



REQUEST FOR DECISION

Boulder Creek Operators Residence – Zoning Amendment (First Reading & Referrals)

Meeting Date: March 12, 2024/March 27, 2024

To: SLRD Electoral Area Directors/SLRD Board

Applicant: Boulder Creek Power Inc.

Location: 15002 Upper Lillooet River Forest Service Road, Electoral Area C

Legal Description: Crown Land Tenure file number 2412750 – THAT PARCEL OR TRACT OF UNSURVEYED CROWN LAND IN THE VICINITY OF BOULDER CREEK TOGETHER WITH UNSURVEYED CROWN FORESHORE OR LAND COVERED BY WATER BEING PART OF THE BED OF BOULDER CREEK ALL WITHIN LILLOOET DISTRICT, CONTAINING 6.78 HECTARES, MORE OR LESS”

RGS Designation: Non-Settlement Area	OCB Designation: Resource Management	Zoning: RR1(RM)	ALR Status: No	Development Permit Areas: Wildfire Protection
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RECOMMENDATIONS:

THAT Bylaw 1850-2024, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1850-2024” be given first reading.

THAT Bylaw 1850-2024, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1850-2024” be referred to the appropriate First Nations, Village of Pemberton, and provincial agencies including the Ministry of Transportation and Infrastructure, and Vancouver Coastal Health for comment.

KEY ISSUES/CONCEPTS:

The SLRD received a zoning amendment application for an operator residence facility for employees of the Boulder Creek and Upper Lillooet River Hydroelectric Facilities at 15002 Upper Lillooet River Forest Service Road. The current operator residence facilities have been operating on a temporary basis, and the location has presented challenges for access and safety reasons. The land at the proposed new site is not currently in use, but the area was previously used for a temporary construction camp during the construction of the Upper Lillooet River and Boulder Creek Hydroelectric facilities. The area was reclaimed following decommissioning of the temporary camp. Amendment Bylaw No. 1850-2024 proposes to rezone the subject parcel from Rural Residential 1 Zone (Resource Management Subzone) (RR1(RM)) to RR8 – Boulder Creek Operator Residence – a site specific new zone providing for employee housing for up to 20 persons on a 6.78-hectare parcel. Site servicing, including electricity, water and septic, is already in place.

The current RR1(RM) Zone provides for temporary construction camp use, but does not provide for long-term employee housing. The proponent has submitted an application to the Ministry of Forests for a Crown Land Tenure on the subject parcel to provide for the employee housing/operator residence for the operational life of the hydroelectric facilities (more than 30 years). The SLRD Zoning Amendment application and Ministry of Forests Crown Land Tenure application are being processed concurrently, with adoption of Amendment Bylaw 1850-2024 being contingent on the Crown Land Tenure.

As the proposed zoning amendment is aligned with the Resource Management OCP designation and the purpose is to permit a residential development, the SLRD must not hold a public hearing on the proposed bylaw. Notice has been provided as per the *Local Government Act (LGA)* requirements, with advertisements in the newspaper and information on the SLRD website. Public submissions will be presented to the SLRD Board at second reading, along with agency referral comments.

SLRD staff are comfortable the parcel can accommodate the proposed employee housing and accessory uses. SLRD staff are also comfortable the site is “safe for intended use” based on the submitted geotechnical reports. Zoning Amendment Bylaw No. 1850-2024 is being presented for consideration of first reading.

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.

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](#)

BACKGROUND:

Project Description

Employee Housing and Accessory Uses

The application proposes 20 employee housing units – 6 Atco trailers with 2 sleeping units each and 1 over flow residence building. The application states that the over flow employee housing unit is intended for occasional overflow housing for contractors or visitors completing routine or as-need maintenance activities. Proposed accessory buildings and uses include electrical equipment, general storage, water treatment facility, and gym (all in sea cans), as well as a workshop (dome shelter).

Current Site Servicing

The application confirms the following services on site: electrical (provided by the Boulder Creek Hydroelectric Facility Powerhouse), water (provided by a groundwater well – Conditional Water Licence (Groundwater) 500112)), and septic.

