

TSLEIL-WAUTUTH NATION**ZONING AMENDMENT # 6 TO 'BURRARD INDIAN BAND ZONING BYLAW NO 1, 1992'**

WHEREAS the Tsleil-Waututh Nation ("TWN") has taken control of the management of its reserve lands and resources pursuant to the *Framework Agreement on First Nation Land Management* and the *First Nations Land Management Act*, S.C. 1999, c. 24, and has enacted the Tsleil-Waututh Nation Land Code ("Land Code") which came into force and effect on June 6, 2007;

AND WHEREAS the Land Code states in Part 3 – Section 29.1 as follows:

- 29.1 Council shall enact Tsleil-Waututh Laws in accordance with this Part consistent with the Land Code;

AND WHEREAS the Tsleil-Waututh Nation designates the the greater portion of Indian Reserve #3 as a Special Development Zone and prohibits construction or maintenance of any class of building, or any use of land, or the carrying on of any class of business, trade or calling within such Special Development Zone, except to the extent that such construction or maintenance of any class of buildings, such use of land or such carrying on of any class of business, trade or calling conforms to the requirements of Zoning Bylaw No 1, 1992 and any amendments thereto.

NOW THEREFORE the Council of the Tsleil-Waututh Nation hereby enacts an amendment to Zoning Bylaw No 1, 1992 as amended, to further amend the Zoning Bylaw as follows:

PART 1
SHORT TITLE

1. Title

- 1.1 This Law may be cited as the *Burrard Indian Band Zoning Bylaw No 1, 1992 Amendment # 6- CD 6 Ground Oriented Multiple Family Residential*.

PART 2
DEFINITIONS

2. Definitions

- 2.1 Unless otherwise specified, the definition of the terms shall be the same as in the Land Code.
- 2.2 *Ground oriented multiple family residential* means a building divided into two or more dwelling units located side by side under one roof with private exits or entrances to each dwelling unit, with each dwelling unit sharing common walls or party walls;

- 2.3 *Home-Base Business* means any occupation or profession conducted for gain in a dwelling unit, and includes the operation of a daycare for not more than five children;

PART 3 **APPLICATION**

3. Lands affected

- 3.1 Burrard Indian Band Zoning Bylaw No 1, 1992 Special Development Zone is hereby amended with respect to its application to the southern portion of Lot 79-20 Plan 102382 CLSR as attached hereto in Schedule A.

PART 4 **LAND USE**

4. Land Use

4.1 The land uses and the allowable buildings or structures on the said lands are permitted:

- a. *Ground oriented multiple family residential* generally in keeping with the plans attached hereto as Schedule B for that portion of land identified in Schedule A.
- b. *A Home-based business* not occupying more than 30% of a dwelling unit's floor area.

PART 5 **GENERAL PROVISIONS**

5. General Provisions

Where any federal Act or regulation or provincial Act or regulation or any other Tsleil-Waututh Law may apply to any matter covered by this Law, compliance with the Law will not relieve the person from also complying with the provisions of the other applicable Act, regulation or law.

- 5.1 If any section of this Law is for any reason held invalid by a decision of a court of competent jurisdiction, the invalid section or subsection will be severed from and not affect the remaining provisions of this Law.
- 5.2 The headings given to the sections and paragraphs in this Law are for convenience of reference only. They do not form part of this Law and will not be used in the interpretation of this Law.

READ a first time the _____ day of May 2016

Special Membership Meeting _____ day of _____ 2016

READ a second time the _____ day of _____ 2016

READ a third time the _____ day of _____ 2016

This law is hereby adopted at a duly convened meeting of the Council of the Tsleil-Waututh Nation this _____ day of _____, 2016.

Voting in favour of this Law are the following Members of the Council.

