensification strategies such as allowing secondary suites, providing for 'flexhousing' (a multi-unit form designed for adaptability of units to accommodate

changing family size and needs over time), encouraging infill housing and small lot development, density bonusing, and other tools that will support housing affordability.

This will be pursued in the review and updating of Official Community Plans and the overall development of collaborative approaches on affordable housing within the region.

e) Adopt, as appropriate, deed-restricted price, resale control, rent geared to income and other options to increase the supply of affordable housing and creating housing that remains affordable in perpetuity.

This will be pursued as a region through the implementation of Official Community Plans and the collaborative, consistent affordable housing approaches committed to therein, and through the sharing of best practices learned by the Whistler Housing Authority and the affordable housing experiences in Squamish and Pemberton.

g) Encourage housing models that provide security of tenure and support infill priorities, such as cooperative housing, cohousing, pocket neighbourhoods, etc.

This will be pursued in the review of residential and commercial development proposals, in the review and updating of Official Community Plans, and through sub-area/neighbourhood level planning.

h) Work collaboratively to address impacts of short-term nightly rentals and home “sharing” on housing supply.

This will be pursued through bylaw enforcement, business licenses, exploring the use of property rental programs matching business owners with property owners for workforce housing and targeted communications and outreach efforts.

Upper Bridge River Valley Official Community Plan No. 608, 1996 (Electoral Area A)

The OCP for Electoral Area A includes the following policies with respect to affordable housing on residential lands, specific to Gold Bridge and Bralorne:

- 7.13. The Regional District encourages the development of affordable housing and shall consider developing regulations or agreements that permit a range of affordable housing types and foster the renovation or restoration of older buildings.

Electoral Area B Official Community Plan Bylaw No. 1073, 2008

The Electoral Area B Official Community Plan makes mention of what is termed the perceived lack of affordability in the region due to the lack of smaller rural parcels. The OCP states that encouraging an additional supply of small (less than one hectare) parcels in rural areas is not consistent with Smart Growth principles and is generally not supported. This type of development is noted as being more appropriate within the District of Lillooet.

No affordable housing amendments are proposed at this time as affordable housing would be best located within the District of Lillooet. Additionally, most of the parcels currently zoned Rural Residential are located within the Agricultural Land Reserve (ALR) which limits potential residential uses. Once this has been addressed in the Zoning Bylaw affordable housing amendments for the Rural Residential parcels may be considered

Electoral Area C Official Community Plan Bylaw No. 689, 1999

The OCP for Electoral Area C includes the following policies with respect to affordable housing in rural residential areas.

Affordable Housing

- 4.7. Affordable housing should be distributed throughout the plan area.
- 4.8. Existing mobile home parks are recognized as valuable contributors to the affordable housing base.
- 4.9. New mobile home parks may be considered in Rural Residential designated areas subject to meeting the following conditions:
 - a. Mobile home park land use zoning in the zoning bylaw;
 - b. Servicing with community water and sewer systems;
 - c. Establishment of a comprehensive site plan showing lay out of the pads, internal circulation, and extent of buffering from adjacent non-mobile home land uses.
- 4.10. Where a rezoning would result in a net loss of affordable housing units, the regional district shall negotiate with the proponent to provide compensation for loss of these units. This may include a relocation allowance, assistance with relocation, replacing affordable housing on-site, or other innovative approaches.
- 4.11. The Regional District shall consider, within the framework of section 904 of the *Local Government Act* (zoning for amenities and affordable housing) the following to encourage the provision of affordable housing:
 - a. Inclusionary zoning of 10 to 15 per cent affordable housing in new developments.
 - b. A requirement for financial contributions where it may not be feasible to or a developer does not wish to include affordable housing in a development.

In order to better support the provision of affordable housing, the inclusionary zoning target included in this OCP should be amended to 15 percent. Amendments to this OCP to update the inclusionary zoning target will be brought forward under a separate cover.

Electoral Area D Official Community Plan Bylaw No. 1135-2013

Affordable Housing

The OCP for Electoral Area D includes a section on Affordable Housing under Section 4: Sustainability in Land Use. Currently, there are no specific objectives or policies in this section.

This section states that in many cases higher density developments are best suited to the development of affordable housing as these offer access to important services such as public transit. In addition, it is recognized that where higher density developments are designed to include affordable housing, this housing should be diverse both in terms of housing types and tenure.

The OCP states that in rural areas, steps can be taken towards offering a diversity of housing, such as secondary suites, allowing caretaker's units in commercial and industrial zones, and permitting home-based businesses.

Affordable housing in Area D will be addressed in all future developments within the existing Master Planned Communities of Britannia Beach, Furry Creek, and Porteau Cove. Amendments to this OCP, including a specific inclusionary zoning target will be brought forward under a separate cover.

