



## REQUEST FOR DECISION

Tyax Real Estate – Tyax Lodge  
OCP Amendment Bylaw No. 1440-2016 and  
Zoning Amendment Bylaw No. 1441-2016

**Meeting date:** April 27, 2016

**File No. 3360.20.89**

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**To:** SLRD Board of Directors

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**Owner:** Tyax Real Estate Ltd.

**Applicant/Agent:** Murdoch & Company Ltd.

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**Location:** Tyaughton Lake, Electoral Area A

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**Legal description:** DL 4931, Except PLAN B3568, B5258, 35969, and KAP6763, LLD, PID 002-306-441

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<b>OCP Designation:</b>	<b>Zoning:</b>	<b>ALR</b>	<b>DP Area:</b>
Commercial	C4, RR2, R3	<b>Status:</b>	Wildfire Protection
Residential		No	RAR
Special Planning Area			

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### RECOMMENDATION:

1. THAT Bylaw No. 1440-2016, cited as “Squamish-Lillooet Regional District Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996, Amendment Bylaw No. 1440-2016” be read a second time.
2. THAT Bylaw No. 1441-2016, cited as “Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1441-2016” be read a second time.
3. THAT the Board direct staff to schedule and advertise a public hearing and delegate the holding of the public hearing to Electoral Area A Director Debra Demare with Electoral Area B Director Mickey Macri as alternate delegate pursuant to Section 469 of the *Local Government Act*, for the consideration of Bylaw No. 1440-2016, cited as “Squamish-Lillooet Regional District Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996, Amendment Bylaw No. 1440-2016” and Bylaw No. 1441-2016, cited as “Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1441-2016”

## **KEY ISSUES/CONCEPTS:**

The SLRD received an application for a rezoning and OCP amendment regarding the Tyax Lodge property noted above. The application received permission to proceed at the January 27/28, 2016 Board meeting. OCP Amendment Bylaw No. 1440-2016 and Zoning Amendment Bylaw No. 1441-2016 both received first reading at the February 17, 2016 Board meeting. Referrals were sent out and comments received and incorporated into this report. The bylaws are coming back to the Board for consideration for second reading and to schedule the public hearing, which could occur in May.

The OCP amendment bylaw proposes to extend the existing Form & Character Development Permit Area from the other Tyax property with a previously approved staff accommodation facility to the main lodge property (the subject property of this application). OCP designations will be changed as well to accurately reflect the nature of the property and incorporate the avalanche exclusion zone into the OCP mapping. The zoning amendment bylaw will likewise involve split designations changing the current split zoning to reflect the commercial uses on the site and the limitations of the winter avalanche hazard.

## **RELEVANT POLICIES:**

Upper Bridge River OCP Bylaw No. 608, 1996  
Electoral Area A Zoning Bylaw No. 670, 1999

## **BACKGROUND:**

The zoning amendment application requests a ~420 m<sup>2</sup> (4,518 ft<sup>2</sup>) dormitory style building on the main Tyax Lodge property. The building is meant to permanently house helicopter operations uses with staff accommodation, as well as storage of materials and supplies related to heli-ski activities, guiding and first aid equipment (excluding fuel storage). The dormitory building is proposed to be two storeys with staff accommodation predominantly on the upper floor. There would be two beds, out of ten in total, which would be located on the lower floor.

The Tyax Lodge representatives have indicated that there is a lack of affordable, available and appropriate staff accommodation in the area. As with their original application, the intent of the property owners is to address capacity issues at the lodge and increase the effectiveness and efficiency of the overall operation by providing staff accommodation and support facilities separate from the lodge. This would free up existing space in the lodge for guests that is currently occupied for employee housing and storage for heli-ski activities.

## **REGIONAL IMPACTS ANALYSIS:**

The proposed bylaws affect property in Electoral Area A only, specifically the Tyaughton Lake area.

**REFERRAL COMMENTS:**

Cariboo Regional District

Referral sent and response received. CRD staff supported the provision of staff accommodation for the lodge, and noted that a suite with a small kitchen could provide a different housing option for employees. Regarding the campground use, CRD staff suggested that the SLRD consider, in addition to regulations in the zoning bylaw, registering a restrictive covenant on title that speaks to the area remaining free of buildings and limiting occupation associated with the seasonality and avalanche risk issues.