Chief Maureen C. Thomas _____

Councilor Deanna B. George _____

Councilor Jen Thomas _____

Councilor Liana Martin _____

Councilor Charlene Aleck _____

Councilor Travis George _____

Schedule A

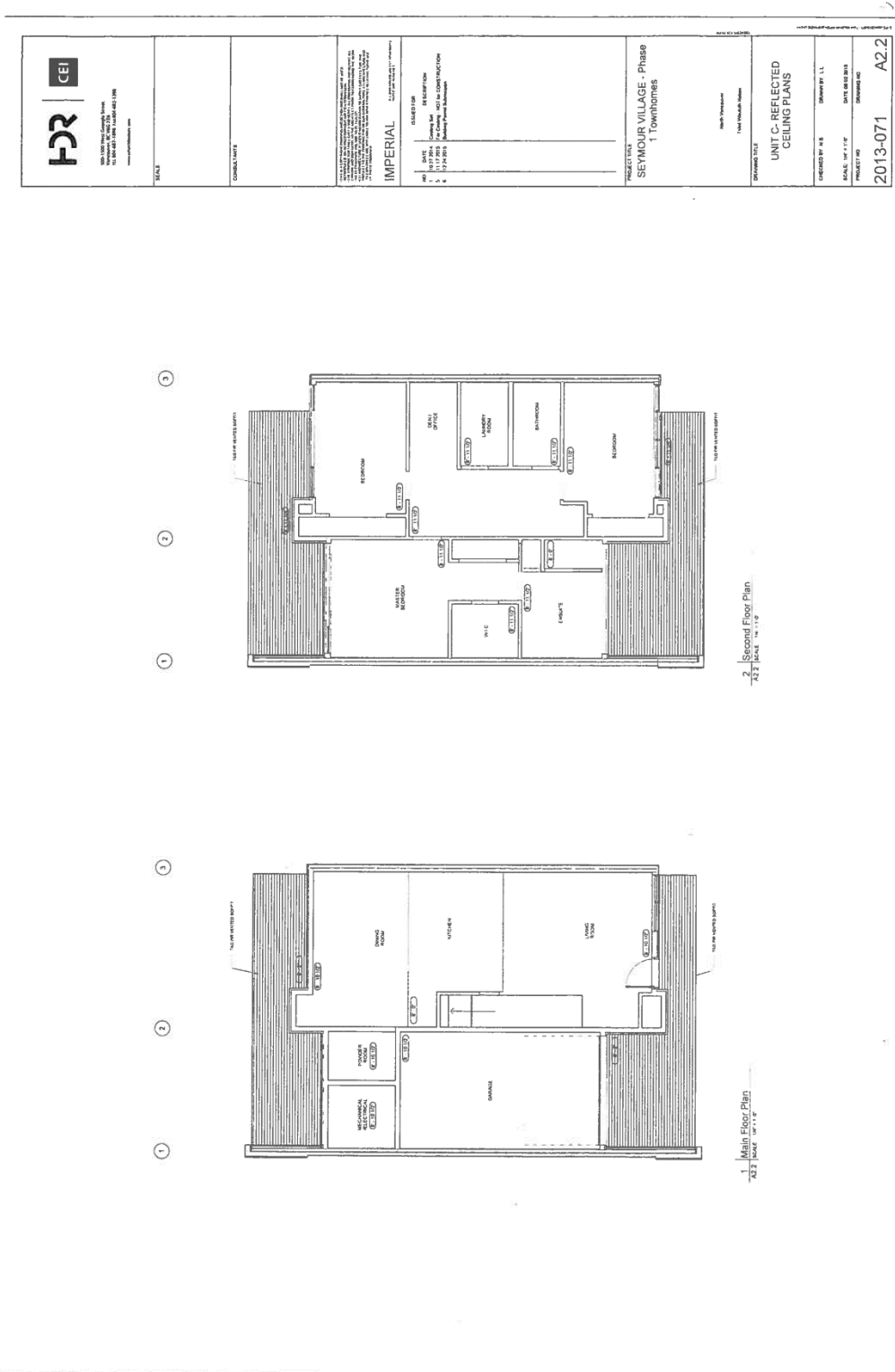





Schedule B Conceptual Drawings









CEI

10000 Highway 100, Suite 100
 Richmond, BC V6V 1K6
 Tel: 604-273-1111
 Fax: 604-273-1112

PROJECT TITLE

SEYMOUR VILLAGE - Phase 1

1 Townhomes

CLIENT NAME

SEYMOUR VILLAGE - Phase 1

1 Townhomes

PROJECT NO.

10000

DATE OF PLAN

2013.07.01

SCALE

1/4" = 1'-0"

DATE OF PLAN

2013.07.01

PROJECT NO.

