District of Squamish

BYLAW NO. 2807, 2021

A bylaw to amend the District of Squamish
Zoning Bylaw No. 2200, 2011

WHEREAS the District of Squamish deems it necessary and appropriate to amend Zoning Bylaw No. 2200, 2011;

NOW THEREFORE the Council of the District of Squamish, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "District of Squamish Zoning Bylaw 2200, 2011 Amendment Bylaw (Low Carbon Incentive Program) No. 2807, 2021".

2. Zoning Bylaw No. 2200, 2011, as amended, is further amended as follows:

   (a) **Section 1.3 [DEFINITIONS]** is amended by adding the following in alphabetical order:

   LOW CARBON BUILDING means a building that satisfies the Low Carbon Building Standards, including the Greenhouse Gas Intensity (GHGI) performance limits, as outlined in Section 4.45.

   RENEWABLE ENERGY SOURCES means sources of energy which are naturally replenished on a human timescale. This includes sources such as sunlight, wind, tides, waves, biomass and geothermal heat.

   (b) **Section 4.3 [CARETAKER DWELLINGS]** by deleting (b) and substituting the following:

   (b) Despite Section 4.3(a), for properties equal to or greater than 0.2 hectares, the maximum gross floor area of a caretaker dwelling unit shall be 90m^2, provided the unit meets one of the following criteria:

   (i) the unit achieves one energy step above the applicable base step under the District of Squamish Building Bylaw No.1822, 2004 as amended or replaced from time to time, with respect to the BC Energy Step Code, and the owner of the property first enters into a covenant registered on the title of the property covenanting to build the unit to the higher step; or

   (ii) 10% of the annual energy consumption of the building is generated from on-site renewable energy sources, confirmed in a Pre-Construction Compliance Report and As-Built

Compliance Report by an energy advisor licensed by Natural Resources Canada.

(c) **Section 4.10 [HEIGHT OF BUILDINGS AND STRUCTURES]** by deleting (d) and substituting the following:

(d) Where all habitable areas of a principal building fully meet the current applicable Flood Construction Level requirement, and where the Flood Construction Level exceeds 1.5 m above the elevation of the height datum applicable to the building, the maximum permitted height of the principal building shall increase by 1.5 m, provided the building meets one of the following criteria:

(i) that the building achieves one energy step above the applicable base step under the District of Squamish Building Bylaw No.1822, 2004 as amended or replaced from time to time, with respect to the BC Energy Step Code requirements, and provided that the owner of the property first enters into a covenant registered on the title of the property covenanting to build the building to the higher energy step;

(ii) 10% of the annual energy consumption of the building is generated from on-site renewable energy sources, confirmed in a Pre-Construction Compliance Report and As-Built Compliance Report by an energy advisor licensed by Natural Resources Canada.

(iii) for apartment buildings only which are constructed to the Low Carbon Building Standards, the Maximum GHGI of the building is 1 kgCO2e/m^2/y, despite the requirements outlined in section 4.45(b).

Buildings containing non-residential uses located within the Downtown FCL Exemption Area identified in Schedule H of the District of Squamish Floodplain Management Bylaw 2526, 2017 are not eligible for this height increase unless all the non-residential areas voluntarily meet the applicable FCL.

(d) **Section 4.38 [ACCESSORY DWELLING UNITS]** is amended by deleting (c) and (d) and substituting the following:

(c) The gross floor area of an accessory dwelling unit shall not exceed 50m^2, except where located above a garage, the gross floor area of the entire structure shall not exceed 100m^2 and the habitable area shall not exceed 50m^2.

(i) notwithstanding 4.38 (c), the gross floor area ratio of an accessory dwelling unit constructed to the Low Carbon Building Standards may be increased to 70m^2. The gross floor area of an accessory dwelling unit built to the Low Carbon Building Standards that is located above a garage may be

increased to 140m^2, with a maximum of 70m^2 of habitable space.