Interior Health Authority

Referral sent and response received. IHA supports the increase in staff accommodation due to the health benefits of providing affordable and accessible housing for people closer to work that allows for more active living. The IHA noted that while the proposed bylaws do not seem to alter the types of activities that are occurring at this site, the drinking and wastewater treatment systems must comply with the Acts and regulations including any additional loading or demand on them as a result of the proposed building. The IHA noted a concern about the helicopter operations and whether helicopter tours were facilitating and/or increasing access to buildings in other remote areas that were not serviced by appropriate and approved drinking water and wastewater systems.

Ministry of Transportation & Infrastructure

Referral sent and response received. The MOTI had no objections to the proposed bylaws, and noted that there was a 4.5 m setback from any MOTI rights of way that applies to all buildings and structures. The MOTI also noted that access to any public road for purposes other than residential requires an access permit from the ministry.

District of Lillooet

Referral sent and no response received.

Ministry of Forests, Lands, and Natural Resource Operations

Referral sent and no response received.

T'it'q'et

Referral sent and no response received.

Tsal'alh

Referral sent and no response received.

Lillooet Tribal Council

Referral sent and no response received.

Xwisten

Referral sent and no response received.

## ANALYSIS

### Referral Comments

The proposed bylaws do not have any issues in regard to the MOTI comments though the property owner may need to verify if their existing access permits are satisfactory. SLRD staff have considered a restrictive covenant in addition to, or instead of, zoning regulations regarding the campground. At this time staff think it is more important to have those issues covered in the zoning bylaw for clarity and ease of understanding/implementation. Tyax is not contemplating any suites with kitchen facilities in the dormitory style accommodation as part of this application.

IHA approvals will be part of the building permit process. It is correct that for Tyax or any other commercial recreation tenure operator in the SLRD, all buildings that are 10 m<sup>2</sup> or larger require building permits, and any drinking water or wastewater treatment systems require the approval of the appropriate Health Authority (IHA or VCHA). With respect to the other IHA comments, it is worth noting, however, it is beyond the scope of these bylaws.

As a result of the referral process no changes are proposed to either OCP Amendment Bylaw No. 1440-2016 or Zoning Amendment Bylaw No. 1441-2016.

### OPTIONS:

OCP Amendment Bylaw No. 1440-2016 and Zoning Amendment Bylaw No. 1441-2016 are being presented for consideration of second reading. Once second reading has been given, the public hearing would be scheduled for mid-May at a location in Electoral Area A, most likely the Gold Bridge Community Centre. Notification of the public hearing will be sent to all landowners within 150 metres of the property as per SLRD notification requirements. All those who wish to submit comments in writing, rather than attend the public hearing can provide a written submission.

If possible, staff will bring the bylaws back to be considered for 3<sup>rd</sup> reading and adoption at the May 25, 2016 Board meeting. This would then allow Tyax to submit development permit and building permit applications in June and start construction in the “building season”.

OPTION 1 – Give the bylaws second reading and schedule the public hearing. (PREFERRED OPTION)  
Give Bylaw No. 1440-2016 and Bylaw No. 1441-2016 second reading and schedule the public hearing.

OPTION 2 – Do not give the bylaw second reading and do not schedule the public hearing.  
Do not give Bylaw No. 1440-2016 and Bylaw No. 1441-2016 second reading and do not schedule the public hearing.

OPTION 3 – Request staff to make further changes and bring back a revised bylaw.  
Do not give the bylaws second reading, and propose changes to either Bylaw No. 1440-2016 and/or Bylaw No. 1441-2016 and request that staff consider changes and bring back the bylaw (s) to a subsequent meeting for consideration.

**ATTACHMENTS:**

Squamish-Lillooet Regional District Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996, Amendment Bylaw No. 1440-2016

Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1441-2016

Prepared by: I. Holl, Planner

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

Approved by: L. Flynn, Chief Administrative Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT  
BYLAW NO. 1440-2016**

A bylaw of the Squamish-Lillooet Regional District to amend the Upper Bridge River Official  
Community Plan Bylaw No. 608, 1996, as amended from time to time.