10000

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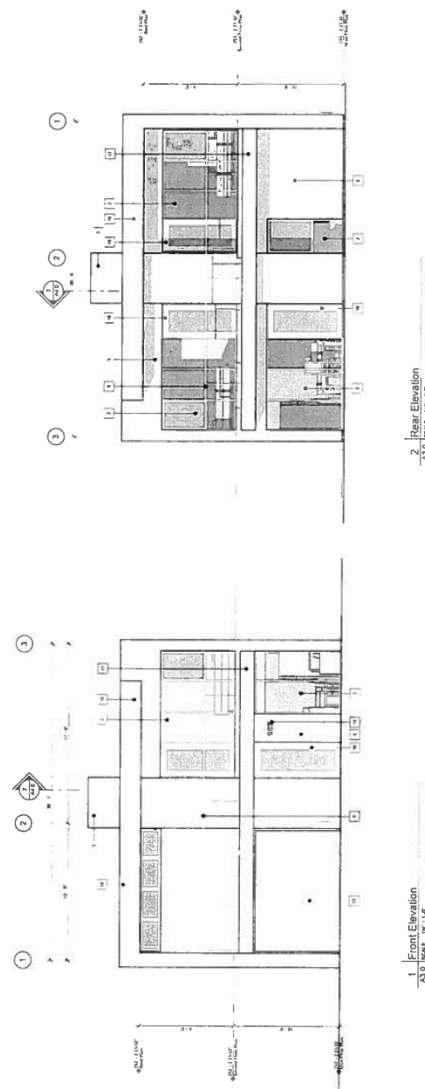
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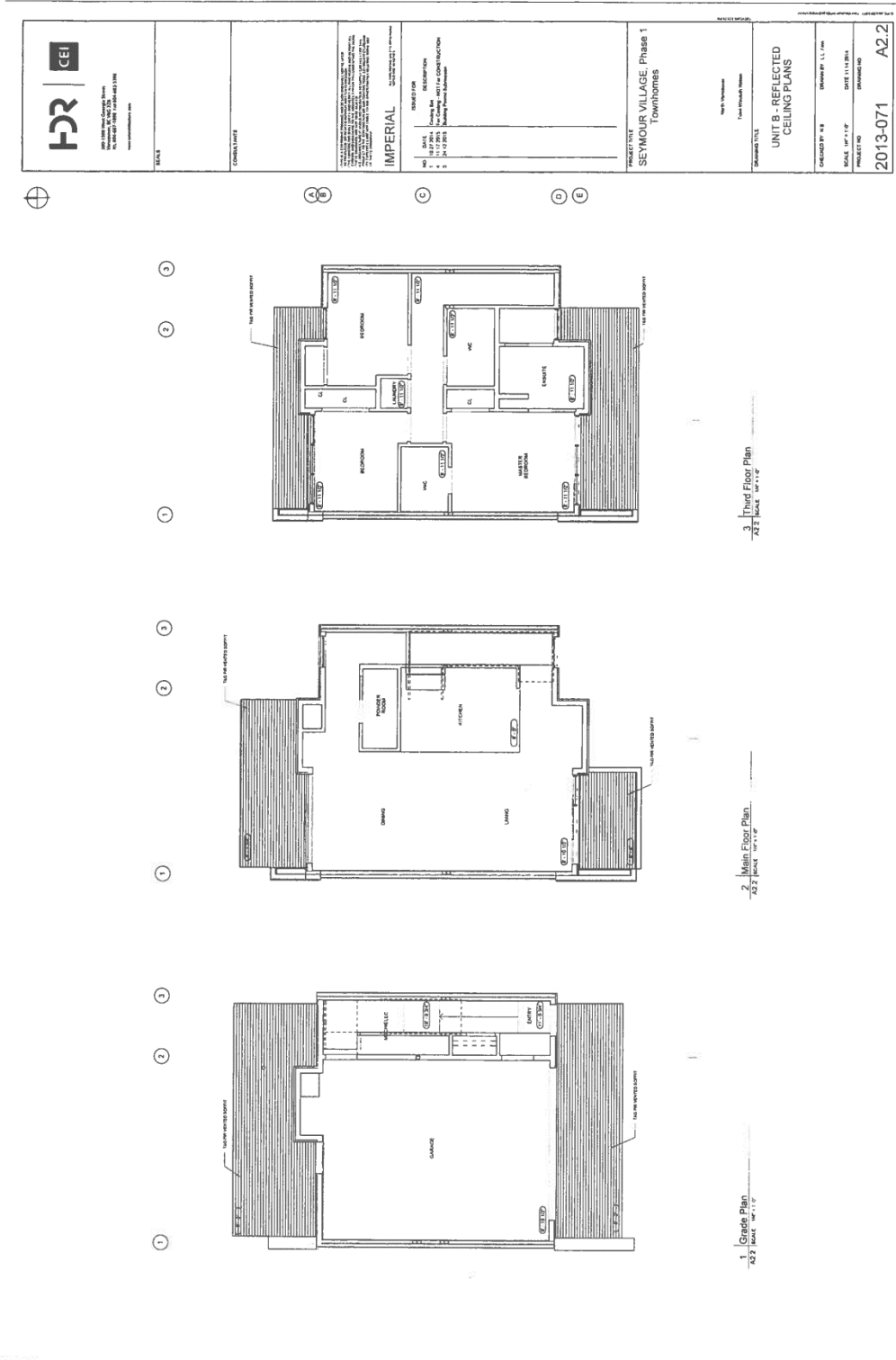
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DATE OF PLAN

2013.07.01

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BAND COUNCIL RESOLUTION
RESOLUTION DE CONSEIL DE BANDE

Chronological no. – N° consecutive 2016--04-20
File reference no. – N° de reference du dossier BCR 16-17 004

NOTE: The words "from our band funds" "capital" or "revenue" whichever is the case, must appear in all resolutions requesting expenditures from band funds.
NOTA: Les mots "des fonds de notre bande" "capital" ou "revenue" selon les cas doivent paraître dans tous les résolutions portant sur des dépenses à même les fonds des bandes.

