



Request for Decision

Zoning Amendment Bylaw No. 1692-2020 (Electoral Area A) Bylaw No. 1693-2020 (Electoral Area B), Bylaw No. 1694-2020 (Electoral Area D)
Retaining Wall & Housekeeping Amendments (First Reading)

Meeting Date: November 25, 2020

To: SLRD Board

RECOMMENDATION:

THAT Bylaw No. 1692-2020, cited as “Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1692-2020” be given first reading and referred out to affected First Nations, Provincial agencies and ministries.

THAT Bylaw No. 1693-2020, cited as “Squamish-Lillooet Regional District Electoral Area B Zoning Bylaw No. 1300, 2013, Amendment Bylaw No. 1693-2020” be given first reading and referred out to affected First Nations, Provincial agencies and ministries, as well as the District of Lillooet.

THAT Bylaw No. 1694-2020, cited as “Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350, 1999, Amendment Bylaw No. 1694-2020” be given first reading and referred out to affected First Nations, Provincial agencies and ministries, as well as the District of Squamish and Resort Municipality of Whistler.

RELEVANT POLICIES:

[Squamish-Lillooet Regional District Strategic Plan \(2019-2022\)](#)

[Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999](#)

[Upper Bridge River Valley Official Community Plan Bylaw No. Bylaw 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 D Zoning Bylaw No. 1350-2016](#)

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

KEY INFORMATION:

This report is being presented to the Board in order to seek first reading and referral of Bylaw No. 1692-2020, Bylaw No. 1693-2020, and Bylaw No. 1694-2020. On February 26, 2020, the Board directed Staff to update all the Electoral Area bylaws using the retaining wall provisions in Amendment Bylaw No. 1649-2019 in order to minimize the potential negative impacts of large retaining walls in Electoral Area A, Electoral Area B, and Electoral Area D.

This report also introduces:

1. The replacement of the existing definition of Agriculture in Electoral Areas A, B, and D. An update to the Agriculture definition in Area C is being brought forward in Amendment Bylaw 1695-2020.
2. The addition of Temporary Use Permit language in Electoral Area A and B, which allows all zones to consider Temporary Use Permits.
3. Updated *Local Government Act* (LGA) section references for Electoral Areas A and B.
4. The replacement of the existing Driveway Gradient regulations in Electoral Area D with updated regulations. Updates to the Driveway Gradient regulations in Area C are being brought forward in Amendment Bylaw 1695-2020.

Background

At the February 26, 2020 Board meeting, the Board passed the following resolution:

THAT staff be directed to bring the retaining wall provisions as included in amendment Bylaw No. 1649-2019 forward for Squamish-Lillooet Regional District [Electoral Area A] Zoning Bylaw No. 670, 1999 under separate cover at a future meeting.

THAT staff be directed to bring the retaining wall provisions as included in amendment Bylaw No. 1649-2019 forward for Squamish-Lillooet Regional District Electoral Area B Zoning Bylaw No. 1300-2013 under separate cover at a future meeting.

THAT staff be directed to bring the retaining wall provisions as included in amendment Bylaw No. 1649-2019 forward for Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350-2016 under separate cover at a future meeting.

DISCUSSION:

The proposed bylaws will address retaining walls higher than 2.5 m and with a minimum terrace depth of 1.2 m in Electoral Areas A, B and D. In order to determine appropriate heights and depths of the retaining walls, staff surveyed other Regional Districts and municipalities in British Columbia. The survey results, and a detailed discussion on the retaining walls/structures issue being addressed by these proposed bylaws can be found in the discussion section of the [May 27, 2020 staff report](#).

The Bylaws will replace the existing definition of Agriculture in Electoral Areas A, B, and D with an updated Agriculture definition to align them with current ALC farm use provisions. The addition of standard Temporary Use Permit language is also proposed, which enables all zones to consider Temporary Use Permits. This is consistent with the approach used in other SLRD zoning bylaws. References to the LGA in the Electoral Areas A and B Zoning Bylaws will also be replaced to reflect the most up to date section numbers current as of October 28, 2020. Finally, the existing Driveway Gradient regulations in Area D will be updated to improve clarity of interpretation and implementation.