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**WHEREAS** the Board of the Squamish-Lillooet Regional District wishes to amend the Upper Bridge River Official Community Plan;

**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 Upper Bridge River Official Community Plan Bylaw No. 608, 1996, Amendment Bylaw No. 1440-2016.”
2. Appendix B (Maps) of the Squamish-Lillooet Regional District Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996 is amended as follows:
  - (a) By inserting a new Map 2a (Tyaughton Lake) as attached to this bylaw as Schedule 1.
  - (b) By designating the area outlined in (red & white) dashed lines on Schedule 1, which is attached to and forms part of this bylaw, as a Development Permit Area for Commercial and Multifamily Residential Form and Character.
  - (c) By changing the designation of the area outlined in (red & white) dashed lines on Schedule 2, which is attached to and forms part of this bylaw, from a split designation of Residential, Commercial, and Special Planning Area to a split designation of Commercial, Hazard Area, and Residential.
3. The Squamish-Lillooet Regional District Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996 is further amended as follows:
  - (a) By inserting the new section 6.17 Hazard Areas Land Use Designation, following the end of the text of s. 6.16 after the paragraph “See policies 7.22, 10.2, 13.5, and 15.2...”, as follows:

**Hazard Areas – Land Use Designation**

- 6.17 When geotechnical, terrain stability, and other hazard areas become known through professional reports, the Hazard Area designation can be applied to a spatial area to delineate the approximate location of the affected area. This will provide a high level indication of potential risk that can inform requirements for rezoning and development applications within and adjacent to those areas.
4. The Squamish-Lillooet Regional District Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996 is further amended as follows:
    - (a) By inserting two new sections “Application” and “Issuance” to the Development Permit Area 4 Upper Bridge River Valley Commercial & Multifamily Residential Form & Character guidelines in the Development Permit Area section between the “Justification” and the “Guidelines” subsections, as follows:

Application

An Upper Bridge River Valley Commercial & Multifamily Residential Form & Character Development Permit is required prior to the commencement of any of the following:

- Alteration of the land, including:
  - Removal, alteration, disruption, or destruction of vegetation
  - Disturbance of soils
  - Flood protection works
  - Construction of roads, trails, docks, wharves, and bridges
  - Provision and maintenance of sewer and water services
  - Development of drainage systems
  - Development of utility corridors
- Construction or erection of new buildings or structures, or additions or alterations to existing buildings or structures where a building permit is required.

Issuance

The Board delegates the authority to issue Upper Bridge River Valley Commercial & Multifamily Residential Form & Character Development Permits to the Director of Planning and Development for applications involving buildings and structures with a combined gross floor area of 1,000 m<sup>2</sup> or less. Development Permit applications involving buildings and structures with a combined gross floor area of more than 1,000 m<sup>2</sup> of must be approved by the SLRD Board of Directors.

5. The Squamish Lillooet Regional District Upper Bridge River Official Community Plan Bylaw No. 608, 1996 is further amended as follows:

(a) Page 2 of the Squamish-Lillooet Regional District Upper Bridge River Official Community Plan Bylaw No. 608, 1996 is further amended by adding this bylaw to the table of consolidations.

READ A FIRST TIME this 17<sup>th</sup> day of FEBRUARY, 2016

READ A SECOND TIME this 27<sup>th</sup> day of APRIL, 2016.

