

# FRASER VALLEY REGIONAL DISTRICT



## ELECTORAL AREA SERVICES COMMITTEE

### MERGED OPEN MEETING AGENDA AND ADDENDUM

Tuesday, April 9, 2019

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

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Pages

1. CALL TO ORDER
2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

#### MOTION FOR CONSIDERATION

**THAT** the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of April 9, 2019 be approved;

**AND THAT** all delegations, reports, correspondence and other information set to the Agenda be received for information.

3. SHOW CAUSE HEARING(S)

*[ OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO BE HEARD ]*

- 3.1 Building Bylaw and BC Building Code Contraventions at 58470 Laidlaw Road, EA B, FVRD, BC (legally described as: Parcel "A" (Ref Plan 13236) South Half District Lot 8 Group 1 Yale Division Yale District (PID 013-082-787))

9 - 26

- Presentation by Staff
- Corporate report dated April 9, 2019 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated March 15, 2019 to Property Owner
- Letter dated November 23, 2018 to Property Owner
- Title Search Report
- Property Report
- Property Information Map

#### MOTION FOR CONSIDERATION

**THAT** the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due

to the contraventions of the Fraser Valley Regional District Building Bylaw No. 1188, 2013, at 58470 Laidlaw Road Electoral Area B, Fraser Valley Regional District, British Columbia (legally described as: Parcel "A" (Reference Plan 13236) South Half District Lot 8 Group 1 Yale Division Yale District (PID: 013-082-787)).

#### **4. DELEGATIONS AND PRESENTATIONS**

##### **4.1 Superintendent Bryon Massie - Upper Fraser Valley Regional Detachment**

Presentation regarding Rural Policing

##### **4.2 Jai Birdi, Regional Operations and Sharon Rose, Regional Manager - Community Living BC**

Presentation on Community Living BC within the FVRD

#### **5. MINUTES/MATTERS ARISING**

##### **5.1 Draft Minutes of the Electoral Area Services Committee Meeting - March 12, 2019** 27 - 37

###### **MOTION FOR CONSIDERATION**

**THAT** the Minutes of the Electoral Area Services Committee Open Meeting of March 12, 2019 be adopted.

##### **5.2 Draft EASC Strategic Planning Session Minutes - March 15, 2019** 38 - 40

###### **MOTION FOR CONSIDERATION**

**THAT** the EASC Strategic Planning Session Minutes of March 15, 2019 be adopted.

#### **6. CORPORATE ADMINISTRATION**

No Items.

#### **7. FINANCE**

##### **7.1 Community Forest Funding Application from Hope River Monsters Swim Club** 41 - 44

- Corporate report dated April 9, 2019 from Mike Veenbaas, Director of Financial Services
- Community Forest Funding Request
- Quotation from Team Aquatic Supplies Ltd.

###### **MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board approve an allocation of \$15,000 from the Cascade Lower Canyon Community Forest 2018 Dividend to



the RiverMonsters Swim Club's campaign to support the installation of replacement diving blocks at the Dan Sharrers Aquatic Centre in Hope.

**7.2      Yale Water System - User Fee Update, Electoral Area "B"      45 - 53**

- Corporate report dated April 9, 2019 from Mike Veenbaas, Director of Financial Services
- Draft Bylaw No. 1514, 2019

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as *Fraser Valley Regional District Yale Water System Regulations, Fees and Other Charges Establishment Bylaw No. 1514, 2019*.

**7.3      Grant-In-Aid Request – Boston Bar North Bend Enhancement Society, Electoral Area "A"      54 - 56**

- Corporate report dated April 9, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application - Boston Bar North Bend Enhancement Society

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board approve a grant-in-aid to the Boston Bar North Bend Enhancement Society in the amount of \$2,000 to be funded from the 2019 Electoral Area "A" grant-in-aid budget to assist with the costs of publishing the community newsletter.

**7.4      Grant-In-Aid Request – Hope River Monsters Swim Club, Electoral Area "B"      57 - 59**

- Corporate report dated April 9, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application - Hope River Monsters Swim Club

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$3,000 to the Hope River Monsters Swim Club, funded from the 2019 Electoral Area "B" grant-in-aid budget to help offset the costs of wireless adaptors, signage, t-shirts, fins and storage equipment.

**8.      ENGINEERING & UTILITIES**

**8.1      Community Sanitary Sewer Servicing in North Cultus, Electoral Area "H"      60 - 64**

- Corporate report dated April 9, 2019 from Sterling Chan, Manager of Engineering and Infrastructure and David Bennett, Planner II

**MOTION FOR CONSIDERATION**

**THAT** in accordance with the FVRD Development Procedures Bylaw No. 1377, 2016 the Fraser Valley Regional District Board defer consideration of new bylaw amendments and new development applications proposing to connect to the North Cultus Sewer System, until such time that a policy guiding additional sanitary servicing and service expansion in North Cultus is adopted.

**8.2      FVRD Bylaw No. 1522, 2019 - Hatzic Prairie Water Fees and Charges Amendment, Electoral Area "F"**

65 - 69

- Corporate report dated April 9, 2019 from Sterling Chan, Manager of Engineering and Infrastructure
- Draft Bylaw No. 1522, 2019

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as "*Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Fees and Regulations Amendment Bylaw No. 1522, 2019*".

**9.      PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT**

**9.1      Cannabis Regulations**

Presentation by Staff

**9.2      Temporary changes to liquor licensing at Sasquatch Inn, Electoral Area "C"**

70 - 85

- Corporate report dated April 9, 2019 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Application

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board endorse the application received February 27, 2019 for temporary changes to the liquor licence for the Sasquatch Inn Ltd (46001 Lougheed Highway, Electoral Area C) with the following comments:

The Board has no objection to the planned events and requested changes to the Liquor Licence, subject to the following items being addressed:

1. Temporary provisions for vehicular parking to ensure the requirements identified in the current local *Zoning* for the property are being followed (one parking spot per three seats provided for patron use), as outlined in the *Zoning Bylaw No. 100, 1979* for Electoral Area C; and
2. Temporary provisions for the existing facilities will be adequate for the proposed increased occupant loads pursuant to the Provincial Sewerage Regulation.

**9.3      Special Event – Run for Water Trail Race Event on Sumas Mountain, Electoral Area “G”**

86 - 104

- Corporate report dated April 9, 2019 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- FVRD Schedule A
- Intention Statement
- Route Map
- Finish Area Map
- Aid Station
- Parking Plan
- Trail Race Insurance
- APD Special Event Assessment

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board approve the Class 1 Special Event Licence No. 2019-02 for the Run for Water Trail Race Event on Sumas Mountain (Electoral Area G) to be held on May 25, 2019, subject to the receipt of all required documentation necessary to complete the application;

**AND THAT** the Fraser Valley Regional District Board waive the requirement for a security fee;

**AND FURTHER THAT** the Fraser Valley Regional District Board authorize FVRD signatories to execute all legal instruments associated with the Special Event Licence No. 2019-02.

**9.4      Application for Development Variance Permit 2019-06 to reduce the side setback to permit the reconstruction/addition to an agricultural building at 11180 Popkum Road North, Electoral Area “D”**

105 - 120

- Corporate report dated April 9, 2019 from Andrea Antifaeff, Planner I
- DVP Application
- Draft DVP 2019-06

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-06 to reduce the side setback from 7.62 metres (25 feet) to 0 metres (0 feet), to facilitate the reconstruction/addition to an agricultural building at 11180 Popkum Road North, Area “D”, subject to consideration of any comments or concerns raised by the public;

**AND THAT** the Fraser Valley Regional District Board authorize its signatories to execute all legal instruments associated with this application, including a

Section 219 restrictive covenant tying the sale of either of the two properties to the other to address existing and new construction built across the side lot line and to restrict the use of the building to agricultural storage.

**9.5      Application for Development Variance Permit 2019-08 to waive requirements related to exceptions to minimum parcel size to facilitate at two (2) lot subdivision at 54660 Trans Canada Highway, Electoral Area "A"**      121 - 141

- Corporate report dated April 9, 2019 from Andrea Antifaeff, Planner I
- DVP Application
- Draft DVP 2019-08

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-08 to vary requirements related to exemptions to minimum parcel size to facilitate a two (2) lot subdivision at 54660 TransCanada Highway, Area "A", subject to consideration of any comments or concerns raised by the public.

**9.6      Rezoning amendment application for 10180 Royalwood Boulevard, Electoral Area "D" to facilitate an increase in lot coverage.**      142 - 165

- Corporate report dated April 9, 2019 from Andrea Antifaeff, Planner I
- Draft Bylaw 1518, 2019
- Zoning Application
- Letters of Support

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board consider giving first reading to the bylaw cited as *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* to rezone the property located at 10180 Royalwood Boulevard from Suburban Residential-2 (SBR-2) to Suburban Residential-3 (SBR-3) to facilitate an increase in lot coverage from 25% (SBR-2) to 40% (SBR-3) for the construction of a single family dwelling and detached garage;

**THAT** the *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* be forwarded to Public Hearing;

**THAT** the Fraser Valley Regional District Board delegate the holding of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* to Director Dickey, or his alternate in his absence;

**THAT** Director Dickey or his alternate in his absence preside over and Chair the Public Hearing with respect to proposed *Bylaw 1518, 2019*;

**AND THAT** the Chair of the Public Hearing be authorized to establish

procedural rules for the conduct of the Public Hearing with respect to proposed *Bylaw 1518, 2019* in accordance with the Local Government Act;

**AND FURTHER THAT** in the absence of Director Dickey, or his alternate in his absence at the time of Public Hearing with respect to proposed *Bylaw 1518, 2019* the Fraser Valley Regional District Board Chair is delegated the authority to designate who shall preside over and Chair the Public Hearing regarding this matter;

**AND FINALLY THAT** the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to *Bylaw 1518, 2019*.

**9.7      Summary of Legislative Changes to the Agricultural Land Reserve Regulation and the Agricultural Land Commission Act**

166 - 196

***FOR INFORMATION ONLY***

- Corporate report dated April 9, 2019 from Julie Mundy, Planning Technician
- Information Bulletin 5 - Residences in the ALR
- Information Bulletin 7 - Soil or Fill Uses in the ALR

**10.      ELECTORAL AREA EMERGENCY SERVICES**

No Items.

**11.      ADDENDA ITEMS/LATE ITEMS**

**11.1      Hatzic Prairie Water System Legacy Debt**

197 - 199

- Corporate report dated April 9, 2019 from Paul Gipps, Chief Administrative Officer

**MOTION FOR CONSIDERATION**

**THAT** staff be directed to enter into a Capital Improvement Construction Fee Agreement with the owners of the property located at 11426, 11210 and 11082 Sylvester Road not connecting into the Hatzic Prairie Water System Sylvester Road Extension.

**12.      REPORTS BY STAFF**

**13.      REPORTS BY ELECTORAL AREA DIRECTORS**

**14.      PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA**

**15.      RESOLUTION TO CLOSE MEETING**

**MOTION FOR CONSIDERATION**

**THAT** the meeting be closed to the public, except for Senior Staff and the Executive

Assistant, for the purpose of receiving and adopting Closed Meeting minutes convened in accordance with Section 90 of the *Community Charter* and to consider matters pursuant to:

- Section 90(1)(g) of the *Community Charter* - litigation or potential litigation affecting the regional district.

16. RECONVENE OPEN MEETING

17. RISE AND REPORT OUT OF CLOSED MEETING

18. ADJOURNMENT

**MOTION FOR CONSIDERATION**

**THAT** the Electoral Area Services Committee Open Meeting of April 9, 2019 be adjourned.

To: CAO for the Electoral Area Services Committee

Date: 2019-04-09

From: Louise Hinton, Bylaw Compliance and Enforcement Officer

File No: B00088.000/2

**Subject:** Building Bylaw, and BC Building Code Contraventions at 58470 Laidlaw Road Electoral Area B, Fraser Valley Regional District, British Columbia (legally described as: Parcel "A" (Reference Plan 13236) South Half District Lot 8 Group 1 Yale Division Yale Dis

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the Fraser Valley Regional District Building Bylaw No. 1188, 2013, at 58470 Laidlaw Road Electoral Area B, Fraser Valley Regional District, British Columbia (legally described as: Parcel "A" (Reference Plan 13236) South Half District Lot 8 Group 1 Yale Division Yale District (PID: 013-082-787).

## STRATEGIC AREA(S) OF FOCUS

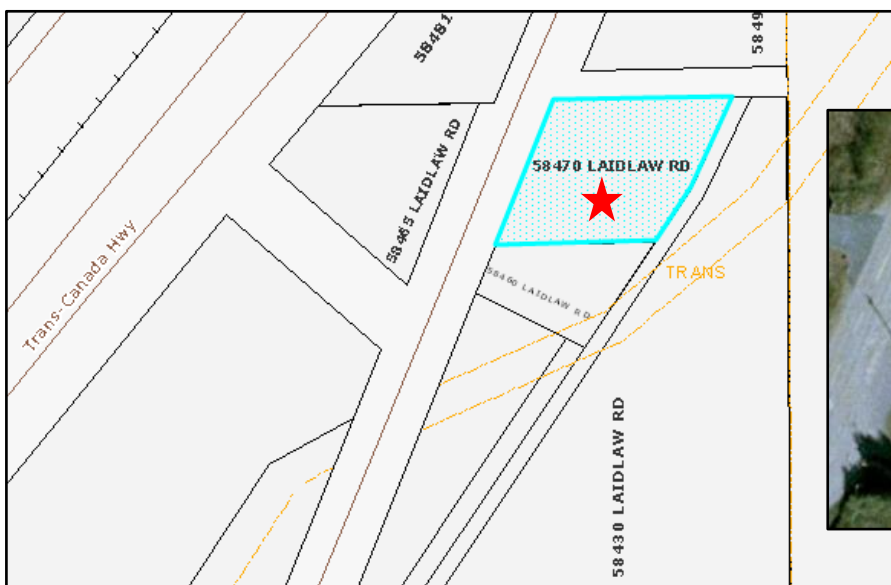
Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

## BACKGROUND

Feb. 22, 2005

Bylaw Complaint received by FVRD of construction without a permit at 58470 Laidlaw Road. Part of the house has been removed and is covered by a tarp.



Feb. 23, 2005	Building Inspector conducts a site visit – several pre-construction slabs are present, new foundation for existing dwelling is in progress of being constructed and new septic. Foundation and slab work works are all posted with Stop Work and No Occupancy Notices. Owner is not on site – 6 unpermitted tenants living on site.
Feb. 24, 2005	Building Inspector speaks to Owner at FVRD Counter - discusses that work started without permits and gives the Owner a Building Permit Application.
March 21, 2005	Owner makes Building Permit Application to FVRD for a foundation upgrade works to the single family home.
Jan. 5, 2006	Building Inspector conducts site inspection – unpermitted laundry and washroom facilities installed without permits for tenants that are residing on the property.
March 31, 2006	Building Department Letter is mailed to the Owner advising that the Building Permit cannot be issued due to existing and proposed land uses contrary to zoning regulations.
Nov. 5, 2007	Bylaw Officer received notice that BP010873 has lapsed and referred back to Bylaw Department for follow-up.
Nov. 7, 2007	Building Inspector and Bylaw Officer conduct a site visit – construction has continued despite posted orders. Pony wall has been created instead of concrete foundation. Numerous people are still living on site (5 or 6). All people use laundry facilities. Property is very unsightly condition – derelict vehicles, rubbish, and debris present.
Nov. 14, 2007	Bylaw Letter mailed to Owner with deadline to respond to FVRD of <u>Dec. 9, 2007</u> .
Nov. 30, 2007	Bylaw Officer receives letter from Notaries Public who are assisting Owner with permit paperwork.
Jan. 30, 2008	Enquiry by listing agent at FVRD counter – Owner plans on listing the property for sale.
Aug. 20 2013	Bylaw Officer spoke with owner at FVRD Counter, the following was discussed: (1) complaints of refuse on property and excess shipping containers, and derelict vehicles have continued; and (2) Bylaw Officer expressed concern that unauthorized people that are living on the property.
Oct. 11 2013	Bylaw Officer conducts drive by site visit - property remains in unsightly condition. Derelict vehicles displayed for sale, detached semi-trailers, shipping containers, rubbish, debris, and refuse on site. Possible flea market use occurring on the property – not permitted under the Zoning Bylaw. No new Building Permit Application has been submitted to the FVRD.
March 17, 2014	Bylaw Letter mailed to Owner, deadline for owner to comply is <u>April 17, 2014</u> .
April 7, 2014	Bylaw Officer has a meeting with the Owner – the following was discussed: (1) Owner promises to continue clean-up efforts; (2) five tenants total on the property within the two cabins, and three living in RV's; and (3) owner has not re-applied for a building permit.



June 10, 2014	Bylaw Officer conducts a site inspection – significant progress on clean-up efforts; and a number of tenants have moved out.
Aug. 13, 2014	Bylaw Officer conducts a drive-by inspection; a few RV's have been removed. Bylaw Officer checks FVRD records – still no Building Permit for the outstanding foundation works.
July 20, 2016	Bylaw Officers conduct a drive-by site inspection; property remains in unsightly condition. Bylaw Officer checks FVRD records – still no Building Permit for the outstanding foundation works.
Oct. 30, 2018	Bylaw Officer conducts site visit – property remains in unsightly condition. Bylaw Officer checks FVRD records – still no Building Permit for the outstanding foundation works.
Nov. 23, 2018	Bylaw Letter mailed to property Owner regarding the following: (1) historic outstanding building permit for foundation upgrade; (2) the unsightly condition of the property; and (3) unauthorized residential suites and camping. Deadline for response to the FVRD is <u>Jan. 28, 2019</u> .
Jan. 15, 2019	Bylaw, Building, and management staff met with Owner at FVRD Office and discussed all outstanding bylaw enforcement matters as follows: (1) The Building Permit for foundation to house was never completed; (2) Owner confirmed works were done by a licenced contractor, but was unaware he still needed a building permit; (3) Owner confirmed a number of tenants were still living on the property; (4) Owner has health concerns and financial restraints and is unable to complete permit at this time; and (5) Owner agreed that notice on title was the best course of action at this time, subject to a discussion with this solicitor.
March 15, 2019	Bylaw Staff sent a letter by mail to owner notifying him of the show cause hearing to place a notice on the title of his property, scheduled for April 9, 2019.