Crown Land Tenure

The proponent has submitted a Crown Land Tenure application to Ministry of Forests (Crown Land Tenure file number 2412750) for the operator residence and accessory uses, as proposed under the zoning amendment application. The tenure will be for more than 30 years, reflecting the operational life of the hydroelectric facilities. The SLRD Zoning Amendment Application and Ministry of Forest Crown Land Tenure application are being processed concurrently, with adoption of Amendment Bylaw No. 1850-2024 being contingent on the Crown Land Tenure.

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

Public Hearing Not Held

Changes introduced under Bill 44 - *Housing Statutes (Residential Development) Amendment Act* now limit the discretion that was previously afforded to local governments. Specifically, amendments to section 464 now state that a local government cannot hold a public hearing in two circumstances: first, where a proposed zoning bylaw permits residential development that is consistent with an existing OCP; and second, where a proposed bylaw relates to small-scale multi-family housing developments.

As per section 464 (3) of the *LGA*, a local government must not 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,*
- (b)the bylaw is consistent with the official community plan,*
- (c)the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and*
- (d)the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.*

As Amendment Bylaw 1850-2024 is consistent with the Electoral Area C Official Community Plan and the purpose is to permit a residential development (with the residential portion accounting for 50% or more of the total development area), the SLRD must not hold a public hearing on the proposed bylaw.

Notice

Notice has been provided as per the *LGA*. This includes:

- Neighbour Notifications sent to all property owners/tenants within 150m of the subject property (note in this instance no properties are located within 150m of the subject property);
- Newspaper Ads placed in the March 15th and March 22th editions of the Pique Newsmagazine; and
- A Notice posted on the SLRD website, with information also available at the SLRD office front desk.

ANALYSIS:

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

The SLRD Regional Growth Strategy (RGS) Non-Settlement Area designation provides for resource extraction and industrial uses on resource lands. Maintaining the 40-hectare minimum parcel size is also aligned with the Non-Settlement Area designation. Zoning Amendment Bylaw 1850-2024 is consistent with the Non-Settlement Area designation.

Electoral Area C Official Community Plan – Review

The subject parcel is designated Resource Management under the Electoral Area C OCP. The following policies pertain to lands designated as Resource Management:

11.1. Sustainable natural resource use compatible with the aesthetic and environmental values of the community is encouraged on lands designated as Resource Management, as indicated on Map 1 – Land Use Designations.

11.2. Permitted uses on Resource Management lands are residential, agriculture, resource extraction, silviculture, dispersed outdoor recreation, and ancillary uses related to these activities.

11.3. In all Resource Management areas of the plan, the minimum parcel area shall be forty hectares.

11.4. The development of small hydroelectric facilities is considered to be consistent with the Resource Management land designation where they are shown to be compatible with adjacent land uses, technically sound, environmentally responsible, socially responsible, and licensable.

....

11.9. Small scale commercial facilities for back country recreation, including campgrounds, public or commercial backcountry huts, and extensive recreation shall be considered consistent with the Resource Management land use designation.

....

11.12. The SLRD will advocate for collaborative planning and decision making with provincial land management and tenure granting agencies to ensure that operational plans, prescriptions, permits and tenures contain provisions that will minimize adverse effects of resource development or use on adjacent communities (e.g. risk of flooding, debris flow, landslide, or erosion on downstream settlement areas, deteriorated water quality in domestic water supplies, deteriorated visual quality, noise effects from motorized activity).

Zoning Amendment Bylaw No. 1850-2024 is aligned with the Resource Management designation and policies.

Electoral Area C Zoning Bylaw – Review

The subject parcel is zoned RR1(RM) – Rural Residential 1 (Resource Management subzone). This subzone provides for temporary construction camp use, but does not provide for long-term employee housing. Thus, the need for a zoning amendment application.