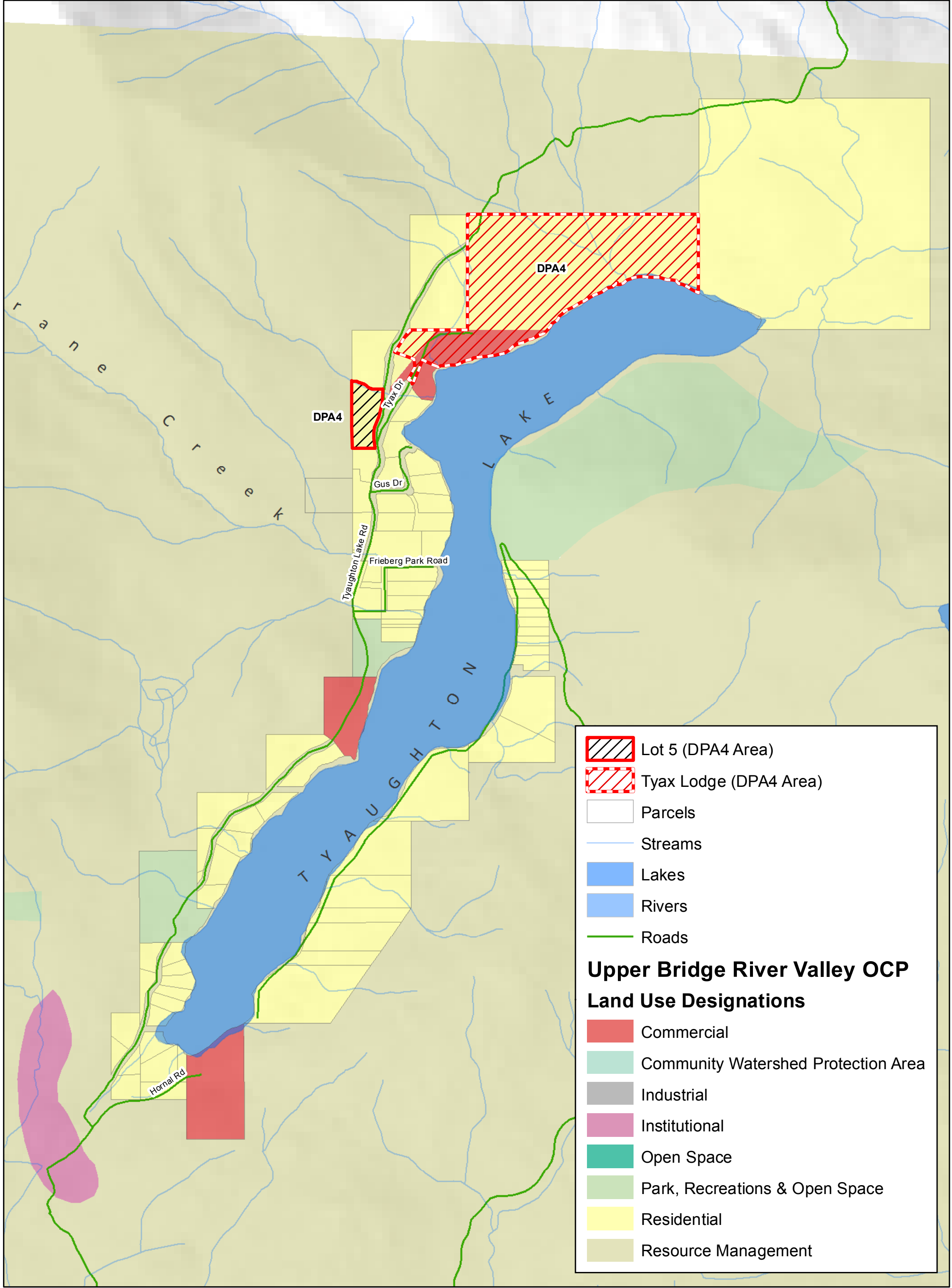
PUBLIC HEARING held on the day of , 2016.

READ A THIRD TIME this day of , 2016.

ADOPTED this day of , 2016.

