

**REQUEST FOR DECISION**  
McGillivray Falls Zoning Amendment  
Bylaw 1696-2020 (Adoption)

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**Meeting Date:** April 21, 2021

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**To:** SLRD Board

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**Location:** Electoral Area C, in the vicinity of Anderson Lake and the Highline Road

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**Legal Description:** DISTRICT LOT 4363 LILLOOET DISTRICT EXCEPT PLAN A14338

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<b>RGS Designation:</b> Non-Settlement Area	<b>OCP Designation:</b> Rural Residential	<b>Zoning:</b> Rural 1	<b>ALR Status:</b> N/A	<b>Development Permit Areas:</b> N/A
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**RECOMMENDATIONS:**

THAT Bylaw 1696-2020, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1696-2020” be adopted.

**KEY ISSUES/CONCEPTS:**

In 2014, the provincial government amended the *Local Government Act* to terminate all land use contracts as of June 30, 2024. Local governments are required to have zoning bylaws in place by June 30, 2022 that will apply to the land once the land use contracts are terminated. Once land use contracts are terminated, only the zoning will apply. This will result in non-conforming uses, as the underlying zoning for McGillivray Falls is Rural 1 (RR1) - which does not allow for the level of development currently on the property. Under this non-conforming situation, if a fire were to occur there would be no opportunity to rebuild.

To address the provincial requirements and non-conforming situation of the current underlying zoning, SLRD staff are proposing zoning amendments for McGillivray Falls. The proposed zoning amendments build on previous work completed by SLRD staff. The purpose of this report is to request that Bylaw No. 1696-2020 be adopted.

Previous Board Resolution and Reports

At the March 24, 2021 SLRD Board meeting, the SLRD Board resolved:

THAT Bylaw 1696-2020, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1696-2020” be read a third time.

THAT pursuant to Section 52(3)(a) of the Transportation Act, Bylaw 1696-2020, cited as “Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1696-2020” be sent to the Ministry of Transportation & Infrastructure for its approval prior to adoption of the bylaw.

Bylaw 1696-2020 was forwarded to the MOTI for their approval as per Section 52(3)(a) of the Transportation Act on March 26, 2021 and it was approved by MOTI on March 28, 2021.

**RELEVANT POLICIES:**

[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](#)  
[Land Use Contract Bylaw No. 87, 1976](#)

**OPTIONS:**

Option 1 (PREFERRED OPTION)

Adopt Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1696-2020.

Option 2

Do not adopt the bylaw and refer back to staff for more information, or for revision.

Option 3

Reject the zoning amendment.

**ATTACHMENTS:**

**Appendix A:** Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1696-2020

**Appendix B:** RR McG Zone

Prepared by: D. Kyobe, Planner

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

Approved by: M. Helmer, Chief Administrative Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT  
BYLAW NO. 1696-2020**

A bylaw of the Squamish-Lillooet Regional District to amend Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002

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**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. 1696-2020”.
  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 RR PON – Ponderosa Guest Ranch Zone:  
RR MCG – McGillivray Falls Zone
    - (b) By inserting the following 5.4 RR MCG ZONE – MCGILLIVRAY FALLS into Schedule A Zoning Bylaw under SECTION 5 RURAL ZONES and following the SECTION 5.3 RR PON ZONE as follows:
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**SECTION 5.4 – RR MCG ZONE – MCGILLIVRAY FALLS**

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**Intent**

- 5.4.1 The intent of this *zone* is to provide for residential development consistent with the original Land Use Contract.

**Definitions**

- 5.4.2 Definitions shall be the same as in Section 1 of the Zoning Bylaw except:

**Accessory Building** means a building customarily incidental and subordinate to the principal building on the same site.

**Common Site(s)** means those sites coloured “green”, generally as shown on the Site Plan in 5.4.8.

**Greenbelt Area** means that portion or portions of the Lands coloured white on the Site Plan in 5.4.8 together with the remaining lands not otherwise separately labelled comprising District Lot 4363.