## **INSPECTION PHOTOS**

February 2005 and January 2006



November 2007



## DISCUSSION

Section 57 of the *Community Charter* allows a Building Inspector to recommend a resolution to place a Notice on the Title of a property if a contravention of a bylaw or another enactment that related to the construction or safety of a building is observed. A Notice on Title serves as notice to anyone searching the title that the property may be in breach of local government bylaws or other enactments; provide disclosure to future owners; and protects against potential claims with regard to the contraventions.

Staff requests that the Electoral Services Committee consider the following information:

### Building Bylaw

Staff is authorized to regulate minimum construction standards within Electoral Areas via the *Fraser Valley Regional District Building Bylaw No. 1188, 2013* (Building Bylaw) for health, safety and the protection of persons and property. The bylaw provides that no person shall commence any construction, alternation, reconstruction, demolition, removal, relocation or change the occupancy of any building.

The construction work to upgrade the foundation on the single family dwelling was first discovered in 2005, was finished to completion in 2007, and was done without a required building permit.

**A Building Permit is required for the foundation works undertaken by the property owner; or a demolition Building Permit is required to remove the construction completed without a building permit.**

### Zoning Bylaw

This property is in Electoral Area B, and is zoned *Core Commercial (C-1)* of *Zoning Bylaw No. 90, 1977 for Electoral Area B of the Regional District of the Fraser Cheam* (Bylaw 90). The primary purpose of this zone is to identify land which by reason of adequate drainage, sufficient supply of potable water, adequate sewage disposal system, assurance from flooding or erosion and soil instability, and is best suited for rural living.

It has been confirmed by the property owner that the subject property has several unauthorized suites on the property and recreational vehicles are being used for residential purposes. Only one-family residential use is permitted in the Core Commercial Zone.

The property is located with the Agricultural Land Reserve (ALR). Additional approvals from the ALC are required to permit the additional residential uses.

**An application and approval from the ALC, and a successful re-zoning of the property is required to authorize the unpermitted residential uses on the property.**

### **COST**

Land Titles Office filing fee of approximately \$55.

The owner will be required to pay a removal fee of \$500 in accordance with the *Fraser Valley Regional Building Bylaw 1188, 2013*, after the unpermitted construction work to the single family dwelling is either:

1. Demolished with a Building Permit issued by the FVRD with successful final inspection; or
2. A fully completed Building Permit for the construction work to the existing single family dwelling structure is issued by the FVRD and receives a successful final inspection; after authorization from the ALC and the successful rezoning of the property to permit the additional residential uses.

### **CONCLUSION**

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the extensive unauthorized renovation works to the Single Family Dwelling, that was done without a Building Permit and the construction works that were done without violate multiple *Regional District Bylaws*, and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of a fully completed Building Permit.

Regrettably, but in the interest of full public disclosure and as incentive to achieving voluntary compliance, I, as an Appointed Building Inspector, believe that the filing of Notice is appropriate in this instance and submit the above recommendation in accordance with Section 57 of the *Community Charter*.

Electoral Area Services Committee (EASC) approval and Regional District Board resolution is required to assess Section 57 notices.

The process of filing a Section 57 notice on property title is conducted in accordance with the *Community Charter* and the *Local Government Act*.

Regional District requirements for Building Permit works are being administered in accordance with related *Fraser Valley Regional District Bylaws*, Policies, and the *BC Building Code*.

**COMMENTS BY:**

**Margaret-Ann Thornton, Director of Planning & Development**

Reviewed and supported.

**Mike Veenbaas, Director of Financial Services**

No further financial comment.

**Paul Gipps, Chief Administrative Officer**

Reviewed and supported

March 15, 2019

**REGISTERED MAIL**

Mr. Jean-Paul Leguerrier  
58470 Laidlaw Road  
Hope BC V0X 1L2

**FILE: 4010-20- B00088.000/2**

CIVIC: 58470 Laidlaw Road

PID: 013-082-787

LEGAL: Parcel "A" (Reference Plan 13236) South Half District Lot 8 Group 1 Yale Division Yale District.

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Dear Mr. Leguerrier:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Tile  
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building without a  
Permit – 58470 Laidlaw Road**

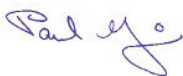
Further to our previous correspondence dated November 23, 2018 that was sent to you on the same day, please be advised you are hereby notified that your opportunity to be heard by the Regional District Electoral Area Services Committee is scheduled. The meeting is to show cause why the Regional District Board of Directors should not direct staff to file a Notice against the title of your property at 58470 Laidlaw Road in relation to the outstanding contraventions of the *Fraser Valley Regional District Building Bylaw No. 1133, 2018* and *BC Building Code* pursuant to Section 57 of the *Community Charter*.

The **show cause** hearing is scheduled for **April 9, 2019 at 1:30pm**, in the Boardroom on the fourth floor of the Regional District Office at 45950 Cheam Avenue, Chilliwack, British Columbia.

The Electoral Area Services Committee will consider registration of the Section 57 Notice on the title of your property at 58470 Laidlaw Road whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

If you require further information or clarification on this matter please contact the Louise Hinton, with our Bylaw Enforcement Department at 604-702-5015 or [lhinton@fvrd.ca](mailto:lhinton@fvrd.ca) in advance of this meeting.

Sincerely,



Paul Gipps  
Chief Administrative Officer

cc: Dennis Adamson, Electoral Area (B)  
Margaret-Ann Thornton, Director of Planning & Development  
Greg Price, Building Inspector / Bylaw Compliance Coordinator  
Louise Hinton, Bylaw Compliance and Enforcement Officer

Attach: April 9, 2019 Staff Report from Bylaw and Appointed Building Inspector  
November 23, 2018, Copy of Bylaw Enforcement Letter to Property Owner  
February 14, 2019 Land Title Search Results  
February 14, 2019 Property Information Report  
February 14, 2019 Property Information Map  
Notice on Title Information Sheet Including Community Charter, Section 57 and 58



November 23, 2018

Mr. Jean-Paul Leguerrier  
PO BOX 69  
Hope BC V0X 1L0

FILE: **4010-20 B00088.0003**  
CIVIC: 58470 Laidlaw Road  
PID: 013-082-787  
LEGAL: DL 8, DISTRICT LOT 8, PARCEL A, PART S 1/2, GROUP 1, REF PL 13236.

Dear Mr. Leguerrier:

**RE: Bylaw Contraventions at 58470 Laidlaw Road (Area B)**

Further to our previous correspondence dated March 17, 2014 and November 14, 2007 Fraser Valley Regional District staff confirmed during our most recent site inspection on October 30, 2018 that your property at 58470 Laidlaw Road (the "property") remains in breach of the following Regional District bylaws despite our prior requests for compliance. We understand that it has been some time since our last contact on these outstanding bylaw enforcement matters; however the lapse in time in no way negates the requirements for compliance.

**1) Construction without a Building Permit – Foundation Upgrade**

Staff has verified the unauthorized construction works of a foundation upgrade that was completed on the single family dwelling structure was done without the benefit of obtaining a building permit. (see enclosed photos).

Photo taken in 2005



Photo taken in 2007



The construction work on the foundation upgrade to the single family dwelling structure that began in 2005 and appeared to be completed in 2007 was done without an approved building permit as is required and detailed below in section 6.1 of the *Fraser Valley Regional District's Building Bylaw No. 1188, 2013*.

**Section 6 Prohibition**

*No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building or structure, including excavation or other work related to construction until a building official has issued a valid and subsisting permit for the work.*



It is required that you submit a fully completed Building Permit Application for the unauthorized foundation upgrade on the single family dwelling structure to the Regional District office by **Monday January 28, 2019**. The completed applications must include:

- Detailed drawings for the structure; including floor plans for use of all areas;
- Detailed site plan; and
- An initial application fee in the amount of \$150.00

Following the receipt of your application, the Building Department will advise you on any additional information needed. Should you have any questions with regard to your application, please contact one of our Building Inspectors at 604-702-5000. Building Permit Application forms are available online for your convenience on the Regional District's website at: <http://www.fvrd.ca/EN/main/services/building-permits-inspection/forms.html>

## 2) Unsightly Condition of Property

The property at 58470 Laidlaw Road (the "property") is still in an unsightly and untidy condition due to an accumulation of rubbish, debris, construction materials, commercial containers, and a large number of unlicensed and/or derelict vehicles. Please see enclosed photographs from October 30, 2018 site inspection below:



The Fraser Valley Regional District's *Unsightly Premises and Unwholesome Matter Bylaw No. 0037, 1996* (Bylaw No. 0037), defines Unsightly as:

*UNSIGHTLY as the accumulation or storage of any building material, whether new or used, on any site or premises, other than a building material storage yard, where the owner or occupier of the premises is not in possession of a valid building permit issued by the Regional District;*

and Section 3 of Bylaw 0037 states:

- No owner or occupier of real property, or premises on the real property, shall allow the property or premises owned or occupied by him to become or remain unsightly.*
- No owner or occupier of real property shall permit or allow a derelict vehicle to remain on that real property unless the derelict vehicle is wholly within an enclosed building or structure except where expressly permitted in the current zoning regulations for the property"*



Section 4, of Bylaw 0037 in part, states that the owner or occupier of real property, or their agents is required to:

- (a) *remove from the real property or premises any unsightly accumulation of filth, discarded materials, or rubbish.*

It is required that you please remove the rubbish, debris, construction materials, commercial containers, and the large number of unlicensed and/or derelict vehicles from your property by **Monday January 28, 2019.**

### 3) Land Use – Unauthorized Camping

The Regional District is aware that your property continues to be used for unauthorized temporary occupancy in various recreational vehicles and or travel trailers on an ongoing basis. See enclosed photos below:



Your property is currently zoned as Core Commercial (C-1) of the *Fraser Cheam Consolidated Zoning Bylaw No. 90 for Electoral Area B*. Bylaw 90 provides for a list of permitted uses in the C-1 zone as outlined in Division Eleven. Campground Use, as defined in part below is not listed as a permitted use on your property and therefore is considered unlawful or a prohibited use.

#### Division One – Definitions

**CAMPGROUND** means any lot or parcel consisting of two or more recreational camping sites operated and occupied overnight or for part of the year only as temporary accommodation for campers in motor homes, tents, travel trailers or truck campers, but not in park model trailers;

The Regional District wishes to work with you to bring your property into compliance with the *BC Building Code* and *Regional District Bylaws*. However, if you do not meet the above outlined requirements for compliance by the above stated deadline of **Monday January 28, 2019** then you will be subject to fines of \$500 per occurrence and or additional enforcement action on behalf of the Regional District. We also encourage you to read the *Occupiers Liability Act*, regarding property safety and negligence, available online at: [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96337\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96337_01)

Your Electoral Area Director has been copied on this letter to provide information and background on any compliant from the public and any received comments.

We look forward to your anticipated cooperation in the quick resolution of this matter. If you have any questions or wish to discuss this matter further, you may contact me by calling toll-free at 1-800-528-0061, directly at 604-702-5015 or by email at [lhinton@fvrd.ca](mailto:lhinton@fvrd.ca). Our office hours are Monday through Friday from 8:30am to 4:30pm.

Respectfully,



Digitally signed  
by Louise Hinton  
Date: 2018.11.23  
09:02:24 -08'00'

Louise Hinton  
Bylaw, Compliance and Enforcement Officer

Attach: Copy of Letter dated March 17, 2014  
Copy of Letter dated November 14, 2007

cc: Dennis Adamson, Director of Electoral Area B  
Margaret-Ann Thornton, Director of Planning & Development  
Greg Price, Building & Bylaw Compliance Coordinator





## FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000

Toll Free: 1-800-528-0061 (BC only)

Fax: 604-792-9684

website: [www.fvrd.bc.ca](http://www.fvrd.bc.ca)

e-mail: [info@fvrd.bc.ca](mailto:info@fvrd.bc.ca)

March 17, 2014

COPY

File Number: 4010-20-B00088.000/3

Jean-Paul Leguerrier  
PO Box 69  
Hope, BC V0X 1L0

Dear Mr. Leguerrier:

**Re Contravention of the Zoning Bylaw at 58470 LAIDLAW RD; Legally Described as Parcel "A" (Reference Plan 13236) South Half of District Lot 8 Group 1 Yale Division Yale District; Parcel Identifier: 013-082-787**

The Regional District has received a complaint of unpermitted uses at the above noted property. On October 11, 2013, an inspection of your property confirmed the placement of numerous occupied trailers and the sale of commercial automobiles. The property is zoned Local Commercial (C-1). After reviewing the Zoning Bylaw for Electoral Area "C", 1977 of the Regional District of Fraser-Cheam, it appears that the noted uses may be in contravention of this bylaw. More information regarding permitted uses may be found at:

<http://www.fvrd.bc.ca/InsidetheFVRD/Bylaws/LandUsePlanningandDevelopmentBylaws/Pages/ZoningBylaws.aspx>

In addition to the above matter, a second complaint has been received that the property is in an unsightly condition and contains unwholesome matter. The collection of appliances, piles of construction debris, and derelict vehicles was noted during the site inspection. The accumulation of this material is in violation of Fraser Valley Regional District Unsightly Premises and Unwholesome Matter Bylaw No. 0037, 1996. This bylaw prohibits a property from becoming unsightly, restricts the gathering of unwholesome matter, and forbids littering. A copy of this bylaw may be found at: <http://www.fvrd.bc.ca/InsidetheFVRD/Bylaws/RegulatoryBylaws/Pages/BylawEnforcement.aspx>

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws. In order to accomplish this, we ask that you remove the derelict vehicles and all unsightly and unwholesome matter no later than **April 17, 2014**. Should you fail to comply with this request, you may be subject to ticketing and your file may be referred to the Regional Board for their consideration and recommendation regarding further bylaw enforcement.

You may contact me Monday through Friday, 8:30am to 4:30pm at the toll-free number listed above, directly at 604-702-5056, or by email at [jwells@fvrd.bc.ca](mailto:jwells@fvrd.bc.ca) to discuss this issue further. Thank you in advance for your co-operation.

Yours truly,

Jennifer Wells  
Bylaw, Permits and Licenses Technician

cc: Dennis Adamson, Director of Electoral Area B  
Margaret Thornton, Director of Planning & Development Services



## FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000

Toll Free: 1-800-528-0061 (BC only)

Fax: 604-792-9684

website: www.fvrd.bc.ca

November 14, 2007

File Number: 4010-20-B00088.000/2

Jean Paul Leguerrier  
58470 Laidlaw Road  
Hope, B.C.  
V0X 1L2

Dear Mr. Leguerrier:

**Re: Construction Without a Building Permit, Unsightly Premises, Derelict Vehicles, Zoning Contraventions at 58470 Laidlaw Road Legally Known as Parcel "A" (Reference Plan 13236) South Half District Lot 8, Group 1, Yale Division, Yale District**

The Regional District has received a complaint of building without a permit at the above noted address. On November 7th, 2007, an inspection of your property confirmed the presence of a recently constructed foundation support, as well as a shed. Our records do not indicate that a building permit has been issued for such work. Building permits are required by Fraser Valley Regional District Building Bylaw No. 0034, 1996 to encourage property owners to comply with the minimum standards established by the British Columbia Building Code as well as other enactments which relate to health, safety, and use of land.

In addition to the above matter, a second complaint has been received that the property is in an unsightly condition and contains unwholesome matter. The collection of construction debris, assorted rubbish, appliances and derelict vehicles was noted during the site inspection. The accumulation of this material is in violation of Fraser Valley Regional District Unsightly Premises and Unwholesome Matter Bylaw No. 0037, 1996. This bylaw prohibits an address from becoming unsightly, restricts the gathering of unwholesome matter, and forbids littering.

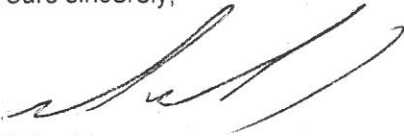
The property is zoned Core Commercial (C-1). After reviewing Bylaw No. 90 Zoning Bylaw for Electoral Area B, it appears that the placement and use of your 5 trailers is in contravention of this zoning bylaw. Please remove all the trailers on your property being utilized as storage facilities no later than **December 9<sup>th</sup>, 2007**. Further, the zoning of your property does not permit camping on the property. Please ensure that no recreational vehicles or tow trailers are being occupied by anyone on your property, as this would be further contravention of the zoning bylaw.

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws. In order to accomplish this, we ask that you submit the enclosed building permit application for the illegal construction identified above. Furthermore, please remove the derelict vehicles and all unsightly and unwholesome matter no later than **December 9th, 2007**. Should you fail to comply with this request, you may be subject to ticketing and your file may be referred to the Regional Board for their consideration and recommendation regarding further bylaw enforcement.

You should be aware that a new By-Law Enforcement Notice System is now in effect in the Fraser Valley Regional District. Failure to comply with our request may result in you, the property owner, being liable to substantial fines.

You may contact me at the toll-free number above or directly at 604-702-5056, 8:30am to 4:30pm, Monday through Friday to discuss this issue further. Thank you in advance for your co-operation.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Michael Lane', written in a cursive style.