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Jack Crompton  
Chair

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Kristen Clark  
Secretary



**SCHEDULE 1  
OCP AMENDMENT BYLAW NO.  
1440-2016**



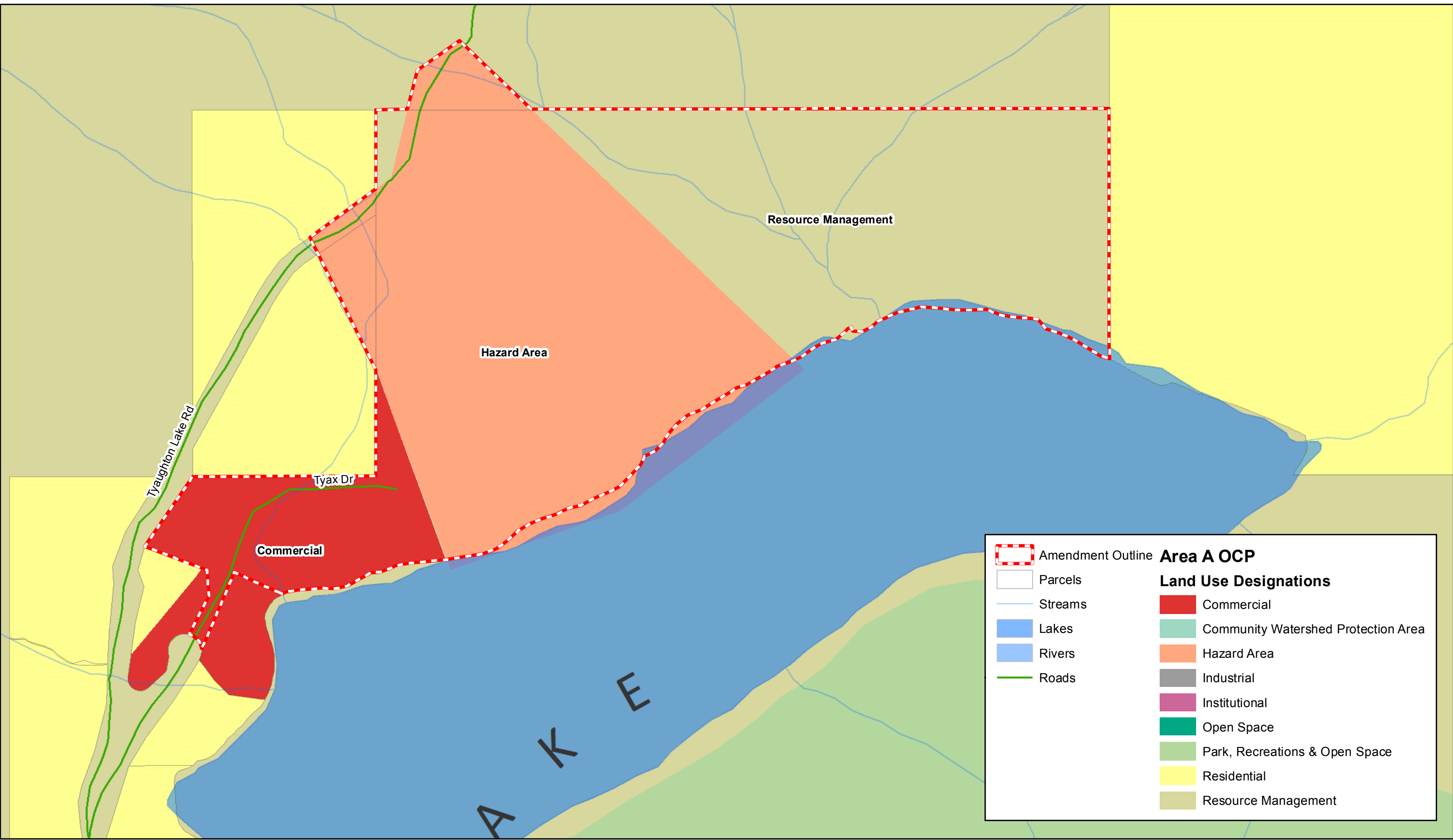
**Map 2(a)**

0 0.45 0.9 Kilometers



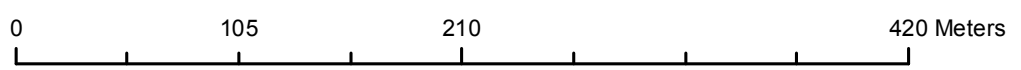
Coordinate System: NAD 1983 UTM Zone 10N  
 Projection: Transverse Mercator  
 Datum: North American 1983  
 False Easting: 500,000.0000  
 False Northing: 0.0000  
 Central Meridian: -123.0000  
 Scale Factor: 0.9996  
 Latitude Of Origin: 0.0000  
 Units: Meter