ANALYSIS:

- A new term – *retaining wall* – has been added to Zoning Bylaw No. 670, 1999, Zoning Bylaw No. 1300, 2013, and Zoning Bylaw No. 1350, 2016.
- Section 4.5 of Zoning Bylaw No. 670, 1999: Landscaping & Screening in the General Regulations has been updated to include retaining wall provisions that require the stepping of retaining walls over 2.5 m/8.2 ft in height.
- Section 4.5 of Zoning Bylaw No. 1300, 2013: Landscaping & Screening in the General Regulations has been updated to include retaining wall provisions that require the stepping of retaining walls over 2.5 m/8.2 ft in height.
- Section 4.12 of Zoning Bylaw No. 1350, 2016: Landscaping & Screening in the General Regulations has been updated to include retaining wall provisions that require the stepping of retaining walls over 2.5 m/8.2 ft in height.
- Current definition – *agriculture* – has been updated in Zoning Bylaw No. 670, 1999, Zoning Bylaw No. 1300, 2013, and Zoning Bylaw No. 1350, 2016.
- A new category – Temporary Use Permit Areas – has been added to Section 4 – General Regulations of Zoning Bylaw No. 670, 1999 and Zoning Bylaw No. 1300, 2013.
- All *Local Government Act* section references have been updated in Zoning Bylaw No. 670, 1999 and Zoning Bylaw No. 1300, 2013.
- Current regulations – *Driveway Gradients* – provisions in SECTION 5 – Parking and Loading Regulations have been updated in Zoning Bylaw No. 1350-2016.

SUMMARY:

The proposed retaining wall bylaw amendments are intended to mitigate the potential negative visual impacts of large retaining walls by requiring stepped walls in Electoral Area A, Electoral Area B, and Electoral Area D. The proposed replacement of the current definition of agriculture in Electoral Areas A, B, and D Zoning Bylaws will ensure the definitions are aligned with current ALC farm use provisions. All references to the *LGA* in the Electoral Areas A and B Zoning Bylaws will also be replaced to reflect updated section numbers of the most current *Act*. Finally, replacing the existing Driveway Gradient regulations in Area D with updated regulations addresses clarity concerns in both interpretation and implementation.

REGIONAL IMPACTS:

The retaining wall provisions being added to the general regulations will apply to all of Electoral Area A, Electoral Area B, and Electoral Area D.

The proposed replacement of the current definition of agriculture will apply to all of Electoral Area A, Electoral Area B, and Electoral Area D.

A new category – Temporary Use Permit Areas will be added and allow all zones in Electoral Area A and B to consider Temporary Use Permits.

All *Local Government Act* section references in Electoral Areas A and B Zoning Bylaws will be updated to reflect the numbering in the most current version of the *LGA*.

Driveway gradient regulations in Area D will be updated to addresses clarity concerns in both interpretation and implementation.

Option 1 (Preferred Option)

Give Bylaw No. 1692-2020 first reading and refer to applicable agencies for comment.

Give Bylaw No. 1693-2020 first reading and refer to applicable agencies for comment.

Give Bylaw No. 1694-2020 first reading and refer to applicable agencies for comment.

Option 2

Do not give first reading to Bylaw No. 1692-2020, Bylaw No. 1693-2020, and Bylaw 1694-2020 at this time and refer back to staff for more information or revision.

Option 3

Do not proceed with Bylaw No. 1692-2020, Bylaw No. 1693-2020, and Bylaw No. 1694-2020.

Option 4

Other, as per Board direction.

NEXT STEPS:

If the Recommendation is approved, staff will refer the bylaws refer to applicable agencies for comment.

ATTACHMENTS:

Appendix A: Draft Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1692-2020
Draft Squamish-Lillooet Regional District Electoral Area B Zoning Bylaw No. 1300, 2013, Amendment Bylaw No. 1693-2020
Draft Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350, 1999, Amendment Bylaw No. 1694-2020

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. 1692-2020**

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

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

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 A Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1692-2020”.
2. Squamish-Lillooet Regional District Electoral Area A Zoning Bylaw No. 670, 1999 is amended as follows:

(a) By adding the following definition to Section 1 Definitions:

RETAINING WALL means a structure or series of interdependent structures greater than 1.2 m in *height* constructed to hold back, stabilize, or support an earthen bank.

(b) By adding the following provisions to Section 4.5, Landscaping and Screening:

Retaining Walls

.9 The maximum exposed height of a retaining wall at the property line, on a residential lot, unless otherwise required as a condition of subdivision approval, shall not exceed 1.2 m (4.0 ft.) in height measured from average natural grade.