**Lodge Area** means the area designated *Lodge Area* and coloured brown on the Site Plan in 5.4.8.

**Private Site(s)** means any of the 43 building sites generally as shown on the Site Plan in 5.4.8, in particular sites 1-40 and 43-45 and excludes *Common Sites*, *Greenbelt Area*, *Lodge Area* and *Works Area*.

**Works Areas** means any or all of the Work and Special Use Areas coloured black and generally as shown on the Site Plan in 5.4.8.

### **Permitted Uses**

5.4.3 Land, *sites*, buildings, and structures in the RR McG Zone shall be used for the following purposes only:

- .1 Private Sites – Permitted Uses:
  - a) not more than one (1) house or cottage per *private site*
  - b) one single family dwelling or mobile home
  - c) buildings are permitted on forty-one (41) *private sites*
  - d) an *accessory building* of not more than 10 m<sup>2</sup>
- .3 Common Site(s) – Permitted Uses
  - a) restricted to recreation grounds and hiking trails and pedestrian pathways and shall not be used for any purpose inconsistent with their use and retention as natural, unimproved areas.
  - b) buildings are not permitted.
- .4 Works Areas – Permitted Uses
  - a) restricted to workshops for the fabrication, storage, maintenance and repair of tools, machinery, equipment, parts and other materials and supplies needed or incidental to maintain or service the property.
- .5 Greenbelt Area – Permitted Uses
  - a) restricted to recreation grounds and hiking trails and pedestrian pathways and shall not be used for any purpose inconsistent with their use and retention as natural, unimproved areas, provided that pathways, waterlines and tanks and underground services ~~greenbelt~~ may be constructed and maintained.
  - b) buildings are not permitted.
- .6 Lodge Area – Permitted Uses
  - a) restricted to community use for social gatherings, group and individual recreation activities.

### **Density**

5.4.4 The maximum of *private sites* permitted is forty-three (43). No more than forty-one (41) *private sites* shall be built upon.