Summary of Area-Specific Proposed Zoning Amendments

Staff conducted a review of the zoning bylaws in all electoral areas to identify opportunities to address key recommendations from the HNDS. Zoning amendments were not considered in zones that only had one parcel, as only one property would potentially benefit thus creating issues around fairness (an individual property owner benefiting, rather than a whole area) to ensure fairness for all property owners across the electoral areas.

ELECTORAL AREA A			
Zone	Existing Permitted Residential Housing Uses	HNDS Recommendation	Staff Proposed Zoning Amendments
RURAL RESOURCE ZONES			
RR1(Rural Resource Zone – 2ha)	- SFD - Secondary suite	n/a	No changes. Only one property zoned RR1.
RR2 (Rural Resource Zone – 8ha)	- SFD - Secondary suite - On parcels of 8ha or greater: 2 SFDs or duplex (could include 2 secondary suites)	n/a	No changes.
RR3 (Rural Resource Zone)	No permitted residential uses	n/a	No changes.

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RR4 (Rural Resource Zone)	- SFD - Secondary suite	n/a	No changes.
RESIDENTIAL ZONES			
R1 (Residential Zone I)	- SFD - Duplex - Secondary suite	Allow triplexes/fourplexes	Triplexes/fourplexes proposed subject to a condition of a minimum parcel size of 900 m ² : 48 lots are at least 900 m² 14 lots are 2000 m² or greater 1 lot is 2 ha or greater
R2 (Residential Zone II)	SFD	n/a	No changes. Most properties are recreational in nature and the addition of density would likely lack community support.
R5 (Residential Zone V)	SFD	n/a	No changes. Most properties are recreational in nature and the addition of density would likely lack community support.
R3 (Residential Tourist Accommodation Zone)	SFD	n/a	No changes.
R4 (Multifamily Residential Zone)	Employee housing	n/a	No changes.
COMMERCIAL ZONES			
C1 (Core Commercial Zone)	Accessory dwelling unit	Consider allowing housing as a secondary use	No changes. Accessory dwelling units already permitted.
C2 (General Commercial Zone)	Accessory dwelling unit	Consider allowing housing as a secondary use	No changes. Accessory dwelling units already permitted.
C3 (Service Station Commercial Zone)	Accessory dwelling unit	Consider allowing housing as a secondary use	No changes. Accessory dwelling units already permitted.
C4 (Resort Commercial Zone)	Accessory dwelling unit	Consider allowing employee housing	Additional permitted uses proposed: employee housing.
C5 (Tourist Commercial Zone)	Accessory dwelling unit	n/a	No changes.
C6 (Commercial Zone)	- Employee housing - SFD	n/a	No changes.
INDUSTRIAL ZONES			
M1 (Light Industrial Zone)	Accessory dwelling unit	n/a	No changes.
M2 (Heavy Industrial Zone)	Accessory dwelling unit	n/a	No changes.
PUBLIC AND INSTITUTIONAL ZONES			
P1 (Public and Institutional Zone)	Accessory dwelling unit	n/a	No changes.

ELECTORAL AREA B			
Zone	Existing Permitted Residential Housing Uses	HNDS Recommendation	Staff Proposed Zoning Amendments
RURAL RESOURCE ZONES (*Note several to be rezoned to AGR)			
RR1 (Rural Resource 1 Zone)	- SFD - Secondary suite (1 per SFD) - Parcels over 8ha: - Additional dwelling outside ALR - Manufactured home in ALR (provisions)	n/a	No changes. Provisions need to be updated to be consistent with ALCA and ALR Regulations.

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	Second SFD for farm help		
RR2 (Rural Resource 2 Zone)	- SFD - Secondary suite (per SFD) - Parcels over 8ha: - Additional dwelling outside ALR - Manufactured home in ALR (provisions) - Second SFD for farm help	n/a	No changes. Provisions need to be updated to be consistent with ALCA and ALR Regulations.
RR3 (Rural Resource 3 Zone)	- SFD - Secondary suite (per SFD) - Parcels over 8ha: - Additional dwelling outside ALR - Manufactured home in ALR (provisions) - Second SFD for farm help	n/a	No changes. Provisions need to be updated to be consistent with ALCA and ALR Regulations.
RR4 (Rural Resource 4 Zone)	- SFD - Secondary suite (1 per SFD) - Parcels of 8ha or greater: - Duplex - Second SFD	n/a	No changes.
RR5 (Rural Resource 5 Zone)	- SFD - Secondary suite (1 per SFD) - Parcels of 8ha or greater: - Duplex - Second SFD	n/a	No changes.
RESIDENTIAL ZONES			
R1 (Residential 1 Zone)	- SFD - Duplex - Secondary suite	Consider allowing both secondary suites and carriage homes in residential zones.	No changes. Parcels at Seton Portage, Fountain Lake, and Pavillion Lake have this zoning.
COMMERCIAL ZONES			
C1 (Core Commercial Zone)	Accessory dwelling unit	n/a	No changes.
C2 (General Commercial Zone)	Accessory dwelling unit	n/a	No changes.
PUBLIC AND INSTITUTIONAL ZONES			
P1 (Public and Institutional Zone)	No permitted residential uses	n/a	No changes.