Michael Lane  
Bylaw, Permits, and Licences Technician

cc: Frank Kelly, MCIOB, Manager of Inspection Services  
Arne J. Zabell, Director of Electoral Area B

**TITLE SEARCH PRINT**

File Reference:

Declared Value \$265000

2019-02-14, 07:10:10

Requestor: Louise Hinton

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\***

<b>Land Title District</b> Land Title Office	NEW WESTMINSTER NEW WESTMINSTER
<b>Title Number</b> From Title Number	BX413438 T2126E
<b>Application Received</b>	2005-02-18
<b>Application Entered</b>	2005-02-23
<b>Registered Owner in Fee Simple</b> Registered Owner/Mailing Address:	JEAN-PAUL LEGUERRIER, RETIRED 58470 LAIDLAW ROAD HOPE, BC V0X 1L2
<b>Taxation Authority</b>	New Westminster Assessment District
<b>Description of Land</b> Parcel Identifier: Legal Description:	013-082-787 PARCEL "A" (REFERENCE PLAN 13236) SOUTH HALF DISTRICT LOT 8 GROUP 1 YALE DIVISION YALE DISTRICT
<b>Legal Notations</b>	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT, SEE AGRICULTURAL LAND RESERVE PLAN NO. 56 DEPOSITED 11/09/1974
<b>Charges, Liens and Interests</b>	NONE
<b>Duplicate Indefeasible Title</b>	NONE OUTSTANDING
<b>Transfers</b>	NONE
<b>Pending Applications</b>	NONE

**Folio:** 732.00088.000  
**Civic:** 58470 LAIDLAW RD  
**Size:** 1.26 ACRES

**Pid:** 013-082-787

**Legal:** PARCEL A, PART S1/2, DISTRICT LOT 8, GROUP 1, YALE  
 DIV OF YALE LAND DISTRICT, REF PL 13236

**Owner:** LEGUERRIER, JEAN-PAUL  
 PO BOX 69  
 HOPE BC V0X 1L0  
 (BX413438)

#### 2019 Actual Assessments

	<u>Land Class</u>	<u>Land</u>	<u>Impr Class</u>	<u>Impr</u>
00 - FULLY TAXABLE LAND, STRUCTURES	1 - Res	272000	1 - Res	93700
00 - FULLY TAXABLE LAND, STRUCTURES	6 - Bus/Oth	90900	6 - Bus/Oth	25100

<u>Lto Number</u>	<u>Sales Price</u>	<u>Date</u>	<u>Description</u>
BX413438	265,000.00	Feb 18, 2005	IMPROVED SINGLE PROPERTY
T2126E	82,000.00	Jan 15, 1981	IMPROVED SINGLE PROPERTY
473866E	0.00	Dec 15, 1972	REJECT - NOT SUITABLE FOR SALES ANALYSIS

<u>Attribute</u>	<u>Value</u>	<u>Description</u>
ACTUAL USE	202	STORE(S) & LIVING QUARTERS
ELECTORAL AREA	B	ELECTORAL AREA B
MANUAL CLASS	D353	RETAIL STORE
NEIGHBOURHOOD	130	
SCHOOL DISTRICT	78	FRASER CASCADE
SERVICE	0245CN	
TENURE TYPE	01	CROWN GRANTED

<u>Classification</u>	<u>Start Date</u>	<u>Stop Date</u>	<u>Comment</u>
BYLAW ENFORCEM	Nov 26, 1997	Dec 31, 1997	See bylaw enforcement staff for details.B.00088.000
BYLAW ENFORCEM	Feb 22, 2005		See bylaw enforcement staff for details.B00088.000/2

<u>Prop.Charge</u>	<u>Type</u>	<u>Sub Type</u>	<u>Project</u>	<u>Discharged</u>	<u>Text</u>
O/657	GEOTECH REPORTS	OVERVIEW			Comprehensive Review of Fraser River at Hope Flood Hydrology and Flows - Scoping Study
P/666	GEOTECH REPORTS	PRIMARY			Site Specific Hazaed Assessment for the Property at 58470 Laidlaw Road



**Property Information Report**

Civic Address:	58470 LAIDLAW RD	Lot Size:	1.26 ACRES
Folio Number:	732.00088.000	Electoral Area:	B
PID:	013-082-787	Map Scale:	1:1162
Legal Description:	PARCEL A, PART S1/2, DISTRICT LOT 8, GROUP 1, YALE DIV OF YALE LAND DISTRICT, REF PL 13236		



**Land-use Information**

Zoning Designation:	Contact Planning Department	Zoning Bylaw:	Contact Planning Department
OCP Designation:	Contact Planning Department	OCP Bylaw:	Contact Planning Department
DPA Designation:	Contact Planning Department	ALR:	Contact Planning Department
In Mapped Floodplain:	Contact Planning Department	Watercourse:	Contact Planning Department

**Utility Information**

Local Service Area:	Contact Planning Department
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# **FRASER VALLEY REGIONAL DISTRICT**

## **ELECTORAL AREA SERVICES COMMITTEE**

### **OPEN MEETING MINUTES**

Tuesday, March 12, 2019

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

Members Present: Director Bill Dickey, Electoral Area D, Chair  
Director Dennis Adamson, Electoral Area B  
Director Wendy Bales, Electoral Area C  
Director Orion Engar, Electoral Area E  
Director Hugh Davidson, Electoral Area F  
Director Al Stobbart, Electoral Area G  
Director Taryn Dixon, Electoral Area H  
Alternate Director Diane Johnson, Electoral Area A

Regrets: Director Terry Raymond, Electoral Area A

Staff Present: Mike Veenbaas, Director of Financial Services  
Tareq Islam, Director of Engineering & Community Services  
Margaret-Ann Thornton, Director of Planning & Development  
Jennifer Kinneman, Director of Corporate Affairs  
Graham Daneluz, Deputy Director of Planning & Development  
Milly Marshall, Director EA Special Projects  
Jaime Reilly, Manager of Corporate Administration  
Janice Mikuska, Human Resources Manager  
Kristy Hodson, Manager of Financial Operations  
Sterling Chan, Manager of Engineering & Infrastructure  
Louise Hinton, Bylaw Compliance and Enforcement Officer  
Andrea Antifaeff, Planner I  
Tracey Heron, Planning Assistant  
Matthew Fang, Network Analyst I  
Maggie Mazurkewich, Executive Assistant to CAO  
Chris Lee, Executive Assistant (Recording Secretary)

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Also Present: Scott Hargrove, FVRL  
Nancy Gomerich, FVRL  
Nicole Glentworth, FVRL  
  
Suzy Coulter, Chilliwack River Valley Waterkeepers  
Molly Armstrong, Chilliwack River Waterkeepers  
Edna Hobbs, Chilliwack River Waterkeepers

**1. CALL TO ORDER**

Chair Dickey called the meeting to order at 1:30 p.m. and welcomed Alternate Director Diane Johnson to the meeting.

**2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS**

Moved By DAVIDSON  
Seconded By ENGAR

**THAT** the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of March 12, 2019 be approved;

**AND THAT** all delegations, reports, correspondence and other information set to the Agenda be received for information.

**CARRIED**

**3. SHOW CAUSE HEARING(S)**

**3.1 Building Bylaw and BC Building Code Contraventions at 31236 Mary Street, Electoral Area "B" (PID:010-098-283)**

Louise Hinton provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 31236 Mary Street, Electoral Area B, and the efforts of staff to encourage voluntary compliance by the property owner.

Moved By ADAMSON  
Seconded By ENGAR

**THAT** the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code*, at 31236, Mary Street, Electoral Area B, Fraser Valley Regional District, British Columbia (Lot 13 Block 5 Section 14 Township 7 Range 26 West of the 6th Meridian Yale Division Yale District

Townsite of Yale (PID: 010-098-283) and Lot 12 Block 5 Section 14 Township 7 Range 26 West of the 6th Meridian Yale Division Yale District Townsite of Yale (PID: 010-098-267).

**CARRIED**

No comments were offered from the public.

**3.2 Building Bylaw and BC Building Code Contraventions at 20568 Edelweiss Drive, Electoral Area "C" legally described as: Lot 19 Dist. Lot 3847 Group 1 New Westminster District Plan 55971 (PID: 005-426-103)**

Louise Hinton provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 20568 Edelweiss Drive, Electoral Area C, and the efforts of staff to encourage voluntary compliance by the property owner.

Moved By BALES

Seconded By STOBART

**THAT** the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code*, at 20568 Edelweiss Drive, Fraser Valley Regional District, British Columbia, Electoral Area C, legally described as: Lot 19 District Lot 3847 Group 1 New Westminster District Plan 55971 (PID: 005-426-103).

**CARRIED**

No comments were offered from the public.

**4. DELEGATIONS AND PRESENTATIONS**

**4.1 Scott Hargrove, Nancy Gomerich, Heather Scoular and Nicole Glentworth - Fraser Valley Regional Library**

Scott Hargrove, FVRL Chief Executive Officer gave a presentation, providing an overview of Fraser Valley Regional Library (FVRL) services and the FVRL Strategic Plan, noting that FVRL is the largest public library in BC. He also spoke to 'The FVRL Advantage' and the 'Playground at FVRL' which features lending collections and in-library experience.

Nancy Gomerich, FVRL Director of Finance spoke to the 2019 budget and capital proposals for improvements to the Boston Bar and Yale libraries. She provided information on the three proposed options. It was noted that the FVRL is an essential destination connecting people living, working or studying in our

communities in a friendly environment focused on knowledge, creativity and experiences that transforms lives.

Chair Dickey thanked the delegation for the presentation. .

**4.2 Suzy Coulter, Edna Hobbs and Molly Armstrong - The Chilliwack River Valley Waterkeepers**

Suzy Coulter of the Chilliwack River Valley Waterkeepers provided a presentation on the community response to the proposed non-farm use application for a bulk water filling station at 56555 Chilliwack Lake Road in Electoral Area E. She noted that there were 110 people in attendance at the public meeting held by the proponent on February 21, 2019, noting that there was unified opposition to the bulk water extraction proposal due to:

- Lack of public confidence (lack of data – no comprehensive study);
- Climate crisis (reference was made to the 2017 NHC Study which states decline in snowmelt and glacier melt);
- Consequences (approval could set a precedent for more commercial water extraction, tanker truck traffic resulting in pollution, road wear, safety), water sovereignty risk; and
- Stewardship – CRV OCP Community Vision (*strong connection to the natural environment and desire to protect*) and Residents Association Constitution (*“Protect the Valley for Future Generations”*).

Ms. Coulter noted that there has been an outpouring of emails and letters to the FVRD opposing the proposed application and urged the FVRD to reject the proposed application.

Ms. Molly Armstrong read out two letters of opposition to the proposed application from two residents in the Valley.

**5. MINUTES/MATTERS ARISING**

**5.1 Minutes of the Electoral Area Services Committee Meeting - February 12, 2019**

Moved By STOBART  
Seconded By DIXON

**THAT** the Minutes of the Electoral Area Services Committee Open Meeting of February 12, 2019 be adopted.

**CARRIED**

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**6. CORPORATE ADMINISTRATION**

**6.1 Letter of Agreement with Deroche Farmers Market Society**

Moved By BALES  
Seconded By STOBART

**THAT** the Fraser Valley Regional District Board authorize its signatories to enter into an agreement with the Deroche Farmers Market Society for the period June 1 to September 14, 2019, for rental of space at the FVRD Deroche Community Access at a total cost of \$400.

**CARRIED**

**6.2 Deroche Community Christian Fellowship Rental of Deroche Community Access Centre**

Moved By STOBART  
Seconded By DIXON

**THAT** the Fraser Valley Regional District Board authorize its signatories to enter into a one year agreement, with the option of a one year renewal, with the Deroche Community Christian Fellowship, for rental space at the FVRD Deroche Community Access Centre at a cost of \$100 per month.

**CARRIED**

**7. FINANCE**

**7.1 Fraser Valley Regional Library Service – Electoral Areas**

Discussion ensued regarding capital expenses for the Yale and Boston Bar libraries. It was proposed that the 2019 budget proposal for the Boston Bar library be brought to the April EASC Meeting for consideration as Director Raymond was absent at today's meeting.

Moved By BALES  
Seconded By JOHNSON

**THAT** consideration of requests for capital expenses by the Fraser Valley Regional Library for the Boston Bar and Yale libraries be brought forward at the April 9 EASC Meeting.

**CARRIED**

**7.2 Community Works Fund – Electoral Area Allocation Model for 2019 - 2022**

Moved By DAVIDSON  
Seconded By ENGAR

**THAT** the Fraser Valley Regional District Board approve the allocation of the 2019-2022 Electoral Area Community Works Funds based on the following formula:

1. Each Electoral Area receives a base allocation of \$5,000, and
2. The remainder to be allocated on a pro-rata basis, based on the 2016 census populations as certified by the Minister of Municipal Affairs and Housing.

**CARRIED**

**7.3 Grant-In-Aid Request – Read Right Society, Electoral Area “B”**

Moved By ADAMSON  
Seconded By DIXON

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to the Read Right Society, funded from the 2019 Electoral Area “B” grant-in-aid budget to help offset the costs of books and materials to provide literacy programs.

**CARRIED**

**7.4 Grant-in-Aid Request - Sunshine Valley Volunteer Fire Department, Electoral Area "B"**

Moved By ADAMSON  
Seconded By ENGAR

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$3,000 to the Sunshine Valley Volunteer Fire Department, funded from the Electoral Area “B” grant-in-aid budget, to help purchase wildfire structure sprinkler protection equipment.

**CARRIED**

**7.5 Grant-In-Aid Request – District of Hope Ratepayers Association, Electoral Area “B”**

Moved By ADAMSON

Seconded By BALES

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$1,000 to the District of Hope Ratepayers Association, funded from the 2019 Electoral Area “B” grant-in-aid budget, to help purchase items for their annual Lego Expo. All funds earned at this event will go towards Silver Creek Elementary’s music and library programs as well as making essential repairs to Park St. Manor Senior’s residence.

**CARRIED**

**7.6 Grant-In-Aid Request – Fraser Canyon Hospice Society, Electoral Area “B”**

Moved By ADAMSON

Seconded By DIXON

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to the Fraser Canyon Hospice Society, funded from the 2019 Electoral Area “B” grant-in-aid budget, to offset costs of their 15th annual Camp Skylark.

**CARRIED**

**7.7 Grant-In-Aid Request – Deroche Farmers Market, Electoral Areas “C” and “G”**

Moved By STOBART

Seconded By DAVIDSON

**THAT** the Fraser Valley Regional District Board approve a grant-in-aid to the Deroche Farmers Market Society in the amount of \$2,450, to be funded from the 2019 Electoral Area “C” grant-in-aid budget in the amount of \$1,450 and the 2019 Electoral Area “G” grant-in-aid budget in the amount of \$1,000 to help offset the costs associated with advertising, signage repairs, and supplies.

**CARRIED**

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**7.8 Grant-In-Aid Request – Sasquatch Lions Club, Electoral Area “G”**

Moved By STOBART

Seconded By BALES

**THAT** the Fraser Valley Regional District Board approve a grant-in-aid to the Sasquatch Lions Club in the amount of \$1,500, to be funded from the 2019 Electoral Area “G” grant-in-aid budget to help offset the costs associated with a “Play Pass” to the Mission Leisure Centre to help low-income persons and or those not eligible for subsidized pass programs.

**CARRIED**

**8. ENGINEERING & UTILITIES**

No Items.

**9. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT**

**9.1 Non-Farm Use Application - Bulk Water Filling Station, 56555 Chilliwack Lk Rd, Area “E” (Larson Farm)**

Moved By ENGAR

Seconded By DIXON

**THAT** the Fraser Valley Regional District Board decline to forward to the Agricultural Land Commission Non-Farm Use Application 3015-20-2016-05 by Larson Farms Inc. for a bulk water filling station at 56555 Chilliwack Lake Road, Electoral Area “E”;

**AND THAT** the Corporate Report dated 2019-03-12 regarding the proposed bulk water filling station at 56555 Chilliwack Lake Road be forwarded to the Ministry of Forests, Lands, Natural Resource Operations & Rural Development for consideration in conjunction with the application by Larson Farms Inc. for a groundwater license.

**CARRIED**

It was also proposed that the PowerPoint presentation from the Chilliwack River Valley Waterkeepers be sent along to the Province together with the corporate report from Staff.



**9.2 Site-Specific Exemption Application 2019-02 for the construction of two cabins at Camp Luther Retreat Centre, 9311 Shook Road, Area "G"**

Moved By STOBART  
Seconded By DAVIDSON

**THAT** the Fraser Valley Regional District Board refuse the Site Specific Exemption application to allow the construction of two cabins at an elevation 1.95 m (6.4 feet) lower than the 9.3m flood construction level (FCL) required at Camp Luther Retreat Centre, 9311 Shook Road, Electoral Area "G".

**CARRIED**

**9.3 Form and Character and Development Variance Permit amendments to accommodate double garages on 5 lots of the final phase of the 'Cottages at Cultus Lake' development, Electoral Area "H"**

Moved By DIXON  
Seconded By ENGAR

**THAT** the Fraser Valley Regional District Board issue Development Permit 2019-01 regarding the form and character of detached garages within the final phase of the "Cottages" development at PID 029-380-839 off Columbia Valley Road, Electoral Area "H";

**AND THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-04 regarding the siting and height of detached garages within the final phase of the "Cottages" development at PID 029-380-839 off Columbia Valley Road, Electoral Area "H" subject to consideration of any concerns raised from neighbourhood notification.

**CARRIED**

**9.4 Application for Development Variance Permit 2019-05 to vary the maximum height and area requirements for a garage at 10191 Caryks Road, Electoral Area "D"**

Moved By ADAMSON  
Seconded By DIXON

**THAT** the Fraser Valley Regional District issue Development Variance Permit 2019-05 to increase the maximum permitted height of an accessory building from 5.0 metres to 7.3 metres and to increase the maximum permitted area of an accessory building from 45 square metres to 53.5 square metres, subject to consideration of any comment or concerns raised by the public.

**CARRIED**

**10. ELECTORAL AREA EMERGENCY SERVICES**

No items.

**11. ADDENDA ITEMS/LATE ITEMS**

**11.1 Board Remuneration - Impact of Municipal Officer's Expense Allowance Exemption**

Staff provided information on how other member municipalities were dealing with the impact of Municipal Officer's expense allowance exemption, noting that some municipalities have increased their remuneration rates. Discussion ensued regarding the wage parity between Municipal and Electoral Area directors, resulting in the following motion being brought forward.

Moved by ENGAR

Seconded by STOBART

**THAT** assuming no other changes to the base Board Director remuneration rate, that the remuneration rate for Electoral Area Director add-on be adjusted so that the total remuneration received by an Electoral Area Director is given wage parity as a result of the elimination of the Municipal Officer's Expense Allowance Exemption;

**AND THAT** the proposed increase to the Electoral Area Director add-on be funded through Electoral Area Administration Budget 102.

**CARRIED**

***Directors Adamson, Dickey and Dixon Opposed***

**12. ADDENDA ITEMS/LATE ITEMS**

No items.

**13. REPORTS BY STAFF**

None

**14. REPORTS BY ELECTORAL AREA DIRECTORS**

Director Engar reported on the Residents Association AGM and that the SXTA will be coming out to make a presentation to the community. Looking forward to the homeless

camp workshop noted that the City of Chilliwack has provided tipping fees to volunteers that are picking up garbage in the Valley.

Director Dixon reported on the meetings with Aquadel Development regarding revising the landscaping plan and an upcoming meeting on how to manage the goose population.