### **Maximum Floor Area**

5.4.5 Gross floor area of all buildings on a *site* must not exceed 375 square metres.

### **Height**

5.4.6 No building shall exceed 7.62 metres in *height*.

### **Roads, Ways and Paths**

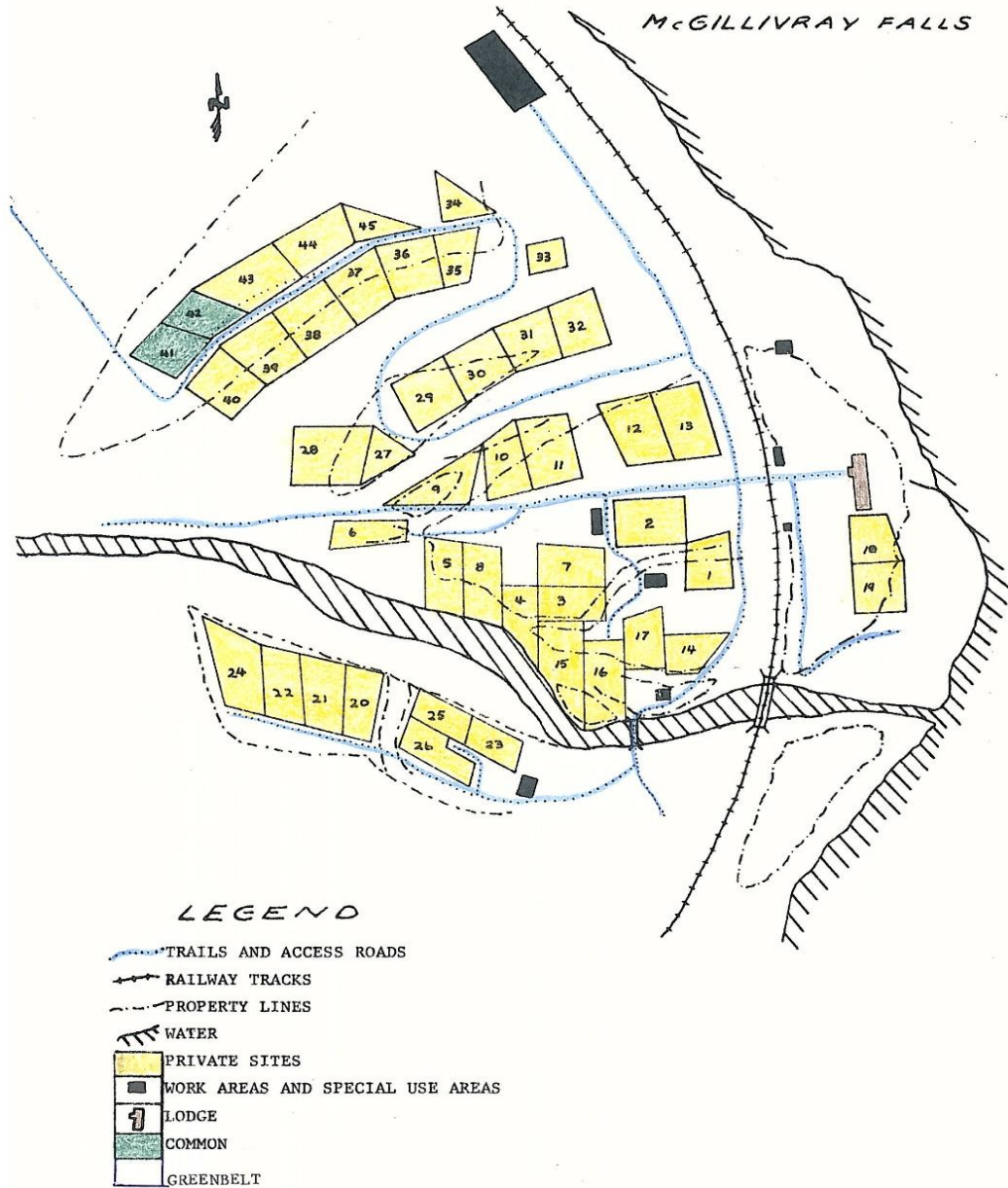
- 5.4.7 All roads and ways are private and must be located substantially as shown on the Site Plan in 5.4.8. The SLRD is not responsible for their construction, installation, maintenance or repair.

### **Site Plan**

- 5.4.8 The location and size of the *sites* must be generally in accordance with the following Site Plan:

SCHEDULE "A"


SITE PLAN



- (c) 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 "District Lot 4363, Lillooet District" is rezoned from RR1 Zone (Rural 1) to RR MCG Zone (McGillivray Falls).