	Amendment Outline	<b>Area A OCP</b>	
	Parcels	<b>Land Use Designations</b>	
	Streams		Commercial
	Lakes		Community Watershed Protection Area
	Rivers		Hazard Area
	Roads		Industrial
			Institutional
			Open Space
			Park, Recreations & Open Space
			Residential
			Resource Management

SCHEDULE 2  
OCP AMENDMENT BYLAW NO. 1440-2016



Coordinate System: NAD 1983 UTM Zone 10N  
 Projection: Transverse Mercator  
 Datum: North American 1983  
 False Easting: 500,000.0000  
 False Northing: 0.0000  
 Central Meridian: -123.0000  
 Scale Factor: 0.9996  
 Latitude Of Origin: 0.0000  
 Units: Meter

**SQUAMISH-LILLOOET REGIONAL DISTRICT  
BYLAW NO. 1441-2016**

A by-law of the Squamish-Lillooet Regional District to amend the Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999, as amended from time to time.

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**WHEREAS** the Board of the Squamish-Lillooet Regional District wishes to amend the Squamish-Lillooet Regional District 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 Zoning Bylaw No. 670, 1999, Amendment Bylaw No. 1441-2016.”
2. The Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999 is amended as follows:
  - (a) By updating the Summary of Amendments table in Zoning Bylaw No. 670, 1999 to include this bylaw.
  - (b) By adding the following to Table 3-1 Designation of Zones in Section 3.1:

<b>Column I Zones</b>	<b>Column II Title Elaboration</b>
C6	Commercial 6 Zone
RR3	Rural Resource 3 Zone
RR4	Rural Resource 4 Zone

3. Schedule B Maps of Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999 is amended as follows:
  - (a) By rezoning the area outlined in (red & white) dashed lines on Schedule 1, which is attached to and forms part of this bylaw, from a split designation of R3 Residential Tourist Accommodation Zone, C4 Resort Commercial Zone, and RR2 Rural Resource Zone to a split designation of C6 Commercial 6 Zone, RR3 Rural Resource 3 Zone, and RR4 Rural Resource 4 Zone.
4. The Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999 is further amended as follows:
  - (a) By inserting the new section 7A - RR3 zone into the bylaw following the existing section 7 – RR2 Zone

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**SECTION 7A – RR3 – RURAL RESOURCE 3 ZONE**

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**Permitted Uses**

7A.1 In the RR3 Zone the use of land, buildings and structures is restricted to:

- *campground* with a maximum of 28 campsites, subject to s. 7A.2.3

7A.2 On a parcel located in the RR3 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 Matter to be Regulated		COLUMN II Regulations
.1	Minimum <i>Parcel Area</i> for New Subdivisions	29 ha
.2	Maximum number of campsites associated with <i>campground use</i>	28
.3	<i>Campground use</i>	<ul style="list-style-type: none"> <li>• The campground use is a summertime use only.</li> <li>• The campground can only operate between June 1 to October 31.</li> </ul>

=====Section 7A ends=====

(b) By inserting the new section 7B - RR4 zone into the bylaw following the proposed section 7A – RR3 Zone above.

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**SECTION 7B – RR4 – RURAL RESOURCE 4 ZONE**

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**Permitted Uses**

7B.1 In the RR4 Zone the use of land, buildings and structures is restricted to:

- *single family dwelling*
- *secondary suite*
- *bed and breakfast*
- *home business*
- *accessory buildings and uses*

**Conditions of Use**

7B.2 All permitted uses in the RR4 zone are limited to summertime use only, between June 1 to October 31.

**Regulations**

7B.3 On a parcel located in the RR4 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 Matter to be Regulated		COLUMN II Regulations
.1	Minimum <i>Parcel Area</i> for New Subdivisions	29 ha
.2	Maximum number of <i>single family dwellings</i> per parcel	1
.3	Maximum number of <i>secondary suites</i> per <i>single family dwelling</i>	1
.4	Maximum <i>gross floor area</i> of <i>single family dwelling</i>	465 m <sup>2</sup>
.5	Minimum <i>setback</i> from all <i>parcel lines</i>	7.5 m
.6	Maximum <i>height</i> <ul style="list-style-type: none"> <li>• principal building</li> <li>• accessory building</li> </ul>	8.5 m 5 m
.7	Maximum <i>parcel coverage</i>	5 %

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=====Section 7B ends=====

(c) By inserting the new section 16A - C6 zone into the bylaw following the existing section 16 C5 zone.