RR8 Zone – Boulder Creek Operator Residence:

The proposed new RR8 Zone is a site-specific zone that provides for employee housing and accessory uses for operators of the Boulder Creek and Upper Lillooet River Hydroelectric facilities. The minimum parcel size will remain at 40 hectares. The maximum number of employee housing units is 20, with a maximum gross floor area of 760m². The maximum number of accessory buildings is five, with a maximum gross floor area of 620m². The following Employee Housing definition is also proposed as part of Amendment Bylaw No. 1850-2024, as the Area C Zoning Bylaw does not currently include an employee housing definition.

Employee Housing Definition:

EMPLOYEE HOUSING means the *use* of a *dwelling unit* for occupation only by employees, or individuals related by blood, adoption, common-law marriage, or foster parenthood to an employee or cohabiting with an employee in a spousal relationship.

Geotechnical Report

Knight Piesold Consulting completed a geotechnical assessment in 2016 for the Upper Lillooet Hydro Project – Proposed Operators Residence – Qualitative Risk Assessment for Natural Terrain Landslide Hazards (KP, 2016). This report concluded that the higher elevation of the original temporary construction camp (now the proposed location of the operators residence) is a safer and more appropriate site in the event of landslide activities.

An updated geotechnical report was submitted in January 2024 as part of the SLRD Zoning Amendment application. Knight Piesold Consulting reviewed possible changes to the landside hazards and risk at the site for the time period from the 2016 landslide risk assessment report to the present day. The updated geotechnical report confirms that the conclusions from the 2016 geotechnical for the Operators Residence (KP, 2016) are still valid. Further, the updated geotechnical report states that the proposed location of the operators residence/employee housing meets the adopted risk tolerance criteria provided the set-back requirements for occupied structures are followed and is therefore concluded to be ‘safe for the use intended’. The required setbacks will be implemented at the building permit stage.

See the geotechnical reports for full details:

- [Upper Lillooet Hydro Project – Proposed Operators Residence – Qualitative Risk Assessment for Natural Terrain Landslide Hazards \(KP, 2016\)](#)
- [Updated Geotechnical Report \(KP, 2024\)](#)

Lil'wat Nation Letter of Support

Lil'wat Nation provided a letter of support to Ministry of Forests and the SLRD pertaining to the subject relocation of the operator residence, acknowledging the safety issues. The Lil'wat Nation letter of support also stated that the Nation wishes to receive referrals as part of the tenure and zoning amendment processes.

Lil'wat Nation will be included in the referrals following first reading.

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 considerations and Vancouver Coastal Health (VCH) will review any servicing considerations.

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: building code requirements; and geotechnical report recommendations.

Next Steps

Amendment Bylaw No. 1850-2024 process steps include:

1. Notice – **Complete**
2. First Reading and Referrals
3. Second Reading, including Public Hearing Waiver Submissions and Referral Responses
4. Third Reading and Adoption

REGIONAL IMPACT ANALYSIS:

Impacts of the Boulder Creek operator residence employee housing will be largely local, with the current temporary construction camp shifting to provide for long-term employee housing. The employee housing aligns with the Crown Land Tenure applications and addresses the need for operators on site to manage the Boulder Creek and Upper Lillooet Hydroelectric facilities.

OPTIONS:

Option 1 (PREFERRED OPTION)

Give first reading to Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1850-2024, and initiate the referral process.

Option 2

Refer the zoning amendment application back to SLRD staff for more information, or for revision.

Option 3

Reject the zoning amendment application.

FOLLOW UP ACTION: If approved by the Board, proceed with initiating the referral process.