(d) Despite Section 4.38(c), for properties equal to or greater than 0.2 hectares, the maximum gross floor area of an Accessory Dwelling Unit shall be 90m², provided the unit meets one of the following criteria:

(i) the unit achieves one energy step above the applicable base step under the District of Squamish Building Bylaw No.1822, 2004 as amended or replaced from time to time, with respect to the BC Energy Step Code, and provided that the owner of the property first enters into a covenant registered on the title of the property covenanting to build the unit to the higher step; or

(ii) 10% of the annual energy consumption of the building is generated from renewable energy sources confirmed in a Pre-Construction Compliance Report and As-Built Compliance Report by an energy advisor licensed by Natural Resources Canada.

where located above a garage, the maximum gross floor area for the entire structure shall not exceed 180m^2 and the maximum habitable area shall not exceed 90m².

(e) **Section 4.39 [MULTI UNIT FLEX UNIT]** is amended by adding following:

(i) only be permitted within a Low Carbon Building.

(f) **Section 4 [GENERAL REGULATIONS]** is amended by adding following:

4.45 Low Carbon Building Density Bonus

(a) Density Bonus Structure

(i) In the RS-1, RS-1A, RS-2, RS-3, RM-1, RM-2, RM-3, RMH-2, C-1, and C-4 zones, the maximum density on a property may not exceed the specified 'Base Maximum Floor Area Ratio' in the zone's Maximum Floor Area Ratio table.

(ii) Despite Section 4.45(a)(i), the maximum density on a property may be increased to the specified 'Low Carbon Building Maximum Floor Area Ratio' in the zone's Maximum Floor Area Ratio table, if the following amenity is provided:

(A) construction meets the Low Carbon Building Standards for residential uses in the building.

(iii) Despite Section 4.45(a)(i), the maximum density on a

property may be increased to the level specified in the 'Low Carbon Building Maximum Floor Area Ratio' in the zone's Maximum Floor Area Ratio table, without construction meeting the Low Carbon Building Standards for residential uses, for the following types of development, subject to the conditions listed for each type of development:

(A) An addition to an existing building or structure, provided that the total floor area added, after June 31st, 2020, does not exceed 15 percent of the floor area that exists on June 31, 2020.

(B) An addition to an existing principle dwelling unit that is solely intended to accommodate a secondary suite.

(iv) If a Low Carbon Building Accessory Dwelling Unit has been built on a property and a principal dwelling unit is being replaced on that property, the Low Carbon Building Maximum Floor Area Ratio will only apply to the principal dwelling unit provided the new principal dwelling unit is a Low Carbon Building.

(b) Low Carbon Building Standards

(i) To qualify for the Low Carbon Building Maximum Floor Area Ratio, Low Carbon Buildings must meet the following Greenhouse Gas Intensity (GHGI) performance limits, confirmed in a Pre-Construction Compliance Report and As-Built Compliance Report by an energy advisor licensed by Natural Resources Canada. Assessment of the Greenhouse Gas Intensity must be based on an analysis in which any heating system that uses fossil fuel energy sources is considered as the primary heat source.

Permitted Use	Zone	Maximum GHGI ($kgCO2e/m^2/y$)
Accessory Dwelling Unit, Cottage Cluster	RS-1, RS-1A, RS-2	2
Single Unit Dwelling, Two-Unit Dwelling, Triplex, Townhouse	RS-1, RS-1A, RS-2, RS-3, RM-1, RM-2, RMH-2	1
Apartment	RM-2, RM-3	6
Mixed Use Residential	C-1, C-4	6

(c) Low Carbon Building Density Bonus Transition Period

(i) Despite Section 4.45(b), to accommodate existing development projects and applications during the implementation of the Low Carbon Building Density Bonus, specific projects can build to the 'Low Carbon Building Maximum Floor Area Ratio' density without meeting the identified Low Carbon Building Standards as described in Table 4.45-1.