ELECTORAL AREA C			
Zone	Existing Permitted Residential Housing Uses	HNDS Recommendation	Staff Proposed Zoning Amendments
RURAL ZONES			
RR1 (Rural 1)	- SFD - Secondary suite - Parcels of 1ha or greater: - Cottage - Duplex - Parcels of 2ha or greater: - Additional SFD - Parcels of 8ha or greater: - Two additional dwellings	Consider clustered housing (up to 4). Consider mobile home park	No changes. 3 dwellings, plus one secondary suite on parcels of 8 ha or greater already permitted. No changes. To be contemplated if brought forward by developer
RR3 (Rural 3)	- SFD - Secondary suite	n/a	No changes.

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AGRICULTURE ZONES			
AGR1 (Agricultural 1)	- Farm residence - Secondary suite - Farm employee residence (must be authorized by ALC) - Temporary farmworker housing (must be authorized by ALC)	n/a	No changes.
RESIDENTIAL ZONES			
R1 (Residential 1)	- SFD - Secondary suite - On parcels 2,000m² or larger: - Second dwelling unit to create duplex	n/a	No changes.
MHP (Mobile Home Park)	- Mobile home park - Auxiliary SFD for owner/operator	n/a	No changes.
COMMERCIAL ZONES			
C1 (Community Commercial)	- Combined commercial use and residential dwelling unit - Single family dwelling	n/a	No changes.
TC (Tourist Commercial)	- Single family dwelling - Duplex	n/a	No changes.
INDUSTRIAL ZONES			
I1 (Light Industrial)	Single family dwelling	n/a	No changes.
I2 (Resource Industrial)	Single family dwelling	n/a	No changes.
I3 (Independent Power Project)	No permitted residential uses	n/a	No changes.
INSTITUTIONAL ZONES			
PA1 (Public Assembly and Institutional)	Single family dwelling	n/a	No changes.
CWP (Community Watershed Protection)	No permitted residential uses	n/a	No changes.
COMPREHENSIVE DEVELOPMENT ZONES			
CD1 (Comprehensive Development 1 – WedgeWoods)	- SFD - Auxiliary dwelling unit (either suite or carriage home)	n/a	Additional permitted uses proposed: up to two auxiliary dwelling units (one within a single-family dwelling and one within a carriage house)

ELECTORAL AREA D			
Zone	Existing Permitted Residential Housing Uses	HNDS Recommendation	Staff Proposed Zoning Amendments
AGRICULTURE ZONES			
AGR1 (Agriculture 1 Zone)	- Farm residence - Secondary suite - Farm employee residence - Temporary farmworker housing	n/a	Housing provisions need revising to bring in line with ALC regulations (separate cover)
AGR2 (Agriculture 2 Zone)	- Farm residence - Secondary suite - Farm employee residence - Temporary farmworker housing	n/a	Housing provisions need revising to bring in line with ALC regulations (separate cover)
RURAL ZONES			
RR1 (Rural Resource 1 Zone)	- Single family dwelling - Secondary suite	n/a	Un-serviced areas – not suitable for additional residential uses