ATTACHMENTS:

Appendix A: Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1850-2024

Appendix B: Context Map

Prepared by: C. Dewar, Senior Planner

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

Approved by: H. Paul, Chief Administrative Officer

SQUAMISH-LILLOOET REGIONAL DISTRICT BYLAW NO. 1850-2024

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. 1850-2024”.
 2. Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002 is amended as follows:
 - (a) By adding the following designation to Table 2-1 Designation of Zones, to come after SECTION 5.7 – RR LLHJ ZONE – LILLOOET LAKE – HEATHER JEAN ZONE:
RR8 ZONE – BOULDER CREEK OPERATOR RESIDENCE
 - (b) By adding the following definition:

EMPLOYEE HOUSING means the *use of a dwelling unit* for occupation only by employees, or individuals related by blood, adoption, common-law marriage, or foster parenthood to an employee or cohabiting with an employee in a spousal relationship.
 - (c) By inserting the following 5.8 RR8 ZONE – BOULDER CREEK OPERATOR RESIDENCE into Schedule A Zoning Bylaw under SECTION 5 RURAL ZONES and following the SECTION 5.7 – RR LLHJ ZONE – LILLOOET LAKE – HEATHER JEAN ZONE as follows:
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SECTION 5.8 – RR8 ZONE – BOULDER CREEK OPERATOR RESIDENCE

Intent

- 5.8.1 The intent of this zone is to provide for *employee housing* and *accessory* uses for operators of the Boulder Creek and Upper Lillooet River Hydroelectric Facilities.

Permitted Uses

- 5.8.2 Land, *buildings* and *structures* in the RR8 Zone shall be used for the following purposes only:
- (1) (a) *employee housing*, associated with the Boulder Creek and Upper Lillooet River Hydroelectric Facilities and as per s. 5.8.6; and
 - (b) *accessory uses, buildings and structures*.

Parcel Coverage

- 5.8.3 The *parcel coverage* of all *buildings* and *structures* shall not exceed 20 percent.

Parcel Area

5.8.4 The minimum *parcel area* in the RR8 Zone shall be 40 hectares.

Siting Requirements

5.8.5 No *building* or *structure* or part thereof, except a *fence*, shall be located within 7.5 metres of a *parcel line*.

Dwelling Units, Gross Floor Area, and Height Regulations

5.8.6 On a parcel located in the RR8 Zone, no *use*, *building* or *structure* shall be established, constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

	COLUMN I	COLUMN II
	Matter to be Regulated	Regulations
.1	Maximum number of <i>employee housing units</i>	20
.2	Maximum <i>employee housing gross floor area</i>	760 m ²
.3	Maximum <i>employee housing building height</i>	11 m
	Maximum <i>gross floor area</i> of all <i>accessory buildings</i>	620 m ²
.4	Maximum <i>accessory building height</i>	11 m

Parking & Loading

5.8.7 Parking and loading shall comply with the requirements of Section 4 of this Bylaw.

- (d) The Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 762, 2002, Schedule B Maps is amended as follows:
The land outlined on the map on Schedule 1 to this bylaw and legally described as “Crown Land Tenure file number 2412750 – THAT PARCEL OR TRACT OF UNSURVEYED CROWN LAND IN THE VICINITY OF BOULDER CREEK TOGETHER WITH UNSURVEYED CROWN FORESHORE OR LAND COVERED BY WATER BEING PART OF THE BED OF BOULDER CREEK ALL WITHIN LILLOOET DISTRICT, CONTAINING 6.78 HECTARES, MORE OR LESS” is rezoned from RR1RM Zone (Rural 1 (Resource Management Subzone)) to RR8 Zone (Boulder Creek Operator Residence).

- (e) By adding Amendment Bylaw 1850-2024 to the Summary of Amendments table as follows:

1850-2024	Boulder Creek Operator Residence Rezoning – RR8	, 2024
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READ A FIRST TIME this _____ day of _____, 2024

READ A SECOND TIME this _____ day of _____, 2024

READ A THIRD TIME this _____ day of _____, 2024

ADOPTED this _____ day of _____, 2024

Jen Ford
Chair

Angela Belsham
Corporate Officer



Schedule 1 - Bylaw No. 1850-2024

 RR1RM Zone (Rural 1 (Resource Management Subzone)) to RR8 Zone
(Boulder Creek Operator Residence)



Appendix B: Context Maps



Boulder Creek Operator Residence

15002 Upper Lillooet River Forest Service Road

SLRD Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1850-2024