Table 4.45-1 - Density Bonus Transitional Provisions

Application Type	**Low Carbon Building Standards not required 'Low Carbon Building Maximum Floor Area Ratio'**	**Low Carbon Building Standards required for 'Low Carbon Building Maximum Floor Area Ratio'**
BP Issued	Building Permits that have been issued prior to adoption of Bylaw No. 2807, 2021 may build to the 'Low Carbon Building Maximum Floor Area Ratio' without satisfying the Low Carbon Building Standards, outlined in Section 4.45 for the duration of the permit.	N/A
`BP In-stream	Complete Building Permit applications received prior to adoption of Bylaw No. 2807, 2021 may build to the 'Low Carbon Building Maximum Floor Area Ratio' without satisfying the Low Carbon Building Standards, outlined in Section 4.45 for the duration of the permit.	N/A
BP - new	Complete Building Permit applications received prior to December 2021 and/or complete Building Permit applications received prior to expiry date of a DP issued prior to December 2021 may build to the 'Low Carbon Building Maximum Floor Area Ratio' without satisfying the Low Carbon Building Standards, outlined in Section 4.45 under the Building Permit.	Building Permit applications received on or after December 2021 or Building Permit applications received on or after the expiry date of a Development Permit issued prior to December 2021 must satisfying the Low Carbon Building Standards, outlined in Section 4.45 in order to build to the 'Low Carbon Building Maximum Floor Area Ratio'.
DP - issued	Development Permits issued prior to June 2021 must have a Building Permit issued and have started construction within the duration of the Development Permit (2 years) in order to build to the 'Low Carbon Building Maximum Floor Area Ratio' without satisfying the Low Carbon Building Standards, outlined in Section 4.45`.	Projects with Development Permits issued prior to June 2021 that fail to have Building Permit issued within the duration of their Development Permit (2 years) must satisfying the Low Carbon Building Standards, outlined in Section 4.45 in order to build to the 'Low Carbon Building Maximum Floor Area Ratio'.
DP - in-	Complete Development Permit	Complete Development Permit

stream	applications submitted prior to June 2021 and issued prior to December 2022 must have a BP issued and have substantially started construction within the duration of the DP in order to build to the 'Low Carbon Building Maximum Floor Area Ratio' without satisfying the Low Carbon Building Standards, outlined in Section 4.45`.	applications received by June 2021 that are not issued prior to December 2022 or which do not have a Building Permit issued or have not substantially started construction within the duration of the Development Permit must satisfying the Low Carbon Building Standards, outlined in Section 4.45 in order to build to the 'Low Carbon Building Maximum Floor Area Ratio'.
DP - new	N/A	All new Development Permit applications received after June 2021 must satisfying the Low Carbon Building Standards, outlined in Section 4.45 in order to build to the 'Low Carbon Building Maximum Floor Area Ratio'.

(g) **Section 6.5 [MAXIMUM FLOOR AREA RATIO]** for the RS-1 zone is deleted and substituted with the following:

6.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Use	Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
Single-Unit Dwelling without a Secondary Suite or Accessory Dwelling Unit	0.3	0.45
Single-Unit Dwelling with a Secondary Suite or Accessory Dwelling Unit	0.33	0.5

(h) **Section 7.5 [MAXIMUM FLOOR AREA RATIO]** for the RS-1A zone is deleted and substituted with the following:

7.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Use	Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
Single-Unit Dwelling without a Secondary Suite or Accessory Dwelling Unit	0.3	0.45
Single-Unit Dwelling with a Secondary Suite or Accessory	0.33	0.5

Dwelling Unit		

(i) **Section 8.5 [MAXIMUM FLOOR AREA RATIO]** for the RS-2 zone is deleted and substituted with the following:

8.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio

Use	Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
Single-Unit Dwelling without a Secondary Suite or Accessory Dwelling Unit	0.3	0.45
Single-Unit Dwelling with a Secondary Suite or Accessory Dwelling Unit, Two-unit dwelling, or Triplex dwelling, Cottage Cluster	0.33	0.5

(j) **Section 8.13 [CONDITIONS OF COTTAGE CLUSTER USE] (c)** is deleted and substituted with the following:

(c) The maximum gross floor area for any dwelling unit on a lot with a cottage cluster is 60m^2 per dwelling unit.