Director Adamson reported on the Hope Ratepayers Association event that will be held on April 16 at the Silver Creek School.

Director Stobbart reported on the Volunteer Appreciation Day held last Saturday.

Director Johnson reported that she will update Director Raymond on the Boston Bar 2019 budget proposal provided by FVRL.

Director Davidson thanked the CAO and staff for their participation at the public water meetings held a couple of weeks ago and reported of an upcoming meeting with Community Living BC.

Director Bales reported on her attendance at the agreement signing between the Province and Sts'ailes First Nation at Hemlock Valley.

Director Dickey reported that the Electoral Area D OCP is moving along.

**15. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA**

None

**16. ADJOURNMENT**

Moved By DAVIDSON

Seconded By JOHNSON

**THAT** the Electoral Area Services Committee Open Meeting of March 12, 2019 be adjourned.

**CARRIED**

The Electoral Area Services Committee Meeting adjourned at 3:27 p.m.

MINUTES CERTIFIED CORRECT

.....  
Director Bill Dickey, Chair

**FRASER VALLEY REGIONAL DISTRICT  
ELECTORAL AREA SERVICES COMMITTEE  
STRATEGIC PLANNING SESSION  
OPEN MEETING MINUTES**

Friday, March 15, 2019  
12:00 pm  
Pacific Region Training Centre  
1100-45337 Calais Crescent, Chilliwack, BC V2R 0N6

Members Present: Director Bill Dickey, Electoral Area D, Chair  
Director Terry Raymond, Electoral Area A  
Director Dennis Adamson, Electoral Area B  
Director Wendy Bales, Electoral Area C  
Director Orion Engar, Electoral Area E  
Director Hugh Davidson, Electoral Area F  
Director Al Stobbart, Electoral Area G  
Director Taryn Dixon, Electoral Area H

Staff Present: Paul Gipps, Chief Administrative Officer  
Mike Veenbaas, Director of Financial Services  
Tareq Islam, Director of Engineering & Community Services  
Margaret-Ann Thornton, Director of Planning & Development  
Jennifer Kinneman, Director of Corporate Affairs  
Graham Daneluz, Deputy Director of Planning & Development  
Stacey Barker, Deputy Director of Regional Programs (part)  
Milly Marshall, Director of Electoral Area Special Projects  
Barry Penner  
Reg Dyck, Manager of Electoral Area Emergency Services  
Kristy Hodson, Manager of Financial Operations  
Sterling Chan, Manager of Engineering & Infrastructure  
Dave Roblin, Manager of Operations  
Maggie Mazurkewich, Executive Assistant to CAO  
Amanda Molloy, Executive Assistant to CAO

Also present: Brian Carruthers, BD Carruthers and Associates

**1. CALL TO ORDER**

The meeting was called to order at 12:42 p.m.

**2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS**

Moved By RAYMOND

Seconded By ADAMSON

**THAT** the Agenda, Addenda and Late Items for the Electoral Area Services Committee Strategic Planning Session of March 15, 2019 be approved;

**AND THAT** all reports, correspondence and other information set to the Agenda be received for information.

**CARRIED**

**3. RESOLUTION TO CLOSE MEETING**

Moved By ENGAR

Seconded By DAVIDSON

**THAT** the meeting be closed to the public, except for Senior Staff and the Executive Assistant to consider matters pursuant to:

- Section 90(1)(l) of the *Community Charter* - discussions with regional district officers and employees respecting regional objectives, measures and progress reports for the purpose of preparing an Annual Report under section 98 [annual regional district report].

**CARRIED**

**4. ADJOURNMENT**

Moved By ENGAR

Seconded By RAYMOND

**THAT** the Electoral Area Services Committee Strategic Planning Session of March 15, 2019 be adjourned.

**CARRIED**

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The Electoral Area Services Committee Strategic Planning Session adjourned at 7:12 p.m.

MINUTES CERTIFIED CORRECT:

.....  
Director Bill Dickey, Chair

DRAFT

To: CAO for the Electoral Area Services Committee  
From: Mike Veenbaas, Director of Financial Services

Date: 2019-04-09  
File No: 9100-40

**Subject: Community Forest Funding Application from Hope RiverMonsters Swim Club**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board approve an allocation of \$15,000 from the Cascade Lower Canyon Community Forest 2018 Dividend to the RiverMonsters Swim Club's campaign to support the installation of replacement diving blocks at the Dan Sharrers Aquatic Centre in Hope.

#### STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community  
Provide Responsive & Effective Public Services

#### PRIORITIES

Priority #4 Tourism

### BACKGROUND

The Cascade Lower Canyon Community Forest (CLCCF) is a three way partnership with Yale First Nation, District of Hope and Fraser Valley Regional District (Area B). In 2018 the CLCCF issued a dividend of \$100,000 to each partner to be used for funding community initiatives as determined by each partner. The CLCCF has a Revenue Sharing Fund Disbursement and Eligibility Criteria Policy in place to help provide a recommended allocation model for partners to follow. For FVRD it sets allocation targets at: 25% for Youth and Seniors, 25% for Regional Community at Large, 25% for Arts, Culture & Heritage and 25% for CLCCF Capital Reserve. As this is a CLCCF policy and not a FVRD policy, it remains only as a recommendation.

### DISCUSSION

The RiverMonsters Swim Club includes swimmers from Hope, Sunshine Valley, Yale, Boston Bar and surrounding areas and swims out of the Dan Sharrers Aquatic Centre (DSAC) in Hope. DSAC is owned by the District of Hope, with operations managed by FVRD through a service area that includes Electoral Area B. The swim club's mission is to develop their swimmers' passion for the water and hone their skills to maturity with quality coaching, challenging workouts and a true love of the sport.

The swim club hosts swim meets at DSAC and is looking to support the upgrade of the diving blocks at the facility to allow for a better and more importantly, a safer, experience for meet attendees. The diving blocks would be an asset of the facility and be available to other organized swimming clubs (such as Masters). Management at DSAC is in support of this request and the replacement of the current diving blocks.

The request from the RiverMonsters was for \$30,000 as that is the estimated full cost of the diving block replacement. Director Adamson supports providing \$15,000 from FVRD (Area B)'s dividend share with the understanding that District of Hope will also be providing financial support. In addition, the swim club is actively seeking grant funding to support the project.

## **COST**

The \$15,000 funding allocation will come from the \$100,000 CLCCF dividend received by FVRD in 2018. To date no allocations have been made from this dividend.

## **CONCLUSION**

A request has been received from the RiverMonsters Swim Club for FVRD to allocate funding from the CLCCF dividend for the replacement of the diving blocks at the Dan Sharrers Aquatic Centre. Director Adamson is in support of allocating funding given the current diving blocks are unstable and post a safety concern.

## **COMMENTS BY:**

**Paul Gipps, Chief Administrative Officer**

Reviewed and supported.





February 16, 2019

To Fraser Valley Area B Electoral Direct, Dennis Adamson, The District of Hope and the Members of the Cascade Lower Canyon Community Forest Board.

The RiverMonsters Swim Club is requesting \$30,000 to replace the diving blocks at the Dan Sharrers Aquatic Centre. The attached quote is for the base model and is \$24,373.35. The additional funds will be used for price fluctuation in US - CND currency, brokerage fees and costs associated with installation at the facility.

The diving blocks would remain in the Dan Sharrers Aquatic Centre for use of everyone.

Sincerely yours,

Catherine Freimark

President, RiverMonsters Swim Club

Tel: 604-860-4373

Email: [president@rivermonstersswimclub.ca](mailto:president@rivermonstersswimclub.ca)



## Team Aquatic Supplies Ltd

107 - 2411 Dollarton Hwy  
North Vancouver, BC V7H 0A3  
Phone: (604) 980-2805 Fax: (604) 980-2814  
www.team-aquatic.com

## Quotation

Page 1  
Date Feb 4, 2019  
Order Number QT002645

**Sold To:**

RiverMonster Swim Club  
71808 Meadow Road  
Hope, BC V0X 1L1  
Canada

**Ship To:**

RiverMonster Swim Club  
71808 Meadow Road  
Hope, BC, V0X 1L1  
Canada

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
Record breaker blocks	CATHERINE	RIV125	SM	Feb 4, 2019		NETP30

Qty. Ord.	Qty. Shp.	Qty. B/O	Item Number	Description	Unit Price	UOM	Extended Price
6	0	6	SPM-BLOCK -NA -1SZ	Record Breaker	2,627.75	ea	15,766.50
6	0	6	SPM-ANCHOR -NA -1SZ	Spectrum-Start Block Anchor -NA -One	482.57	ea	2,895.42
			SHIPNV	Couriers & Common Carriers			3,100.00
<b>Comments:</b>					<b>Tax Summary:</b>		
					GST	1,088.10	
					PST	1,523.33	
					<b>Less</b>		
					<b>Included Tax</b>		<b>0.00</b>
					<b>Order Discount</b>		<b>0.00</b>
					<b>Subtotal</b>		<b>21,761.92</b>
					<b>Total sales tax</b>		<b>2,611.43</b>
					<b>Total order</b>		<b>24,373.35</b>

To: CAO for the Electoral Area Services Committee  
From: Mike Veenbaas, Director of Financial Services

Date: 2019-04-09  
File No: 3920-1514, 2019

**Subject: Yale Water System - user fee update**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as *Fraser Valley Regional District Yale Water System Regulations, Fees and Other Charges Establishment Bylaw No. 1514, 2019*.

#### STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community  
Provide Responsive & Effective Public Services

#### PRIORITIES

Priority #2 Air & Water Quality

### BACKGROUND

A regional district service area for the supply of water to the Yale Townsite was first established in 1980. Since then various amendments have occurred to adjust regulations and rates. A further rate review occurred late in 2018 to address a change in the use of the Yale Elementary School facility.

### DISCUSSION

In 2010 the Yale and District Community Use Facility began operating within the previously closed Yale Elementary School facility. The monthly water user fee associated with this facility remained at \$108.33, the rate in effect when the facility operated as a school. A review in 2018 confirmed that water consumption by the current occupier is significantly lower than when the facility was a school.

Working with Director Adamson, Staff have determined a more equitable monthly user fee rate of \$25 or \$300 per annum. In order to ensure the water system's user fee revenue was not impacted, all other user fees are proposed to increase by 5%. This would be the first user fee increase since 2004.

While preparing the rate amendment bylaw, it became clear that a better approach would be to put forth a new regulations, fees and other charges bylaw that repealed the original 1981 bylaw and the many amendments since first established. This provides for a clean bylaw moving forward.

## **COST**

There will be no net revenue impact to the Yale Water System as a result of the proposed rate changes as the Community Use Facility rate decrease is offset by a general increase in all other rates.

## **CONCLUSION**

In order to address an inequality in the water rate structure as applied to the Yale & District Community Use Facility, Staff worked with Director Adamson to develop a proposed rate amendment. In addition, Staff are proposing to consolidate 30 years of bylaw amendments into a new regulation and rate establishment bylaw.

## **COMMENTS BY:**

**Paul Gipps, Chief Administrative Officer**

Reviewed and supported

**FRASER VALLEY REGIONAL DISTRICT  
BYLAW NO. 1514, 2019**

**A bylaw to establish regulations, fees and other charges for the  
Townsite of Yale Water Supply and Distribution System Service Area**

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**WHEREAS** the Board of Directors of the Fraser Valley Regional District ("the Board") delivers water supply and distribution services pursuant to *Fraser Valley Regional District Townsite of Yale Water Supply and Distribution Local Service Area Conversion and Amendment Bylaw No. 0292, 1999*, as amended;

**AND WHEREAS** the Board has deemed it advisable to establish certain regulations, fees and other charges associated with the delivery of said services;

**THEREFORE** the Board enacts as follows:

**1) CITATION**

This bylaw may be cited as *Fraser Valley Regional District Yale Water System Regulations, Fees and Other Charges Establishment Bylaw No. 1514, 2019*.

**2) INTERPRETATION**

**"Inspector"** means any person appointed by the Regional District as Inspector for the purposes of administering and enforcing this bylaw;

**"Owner"** means any person who is the owner of real property, or any other person authorized in writing by the owner to represent the owner, including, but not limited to, a person, firm or corporation ;

**"Person"** means any individual, firm, company, association, society, partnership, corporation or group of such number and gender as the context and facts may require."

**"Regional District"** means the Fraser Valley Regional District;

**"Water Connection"** means a connection to a main water supply line and extending to the property line of the customer, and may or may not include a water meter and shut-off valve which shall be the property of the Regional District"

**"Water System"** means the Townsite of Yale Water Supply and Distribution System



**3) RESPONSIBILITIES**

- 3.1 The Regional District shall administer and determine all water fees and other charges for all premises which are connected to the Water System, according to the provisions of this bylaw.
- 3.2 The Regional District shall be responsible for the charge and control of all properties and works in connection with the Water System.
- 3.3 The Regional District shall have charge and control of the inspections of all properties and works in connection with the Water System.
- 3.4 No person shall obstruct or prevent a duly authorized Inspector from carrying out any or all of the provisions of this bylaw, nor shall any person refuse to grant the Inspector permission to inspect any waterworks at any reasonable time.

**4) PROHIBITIONS**

- 4.1 No person other than an authorized employee or agent of the Regional District shall tap into or make any connections whatsoever to any of the public or private water pipes forming part of the Water System. The Regional District reserves the right to refuse such connections where winter frost conditions are evident.
- 4.2 No person shall alter or tamper with any of the Water System works and services, including hydrants, within any street or land or within the system's rights-of-way or property, or with any water meter belonging to the Regional District or turn on or off any stop or gate valve unless authorization is obtained in advance from the Regional District.
- 4.3 No pump, booster or other device shall be employed by any person without permission in writing from the Regional District for the purpose of, or having the effect of, increasing water pressure in service lines to a higher pressure than the normal water pressure in said service lines, and the Regional District may, without notice, discontinue service to any person employing such pump, booster or other device.

**5) CONDITIONS OF SERVICE**

- 5.1 The Regional District shall have the right to limit the number of connections to the Water System.
- 5.2 Each Owner of land and/or premises shall be responsible for the construction, repair and maintenance of all pipes and fixtures between the property line and his premises.
- 5.3 Each installation under Section 5.2 shall be covered by a minimum of 1.4 metres of earth fill.
- 5.4 Inspectors of the Regional District are authorized to inspect all buildings and premises which are connected to the Water System, and shall keep records of all applications for services and a full description of all works constructed.

- 5.5 The Regional District may, at its sole discretion, require an applicant for water service to install a meter for measuring water use. The cost of the meter and installations will be recovered from the applicant.
- 5.6 The Regional District may, at its sole discretion, require an Owner who wishes to install a standpipe to apply for a separate Water Connection for such purpose.
- 5.7 Each Owner of premises who installs a standpipe shall make arrangements for the adequate drainage of any excess water either through a storm drainage system, or through a system of drainage works upon the parcel which is served.

## **6) APPLICATIONS**

- 6.1 All applications for Water Connection shall be made in writing by the Owner of the property to which the application refers, or by the Owner's duly authorized agent, to the Regional District. Applications shall be made by filling out an application form obtained from the Regional District and shall be accompanied by the proper fees as specified in Schedule A of this bylaw.
- 6.2 All applications for Water Connection shall state the use of the building for which water is to be connected, together with the legal description and the street address of the property or building to which the installation is to be made.
- 6.3 No application shall be considered approved until it has been signed by the Inspector.
- 6.4 Applications for disconnection of any water service shall be made in writing and delivered to the Regional District.
- 6.5 All applications for Water Connections for standpipes shall be accompanied by an annotated site plan which shows:
  - a) the location of the proposed connection;
  - b) the location of the proposed standpipe;
  - c) the size of the connection required;
  - d) the location of and arrangements for drainage of excess water from the site.

## **7) WATER CONSUMPTION**

- 7.1 The Regional District may, whenever in its discretion and the public interest so requires, suspend or limit the consumption of water from the Water System or may regulate the hours of use or may further prescribe the manner in which such water may be used.

**8) DISCONNECTIONS**

- 8.1 The Regional District may, without notice, disconnect the water service to any premises for any of the following reasons, and the Regional District shall not be liable for damages by reason of discontinuing water service for such reasons:
- a) unnecessary or wasteful use of water, or violation of regulations concerning watering or sprinkling;
  - b) failure to repair or replace defective pipes, fittings, valves, tanks or appliances which are leaking or are otherwise not in a good state of repair and which are, or may become, a cause of waste of water.

**9) BILLING CHARGES**

- 9.1 The fees and charges enumerated in Schedule A of this bylaw, attached hereto and forming an integral part of this bylaw, are hereby imposed and levied for water services supplied by the Regional District to Water System users and all fees shall be billed at such times as determined by the Regional District and shall be due and payable on or before the 20<sup>th</sup> day of the month following the issuance of statements.
- 9.2 In the case of connections being made during the year, the charge imposed shall begin with the month during which the Water Connection was made provided such connection was made before the 15<sup>th</sup> day of the month; otherwise the charge shall begin with the 1<sup>st</sup> of the month following the date the connection was made.
- 9.3 Accounts with user fees and other charges outstanding on the 31<sup>st</sup> of December in each year will be subject to recovery as authorized by Section 399 of the Local Government Act.
- 9.4 When any fees or charges for water services are overdue for a period of 3 months, such water services shall be turned off from the premises in respect of which such fees or charges are overdue, without notice. Such service shall not be turned on again to the premises the following have been paid to the Regional District:
- a) all overdue amounts;
  - b) any additional costs incurred by the Regional District with respect to turning off the water services.

**10) LIABILITY**

- 10.1 Nothing contained in this bylaw shall be construed to impose any liability on the Regional District to give a continuous supply of water to any person or premises and the Regional District hereby reserves the right, at any time, to shut off water from any premises without giving notice to any person from whose premises the water may be shut off.

**11) MULTIPLE DWELLINGS**

- 11.1 In the case of apartment houses, mobile homes, duplex houses or houses containing one or more suites, each dwelling unit within such structure shall be considered as a separate unit and shall be charged the appropriate fees and other charges as shown in Schedule A.

**12) PUBLIC HEALTH**

- 12.1 The Province of British Columbia appointed Health Inspector shall be the authority in all matters pertaining to public health resulting from the operation of the Water System.