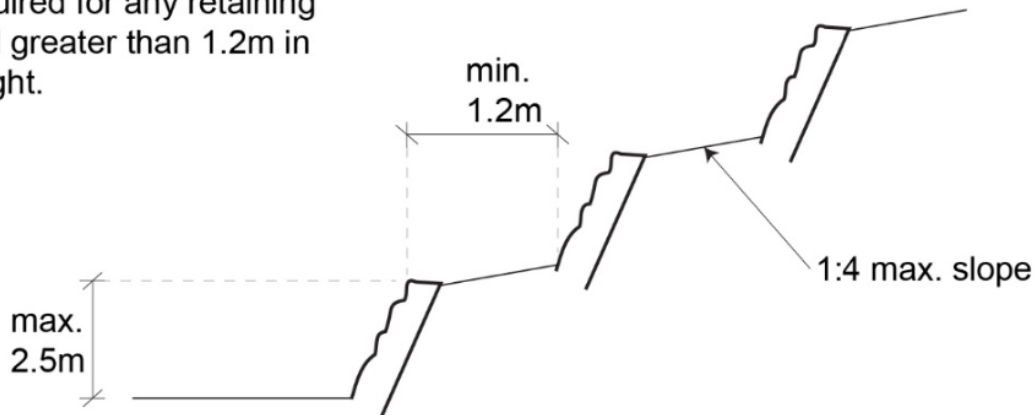
.10 The maximum exposed height of a retaining wall at all other points on the property on a residential *lot*, unless otherwise required as a condition of subdivision approval, shall not exceed 2.5 m (8.2 ft.) in height measured at *average finished grade*.

.11 The minimum horizontal distance between tiered *retaining wall* structures, on a residential *lot*, as measured from the outer face of each *retaining wall*, must not be less than 1.2 m.

.12 The maximum slope of average finished grade between retaining wall structures shall be no more than 1:4.

.13 The following sketch plan provides a visual example of the requirements for retaining walls:

NOTE: A building permit is required for any retaining wall greater than 1.2m in height.



(c) By replacing the existing definition of Agriculture in Section 1 with the following definition:

AGRICULTURE means the use of land, *buildings*, and structures for the growing, producing, raising or keeping of animals and plants, including apiculture, and the primary products of those plants or animals. It includes activities designated as *farm use*, such as storing, packing, preparing, and/or processing of farm products and related activities as per the *ALCA and Use Regulation*. It also includes *farm retail sales*, the repair of farm machinery and related equipment used on the same farm, agroforestry, horse riding, training, and boarding, greenhouse and nursery uses, but does not include kennels, pet breeding, or a *cannabis production facility*.

(d) By adding the following category to SECTION 4 – GENERAL REGULATIONS:

Temporary Use Permit Areas

4.17 Pursuant to Section 492 of the *Local Government Act*, land in all zones is designated as a temporary use permit area.

(e) By updating all references to the *Local Government Act* as follows:

- i. Section 4.15.5, Page 23 from Section 946 to 514 and from Section 946(5) to Section 514(5)
- ii. Section 4.15.5.2, Page 23 from Section 946(8) to Section 514(8)
- iii. Section 4.15.5.3, Page 23 from Section 946 to Section 514

3. The table of consolidations is hereby updated to include this bylaw as follows:

BYLAW NO.

DATE OF ADOPTION

1692-2020	Retaining Wall and Housekeeping Amendments	Month, day, year
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READ A FIRST TIME this _____ day of _____, 2020.

READ A SECOND TIME this _____ day of _____, 2020.

PUBLIC HEARING this _____ day of _____, 2020.

READ A THIRD TIME, this _____ day of _____, 2020.

PER s.52 (3)(a) of the *Transportation Act*,
APPROVED by the MINISTRY OF TRANSPORTATION
AND INFRASTRUCTURE this _____ day of _____, 2020.

ADOPTED this _____ day of _____, 2020.

Tony Rainbow
Chair

Kristen Clark
Corporate Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1693-2020**

A bylaw of the Squamish-Lillooet Regional District to amend Squamish-Lillooet Regional District
Electoral Area B Zoning Bylaw No. 1300, 2013

WHEREAS the Board of the Squamish-Lillooet Regional District wishes to amend Squamish-Lillooet Regional District Electoral Area B Zoning Bylaw No. 1300, 2013;

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 B Zoning Bylaw No. 1300, 2013, Amendment Bylaw No. 1693-2020”.
2. Squamish-Lillooet Regional District Electoral Area B Zoning Bylaw No. 1300, 2013 is amended as follows:

(a) By adding the following definition to Section1 – Definitions:

RETAINING WALL means a structure or series of interdependent structures greater than 1.2 m in *height* constructed to hold back, stabilize, or support an earthen bank.