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RR2 (Rural Resource 2 Zone)	- Single family dwelling - Secondary suite	n/a	Additional permitted uses proposed: one carriage house.
RR3 (Rural Resource 3 Zone)	- Single family dwelling - Secondary suite	n/a	Additional permitted uses proposed: one carriage house
RR4 (Rural Resource 4 Zone)	- Single family dwelling - Secondary suite	n/a	Additional permitted uses proposed: one carriage house
RESIDENTIAL ZONES			
BTR1 (Black Tusk Residential 1 Zone)	Single family dwelling	n/a	No changes.
PR1 (Pinecrest Residential 1 Zone)	Single family dwelling	n/a	No changes.
RESIDENTIAL (BRITANNIA BEACH) ZONES			
BBR1 (Britannia Beach Residential 1 Zone)	- Single family dwelling - Secondary suite (with some exceptions)	n/a	No changes.
BBR2 (Britannia Beach Residential 2 Zone)	- Single family dwelling - Secondary suite - Cottage (on parcels of 1.15 ha or greater)	n/a	No changes.
BBR3 (Britannia Beach Residential 3 Zone)	- Single family dwelling - Secondary suite - Cottage (on parcels of 1.15 ha or greater)	n/a	No changes.
RESIDENTIAL (FURRY CREEK) ZONES			
FCR1 (Furry Creek Marina Residential 1 Zone)	- Single family dwelling - Duplex - Townhouse	n/a	No changes
FCR2 (Furry Creek Waterfront Residential 2 Zone)	- Single family dwelling - Duplex - Townhouse	n/a	No changes.
FCR3 (Furry Creek Uplands Residential 3 Zone)	- Single family dwelling - Secondary suite	n/a	No changes.
COMMERCIAL ZONES			
FCC1 (Furry Creek Commercial 1 Zone)	Dwelling unit	n/a	No changes.
FCC2 (Furry Creek Golf Course Commercial 2 Zone)	No permitted residential uses	n/a	No changes.
BC1 (Backcountry Commercial 1 Zone – Sea to Sky Gondola)	No permitted residential uses	n/a	No changes.
BC2 (Backcountry Commercial 2 Zone)	Employee housing	n/a	No changes.
BC3 (Backcountry Commercial 3 Zone – Whistler Olympic Park)	Custodian or caretaker residences	n/a	No changes.
BC4 (Backcountry Commercial 4 Zone – Canadian Wilderness Adventures)	Employee housing	n/a	No changes.
BC5 (Backcountry Commercial 5 Zone – Black Tusk Helicopters)	No residential uses permitted	n/a	No changes.
COMMERCIAL (RETREAT CENTRE) ZONES			
CRC1 (Commercial Retreat Centre 1 Zone)	- Auxiliary residential unit - Caretaker unit	n/a	No changes.
CRC2 (Commercial Retreat Centre 2 Zone)	- Single family dwelling - Employee housing	n/a	No changes.
CRC3 (Commercial Retreat Centre 3 Zone)	Employee housing	n/a	No changes.
CRC4 (Commercial Retreat Centre 4 Zone)	Employee housing	n/a	No changes.
INSTITUTIONAL ZONES			
P1 (Public and Institutional 1 Zone)	No residential uses permitted	n/a	No changes.

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INDUSTRIAL ZONES			
IND1 (Industrial 1 Zone)	No residential uses permitted	n/a	No changes.
PARK ZONES			
PS1 (Park Space 1 Zone)	No residential uses permitted	n/a	No changes.
CWP (Community Watershed Protection Zone)	No residential uses permitted	n/a	No changes.
COMPREHENSIVE DEVELOPMENT ZONES			
CD1 (Porteau Cove Comprehensive Development 1 Zone)	- Residential One (Single Family): - SFD - Secondary Suite - Residential Two (Mixed Housing): - SFD - Duplex - Townhouse - Secondary suite - Residential Three (Apartment): - Apartment - Townhouse - Stacked townhouse - Village Commercial (C1): - Apartment - Townhouse	15% affordable housing in new developments	No changes.
CD2 (Britannia Beach Oceanfront Comp. Dev. 2 Zone)	- Village Commercial (C1): - Apartment - Residential One (R1): - Townhouse - Apartment	15% affordable housing in new developments	No changes. Zoning Bylaw includes details on limiting rental prices under s. 219 covenant.
UNZONED AREAS			
U - UNZONED	n/a	n/a	No changes.
HAZARD ZONES			
RCLHA1 (RUBBLE CREEK LANDSLIDE HAZARD AREA 1)	n/a	n/a	No changes.
RCLHA2 (RUBBLE CREEK LANDSLIDE HAZARD AREA 2)	n/a	n/a	No changes.

Squamish Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999, Amendment Bylaw 1676-2020

The following amendments are proposed to the Electoral Area A Zoning Bylaw No. 670, 1999 based on recommendations from the Housing Need and Demand Study:

- A new term – *fourplex* – has been added.
- A new term – *triplex* - has been added.
- By adding the following permitted uses to the R1 RESIDENTIAL ZONE: *triplex* and *fourplex*, subject to minimum parcel area conditions being met.
- By adding the following as a permitted use in the C4 RESORT COMMERCIAL ZONE: employee housing.

- Reducing the minimum parcel size in RR2 Rural Resource Zone to 4 ha provided adequate water supply.
- By adding a new Section, 8.4, which clarifies that a Section 219 covenant defining levels of affordability and prohibiting short-term of vacation rentals of *triplex* or *fourplex* developments will be required.

Squamish Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw 1679-2019

The following amendments are proposed to the Electoral Area C Zoning Bylaw No. 765, 2002 based on recommendations from the Housing Need and Demand Study.

- The CD-1 Zone (WedgeWoods Estates) is amended to include provisions for up to two *auxiliary dwelling units* (one within a *single-family dwelling* and one within a *carriage house*). The property owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify that the units may not be used for short-term or vacation rentals and must be rented to a person who is currently employed within the geographic area of the Squamish-Lillooet Regional District.