**13) WATER MAIN EXTENSION AND SERVICE CONNECTIONS**

- 13.1 All water main extensions or water service connections must be approved in writing by the Regional District prior to construction and all costs incurred will be a direct charge against the developer or a sub-division or the Owner of the property being connected.
- 13.2 The Regional District will inspect and approve all such extensions or service connections before back-filling is started.
- 13.3 The Regional District shall have the right to disallow any water main extension if such extension may jeopardize the supply to those persons already connected to the Water System.

**14) PENALTIES**

- 14.1 Every person who offends against any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done under this bylaw or who does any act or thing which violates any of the provisions of this bylaw shall be deemed to have committed an offence under this bylaw and shall be liable on summary conviction to a fine and penalty of not less than \$25.00 nor more than \$500.00. Each day that a violation continues to exist shall constitute a separate offence hereunder.

**15) REPEAL**

Regional District of Fraser-Cheam "The Townsite of Yale Water System Rates and Regulation Bylaw No. 353, 1981" and any amendments thereto are hereby repealed

**16) SEVERABILITY**

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

**17) READINGS AND ADOPTION**

READ A FIRST TIME THIS                      day of

READ A SECOND TIME THIS                      day of

READ A THIRD TIME THIS                      day of

ADOPTED THIS                      day of

\_\_\_\_\_  
Chair/Vice-Chair

\_\_\_\_\_  
Corporate Officer/Deputy

**18) CERTIFICATION**

I hereby certify that this is a true and correct copy of *Fraser Valley Regional District Yale Water System Regulations, Fees and Other Charges Establishment Bylaw No. 1514, 2019* as adopted by the Board of Directors of the Fraser Valley Regional District on the

Dated at Chilliwack, BC this

\_\_\_\_\_  
Corporate Officer/Deputy



**FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1514, 2019****Schedule A - Fees and Charges****RESIDENTIAL**

	<b>Per Month</b>
Single Family Dwelling	\$11.55
First Unit in Commercial & Recreational	\$11.55

**BUSINESS COMMERCIAL**

1. Premises used for businesses	\$17.50
Hotel containing dining room/restaurant/beverage room	\$17.50
2. Additional commercial units	\$5.25
3. Additional recreation units	\$7.00
4. Institutional	\$5.25
5. Community Use Facility	\$25.00
6. Railway Use – for service to railway buildings or trains	\$241.50

Notwithstanding the maximum fees established herein, if the costs necessary to deliver the service are less than anticipated in a given budget year, then a lesser amount of water user fees may be charged.

**ADDITIONAL CHARGES**

All requests for water service that require a water connection to be turned on at the property line will be subject to a fee of \$150.00 should the request result in a stoppage of the water user rate.

To: CAO for the Electoral Area Services Committee  
From: Kristy Hodson, Manager of Financial Operations

Date: 2019-04-09  
File No: 1850-20 / 009

**Subject: Grant-In-Aid Request – Boston Bar North Bend Enhancement Society, Electoral Area “A”**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board approve a grant-in-aid to the Boston Bar North Bend Enhancement Society in the amount of \$2,000 to be funded from the 2019 Electoral Area “A” grant-in-aid budget to assist with the costs of publishing the community newsletter.

### STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

### BACKGROUND

This grant application meets the eligibility requirements under the “Promotion of volunteer participation and citizen involvement” and “Activities/ programs which are accessible to a large portion of the electoral area” options of the Electoral Area Grant-In-Aid policy.

### DISCUSSION

The Boston Bar / North Bend Enhancement Society is a local group of volunteers dedicated to making their town a great place to live. They deliver a wide range of community based services along with operating a number of community facilities.

The Society is requesting a \$2,000 grant-in-aid to assist with the costs of publishing the community newsletter. This is a monthly newsletter that acts very much like a community newspaper based on the information provided.

Director Raymond is in support of this grant-in-aid request.

## **COST**

The \$2,000 cost will be funded from the Electoral Area "A" grant-in-aid budget which has sufficient funds to support this request.

## **CONCLUSION**

The Boston Bar North Bend Enhancement Society has submitted a grant in aid application seeking funds to help with the production of the Boston Bar North Bend Community Newsletter, a free newsletter providing local information on activities, programs and news.

## **COMMENTS BY:**

**Mike Veenbaas, Director of Financial Services**

Reviewed and supported.

**Paul Gipps, Chief Administrative Officer**

Reviewed and supported.

# GRANT-IN-AID APPLICATION

Fraser Valley Regional District, 45950 Cheam Ave, Chilliwack BC, V2P 1N6

Applicant Name: BOSTON BAR NORTH BEND ENHANCEMENT SOCIETY

Mailing Address: Box 251

BOSTON BAR BC V0K 1C0

Email Address: [REDACTED]

Contact: [REDACTED]

Lori Walters  
Name Telephone/Fax Number

Statement as to eligibility to apply for Grant-In-Aid Funds (Please attach a separate sheet if required):

We are a charitable, non profit society based in Boston, Bc which is part of Area 4 of the Fraser Valley Regional District

## APPLICATION SUMMARY:

Project or purpose for which you require assistance (Please attach a separate sheet if required):

The purpose of this application is to request funding for the Update which is a monthly newsletter that goes out in the mail to all residents in our area

Statement as to how these funds will benefit the community or an aspect of the community (Please attach a separate sheet if required):

The Update covers articles of interest to our community & surrounding areas. This includes current events and any items they may influence the community. Our paper is put out on a website and reaches communities from Lytton to Hope

Amount of Grant Requested: \$ 2000.00

\*\*Please note: grants over \$4,000 require a financial statement and/or report on the applicant to be provided with the application.

To the best of my knowledge, all the information that is provided in this application is true and correct. Furthermore, I hereby certify that this application for assistance is NOT being made on behalf of an individual, industry, commercial or business undertaking.

Lori Walters  
Treasurer  
Signature of Authorized Signatory and Title

Amount Approved: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Electoral Area Director

To: CAO for the Electoral Area Services Committee  
From: Kristy Hodson, Manager of Financial Operations

Date: 2019-04-09  
File No: 1850-20 / 003

**Subject: Grant-In-Aid Request – Hope River Monsters Swim Club, Electoral Area “B”**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$3,000 to the Hope River Monsters Swim Club, funded from the 2019 Electoral Area “B” grant-in-aid budget to help offset the costs of wireless adaptors, signage, t-shirts, fins and storage equipment.

### STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

### BACKGROUND

This request for funding is eligible through the Electoral Area grant-in-aid policy under the “Activities/ programs which are accessible to a large portion of the electoral area” option.

### DISCUSSION

The Hope River Monsters Swim Club is a not-for profit member of the BC Summer Swim Club Association for youth 3-18 in Boston Bar, Hope, Sunshine Valley, Yale and surrounding communities.

The Hope River Monsters Swim Club is requesting a \$3,000 grant-in-aid to assist with the costs of wireless adaptors, signage, t-shirts, fins, and storage equipment.

A grant-in-aid of \$2,400 was issued in 2018 to the Hope River Monsters Swim Club, and FVRD has since contacted the Club in regards to the Financial Accountability & Reporting section in our Grant In Aid Policy which requires those who receive grants over \$1,000 to follow up with a letter to FVRD regarding usage of funds and their success, including pictures of the project/ event and any other supporting information. To date, we have not received any information on how the funds were used. Under the



Eligibility section of our policy, one of the items is that an applicant may be excluded from applying due to not meeting the above reporting requirement for a previously awarded grant.

Director Adamson is in support of providing a grant-in-aid of \$3,000 to the Hope River Monsters Swim Club.

## **COST**

The \$3,000 cost will be funded from the Electoral Area "B" grant-in-aid budget which has sufficient funds to support this request.

## **CONCLUSION**

A grant-in-aid application has been received from the Hope River Monsters Swim Club seeking support for wireless adaptors, signage, t-shirts, fins, and storage equipment.

## **COMMENTS BY:**

### **Mike Veenbaas, Director of Financial Services**

Reviewed and supported. Should the Committee move to support the recommendation, Staff suggest the 2019 GIA funds be withheld until the RiverMonsters report back on the 2018 GIA funds.

### **Paul Gipps, Chief Administrative Officer**

Reviewed and supported.





## GRANT-IN-AID APPLICATION

Fraser Valley Regional District, 45950 Cheam Ave, Chilliwack BC, V2P 1N6

Applicant Name:

RIVERMONSTERS SWIM CLUB

Mailing Address:

71808 MEADOW ROAD HOPE  
VOX-1L5

Email Address:

president@rivermonstersswimclub.ca

Contact:

Catherine Freimark

Name

604-860-4373

Telephone/Fax Number

Statement as to eligibility to apply for Grant-In-Aid Funds (Please attach a separate sheet if required):

THE RIVERMONSTERS SWIM CLUB IS A NOT FOR PROFIT MEMBER OF THE BC SUMMER SWIM CLUB ASSOCIATION FOR YOUTH 3-18 YEARS OLD. IN BOSTON BAR, HOPE, YALE AND SUNSHINE VALLEY INCLUDING SURROUNDING AREAS.

### APPLICATION SUMMARY:

Project or purpose for which you require assistance (Please attach a separate sheet if required):

TO PURCHASE CAPITAL EQUIPMENT REQUIRED FOR THE SWIM MEET AND COMPETATORS. WIRELESS ADAPTORS, SIGNAGE, T-SHIRTS, FINS, STORAGE EQUIPMENT.

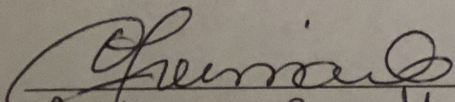
Statement as to how these funds will benefit the community or an aspect of the community (Please attach a separate sheet if required):

PROVIDING YOUTH IN THE COMMUNITY A SAFE AND HEALTHY ENVIRONMENT IN WHICH TO COMPETE. THE 2019 SWIM MEET WILL HAVE OVER 250 COMPETATORS AND 800 SPECTATORS FINANCIALLY BRINGING \$500pp TO THE COMMUNITY.

Amount of Grant Requested: \$ 3000.00

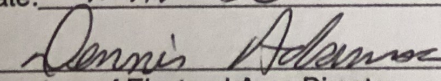
\*\*Please note: grants over \$4,000 require a financial statement and/or report on the applicant to be provided with the application.

To the best of my knowledge, all the information that is provided in this application is true and correct. Furthermore, I hereby certify that this application for assistance is NOT being made on behalf of an individual, industry, commercial or business undertaking.

  
President, RIVERMONSTERS  
Signature of Authorized Signatory and Title

Amount Approved: \$3000.00

Date: MAY 30th 2019

  
Signature of Electoral Area Director



To: CAO for the Electoral Area Services Committee  
From: Sterling Chan, Manager of Engineering and Infrastructure  
David Bennet, Planner II  
**Subject: Community Sanitary Sewer Servicing in North Cultus**

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Date: 2019-04-09

### RECOMMENDATION

**THAT** in accordance with the FVRD Development Procedures Bylaw No. 1377, 2016 the Fraser Valley Regional District Board defer consideration of new bylaw amendments and new development applications proposing to connect to the North Cultus Sewer System, until such time that a policy guiding additional sanitary servicing and service expansion in North Cultus is adopted.

### STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship  
Foster a Strong & Diverse Economy  
Support Healthy & Sustainable Community  
Provide Responsive & Effective Public Services

### PRIORITIES

Priority #1 Waste Management

### BACKGROUND

#### Current Sewage Servicing at Cultus Lake

Cultus Lake Park is currently served by two sewage collection systems under a single Ministry of Environment Permit. The sewer system is comprised of septic tanks and disposal fields. The system was constructed in 1979 and it was operated by the Cultus Lake Park Board until 2014. Since then, FVRD has taken over the operation and maintenance of the sewer system.

The existing sewer systems do not have any treatment of the effluent and there is evidence to suggest that the system infrastructure has not been maintained to the industry standard for many years. Flow monitoring reports and septic sludge haul-out records appear to show that for the given period, the FVRD has been compliant with the Ministry of Environment Permit. However, previous reports have documented the risks associated with contamination of the nearby groundwater wells and the challenges in servicing growth. The accumulation of nutrients (e.g., phosphorus and nitrate levels) in the groundwater is a key concern as is bacteriological impact such as E-coli contamination of the lake water.

In order to address these concerns the existing system is in need of a major upgrade. In 2015, FVRD initiated a Liquid Waste Management Plan (LWMP) which is a provincially regulated process. The LWMP included several public consultation processes and evaluated an upgrade based on criteria such as holistic approaches to sanitary management including lake impact assessment and monitoring program as well as aquifer protection plan. The LWMP requires that any future upgrade or any new system would be a Class A+ system (the highest classification under Provincial regulation is Class A), the plus (+) is to represent removal of phosphorus and higher level nitrates.

### **A New North Cultus Sewer System**

On April 14th 2018, a referendum was conducted to determine whether to proceed with a plan to build a new wastewater treatment plant (WWTP) for Cultus Lake. The referendum passed and subsequently Fraser Valley Regional District North Cultus Sewer System Loan Authorization Bylaw No. 1468, 2018 was adopted. This bylaw authorizes the FVRD to borrow up to \$6,500,000 for this project. Construction of the new WWTP is currently underway.

### **New System Capacity**

The LWMP envisions that the new WWTP will, in time, service the entire north side of Cultus Lake including the Cultus Lake Park Board, the Parkview Neighbourhood and BC Parks. The new WWTP is designed so that it can be expanded in phases. The current phase under construction has capacity for the Cultus Lake Park Board as well as the development applications described in the section below. Subsequent phases will be constructed at a future date as dictated by demand. Given the large capital cost of constructing a new phase it will likely take a significant new user (i.e. BC Parks) to trigger this.

It is considered likely that once in operation the new WWTP will prove itself to have some excess capacity. The engineering and design of a WWTP is typically quite conservative with several factors of safety built in. The actual amount of excess capacity will remain unknown until the plant has been built and has been operated over the course of several seasons.

For that reason, it is recommended that the Fraser Valley Regional District Board defer consideration of new bylaw amendments and new development applications proposing to connect to the North Cultus Sewer System, until such time that a policy guiding additional sanitary servicing and service expansion in North Cultus is adopted. This policy should be developed after analysis of several years worth of peak season sewage flows.

### **Instream FVRD Electoral Area "H" Applications**

There are three instream developments in Electoral Area "H" seeking to connect to the new North Cultus Sewer System:

- Rezoning and Official Community Plan amendment to facilitate up to thirty three (33) single family residential lots at 45900 Sleepy Hollow Road. This proposal is currently at Third Reading and the developers are completing technical reviews and registration of covenants and development agreements.

- Subdivision Application for a six (6) lot single family residential bare-land strata subdivision at 3636 Columbia Valley Road. This proposal is already zoned for the proposed density but required connections to both a community water and community sewer system.
- Redevelopment of 3816 Columbia Valley Road under the existing commercial zoning to develop a motel complex of approximately 30 detached cabins. This proposal does not require rezoning, or development permits. Building Permits are required.

These projects are within the design capacity of the new North Cultus Sewer system, and connection to this system is required in order for these projects to be developed. This policy will not affect instream applications only new applications.

### **North Cultus**

Within the North Cultus community, there is potential for in-fill or redevelopment. In the Electoral Area "H", single family residential uses, as well as the existing commercial uses on Columbia Valley Road, are served by individual on-site septic systems. Market changes and increased demand for smaller lots requires a transition from onsite septic to a centralized communal sewage system. Current policy requires that all newly created lots 0.225 ha and smaller be connected to a Class A community sewer system owned and operated by the FVRD.

### **Within Cultus Lake Park**

In Cultus Lake Park, residential lease lots are being converted from seasonal cabins to larger single family homes that are occupied year-round. Existing commercial leaseholders may be considering expansion or increased densities. Additional opportunities for growth are also identified in Plan Cultus.

The FVRD must engage with the Cultus Lake Park Board regarding future development within the Park, the sewer system's capacity to accommodate development, and the timing of new developments in relation to sanitary sewer system development.

## **DISCUSSION**

Upon completion of the new WWTP, it is anticipated that two or three full years of data will be required to understand the flows generated by the seasonal use of Cultus Lake Park as well as the demand on the system from year-round residential and commercial users of the system. With this data, the FVRD will be able to determine the potential for service area expansion in order to utilize any remaining treatment capacity. Should a project or connection request exceed this capacity, the developers will be responsible for expanding the WWTP to the subsequent phase to allow for additional connections.

A policy to guide the allocation of any additional capacity and the potential expansion of the system is required to avoid ad-hoc sewage service and to have a well-planned out service area with operational

efficiencies to avoid potential financial challenges. This policy will avoid over-commitment to new developments.

In accordance with the Fraser Valley Regional District Development Procedures Bylaw, upon the receipt of a rezoning application the Board may:

- a) give readings to or adopt the bylaw;
- b) give readings to or adopt the bylaw as amended by the Board in its resolution;
- c) refer the application for bylaw amendment to the Electoral Area Services Committee for further consideration;
- d) defer consideration of the amendment to a future meeting of the Board;
- e) refuse the application for an amendment.

Staff are recommending that until this new sanitary servicing policy is in place that the Fraser Valley Regional District Board consider applications for new developments, beyond those in stream projects already in progress, as pre-mature and defer consideration until the sanitary sewer policy is adopted.

The consequences of advancing new developments prior to the implementation of sanitary sewer servicing policies may result in the following:

- Reduced infrastructure efficiency
- Inconsistent or one-off servicing decisions
- Reduced effectiveness of the Official Community Plan
- Less consistent standards or approaches between developments
- Reduced public confidences in a well planned community
- Loss of development potential
- Unequitable or undesirable allocation of remaining system capacity
- Potential operational issues
- Potential Ministry of Environment sewer permitting compliance issues

### **Implications for New Applications**

The FVRD's consideration of new development applications requesting connection to the new North Cultus Sewer System will be deferred until sanitary sewer policies are adopted. Policy adoption would occur after analysis of peak and seasonal sewage flow data. This data is expected to be collected over a period of two or three years in order to determine peak and seasonal flows generated within the service area. Types of development applications from Cultus Lake Park and Electoral Area "H", that would be deferred include; Official Community Plan amendments, rezoning applications, and applications that require community sanitary service connections. Approvals for single family home construction on existing lots or existing leases lots within the service area would not be deferred. Furthermore, large applications triggering advancement into the second phase of the WWTP could be considered on a case by case basis in advance of completion of the policy.