(b) By adding the following provisions to Section 4.5, Landscaping and Screening:

.7 The maximum exposed height of a retaining wall at the property line, on a residential lot, unless otherwise required as a condition of subdivision approval, shall not exceed 1.2 m (4.0 ft.) in height measured from average natural grade.

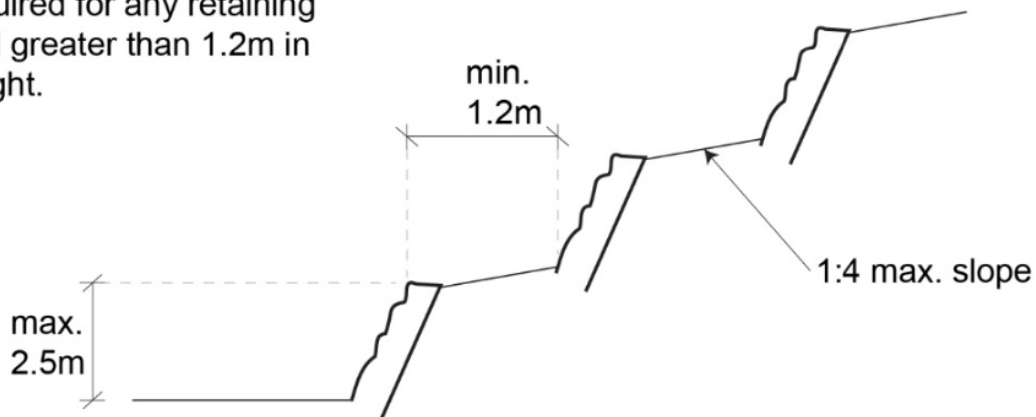
.8 The maximum exposed height of a retaining wall at all other points on the property on a residential *lot*, unless otherwise required as a condition of subdivision approval, shall not exceed 2.5 m (8.2 ft.) in height measured at *average finished grade*.

.9 The minimum horizontal distance between tiered *retaining wall* structures, on a residential *lot*, as measured from the outer face of each *retaining wall*, must not be less than 1.2 m.

.10 The maximum slope of average finished grade between retaining wall structures shall be no more than 1:4.

.13 The following sketch plan provides a visual example of the requirements for retaining walls:

NOTE: A building permit is required for any retaining wall greater than 1.2m in height.



(c) By replacing the existing definition of Agriculture in Section 1 with the following definition:

AGRICULTURE means the use of land, *buildings*, and structures for the growing, producing, raising or keeping of animals and plants, including apiculture, and the primary products of those plants or animals. It includes activities designated as *farm use*, such as storing, packing, preparing, and/or processing of farm products and related activities as per the *ALCA and Use Regulation*. It also includes *farm retail sales*, the repair of farm machinery and related equipment used on the same farm, agroforestry, horse riding, training, and boarding, greenhouse and nursery uses, but does not include kennels, pet breeding, or a *cannabis production facility*.

(d) By adding the following category to SECTION 4 – GENERAL REGULATIONS:

Temporary Use Permit Areas

4.17 Pursuant to Section 492 of the *Local Government Act*, land in all zones is designated as a temporary use permit area.

(e) By updating all references to the *Local Government Act* as follows:

- i. Section 4.15.5, Page 19 from Section 946 to Section 514 and from Section 946(5) to Section 514(5)
- ii. Section 4.15.5.2, Page 19 from Section 946(8) to Section 514(8)
- iii. Section 4.15.5.3, Page 19 from Section 946 to Section 514(8)

3. The table of consolidations is hereby updated to include this bylaw as follows:

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PUBLIC HEARING this _____ day of _____, 2020.

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PER s.52 (3)(a) of the *Transportation Act*,
APPROVED by the MINISTRY OF TRANSPORTATION
AND INFRASTRUCTURE this _____ day of _____, 2020.

ADOPTED this _____ day of _____, 2020.

Tony Rainbow
Chair

Kristen Clark
Corporate Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1694-2020**

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. 1694-2020”.
2. Squamish-Lillooet Regional District Electoral Area D Zoning Bylaw No. 1350, 2016 is amended as follows:

(a) By adding the following definition to Section 1- Definitions:

RETAINING WALL means a structure or series of interdependent structures greater than 1.2 m in *height* constructed to hold back, stabilize, or support an earthen bank.