Squamish Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw 1678-2019

The following amendments are proposed to the Electoral Area D Zoning Bylaw No. 1350.

- By adding *carriage house* as a permitted use to following zones, subject to adequate on-site water being demonstrated.
 - RR2 (Rural Resource 2 Zone)
 - RR3 (Rural Resource 3 Zone)
 - RR4 (Rural Resource 4 Zone)

Strategic Priorities/SLRD Strategic Plan (2019-2022)

The HNDS is aligned with the SLRD Strategic Plan goals as follows:

Category: People		
SLRD Strategic Plan Goal	SLRD Strategic Plan Objective	HNDS
Diversity of our communities is our strength. We are responsive to the short and long-term needs of the people that live here.	Not tied to specific objective	These zoning bylaw amendments address identified needs with respect to housing availability and affordability across the regional district.
Category: Regional Cooperation and Coordination		
Our challenges and opportunities are diverse, and our solutions are shared. We take strategic, measurable action for the benefit of the whole region.	Not tied to specific objective	The implementation of these zoning bylaw amendments will be region wide as appropriate, supporting improved housing availability and affordability across all electoral areas.

SUMMARY

The 2020 SLRD Housing Need and Demand Study included a number of recommendations for improving the provision of affordable housing across all regions of the SLRD. While addressing affordable housing will require a multi-pronged approach, some of the recommendations pertained to amendments that could be made to existing zoning bylaws. These recommendations have been addressed by way of this report and the proposed bylaw amendments.

REGIONAL IMPACT ANALYSIS

Affordable housing is a regional issue, requiring both regional solutions and solutions tailored to the unique character of each Electoral Area. This is recognized by developing proposed bylaws for each Electoral Area.

OPTIONS:

Option 1 (PREFERRED OPTION)

Give Amendment Bylaws No. 1676-2020, No. 1679-2020, and No. 1678-2020 second reading and direct staff to schedule an electronic public hearing

Option 2

Refer back to staff for more information or revision prior to giving the bylaws readings.

Option 3

Do not proceed with Bylaws No. 1676-2020, No. 1679-2020, and No. 1678-2020.

ATTACHMENTS:

Appendix A: Proposed Amendment Bylaw No. 1676-2020 (Electoral Area A)

Appendix C: Proposed Amendment Bylaw No. 1679-2020 (Electoral Area C)

Appendix D: Proposed Amendment Bylaw No. 1678-2020 (Electoral Area D)

Appendix E: Referral Response Letters

Prepared by: D. Kyobe, Planner

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

Approved by: M. Helmer, Chief Administrative Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1676-2020**

A bylaw of the Squamish-Lillooet Regional District to amend Squamish-Lillooet Regional District
Zoning Bylaw No. 670, 1999

WHEREAS the Board of the Squamish-Lillooet Regional District wishes to amend Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999; which pertains to Electoral Area A;

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 Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1676-2020”.
2. Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999 is amended as follows:
 - (a) By adding the following definitions to Section 1:

FOURPLEX means buildings divided into four dwelling units, each of which is occupied or intended to be occupied as a permanent home or residence of one *family*. The following conditions apply to a fourplex:

- The unit may not be used for short-term or vacation rentals.

TRIPLEX means buildings divided into three dwelling units, each of which is occupied or intended to be occupied as a permanent home or residence of one *family*. The following conditions apply to a triplex:

- The unit may not be used for short-term or vacation rentals.

- (b) By replacing SECTION 7 – RR2 RESIDENTIAL RESOURCE ZONE (8 ha) with:

SECTION 7 – RR2 RESIDENTIAL RESOURCE ZONE (4 ha)

- (c) By replacing the table in Section 7.2, Regulations with the following table:

COLUMN I Matter to be Regulated		COLUMN II Regulations
.1	Minimum <i>Parcel Area</i> for New Subdivisions	4 ha
.2	Maximum Number of <i>Dwellings</i> per parcel	• on parcels less than 8 ha.: 1 • on parcels 8 ha or greater: 2 single family dwellings or 1 duplex
.3	Maximum Number of <i>Secondary Suites</i> per <i>Single Family Dwelling</i>	1
.4	Minimum <i>Setback</i> • from <i>front parcel line</i> • from all other <i>parcel lines</i>	7.5 m 4.5 m

.5	Minimum setback for <i>cannabis production facility</i> (from all parcel lines)	15 m
.6	Maximum height for a <i>cannabis production facility</i>	10 m
.7	Maximum <i>gross floor area</i> for a <i>cannabis production facility</i>	2,500 m ²

(d) By adding the following to SECTION 8 – R1 RESIDENTIAL ZONE I, Section 8.1, Permitted Use:

