



REQUEST FOR DECISION

Boulder Creek Operators Residence – Zoning Amendment (Second & Third Reading)

Meeting Date: June 26, 2024

To: 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	OCP 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 second and third reading.

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 in the proximity of 15002 Upper Lillooet River Forest Service Road, approximately 75kms from Pemberton. 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 up to 20 employee housing units, associated with the Boulder Creek and Upper Lillooet River Hydroelectric Facilities on a 6.78-hectare parcel.

The current RR1(RM) Zone provides for temporary construction camp use, but does not provide for long-term employee housing necessary for operations, given the remote location. 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.

Notice was provided as per the *Local Government Act* (LGA) requirements. No public submissions were received. Additionally, agency referral responses did not identify any issues or aspects requiring attention.

Zoning Amendment Bylaw No. 1850-2024 is being presented for consideration of second and third reading. The amendment bylaw will be brought back to the SLRD Board for consideration of adoption once the Crown Land Tenure application has been approved.

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](#)

[SLRD Community Amenity Contributions Policy No. 12-2018](#)

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).

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.

Previous Reports

[First Reading – March 27, 2024](#)

Previous Board Resolutions

At the March 27, 2024 SLRD Board meeting it was resolved:

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.

Notice

Notice was 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.

No public submissions were received.

ANALYSIS:

See previous staff report linked above for analysis of the subject application in relation to SLRD bylaws, plans and policies as well as submitted professional reports. The following section focuses on agency referral responses, conditions and next steps.

Provincial Ministry/Agency Referral Responses

Following first reading, a 30-day referral period was initiated, with referrals sent to neighbouring First Nations, adjacent local governments, and provincial ministries/agencies.

Referral Agency	Referral Responses	Staff/Proponent Response
Ministry of Water Land and Resource Stewardship (MWLRS)	MWLRS noted that they will also receive the application for review as part of the Crown Tenure application. It was asked if the proponent plans to do any tree removal.	The proponent confirmed that there will be some tree removal for the distribution line (which follows the same right-of-way for the old construction camp water line) from the Boulder Creek HEF to the residence. The

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(Second & Third Reading)

		<p>occupational license to cut was submitted in February 2024.</p> <p>Further details and any additional requirements associated with tree cutting to be addressed through the Crown Tenure application process.</p>
Ministry of Transportation & Infrastructure	No response received.	N/A
Ministry of Forests	<p>No concerns identified.</p> <p>It was noted that the Crown Tenue application includes a larger area for the transmission line, but that this is not necessary for the rezoning.</p>	SLRD staff can confirm that the transmission line does not need to be included in the zoning amendment as this is a use permitted in all zones.
Vancouver Coastal Health (VCH)	<p>VCH referral response noted that <i>since the size of the site is large (6.78 ha) and was formerly capable of allowing servicing of both drinking water and sewerage system needs for a much larger camp it would seem reasonable that a much smaller demand could be adequately serviced.</i></p> <p>It was further noted that, <i>VCH would have jurisdiction under the Provincial legislation for the industrial camp, sewerage disposal system, and drinking water system. And that, the applicant should be aware of the need to contact VCH to apply for approval before proceeding with construction of the camp and development of the servicing facilities.</i></p>	<p>The proponent has indicated they are aware of VCH’s jurisdiction and will engage VCH before any construction activities occur.</p> <p>SLRD staff can confirm that VCH requirements will also be addressed through the Building Permit process.</p>
Lil’wat Nation	Referral response confirmed Lil’wat Nation has no concerns with the project and amendment bylaw on the condition that the proponent agree to hire Lil’wat Archaeological Monitors to perform archaeological monitoring during any ground disturbance / excavation associated with the development of this new residence.	SLRD staff will share this requirement with the proponent as well as the SLRD Building Official so that the Lil’wat can be invited to provide archeological monitoring during any ground disturbance/excavation activities associated with the operator residence.
Village of Pemberton	The Village of Pemberton referral response noted no objection to the proposed bylaw amendments. Further, the following staff comments were provided:	The proponent confirmed that there is no connection between the operator residence and the Lillooet River, so there is no concern for sediment transport. Further, there is a significant distance between the operator

	<ul style="list-style-type: none"> • It was acknowledged that <i>worker housing is an ongoing concern in the Pemberton Valley and the addition of accommodations at this work site will reduce the potential demand for housing in Pemberton.</i> • It was acknowledged that the geotechnical report confirms the site is safe for intended use. • A comment was made regarding the geotechnical reports and whether there is a need to <i>address the possibility of sediment from this site affecting conditions downstream in the Lillooet River. As we know, since the 2010 slide event in the Mount Meager Volcanic Complex, there has been ongoing concern with accumulations of sediment that are elevating flood risks in the Pemberton Valley. While we are comfortable that this project may not significantly impact this situation, future reports could provide some assessment on additional sediment entering the system and downstream conditions that could impact the Village of Pemberton.</i> 	<p>residence and the Lillooet River, with roads, laydown areas, and forested areas in between the two features. The proponent also noted that their operations are bound to adhere to Water Sustainability Act regulations to avoid introduction of deleterious substances that would affect the environment, including the Lillooet River.</p> <p>SLRD staff note that the <u>Lillooet River Floodplain Mapping Report</u> (Northwest Hydraulic Consultants Ltd., 2018), explored sedimentation from the 2010 Mount Meager landslide and changes in the timing of flood events as well as increased flood risk in the Pemberton Valley. Additional geotechnical assessments may be undertaken in the future, but are outside the scope of the subject zoning amendment application.</p>
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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; servicing, and geotechnical report recommendations.

Next Steps

Amendment Bylaw No. 1850-2024 process steps include:

1. Notice – **Complete**
2. First Reading and Referrals – **Complete**
3. Second Reading & Third Reading
4. Adoption

The Ministry is targeting the end of June for issuance of the associated Crown Tenure. Amendment Bylaw 1850-2024 will be brought back to the SLRD Board for consideration of adoption once the Crown Tenure has been issued.

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 application and addresses the need for operators on site to manage the Boulder Creek and Upper Lillooet Hydroelectric facilities.

OPTIONS:

Option 1 (PREFERRED OPTION)

Give second and third reading to Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1850-2024.

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, bring amendment bylaw back to the SLRD Board for consideration of adoption once Crown Land Tenure application has been approved.

ATTACHMENTS:

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

Prepared by: C. Dewar, Senior Planner

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

Approved by: K. Clark, Deputy 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</i> units	20
.2	Maximum <i>employee housing gross floor area</i>	760 m2
.3	Maximum <i>employee housing building height</i>	11 m
	Maximum <i>gross floor area</i> of all <i>accessory buildings</i>	620 m2
.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	27 th day of	MARCH, 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)