## **Procedure for Processing Land Use Applications.**

Rezoning and Official Community Plan amendments:

FVRD staff will advise prospective developers of the Board resolution. If a developer chooses to submit an application, the application will be brought forward to the Electoral Area Service Committee and the FVRD Board for consideration. The staff recommendation will be to refuse the application, or to defer consideration of the application, in accordance with this resolution.

Subdivisions:

The FVRD is not the approving authority for subdivisions in the Electoral Areas. The FVRD will respond to subdivision referrals that require connection to a community sanitary sewage system by advising the Provincial Approving Officer that the application is premature and should not receive final approvals until the sanitary servicing is guided by an FVRD sewer servicing policy.

## **COST**

There are no costs associated with this report.

## **CONCLUSION**

In accordance with the FVRD Development Procedures Bylaw No. 1377, 2016, the Fraser Valley Regional District Board defer consideration of new bylaw amendments and new development applications proposing to connect to the North Cultus Sewer System until such time that a policy guiding additional sanitary servicing and service expansion in North Cultus is adopted.

## **COMMENTS BY:**

<b>Graham Daneluz, Deputy Director of Planning &amp; Development</b>	Reviewed and Supported
<b>Tareq Islam, Director of Engineering &amp; Community Services</b>	Reviewed and Supported
<b>Margaret Thornton, Director of Planning &amp; Development</b>	Reviewed and Supported
<b>Mike Veenbaas, Director of Financial Services</b>	Reviewed and supported
<b>Paul Gipps, Chief Administrative Officer</b>	Reviewed and supported



To: CAO for the Electoral Area Services Committee  
From: Sterling Chan, Manager of Engineering and Infrastructure

Date: 2019-04-09  
File No: 3920-20-1522,2019

**Subject: Hatzic Prairie Water Fees and Charges Amendment**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as "*Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Fees and Regulations Amendment Bylaw No. 1522, 2019*".

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

### BACKGROUND

The Fraser Valley Regional District's Hatzic Prairie Water System operates on revenue streams from a parcel tax as well as a user fee collected in the form of a semi-annual utility bill.

### DISCUSSION

*Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Fees and Regulations Amendment Bylaw No. 1029, 2010* specifies a minimum charge for the semi-annual utility bill of \$155. The bylaw proposed, *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Fees and Regulations Amendment Bylaw No. 1522, 2019*, specifies a minimum charge for the semi-annual utility bill of \$300, all other aspects of the bylaw remain unchanged.

The purpose of the change is to adjust the Hatzic Prairie Water System's revenue stream to put a higher emphasis on user fees. To offset the increase in user fees a corresponding change has been made to the service area's parcel tax for 2019 such that the net cost paid by users connected to the water system will remain unchanged.

### COST

The changes proposed by this bylaw will only effect the streams through which revenue is collected for this service area. The overall service area budget remains unchanged.

**COMMENTS BY:**

**Tareq Islam, Director of Engineering & Community Services**

Reviewed and supported.

**Mike Veenbaas, Director of Financial Services**

Reviewed and supported. The proposed bylaw changes have been reflected in the recently adopted financial plan.

**Paul Gipps, Chief Administrative Officer**

Reviewed and supported

**FRASER VALLEY REGIONAL DISTRICT  
BYLAW NO. 1522, 2019**

**A bylaw to amend the Fees and Charges for the  
Hatzic Prairie Water Supply and Distribution System Service Area**

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**WHEREAS** the Board of Directors of the Fraser Valley Regional District ("the Board") has deemed it advisable to amend *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Fees and Regulations Establishment Bylaw No. 0910, 2008*, as amended.

**THEREFORE** the Board enacts as follows:

**1) CITATION**

This bylaw may be cited as the *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Fees and Regulations Amendment Bylaw No. 1522, 2019*.

**2) ENACTMENTS**

That Fraser Valley Regional District Bylaw No. 0910, 2008, as amended, be amended by:

- a. Deleting Schedule B in its entirety and substituting with Schedule B attached hereto and forming an integral part of this bylaw.

**3) SEVERABILITY**

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

**4) READINGS AND ADOPTION**

READ A FIRST TIME THIS \_\_\_\_\_ day of \_\_\_\_\_

READ A SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_

READ A THIRD TIME THIS \_\_\_\_\_ day of \_\_\_\_\_

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_

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Chair/Vice-Chair

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Corporate Officer/Deputy

5) **CERTIFICATION**

I hereby certify that this is a true and correct copy of *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Fees and Regulations Amendment Bylaw No. 1522, 2019* as adopted by the Board of Directors of the Fraser Valley Regional District on the

Dated at Chilliwack, BC this

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Corporate Officer/Deputy

DRAFT

**FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1522, 2019**  
**Schedule B**

**WATER USER FEES**

The following minimum semi-annual Charge will be billed:

<u>Meter Size</u>	<u>Semi-Annual Charge</u>
20mm (5/8 inch)	\$300

Notwithstanding the meter size, a semi-annual quantity charge will be added to the semi-annual billing:

<u>Quantity</u>	<u>Semi-Annual Charge</u>
0 – 200 cubic meters	No Additional Charge
200 – 400 cubic meters	\$1.50 per cubic meter
All consumption over 400 cubic meters	\$2.25 per cubic meter

Notwithstanding the maximum fees established herein, if the costs necessary to deliver the service are less than anticipated in a given budget year, than a lesser amount of water user fees may be charged.

**ADDITIONAL CHARGES**

All requests for water service that require a water connection to be turned on at the property line will be subject to a fee of \$150.00 should the request result in a stoppage of the water user rate.

This is Schedule B attached to and forming part of Bylaw No. 1522, 2019.

To: CAO for the Electoral Area Services Committee

Date: 2019-04-09

From: Louise Hinton, Bylaw Compliance and Enforcement Officer

File No: 4300-21-2019-02

**Subject: Temporary changes to liquor licensing at Sasquatch Inn, Electoral Area C**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board endorse the application received February 27, 2019 for temporary changes to the liquor licence for the Sasquatch Inn Ltd (46001 Lougheed Highway, Electoral Area C) with the following comments:

The Board has no objection to the planned events and requested changes to the Liquor Licence, subject to the following items being addressed:

1. Temporary provisions for vehicular parking to ensure the requirements identified in the current local *Zoning* for the property are being followed (one parking spot per three seats provided for patron use), as outlined in the *Zoning Bylaw No. 100, 1979* for Electoral Area C; and
2. Temporary provisions for the existing facilities will be adequate for the proposed increased occupant loads pursuant to the Provincial Sewerage Regulation.

### STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy  
Support Healthy & Sustainable Community  
Provide Responsive & Effective Public Services

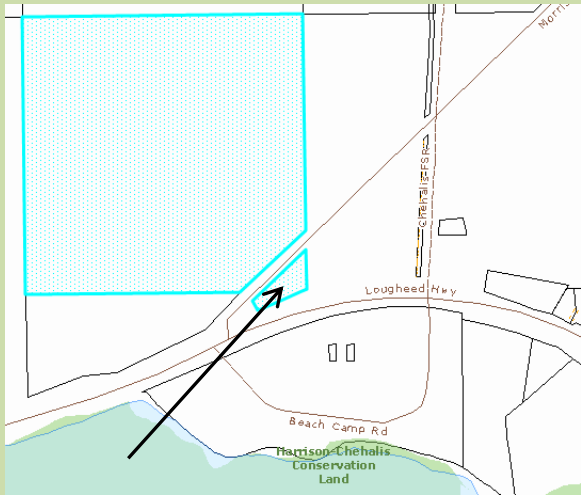
### PRIORITIES


Priority #4 Tourism

### BACKGROUND

The Sasquatch Inn Ltd. is a family run hotel and restaurant dating back to the 1950's located at 46001 Lougheed Hwy in the heart of Harrison Mills BC, Electoral Area C. The Sasquatch Inn has submitted an application to the province for temporary changes to the existing liquor licence to allow for increased occupant loads and extension of the licenced areas during five (5) special events they plan to host between May and July of 2019.

## PROPERTY INFORMATION

Address: 46001 Lougheed Highway	
	<b>Owner</b> Sasquatch Inn Ltd.
	<b>Agent</b> Nancy Maclean
	<b>EA</b> Electoral Area "C"
	<b>Zoning</b> C-2 (Highway Commercial)
	<b>OCP</b> HC (Highway Commercial)
<b>Comments:</b> <ul style="list-style-type: none"> <li>Property is not located within the ALR.</li> </ul>	

NEIGHBOURING LANDS		
North: Institutional Use/Morris Valley Road and Chehalis Forest Service Road		<b>Potential Impacts:</b> <ul style="list-style-type: none"><li>• Potentially increased noise affecting neighbouring property.</li><li>• Potentially inadequate parking for temporary increased occupant load.</li></ul>
South:		
West: Institutional Use		
South: Lougheed Hwy/Rural/Institutional Use		

## DISCUSSION

The application from the Sasquatch Inn that was submitted to the BC Provincial Liquor and Cannabis Regulation Branch for temporary changes to the Sasquatch Inn's existing liquor licence, and was forwarded to the Regional District for review and comments.



The temporary changes to the restaurant's existing liquor licence is to allow for increased occupant loads and extension of the licence area so that they are able to host the following five (5) special events in 2019:

Event	Date	Event Purpose
Wine Education, Tasting & Food Pairing	Tuesday May 14, 2019 5:30pm – 9:30pm	Community Event
Jim Maclean Memorial Golf Tournament (Annual)	Saturday, June 8, 2019 4:30pm – 11:00pm	Fundraiser for Heart & Stroke Foundation
Beer Education, Tasting & Food Pairing	Tuesday June 18, 2019 5:30pm-9:30pm	Community Event
Paint Night	Tuesday July 16, 2019 5:30pm-9pm	Community Event
Sasquatch Inn Motorcycle Show and Shine (Annual)	Sunday, July 28, 2019 12:00pm – 6:00pm	Fundraiser for Zajac Ranch

The Regional District provides a review and endorsement of the proposed expansions to the current licence. There are no further Fraser Valley Regional District approvals, permits, or licences required for the planned events.

The Sasquatch Inn has held special events under a similar expanded liquor licence area subject to similar comments outlined in the recommendation above. These previous events have not resulted in any documented disturbances or complaints from the community.

## **COST**

Not applicable. There are no fees collected or costs to review liquor licencing branch application requests.

## **CONCLUSION**

Staff recommends that the Board endorse the current application for the increased occupant loads and temporary extension of the licensed area as the proposed events are consistent with previous events held at the Sasquatch Inn, 46001 Lougheed Hwy, Electoral Area "C"; and the previous events have not resulted in previous disturbances or complaints from the community.

## **COMMENTS BY:**

**Margaret-Ann Thornton, Director of Planning & Development** Reviewed and supported.

**Mike Veenbaas, Director of Financial Services** No further financial comment.

**Paul Gipps, Chief Administrative Officer** Reviewed and supported



Liquor and Cannabis Regulation Branch  
400-645 Tyee Road, Victoria, BC V9A 6X5  
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8  
Phone: 1 866 209-2111 Fax: 250-952-7066

# TEMPORARY CHANGE TO A LIQUOR LICENCE FOOD PRIMARY, LIQUOR PRIMARY, LIQUOR PRIMARY CLUBS & MANUFACTURERS ENDORSEMENTS

Liquor and Cannabis Regulation Form LCRB023

## Instructions:

Complete all applicable fields and then submit with payment as outlined in Part 11 of this application form. You may complete this form online and then print. If you have any questions about this application, call the Liquor and Cannabis Regulation Branch (LCRB) toll-free at: 1 866 209-2111. A complete application including the supporting documents must be submitted a minimum of three (3) weeks in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees.

Applications requesting discretion to policy (see Part 9) must be submitted a minimum of two (2) months prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees. LCRB forms and supporting materials referred to in this document can be found at: [www.gov.bc.ca/liquorregulationandlicensing](http://www.gov.bc.ca/liquorregulationandlicensing)

## Licensee Information

Office use only

Job No. (C3-LIC)

Licence number: 136311

Type: ☐ Food Primary ☐ Liquor Primary ☐ Liquor Primary Club ☐ Winery

Licensee name (as shown on licence): Sasquatch Inn Ltd.

Establishment name (as shown on licence): Sasquatch Inn Ltd.

Establishment Address: 46001 Lougheed Hwy

Harrison Mills

BC

VOM 1LO

Street

City

Province

Postal Code

Contact Name: Nancy Maclean

(last / first / middle)

Title/Position: Asst Manager

Business Tel with area code: 604-796-2730

Business Fax with area code: 604-796-2911

Business e-mail: sasquatchinn@shaw.ca

Business Mail address: Box 26

(if different from above):

Harrison Mills

BC

VOM 1LO

Street

City

Province

Postal Code

Note: An authorized signing authority of a licensee can appoint a representative to interact with the branch on their behalf by completing form LCRB101 Add, Change or Remove Licensee Representative

## Part 1: Temporary Change Requested

Please check the appropriate boxes below. You may complete more than one change section on this form as long as the changes are for the same licence number. **Note:** Categories noted by an asterisk (\*) require local government/First Nations comment.

Type of change requested

Complete Sections

### ☐ Temporary change to hours of sale

- Liquor-Primary and Liquor-Primary Club licences, and manufacturer lounge or special event endorsements – any hours changes\*
- Food-Primary licences – requests for hours of sale later than midnight\*
- Food-Primary licences – requests for hours of sale before midnight

1, 2, 3, 10, 11, 12

1, 2, 3, 10, 11, 12

1, 2, 3, 10, 11

### ☐ Temporary patron participation entertainment endorsement\*

Food-Primary licences only

1, 2, 4, 10, 11, 12

### ☐ Temporary extension of licensed area

Food-Primary licences only

1, 2, 5, 10, 11

### ☒ Temporary extension of licensed area\*

Liquor-Primary and Liquor-Primary Club licences, and manufacturer lounge or special event endorsements.

1, 2, 6, 10, 11, 12

### ☐ Temporary location change\*

Liquor-Primary and Liquor-Primary Club licences only (no increase in patron or person capacity)

1, 2, 7, 10, 11, 12

### ☐ Temporary location change

Food-Primary licences only (no increase in patron or person capacity)

1, 2, 8, 10, 11

### ☐ Other

Applies to all change requests other than these listed above

1, 2, 9, 10, 11

**Part 2: Reason Temporary Change is Requested**

Describe event details including who is holding the event, the hours of the event and its purpose:

Wine Education, Tasting & Food Pairing Tuesday, May 14, 2019 5:30pm-9:30 pm Hosted by Sasquatch Inn  
Current Seating capacity is 144 See Attachment - wish to make extended area licensed for 50

Jim Maclean Memorial Golf Tournament (Annual) Saturday, June 8, 2019 4:30pm - 11pm Hosted by Sasquatch Inn  
Fundraiser for The Heart & Stroke Foundation Current seating capacity is 144  
See Attachment - wish to make extended area licensed for 100

Beer Education, Tasting & Food Pairing Tuesday, June 18, 2019 Hosted by Sasquatch Inn  
Current Seating capacity is 144 See attachment - wish to make extended area licensed for 50

Paint Night Tuesday, July 16, 2019 5:30pm - 9pm Hosted by Sasquatch Inn  
Current Seating capacity is 144 See attachment - wish to make extended area licensed for 50

Sasquatch Inn Motorcycle Show and Shine (Annual) Sunday, July 28, 2019 Hosted by Sasquatch Inn  
Fundraiser for Zajac Ranch. Current Seating capacity is 144. See attachment - wish to make extended area licensed for 1000

Date(s) from: (mm/dd/yy) 05/14/2019 To: (mm/dd/yy) 07/28/2019 (inclusive)

**Part 3: Temporary Change to Hours of Sale**

Fee: \$330

Liquor-Primary and Liquor-Primary Club licences, and manufacturer lounge or special event endorsements – any hours changes\*

Fee: \$330

Food-Primary licences – requests for hours of sale later than midnight\*

Fee: \$110

Food-Primary licences – requests for hours of sale before midnight (local government/First Nations comment not required)

**\*Note:** These categories (\*) require local government/First Nation comment.

Licensees may apply for a temporary change in hours of sale for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.  
See Part 12 for more information on obtaining local government/First Nations comment.

Please provide the following information:

Current hours of sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open							
Closed							

Requested hours of sale: (Maximum hours permitted by regulation are between 9:00 am to 4:00 am of the same business day)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open							
Closed							

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**Part 4: Temporary Patron Participation Entertainment Endorsement**

Fee: \$330

(Food-Primary licences only)

Licensees may apply for a patron participation entertainment endorsement for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.

**Note:** This application process requires comment from your local government/First Nation. See Part 12 for more information on this process.

Describe the type of entertainment you are requesting:

Patron participation must end by midnight unless approved by LCRB and local government/First Nations. There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, please consult with licensing staff at LCRB in Victoria (see contact information in Part 11).

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**Part 5: Temporary Extension of Licensed Area (food-primary licences only)**

Fee: \$110

This change enables licensees to apply for a temporary extension of their establishment's licensed areas for a limited period, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate only at the capacity on the face of their current licence plus the capacity of the extension area. If in doubt, consult with licensing staff at LCRB in Victoria (see Part 11 for contact info). This application process does not require comment from your local government/First Nation.

Please provide the following information and documents:

- ☐ Current total capacity, including patios (as shown on licence);
- ☐ Identify the area (person/patron as shown on licence) to be extended;
- ☐ Floor plan of the extended area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas:
  - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate) where the extension is indoors or within a permanent structure.
  - Provide proposed capacity of extended area if extension is outside; and
- ☐ Where the extension area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

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**Part 6: Temporary Extension of Licensed Area**

Fee: \$330

(liquor-primary, liquor-primary club licence and manufacturer lounge and special events endorsements only)

Licensees may apply for a temporary extension of their licensed areas for a limited period, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and /or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate at the capacity on the face of their current licence plus the capacity of the extension area.

**Note:** This application process requires comment from your local government/First Nation. See Part 12 for more information on this process.