- triplex
- fourplex

(e) By replacing the table in Section 8.2, Regulations, with the following table:

COLUMN I Matter to be Regulated		COLUMN II Regulations
.1	Minimum <i>Parcel Area</i> for New Subdivisions	• where a parcel is served by both a community water system and a community sewer system: 600m² • where a parcel is served by a community water system but not a community sewer system: 2,000m² • in all other cases: 2ha
.2	Minimum <i>Parcel Area</i> Required for a <i>Duplex</i>	• where a parcel is served by a community water system and a community sewer system: 900m² • where a parcel is served by a community water system but not a community sewer system: 2,000m² • in all other cases: 2ha
.3	Minimum <i>Parcel Area</i> Required for a <i>Triplex</i>	• where a parcel is served by a community water system and a community sewer system: 900m² • where a parcel is served by a community water system but not a community sewer system: 2,000m² • in all other cases: 2ha

.4	Minimum <i>Parcel Area</i> Required for a <i>Fourplex</i>	- where a parcel is served by a community water system and a community sewer system: 900m² - where a parcel is served by a community water system but not a community sewer system: 2,000m² - in all other cases: 2ha
.5	Maximum gross floor area of each unit in a <i>Triplex</i>	140 m ²
.6	Maximum gross floor area of each unit in a <i>Fourplex</i>	120 m ²
.7	Maximum Number of <i>Single Family Dwellings</i> , <i>Duplexes</i> , <i>Triplexes</i> , or <i>Fourplexes</i> per parcel	1
.8	Maximum Number of <i>Secondary Suites</i> per <i>Single Family Dwelling</i>	1
.9	Minimum <i>Setback</i> - from <i>front parcel line</i> - from <i>interior side parcel line</i> - from exterior side parcel line - from rear parcel line	5 m 1.5 m 4.5 m 3 m
.10	Maximum <i>Height</i> of <i>principal building</i> <i>accessory building</i>	11 m 4 m
.11	Maximum <i>Coverage</i>	33%

(f) By adding the following to SECTION 15 – C4 ZONE – RESORT COMMERCIAL ZONE, Section 15.1, Permitted Uses:

- *employee housing*

(g) By adding the following Section after Section 8.3:

Affordability

- 8.4 The property owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify that the unit may not be used for short-term or vacation rentals.

READ A FIRST TIME this	16 th day of	DECEMBER, 2020
READ A SECOND TIME this	day of	, 2021
PUBLIC HEARING this	day of	, 2021
READ A THIRD TIME this	day of	, 2021
PER s.52 (3)(a) of the Transportation Act, APPROVED by the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this	day of	, 2021
ADOPTED this	day of	, 2021

Jen Ford
Chair

Kristen Clark
Corporate Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1679-2020**

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 Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002;

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

1. This bylaw may be cited for all purposes as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1679-2020”.
2. Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002 is amended as follows:

(a) By amending the wording in Section 16.2(2)(b) so that it reads as follows:

no more than one *dwelling* and one *auxiliary dwelling unit* located within a *single family dwelling* or within a *carriage house* may be located on parcel, unless permitted under Section 16.9.

(b) By adding the following Section after 16.8:

Affordability

- 16.9 (1) To support the provision of affordable housing, a maximum of two *auxiliary dwelling units*, one in a *single family dwelling*, and one in a *carriage house*, may be permitted subject to Section 16.9(2) and the ability to accommodate sufficient vehicle parking in accordance with Section 4 on the parcel.
- (2) In order to build two *auxiliary dwelling units*, the property owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify that the units may not be used for short-term or vacation rentals and must be rented to a person who is currently employed within the geographic area of the Squamish-Lillooet Regional District.

READ A FIRST TIME this	16 th day of	DECEMBER, 2020
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READ A SECOND TIME this	day of	, 2021
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PUBLIC HEARING this	day of	, 2021
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READ A THIRD TIME this	day of	, 2021
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PER s.52 (3)(a) of the Transportation Act, APPROVED by the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this	day of	, 2021
--	--------	--------

ADOPTED this

day of

, 2021

Jen Ford
Chair

Kristen Clark
Corporate Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1678-2020**

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

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. 1678-2020”.
2. Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016 is amended as follows:

(a) By adding the following definitions to Section 1:

CARRIAGE HOUSE means a detached building that contains an auxiliary dwelling unit, and may contain accessory uses such as a garage.

(b) By adding *carriage house* to the following sections:

7.2.2 RR2 – RURAL RESOURCE 2 ZONE Permitted Uses

7.3.2 RR3 – RURAL RESOURCE 3 ZONE Permitted Uses

7.4.2 RR4 – RURAL RESOURCE 4 ZONE Permitted Uses

(c) By adding the following provision to Sections:

7.2.3 RR2 – RURAL RESOURCE 2 ZONE, Regulations

7.3.3 RR3 – RURAL RESOURCE 3 ZONE, Regulations

7.4.3 RR4 – RURAL RESOURCE 4 ZONE, Regulations

.11 The maximum *gross floor area* of a *carriage house* shall be 200 m², with no more than 90 m² dedicated to the *auxiliary dwelling unit*.