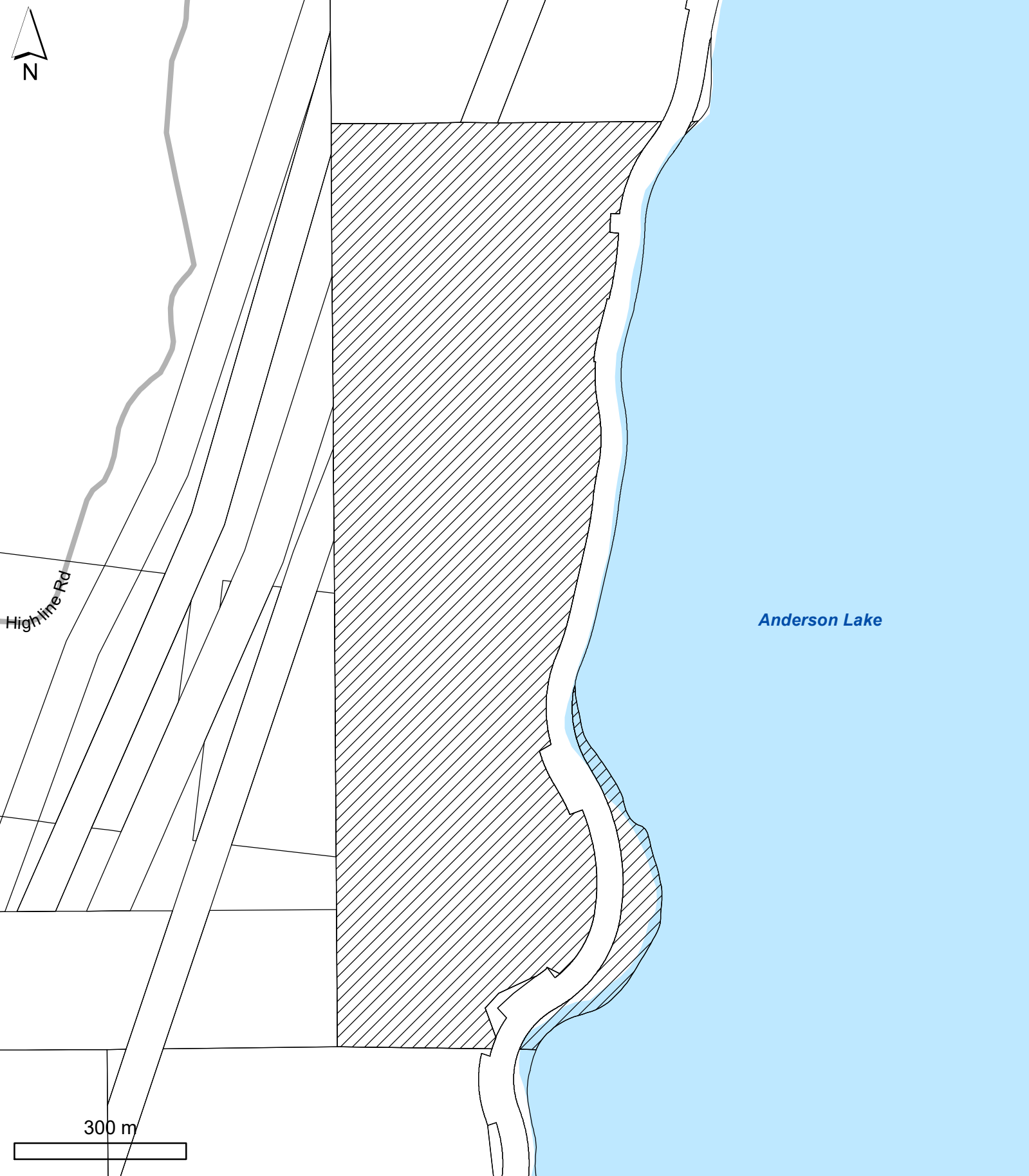
(d) By adding Amendment Bylaw 1696-2020 to the Summary of Amendments table as follows:

1696-2020	McGillivray Falls Zoning Amendment	, 2021
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READ A FIRST TIME this 25<sup>th</sup> day of NOVEMBER, 2020  
READ A SECOND TIME this 27<sup>th</sup> day of JANUARY, 2021  
PUBLIC HEARING waived this 27<sup>th</sup> day of JANUARY, 2021  
READ A THIRD TIME this 24<sup>th</sup> day of MARCH, 2021  
APPROVED PURSUANT TO SECTION 52  
(3)(a) OF THE TRANSPORTATION ACT  
this 28<sup>th</sup> day of MARCH, 2021  
  
ADOPTED this day of , 2021

\_\_\_\_\_  
Jen Ford  
Chair

\_\_\_\_\_  
Kristen Clark  
Corporate Officer



Schedule 1: Squamish-Lillooet Regional District Electoral Area C  
Zoning Bylaw No. 765, 2002, Amendment Bylaw No. 1696-2020

 RR 1 to RR MCG



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## SECTION 5.4 – RR MCG ZONE – MCGILLIVRAY FALLS

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### Permitted Uses

- 5.4.3 Land, *sites*, buildings, and structures in the RR McG Zone shall be used for the following purposes only:

.1 Private Sites – Permitted Uses:

- a) Not more than one (1) house or cottage per *private site*
- b) one single family dwelling or mobile home
- c) an *accessory building* of not more than 10 m<sup>2</sup>

.3 Common Site(s) – Permitted Uses

- a) restricted to recreation grounds and hiking trails and pedestrian pathways and shall not be used for any purpose inconsistent with their use and retention as natural, unimproved areas.
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- a) restricted to workshops for the fabrication, storage, maintenance and repair of tools, machinery, equipment, parts and other materials and supplies needed or incidental to maintain or service the property.