(b) By adding the following provisions to Section 4.12, Landscaping and Screening:

.13 The maximum exposed height of a retaining wall at the property line, on a residential lot, unless otherwise required as a condition of subdivision approval, shall not exceed 1.2 m (4.0 ft.) in height measured from average natural grade.

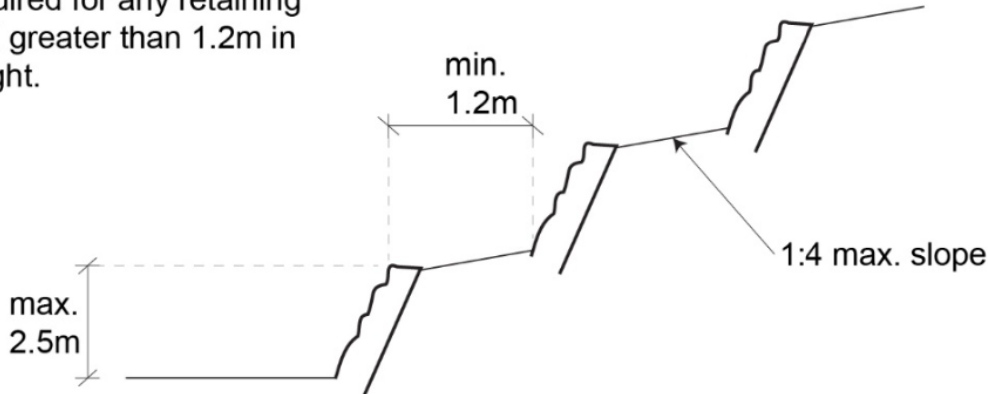
.14 The maximum exposed height of a retaining wall at all other points on the property on a residential *lot*, unless otherwise required as a condition of subdivision approval, shall not exceed 2.5 m (8.2 ft.) in height measured at *average finished grade*.

.15 The minimum horizontal distance between tiered *retaining wall* structures, on a residential *lot*, as measured from the outer face of each *retaining wall*, must not be less than 1.2 m.

.16 The maximum slope of average finished grade between retaining wall structures shall be no more than 1:4.

.17 The following sketch plan provides a visual example of the requirements for retaining walls:

NOTE: A building permit is required for any retaining wall greater than 1.2m in height.



(c) By replacing the existing definition of Agriculture in Section 1 with the following definition:

AGRICULTURE means the use of land, *buildings*, and structures for the growing, producing, raising or keeping of animals and plants, including apiculture, and the primary products of those plants or animals. It includes activities designated as *farm use*, such as storing, packing, preparing, and/or processing of farm products and related activities as per the *ALCA and Use Regulation*. It also includes *farm retail sales*, the repair of farm machinery and related equipment used on the same farm, agroforestry, horse riding, training, and boarding, greenhouse and nursery uses, but does not include kennels, pet breeding, or a *cannabis production facility*.

(d) By replacing the Driveway Gradients provisions in SECTION 5 – Parking and Loading Regulations with the following:

Driveway Gradients

5.6 For vehicular driveways:

- .1 The maximum gradient shall be 2% within 2 m of a curb or edge of pavement or public or private roadway or ditch, whichever distance is greater.
- .2 In all zones there must be a cross slope of 2%.
- .3 The maximum average gradient for driveways that slope downward from a road shall not exceed 10%.
- .4 The maximum average gradient for driveways that slope upward from a road shall not exceed 12%.
- .5 A maximum gradient of 15% is permitted over one portion of a driveway not exceeding 3 m in length.
- .6 The maximum gradient for all unenclosed parking spaces is 5%.
- .7 Driveways with average gradients exceeding 10% shall terminate in at least one unenclosed parking space.

3. updated to include this bylaw as follows:

BYLAW NO.		DATE OF ADOPTION
1694-2020	Retaining Wall and Housekeeping Amendments	Month, day, year

READ A FIRST TIME this _____ day of _____, 2020.

READ A SECOND TIME this _____ day of _____, 2020.

PUBLIC HEARING this _____ day of _____, 2020.

READ A THIRD TIME, this _____ day of _____, 2020.

PER s.52 (3)(a) of the *Transportation Act*,
APPROVED by the MINISTRY OF TRANSPORTATION
AND INFRASTRUCTURE this _____ day of _____, 2020.

ADOPTED this _____ day of _____, 2020.

Tony Rainbow
Chair

Kristen Clark
Corporate Officer