Please provide the following information and documents:

- ☒ Current total capacity, including patios (as shown on licence);
- ☒ Identify the area(s) to be extended;
- ☒ Floor plan of the extended area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas:
  - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate) where the extension is indoors or within a permanent structure.
  - Provide proposed person capacity of extended area(s) if extension is outside; and
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

**Part 7: Temporary Location Change (liquor-primary and liquor-primary club licences only)**

Fee: \$330

(no increase in patron or person capacity)

Licensees may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

**Note:** This application process requires comment from your local government/First Nation. See Part 12 for more information on this process.

Current area capacities, as shown on licence:

Area #1  Area #2  Area #3  Area #4  Patio #1  Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1  Area #2  Area #3  Area #4  Patio #1  Patio #2

Please attach the following documents:

☐ Floor plan of the proposed area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.

- Floor plan must have occupant load marked/stamped on the plans by provincial fire or building authority (or designate), where the extension is indoors or within a permanent structure.
- Provide proposed capacity of the new area if outdoors.

☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

**Part 8: Temporary Location Change (food-primary licences only)**

Fee: \$110

(no increase in patron or person capacity)

Licensees may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

**Note:** This application process does not require comment from your local government/First Nation.

Current area capacities, as shown on licence:

Area #1  Area #2  Area #3  Area #4  Interior lounge

Patio #1  Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1  Area #2  Area #3  Area #4  Interior lounge

Patio #1  Patio #2

Please attach the following documents:

For food-primary licences:

☐ Floor plan of the proposed area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.

- Floor plan must have occupant load marked/stamped on the plans by provincial building or fire authority (or designate), where the extension is indoors or within a permanent structure.
- Provide proposed capacity of the new area if outdoors.

☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

**Part 9: Other**

Fee: \$110 for each request

Complete this section if you are requesting a change other than those listed in Part 1, page 1.  
Describe your request in detail, using additional pages if required.


If your request requires an exercise of discretion: provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. For more information see your licence specific terms and conditions. Requests for discretion should be submitted at least two months prior to the proposed event.

Date(s) from:  To:  (inclusive) Time(s):   
(mm/dd/yy) (mm/dd/yy)

**Part 10: Declaration**

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature:   
Authorized signatory of the licensee

Name:  Position:  Date:   
(last / first / middle) (if not an individual) (Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the *Add, Change or Remove Licensee Representative form* (LCRB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.

**Part 11: Application Fees - Payment Options**Total Fee Submitted: \$ 

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check ☒ one):

☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)

☐ Money order, payable to Minister of Finance

☒ Credit card: ☐ VISA ☒ MasterCard ☐ AMEX

☐ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☒ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

LCRB023

5 of 6

Temporary Change to a Liquor Licence

**Credit Card Information (To be submitted by fax or mail only)**

Name of cardholder (as it appears on card):

Credit card number:  Expiry date:  /   
(Month) (Year)

Signature: \_\_\_\_\_



## Part 12: Local Government/First Nation Comments

☐ Objection

☐ No objection

Comments:

Name of Municipality/Regional District/First Nations:

Name (print)

Phone:

Title:

E-mail:

Signature:

Date:

## Part 13: What Happens Next?

The temporary change application process:

1. If the requested temporary change(s) require local government/First Nation comment, the applicant must take the completed application form and all required documents to their local government/First Nation and request that the local government/First Nation complete and sign Part 12.
2. The applicant will submit the signed application, all required documents and application fee to the Victoria Head Office (LCRB).

**Note:** Applicants must ensure they submit their completed application a minimum of three (3) weeks (or two (2) months, if it's a request for discretion - see Part 9) before the proposed change. Otherwise, your application will not be accepted and will be returned to you.

3. The LCRB licensing staff will review the application package and advise the applicant by phone, mail or fax, of any information or documents required before the application can be processed.
4. LCRB licensing staff will request comments from the local liquor inspector.
5. If required, the local liquor inspector will work with the applicant on security and related issues.
6. LCRB licensing staff will review the comments from the local government/First Nation (if applicable) and local liquor inspector.
7. LCRB staff will contact the applicant by, fax or mail to let them know whether or not the change has been approved. The applicant will receive LCRB's decision in writing.

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the *Liquor Control and Licensing Act*. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.





February 14<sup>th</sup>, 2019

To Whom It May Concern:

This letter is to confirm that SecuriWORLD Canada Security Services will be supplying security services for the 13th Annual Motorcycle Show & Shine at the Sasquatch Inn in Harrison Mills, B.C. on July 28th, 2019 as per the details below.

**Date:** July 28th, 2019

**Time:** 12:00 – 18:00 HRS (6 hours)

**Location:** 46001 Lougheed Hwy, Harrison Mills, BC, Canada

**Event:** 14th Annual Motorcycle Show & Shine

**Positions:**

- 1 Security Supervisor (Role: Co-ordinating Guards, roving, providing break relief, dealing with unexpected issues)
- 4 Event Guards (Role: Managing the duties listed below at their assigned position)
- 1 Guard assigned to each of the following positions: - East End Entrance - West End Entrance - Pub Entrance - Liquor Store Entrance

SecuriWORLD is experienced in event security and will deliver qualified, licensed, security professionals with strong ability in the following areas:

- English communication skills for greeting and directing guests
- Verifying I.D. of each Guest according to liquor law standards
- Respectfully turning away Guests from the entrance of the event if they are overly intoxicated or cannot produce 2 pieces of valid I.D.
- Ensuring that liquor purchased in the pub stays within the pub, liquor purchased in the designated area in the parking lot stays within that area, and no outside liquor comes into the event from the liquor store or other outside sources Ensure that all guests have paid admission and are wearing the appropriate wristband if applicable
- Monitor and patrol the area to ensure that there is no un-authorized alcohol, no narcotics & no weapons
- Guards are to coordinate with Manager on-site and In-house staff to carry out other tasks as necessary and fulfill updates of instruction



7418 6th St, Burnaby, BC V3N 3L7  
Tel: (604) 282 – 3437  
info@securiworld.ca  
www.securiworld.ca



Should you have any questions regarding the security services which SecuriWORLD will be supplying to the event, please do not hesitate to contact me using my information below.

Thank You For Choosing SecuriWORLD - The Freedom You Need to Move Forward

Best Regards,

Zoe McGahon  
Account Manager

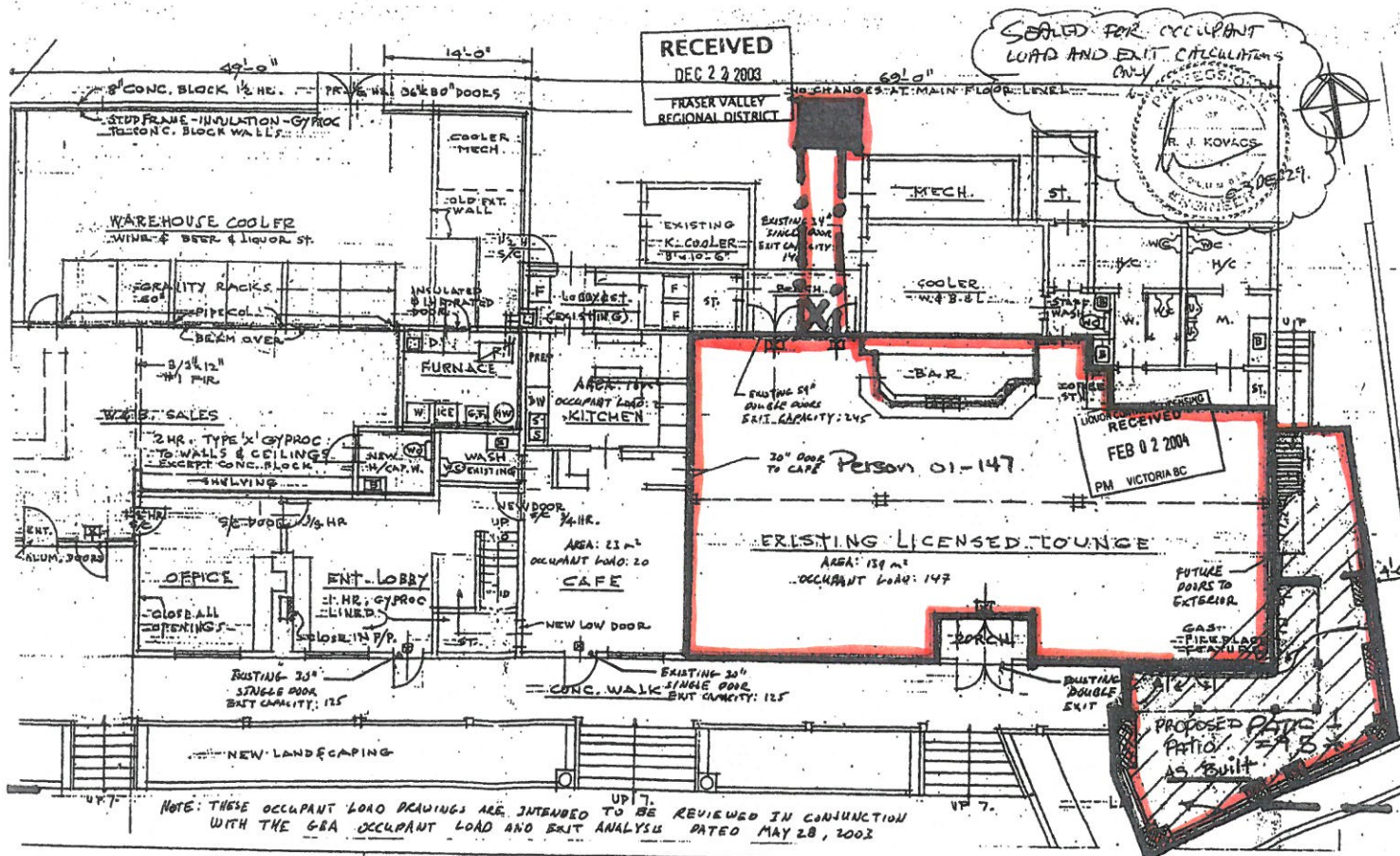


Zoe McGahon | Account Manager

Office: 604.282.3437  
202A - 7418 6th Street.  
Burnaby, BC, V3N 3L6  
[zoe@securiworld.ca](mailto:zoe@securiworld.ca)  
[www.securiworld.ca](http://www.securiworld.ca)  
<https://www.facebook.com/securiworld/>

## Wine Education, Tasting, & Food Pairing

Black mark indicates one 20'x20' tents, they will be attached. The tent will have barricades around it for the event to ensure that no patrons veer outside the red line area. X marks the door we will be using. The tents in this plan will have security personnel to monitor that the patrons stay inside the proper area as well as the waitress.



May 14, 2019

Occupant Load 50

Distance from  
Pub door to  
Tent is  
Approx 20'.

**GBA**  
GAGE-BABCOCK AND ASSOCIATES LTD  
228 - 185 W. BROADWAY, VANCOUVER BC  
TEL: 732 5781 FAX: 732 1277  
email: info@gbacan.com, www.gbacan.com

**SASQUATCH INN**  
46001 LOUGHEED, HARRISON MILLS

GROUND FLOOR - PLAN VIEW

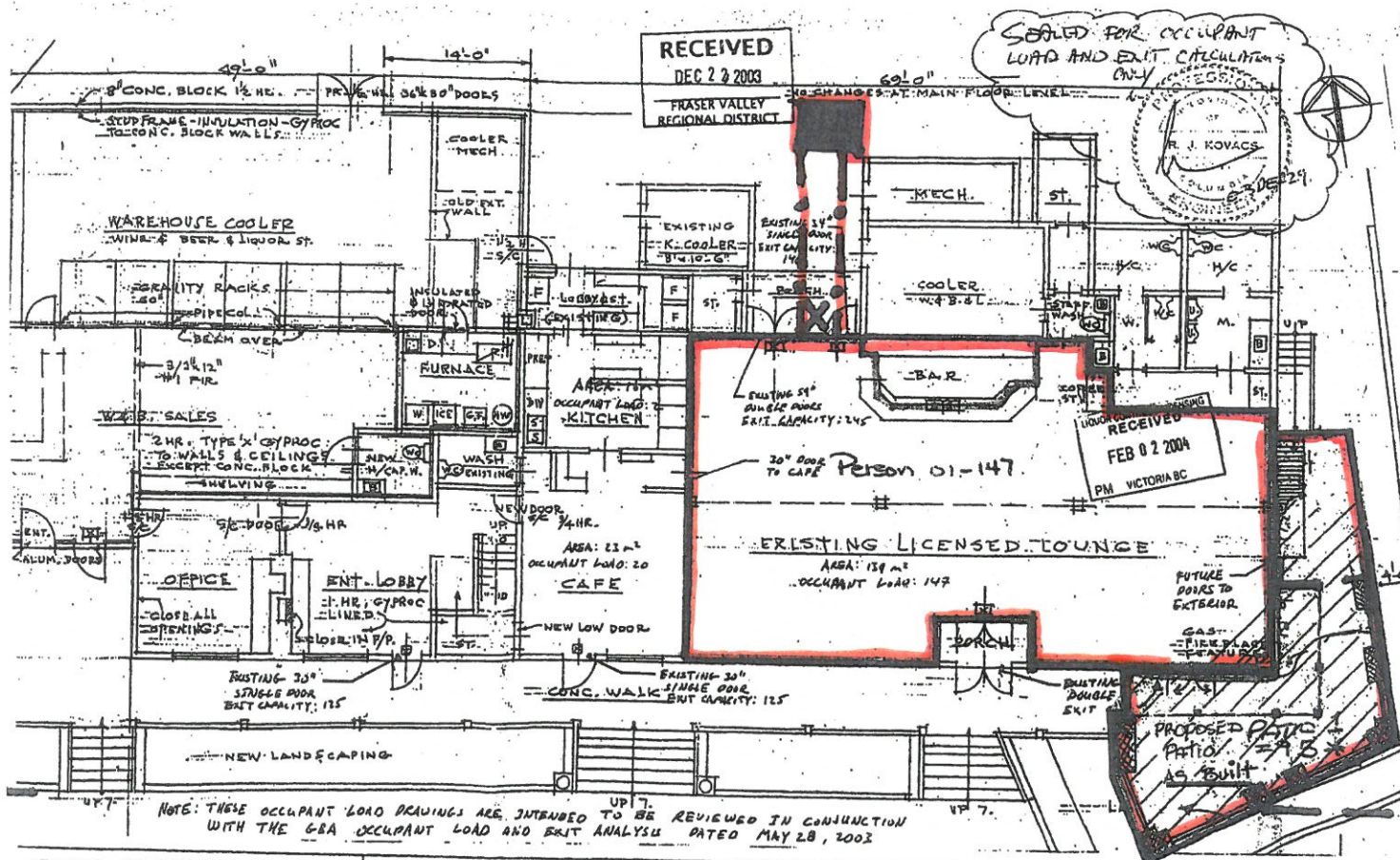
DATE: 03/12/09  
DRAWN: KL

**PARKING LOT**



## Beer Education, Tasting, & Food Pairing

Black mark indicates one 20'x20' tent, they will be attached. The tent will have barricades around it for the event to ensure that no patrons veer outside the red line area. X marks the door we will be using. The tents in this plan will have security personnel to monitor that the patrons stay inside the proper area as well as the waitress.



June 18, 2019

Occupant Load 50

Distance from  
Pub door to  
Tent is  
Appox 20'.

**GBA** GAGE-BARCOCK AND ASSOCIATES LTD  
229 - 1155 W. BROADWAY, VANCOUVER BC  
TEL: 732 3731 FAX: 732 1277  
email: info@gbacan.com, www.gbacan.com

SASQUATCH INN  
46001 LOUGHEED, HARRISON MILLS

GROUND FLOOR - PLAN VIEW

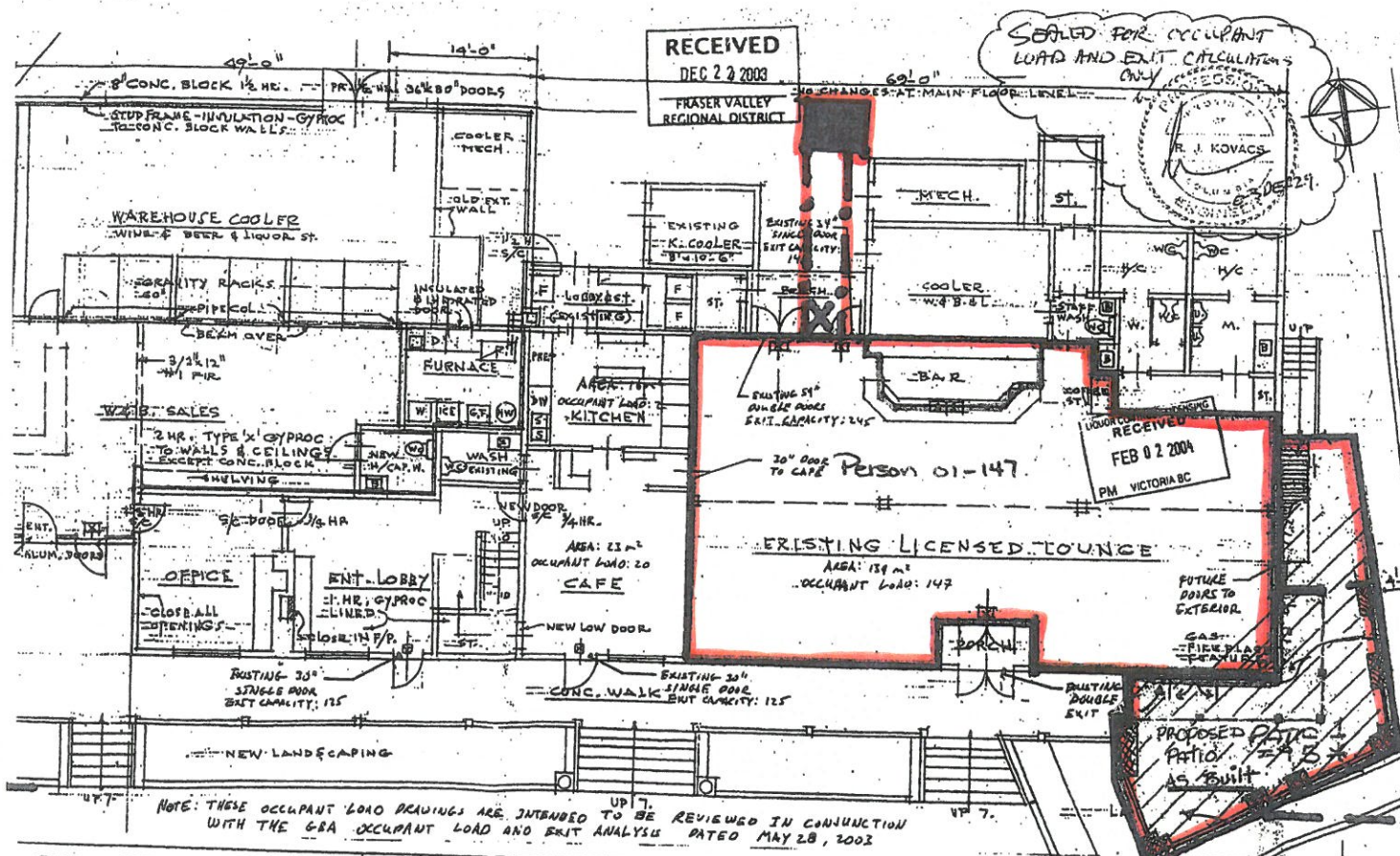
DATE: 03/12/09  
DRAWN: KL

PARKING LOT



# GOLF TOURNAMENT

Black mark indicates two 20'x20' tents, they will be attached. The tent will have barricades around it for the event to ensure that no patrons veer outside the red line area. X marks the door we will be using. The tents in this plan will have security personnel to monitor that the patrons stay inside the proper area as well as the waitress.