READ A FIRST TIME this	16 th day of	DECEMBER, 2020
READ A SECOND TIME this	day of	, 2021
PUBLIC HEARING this	day of	, 2021
READ A THIRD TIME this	day of	, 2021
PER s.52 (3)(a) of the Transportation Act, APPROVED by the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this	day of	, 2021
ADOPTED this	day of	, 2021

Jen Ford
Chair

Kristen Clark
Corporate Officer



January 25, 2021

Daniel Kyobe, Planner
Squamish-Lillooet Regional District
Box 219, 1350 Aster Street,
Pemberton, BC V0N 2L0

E-mail: dkyobe@slrd.bc.ca

Dear Mr. Daniel Kyobe:

RE: Zoning Amendment Bylaw No. 1676-2020, Bylaw No. 1679-2020 and Bylaw No. 1678-2020 – SLRD First Reading Referral.

The proposal seeks to address the need for affordable housing in Electoral Area A, Electoral Area C and Electoral Area D.

Interior Health, Healthy Communities thanks the Squamish and Lillooet District (SLRD) for recognizing the link between our [health and housing](#). Housing that is good quality, accessible, appropriate and affordable can support the health and well-being of individuals and communities, contributing to an increased sense of safety, decreased crime, greater social well-being and improved quality of life. We recognize the work that the SLRD is doing to balance housing needs and diversify housing opportunities in the region while maintaining high quality and safe housing for everyone.

In order to minimize biological hazard for housing a parcel would need to provide a safe, potable water source and supply to the residents and the onsite sewerage systems would need to comply with the Sewerage System Regulation.

The onsite sewerage systems should be sustainable for all new residential dwellings therefore, the parcel should be suitable to accommodate reserve sites for alternate sewerage disposal areas for the sustainability of these affordable housing units. The Ministry of Community, Sport and Cultural Development has proposed a minimum lot size of one hectare for a single family dwelling as sustainable in the long term when needing to be independent for onsite water and sewer servicing.

Interior Health supports and recommends this minimum parcel size in the absence of zoning which protects long-term sustainability for development of residential units.

Please contact our office if you have any questions.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Clare Audet', is written over a light blue circular stamp.

Clare Audet

Environmental Health Officer – Healthy Communities – Healthy Community Development



Your File #:
MoTI File #: 2020-06237
Date: Dec/30/2020

Squamish-Lillooet Regional District

1350 Aster Street
Box 219
Pemberton, British Columbia V0N 2L0
Canada

Attention:

Re:

**Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002,
Amendment Bylaw No. 1679-2020
Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016,
Amendment Bylaw No. 1678-2020**

Thank you for the opportunity to comment on the proposed bylaws.

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions please feel free to call Leah Catton at (236) 455-1686.

Yours truly,

Leah Catton
Development Officer

Local District Address
Squamish Area Office 101-42000 Loggers Lane Squamish, British Columbia V8B 0H3 Canada Phone: () - Fax: (604) 898-4376



Your File #:
eDAS File #: 2021-00145
Date: Jan/12/2021

Squamish-Lillooet Regional District

Box 219-1350 Aster Street Street
Pemberton, British Columbia V0N 2L0
Canada

Attention: David Kyobe

Re:

- *Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1676-2020*
- *Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1679-2020*
- *Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016, Amendment Bylaw No. 1678-2020*

Thank you for the opportunity to comment on the proposed bylaws.

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions please feel free to call Sandra Wagner at (250) 398-4523.
Yours truly,

Sandra Wagner
Development Officer

Local District Address
100 Mile House Area Office 301-640 Borland Street Williams Lake, BC V2G 4T1 Canada Phone: (250) 395-8943 Fax: (250) 395-6062



January 29, 2021

Squamish-Lillooet Regional District
PO Box 219 – 1350 Aster Street
Pemberton, BC V0N 2L0
Email: DKyobe@slrd.bc.ca

Attention: David Kyobe, Planner

Re: Zoning Amendment Bylaw No. 1676-2020, Bylaw No. 1679-2020 and Bylaw No. 1678-2020 – SLRD First Reading Referral

Our File: 12212020-002 SLRD SLRD Zoning Bylaw no.s 1676-2020, 1679-2020, 1678-2020 – Areas A, C, D

We are writing to you in response to your letter dated December 21, 2020 informing us of the zoning bylaw administration amendments and asking us to bring forward any aboriginal interests we may have on or adjacent to the land in question.