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- a) restricted to recreation grounds and hiking trails and pedestrian pathways and shall not be used for any purpose inconsistent with their use and retention as natural, unimproved areas, provided that pathways, waterlines and tanks and underground services may be constructed and maintained.
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**Density**

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**Maximum Floor Area**

5.4.5 Gross floor area of all buildings on a *site* must not exceed 375 square metres.

**Height**

5.4.6 No building shall exceed 7.62 metres in *height*.

**Roads, Ways and Paths**

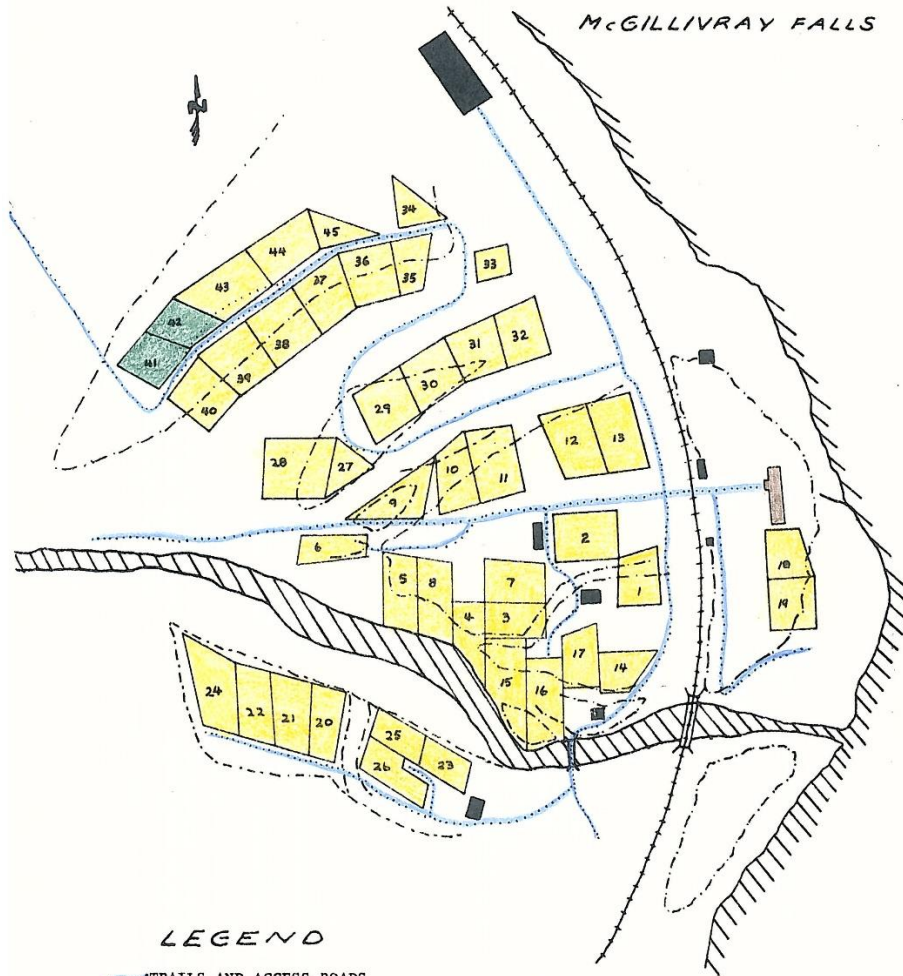
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**Site Plan**










5.4.8 The location and size of the *sites* must be generally in accordance with the following Site Plan:

SCHEDULE "A"

SITE PLAN



LEGEND

-  TRAILS AND ACCESS ROADS
-  RAILWAY TRACKS
-  PROPERTY LINES
-  WATER
-  PRIVATE SITES
-  WORK AREAS AND SPECIAL USE AREAS
-  LODGE
-  COMMON
-  GREENBELT