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**SECTION 16A – C6 ZONE – COMMERCIAL 6 ZONE**

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**Permitted Uses**

16A.1 In the C6 Zone the *use* of land, *buildings* and *structures* is restricted to:

- *commercial lodging*
- employee housing, associated with employment at the Tyax Resort at Tyaughton Lake
- office & storage ancillary to employee housing, lodging, and helicopter uses
- restaurant/pub ancillary to commercial lodging
- *single family dwelling*
- *pension*
- indoor / outdoor recreation
- fuel storage
- floatplane dock and small personal watercraft dock
- *accessory building*; and *accessory use*

**Regulations**

16A.2 On a parcel located in the C6 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 Matter to be Regulated		COLUMN II Regulations
.1	Minimum <i>Parcel Area</i> for New Subdivisions	29 ha
.2	Minimum <i>Site Area</i> Required for <i>Commercial Lodging</i>	<ul style="list-style-type: none"> <li>• where a parcel is serviced by a community water system: 1,000 m<sup>2</sup></li> <li>• in all other cases: 2 ha</li> </ul>
.3	Maximum Gross Floor Area for employee housing use	604 m <sup>2</sup>
.4	Maximum Site Coverage of employee housing use	280 m <sup>2</sup>
.5	Minimum <i>Setback</i> <ul style="list-style-type: none"> <li>• from <i>front parcel line</i></li> <li>• from all other <i>parcel lines</i></li> </ul>	<p style="text-align: right;">7.5 m</p> <p style="text-align: right;">4.5 m</p>
.6	Maximum <i>Height</i> of <ul style="list-style-type: none"> <li>• <i>Commercial Lodging</i></li> <li>• all other uses</li> </ul>	<p style="text-align: right;">13 m</p> <p style="text-align: right;">9 m</p>
.7	Maximum <i>Coverage</i>	20%

=====Section 16A ends=====

5. The Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999 is further amended as follows:

- a. By amending Section 4.2 Uses Permitted in All Zones by adding the following to the end of the sentence “The following uses are permitted in all zones:” after the word zones and before the colon:

“, except the RR3 and RR4 zones”

6. The Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999 is further amended as follows:

- a. By updating the Table of Contents in Schedule A Zoning Bylaw based on the new RR3, RR4, and C6 zones.

READ A FIRST TIME this 17<sup>th</sup> day of FEBRUARY, 2016

READ A SECOND TIME this 27<sup>th</sup> day of APRIL, 2016.

PUBLIC HEARING held on the day of , 2016.

READ A THIRD TIME this day of , 2016.