The council of the Le conseil de		TSLEIL-WAUTUTH NATION	Cash free balance	
			Capital account Compte capital	\$ _____
Date of duly convened meeting Date de l'assemblée dument convoquée	02 / 05 / 2016 DD / MM / YYYY JJ / MM / AAAA	Province B.C.	Revenue account Compte revenu	\$ _____

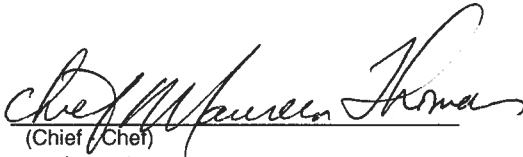

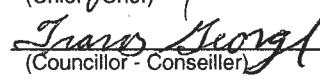

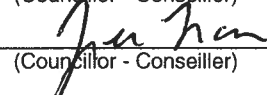
DO HEREBY RESOLVE:
DÉCIDE PAR LES PRESENTES:

WHEREAS:

- A.) The Tsleil-Waututh Nation (TWN) under the Land Code administers and manages its Reserve lands; and
B.) The Tsleil-Waututh Nation is willing to rezone a portion of Lot 79-20 Plan 102382 CLSR from "Special Development Zone" to "CD #6 Ground Oriented Multiple Family Residential" to facilitate development of part of the Lot 79-20.

THEREFORE BE IT RESOLVED THAT the majority of the members of Council of the Tsleil-Waututh Nation, present at the meeting of the Council duly convened on May 2, 2016, hereby resolve that:

1. The Developer obtaining a Development Permit regulating building design, landscaping, geo-technical considerations, and on-site storm water management facilities for Phase 1 and 2 in keeping with the provisions of Schedule B of the attached zoning bylaw amendment.
2. The Developer entering into an agreement to construct a new sewer by-pass from Raven Woods Drive to a point west of Seymour Village as determined by the Director of Public Works. Such construction to occur prior to issuance of an Occupancy Permit for Phase 2.
3. The Developer paying \$25,000 per dwelling unit to TWN to contribute to off-site infrastructure services (DCC). The Director of Public Works being authorized to determine and provide appropriate credits where off-site construction undertaken by the Developer contributes to the Nation's infrastructure needs.
4. The Developer subdividing Phase 1 and 2 from the parent Lot 79-20 Plan 102382 CLSR in keeping with Schedule A of Attachment A.
5. The Developer designing and constructing the road identified as Lot 2 shown on page 2 of Schedule A to TWN's standards at its own cost. Lot 2 is to provide public passage and become the legal access to Phase 1 and 2, removed from the leasehold and returned to TWN.
6. The Developer entering into an Agreement to maintain the fronting boulevards along all roads bounding the site.
7. The Developer being responsible for providing all shallow services to the site at its own expense including the extension of any shallow off-site services to the lands, and the placement of those services are to be to the satisfaction of the Director of Public Works.
8. The Developer providing, implementing, and maintaining an Erosion and Settlement Control Plan for Phases 1 and 2.
9. The Developer obtaining a Permit to clear any other lands necessary to undertake off-site services.
10. The Developer designing and constructing all civil works necessary for the development to the satisfaction of the Director of Public Works.
11. The Land Manager being authorized to execute the Headlease for Phases 1 and 2 for a period of 120 years.

Quorum: Three	 (Chief - Chef)	
 (Councillor - Conseiller)	 (Councillor - Conseiller)	 (Councillor - Conseiller)
 (Councillor - Conseiller)	 (Councillor - Conseiller)	 (Councillor - Conseiller)
 (Councillor - Conseiller)	 (Councillor - Conseiller)	 (Councillor - Conseiller)

FOR DEPARTMENTAL USE ONLY – RÉSERVÉ AU MINISTRE					
Expenditure - Depenses	Authority (Indian Act section) – Autorite (Article sur la loi des Indiens)	Source of Funds Sources des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue - Revenu	Expenditure - Depenses	Authority (Indian Act section) – Autorite (Article sur la loi des Indiens)	Source of Funds Sources des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue - Revenu
Recommending officer – Recommandé par Signature _____ Date _____			Recommending officer – Recommandé par Signature _____ Date _____		
Approving Officer – Approuvé par Signature _____ Date _____			Approving Officer – Approuvé par Signature _____ Date _____		