(k) **Section 8.13 [CONDITIONS OF COTTAGE CLUSTER USE] (c)** is amended by adding the following:

(d) Despite 8.13(c), the maximum gross floor area for any dwelling unit on a lot with a cottage cluster is 90m^2 per dwelling unit provided it meets the Low Carbon Building Standards.

(l) **Section 9.5 [MAXIMUM DENSITY]** for the RS-3 zone is deleted and substituted with the following:

9.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
The lesser of 0.3 Floor Area Ratio or 107.3 m^2 Gross Floor	The lesser of 0.45 Floor Area Ratio or 162.58 m^2 Gross Floor Area

Area	

(b) The maximum floor area of the uppermost storey of the principal building shall not exceed 80% of the floor area of the largest of the lower storeys. The reduced floor area of the uppermost storey shall be accomplished by an offset at the uppermost storey level from the wall at the largest lower storey level from either the front or side walls or a combination thereof.

(m) **Section 10.5 [MAXIMUM DENSITY]** for the RM-1 zone is deleted and substituted with the following:

10.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
0.4	0.6

(n) **Section 11.5 [MAXIMUM DENSITY]** for the RM-2 zone is deleted and substituted with the following:

11.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
0.53	0.8

(o) **Section 12.5 [MAXIMUM DENSITY]** for the RM-3 zone is deleted and substituted with the following:

12.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
0.67	1.0

(q) **Section 12C.7 [DENSITY]** for the RM-5 zone is deleted and substituted with the following:

12C.7 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
0.13	0.2

(b) The maximum density for apartment dwellings is 12 units per hectare.

(r) **Section 14.5 [MAXIMUM FLOOR SPACE RATIO]** for the RMH-2 zone is deleted and substituted with the following:

14.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Use	Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
Modular Home/Single-Unit Dwelling without a Secondary Suite or Accessory Dwelling Unit	0.3	0.45
Modular Home/Single-Unit Dwelling with a Secondary Suite or Accessory Dwelling Unit	0.33	0.5

(s) **Section 23.5 [MAXIMUM FLOOR SPACE RATIO]** for the C-1 zone is deleted and substituted with the following:

23.5 MAXIMUM DENSITY

(a) Maximum Floor Area Ratio, subject to Section 4.45

Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
0.5	0.75

(t) **Section 26.5 (a) [MAXIMUM FLOOR AREA RATIO]** for the C-4 zone is deleted and substituted with the following:

(a) Maximum Floor Area Ratio, subject to Section 4.45

Despite section 26.16, for parcels with frontage on Cleveland Avenue south of Buckley Avenue and north of Main Street, the maximum Floor Area Ratio (FAR) permitted shall depend on the percentage amount of employment space provided, with possibility of higher Low Carbon Building Maximum Floor

Area Ratio if construction meets the Low Carbon Building requirements, as per Table 26.5.

Table 26.5

Lot Size	Employment Space	Base Maximum Floor Area Ratio	Low Carbon Building Maximum Floor Area Ratio
<560m^2	25%	1.50	2.00
	30%	1.75	2.25
	100%	2.50	3.00
Between 560m^2 and 1860m^2	25%	1.25	1.75
	30%	1.50	2.00
	100%	2.25	2.75
>1860m^2	25%	1.00	1.50
	30%	1.25	1.75
	100%	2.00	2.50

READ A FIRST AND SECOND TIME this 2 day of March, 2021.

Pursuant to the Local Government Act, **NOTICE WAS ADVERTISED ON** 11 day and 18 day of March, 2021.

PUBLIC HEARING HELD on this 23 day of March, 2021.

READ A THIRD TIME this 23 day of March, 2021.

APPROVED by the Ministry of Transportation and Infrastructure, pursuant section 53(3)(a) of the *Transportation Act* this 7 day of April, 2021.

ADOPTED this day of , .

Karen Elliott, Mayor

Robin Arthurs, Corporate Officer