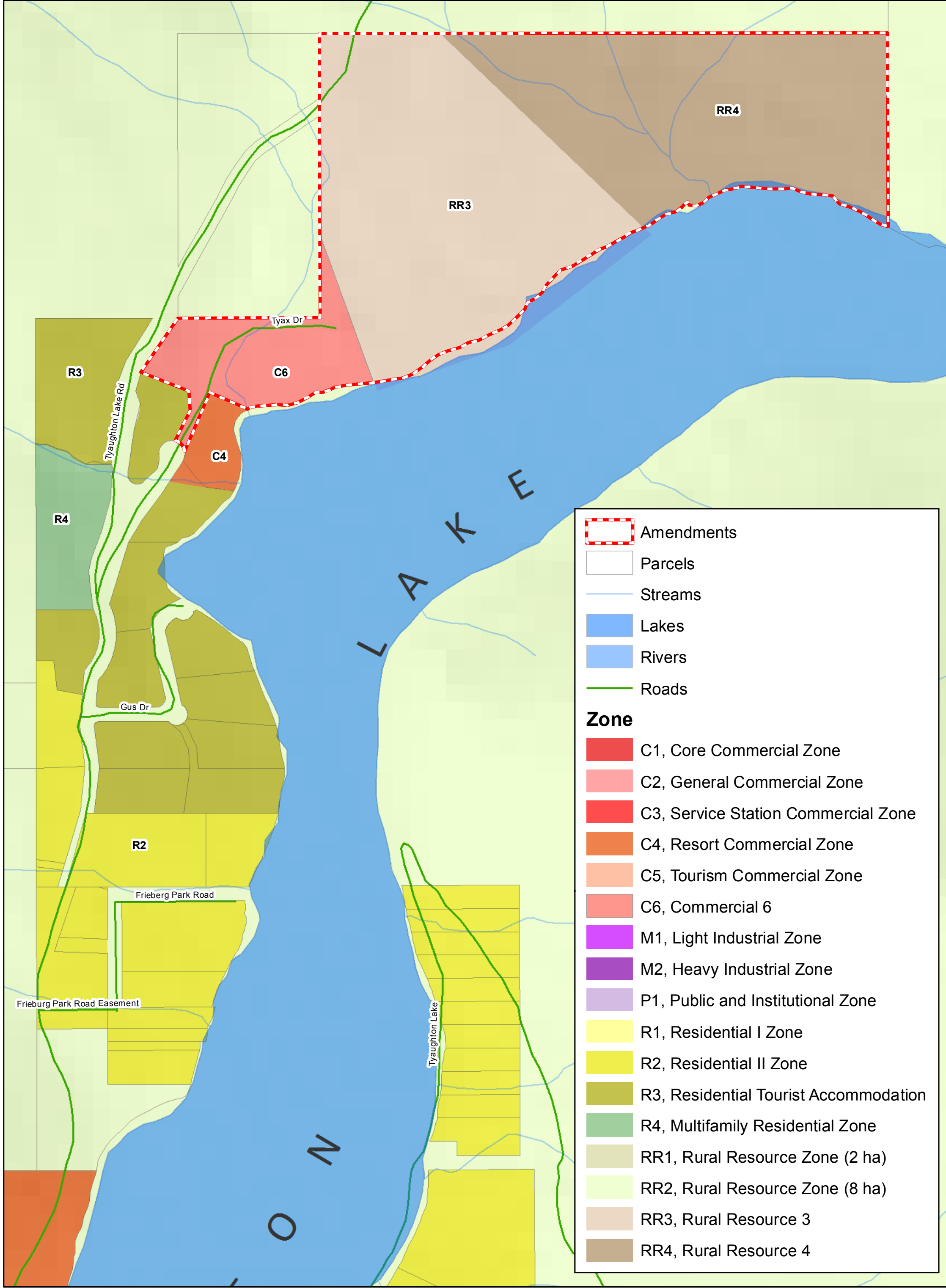
ADOPTED this day of , 2016.

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Jack Crompton  
Chair

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Kristen Clark  
Secretary



**Amendments**

Parcels

Streams

Lakes

Rivers

Roads

**Zone**

- C1, Core Commercial Zone
- C2, General Commercial Zone
- C3, Service Station Commercial Zone
- C4, Resort Commercial Zone
- C5, Tourism Commercial Zone
- C6, Commercial 6
- M1, Light Industrial Zone
- M2, Heavy Industrial Zone
- P1, Public and Institutional Zone
- R1, Residential I Zone
- R2, Residential II Zone
- R3, Residential Tourist Accommodation
- R4, Multifamily Residential Zone
- RR1, Rural Resource Zone (2 ha)
- RR2, Rural Resource Zone (8 ha)
- RR3, Rural Resource 3
- RR4, Rural Resource 4

**SCHEDULE 1  
ZONING AMENDMENT BYLAW  
NO. 1441-2016**

Coordinate System: NAD 1983 UTM Zone 10N  
 Projection: Transverse Mercator  
 Datum: North American 1983  
 False Easting: 500,000.0000  
 False Northing: 0.0000  
 Central Meridian: -123.0000  
 Scale Factor: 0.9996  
 Latitude Of Origin: 0.0000  
 Units: Meter



0 0.175 0.35 Kilometers