The SLRD Area C and a portion of Area D lie within the traditional territory of the Lil'wat Nation. These lands have been used and occupied by the Lil'wat since time immemorial. The Province of British Columbia has been notified of the existence of the Lil'wat Nation's traditional territory.

The Lil'wat Nation asserts unextinguished title to its traditional territory, sovereignty over its traditional territory, and a right to self-determination. The Lil'wat Nation's aboriginal rights, including title, are protected under s. 35 of the *Constitution Act, 1982*.

A series of recent court decisions have:

- upheld the existence of aboriginal title in British Columbia;
- declared that aboriginal title coexists with crown title;
- limited the instances in which aboriginal title can be infringed by British Columbia or a third party;
- established strict criteria for any such infringement;
- declared that aboriginal title includes the right to choose the use to which the land is put;
- placed a legal duty on the Province of British Columbia to undertake meaningful consultation with First Nations and accommodate potential infringement; and
- declared that accommodation may have economic and/or cultural components.

Furthermore, the Supreme Court of Canada confirmed in the *Tsilhqot'in* decision that aboriginal title is real and meaningful, territorial in nature, and that First Nation consent is required for the use of its aboriginal title lands and resources. The decision also specifically states that aboriginal title confers:

. . . the right to decide how the land will be used; the right of the enjoyment and occupancy of the land; the right to possess the land; the right to economic benefits of the land; and the right to pro-actively use and manage the land. (at para. 73)

As a consequence of these decisions, British Columbia is under a legal obligation to consult with the Lil'wat Nation, and, where appropriate, seek consent from Lil'wat Nation and accommodate the Lil'wat Nation for infringements on its aboriginal title and rights.

We have reviewed the information provided with this referral regarding the zoning bylaws 1676-2020, 1679-2020 and 1678-2020 amendments. We do not have any comments at this time regarding this decision. However, if any new information were to arise during the course of this activity that indicates there may be impacts on Lil'wat aboriginal rights, title or interests, we would expect to receive notice and to have an opportunity to provide comments at that time. Furthermore, nothing in this letter is intended to affect the scope of, or the opportunity to exercise, any of Lil'wat's aboriginal rights, nor is it intended to accept any infringement of same.

Sincerely,



Harriet VanWart, Director
Land and Resources Department
Lil'wat Nation

RMOW File No. CR000106

February 8, 2021

David Kyobe, Planner
Squamish-Lillooet Regional District
Via email: dkyobe@slrd.bc.ca

Dear Mr. Kyobe,

Re: SLRD: Zoning Amendment Bylaw No. 1679-2020

Thank-you for the opportunity to comment on the above noted bylaw amendment.

At the regular meeting of Council on February 2, 2021, The Resort Municipality of Whistler passed the following resolution:

That Council direct staff to respond to the referral from the Squamish-Lillooet Regional District regarding proposed Bylaw No. 1679-2020 with the comments attached as Appendix "A" to Administrative Report No. 21- 008.

The following are the comments as per the above resolution:

- The RMOW is generally supportive of the proposed zoning amendment to permit one additional auxiliary residential dwelling unit for employee restricted housing within the existing approved subdivision for Wedgewood Estates.
- With respect to the Section 219 Covenants that will be required to be registered in order to have two auxiliary dwelling units on a parcel, we request that consideration be given to the following:
 - o Ensure the covenant requirements are specified such that the housing is restricted for affordable employee housing.
 - o Clearly establish that eligible renters include people employed within the member municipalities in addition to people employed within the geographic boundary of the SLRD
 - o Establish a clear definition of employee and clarify what parameters will exist around, minimum amount of time employed, minimum number of hours worked per week/month, etc.
 - o Include a mechanism such as a specific price cap or maximum rental rate, to ensure affordability



- Suggest defining “long term rental” under the zoning bylaw to be a minimum of not less than six months, in order to dissuade the loss of long term housing stock to weekenders who may otherwise rent units for an entire winter season
- Consider how best to manage the units, particularly with respect to how compliance will be assessed and enforced
- Investigate provision of transit service for residents. Consider the establishment of a transit stop for the Pemberton Commuter, including consideration of related turn lane/bus shelter improvements as may be necessary to facilitate the safe and efficient access to and from the neighbourhood for both vehicles and pedestrians

In addition to the above, staff note that during the Council discussion at the February 2, 2021 meeting, it was also suggested that consideration be given to establishing a requirement for an annual statutory declaration from owners to declare that the units are being occupied as per the terms of the registered covenant.

If you have any questions, please contact Tracy Napier at 604-935-8153, or via email at tnapier@whistler.ca.

Sincerely,

Tracy Napier
Planner, Resort Experience

for

Jessie Gresley-Jones
General Manager, Resort Experience