June 8, 2019

Occupant Load 100

Distance from  
Pub door to  
Tent is  
Approx 20'.

**GSA**  
GAGE-BARCOCK AND ASSOCIATES LTD  
228 - 1104 W. BROADWAY, VANCOUVER BC  
TEL 732 3751 FAX 732 3277  
email info@gbacan.com www.gbacan.com

SASQUATCH INN  
46001 LOUGHEED, HARRISON MILLS

GROUND FLOOR - PLAN VIEW

CK-1.17

DATE: 03/12/09  
DRAWN: KL

## PARKING LOT



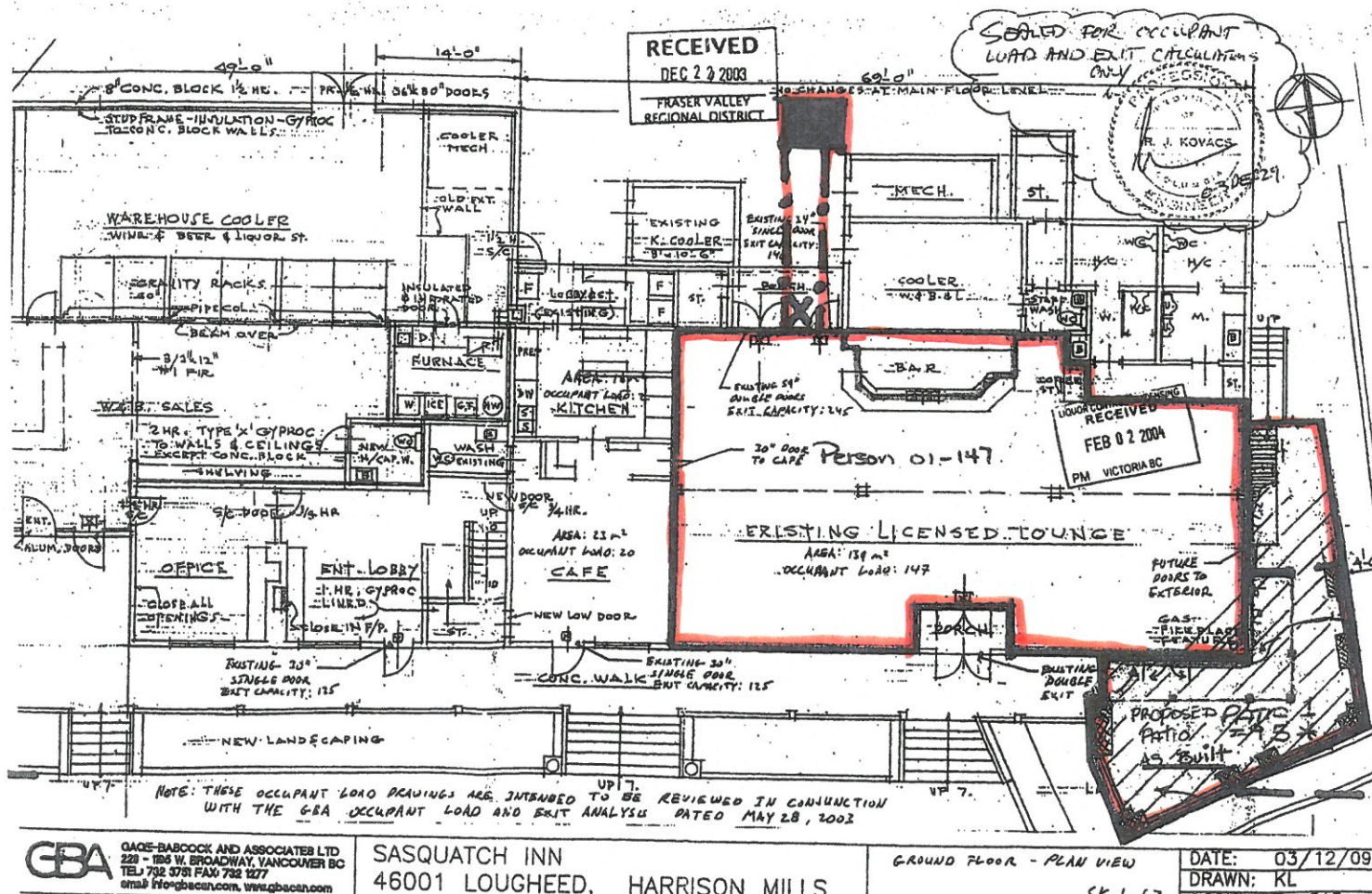
## Paint Night

Black mark indicates one 20'x20' tent, they will be attached. The tent will have barricades around it for the event to ensure that no patrons veer outside the red line area. X marks the door we will be using. The tents in this plan will have security personnel to monitor that the patrons stay inside the proper area as well as the waitress.

July 16, 2019

Occupant Load 50

Distance from  
Pub door to  
Tent is  
Approx 20'.



# PARKING LOT

# DEVELOPMENT PERMIT 2002-11

## SCHEDULE "B"

### Site Plan

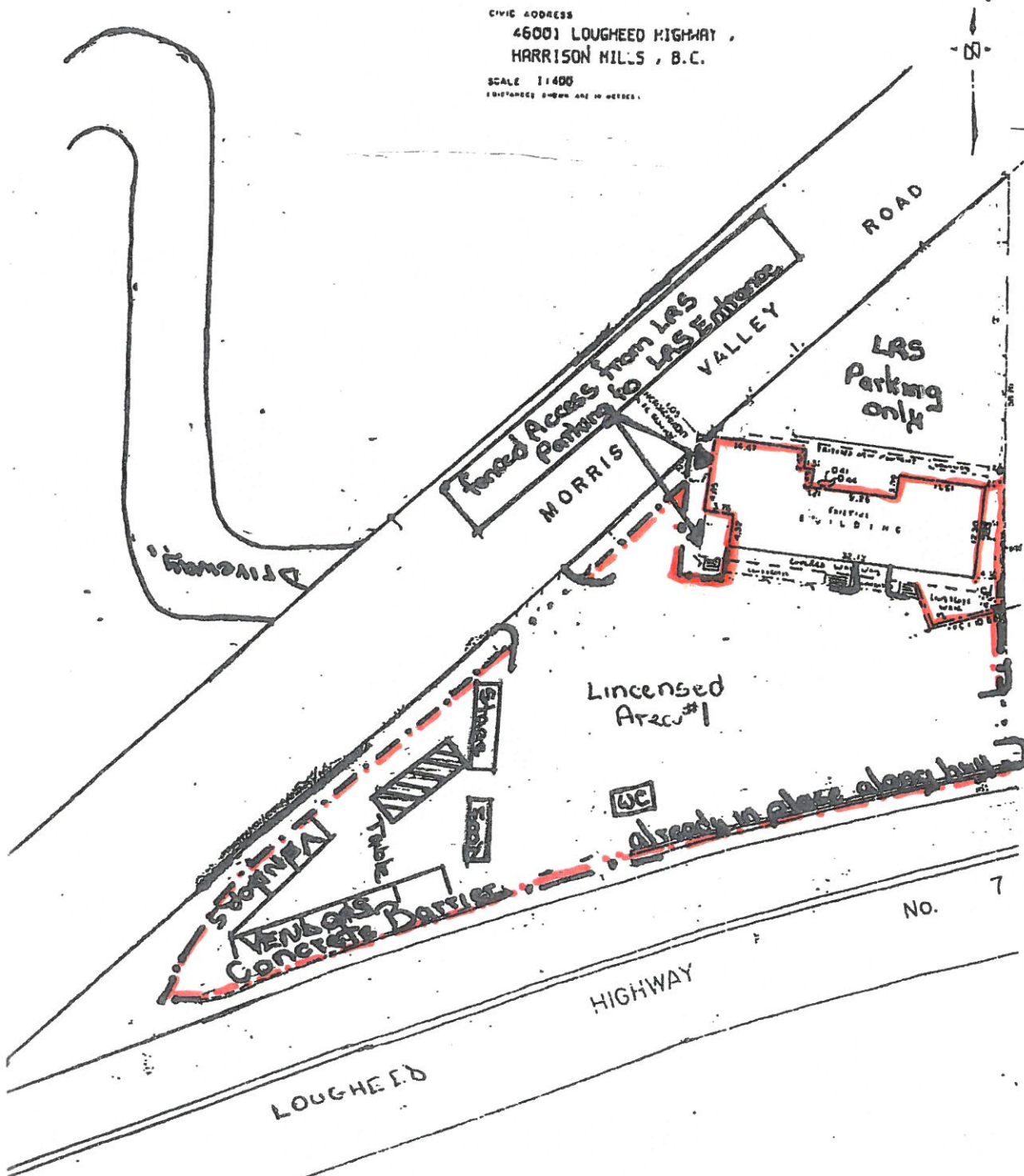
# SHOW & SHINE

SURVEY CERTIFICATE OF P.I.D. 026-779-927  
LS 2, SEC 34, TP 3, R 90,  
W6M, N4D, PLAN 67884.

CIVIC ADDRESS  
46001 LOUGHEED HIGHWAY,  
HARRISON MILLS, B.C.

SCALE 1:400  
DISTANCES SHOWN ARE IN METRES.

July 28, 2019



## LEGEND

- Bar-  
(alcohol service)
- Fencing
- Entrance
- Washroom



To: CAO for the Electoral Area Services Committee

Date: 2019-04-09

From: Louise Hinton, Bylaw Compliance and Enforcement Officer File No: 4300-70-2019-02

**Subject: Special Event – Run for Water Trail Race Event on Sumas Mountain, Electoral Area “G”**

---

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board approve the Class 1 Special Event Licence No. 2019-02 for the Run for Water Trail Race Event on Sumas Mountain (Electoral Area G) to be held on May 25, 2019, subject to the receipt of all required documentation necessary to complete the application;

**AND THAT** the Fraser Valley Regional District Board waive the requirement for a security fee;

**AND FURTHER THAT** the Fraser Valley Regional District Board authorize FVRD signatories to execute all legal instruments associated with the Special Event Licence No. 2019-02.

## STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy  
Support Healthy & Sustainable Community  
Provide Responsive & Effective Public Services

## PRIORITIES

Priority #4 Tourism  
Priority #5 Outdoor Recreation

## BACKGROUND

The trail race event on Sumas Mountain is hosted by Run for Water Society and is expected to draw approximately 375 participants, volunteers, and supporters. Events of more than 199 people require a Special Event Licence per the *Fraser Valley Regional District Special Events Bylaw No. 0111, 1997*.

## DISCUSSION

The Run for Water Trail Race event on Sumas Mountain is scheduled for Saturday, May 25, 2019. An application (Schedule “A”) has been received from the event organizer, Run for Water Society.

The applicant must still submit approval from the following agencies in order for the application to be considered complete:

1. Ministry of Forests, Lands, and Natural Resources and Rural Development (MFLNRD)
2. City of Abbotsford
3. Fraser Health Authority

The applicant must submit these remaining items 30 days prior to the event. The Special Event Licence (Schedule "B") may be given preliminary approval per S. 11 of the Bylaw subject to receipt of the remaining items.

### **Event Details**

Approximately 250 racers and 125 volunteers and spectators are expected to attend the event. As such, the event is classified as a "Class 1 Special Event" per S.6 of the Bylaw:

*"Class 1 Special Event" means a Special Event having an attendance of two hundred (200) or more people and less than five hundred (500) people".*

The Run for Water Trail Race on Sumas Mountain includes a 10, 25 and 50 kilometer race route. The race begins and ends off the Sumas Mountain Forest Service Road in Abbotsford. The race route, shown in "Appendix A", is located primarily along forested trails on Crown Lands and within Sumas Mountain Interregional Park. Event parking is to be located on Taggart Road and Bakstad Road in Abbotsford. The event organizers are also encouraging participants to carpool to the race, and have made arrangements with Lepp Farm Market to shuttle participants from their parking lot located at Highway 11 and Clayburn Road in Abbotsford to the race staging area off Taggart Road. There will be two (2) Aid Stations located along the race route which will provide an opportunity for racers to refuel and rehydrate, and will be attended by professional First Aid (St. Johns') and Center Fraser Valley Search and Rescue Teams, and an Emergency physician on site. There will be three (3) portable toilets and two (2) additional permanent toilets already inside the park, and four (4) wash stations placed at the Start/Finish area. There will also be three (3) garbage/compost/recycling sets placed at the Start/Finish area, and one (1) placed wherever an aid station is located or a food service is located, along with the existing two (2) permanent waste bins.

The majority of the trail race will occur on Crown Lands and the Sumas Mountain Interregional Park, within Electoral Area G. However, the staging areas, parking, and access to the event will all be within the City of Abbotsford. The applicant, Run for Water Society, also requires approval from the City of Abbotsford, Ministry of Forests, Lands, and Natural Resource Operations and Rural Development (MFLNRD); and the Fraser Health Authority. Approvals have already been

received from the Semath First Nation, Abbotsford Police Department, FVRD Parks, Mission RCMP, and FVRD Emergency Services.

In 2018 the Run for Water Society grew their event and hosted their first ever race over 200 people with a FVRD Special Event Licence granted by the FVRD. The event was the same size as the event being proposed in 2019 and it was run very successfully without any documented disturbances or complaints from the community.

As Per *Bylaw No. 0111*, a security of \$7,500 may be required from the applicant at the discretion of the Fraser Valley Regional Board. This race has held successful events in 2016, 2017, and 2018 without any incidents or any complaints from neighbours. The above outlined race history and the extensive experience of the Run for Water Society organizing race events within the City of Abbotsford, staff recommends waiving the requirement for a security fee from the applicant.

## **COST**

The applicant has to pay the \$200 Class 1 Special Event Licence fee.

## **CONCLUSION**

Staff recommends preliminary approval of Special Event Licence No. 2019-02 subject to the receipt of all required documentation necessary to complete the application and without a security fee.

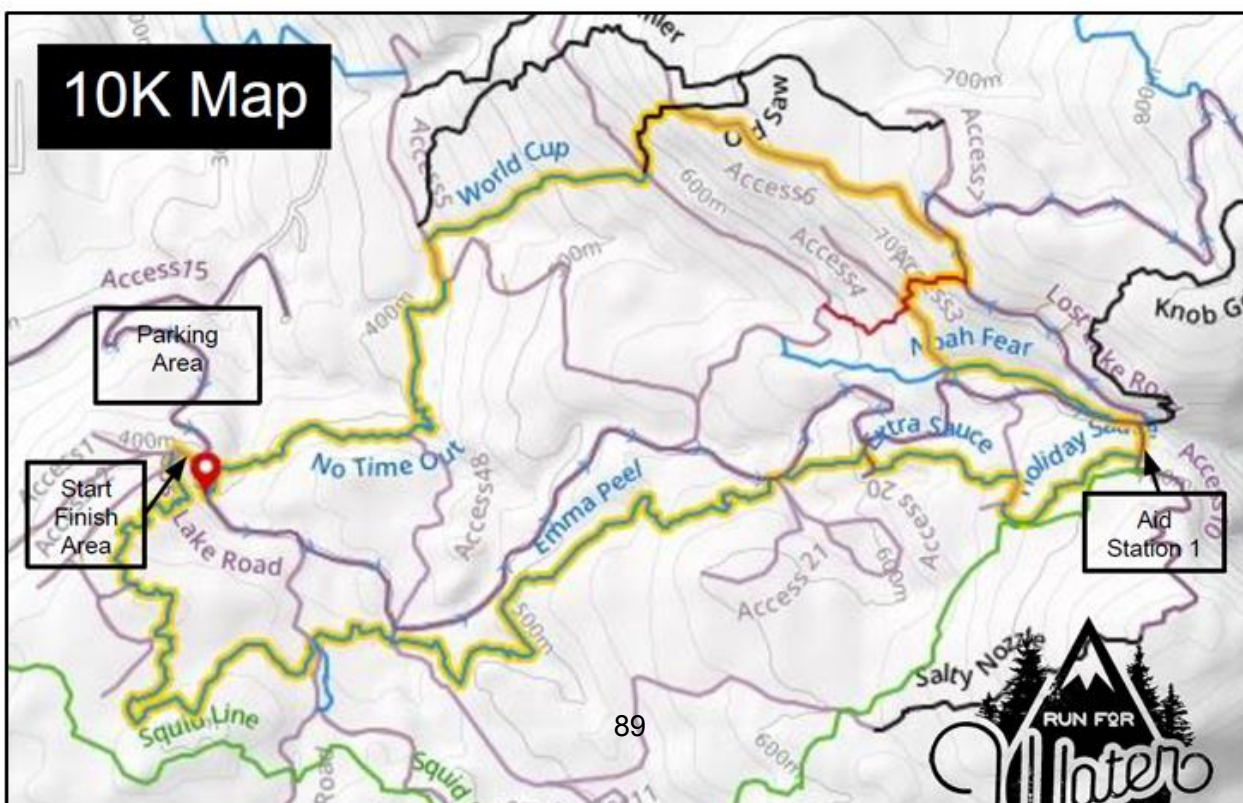
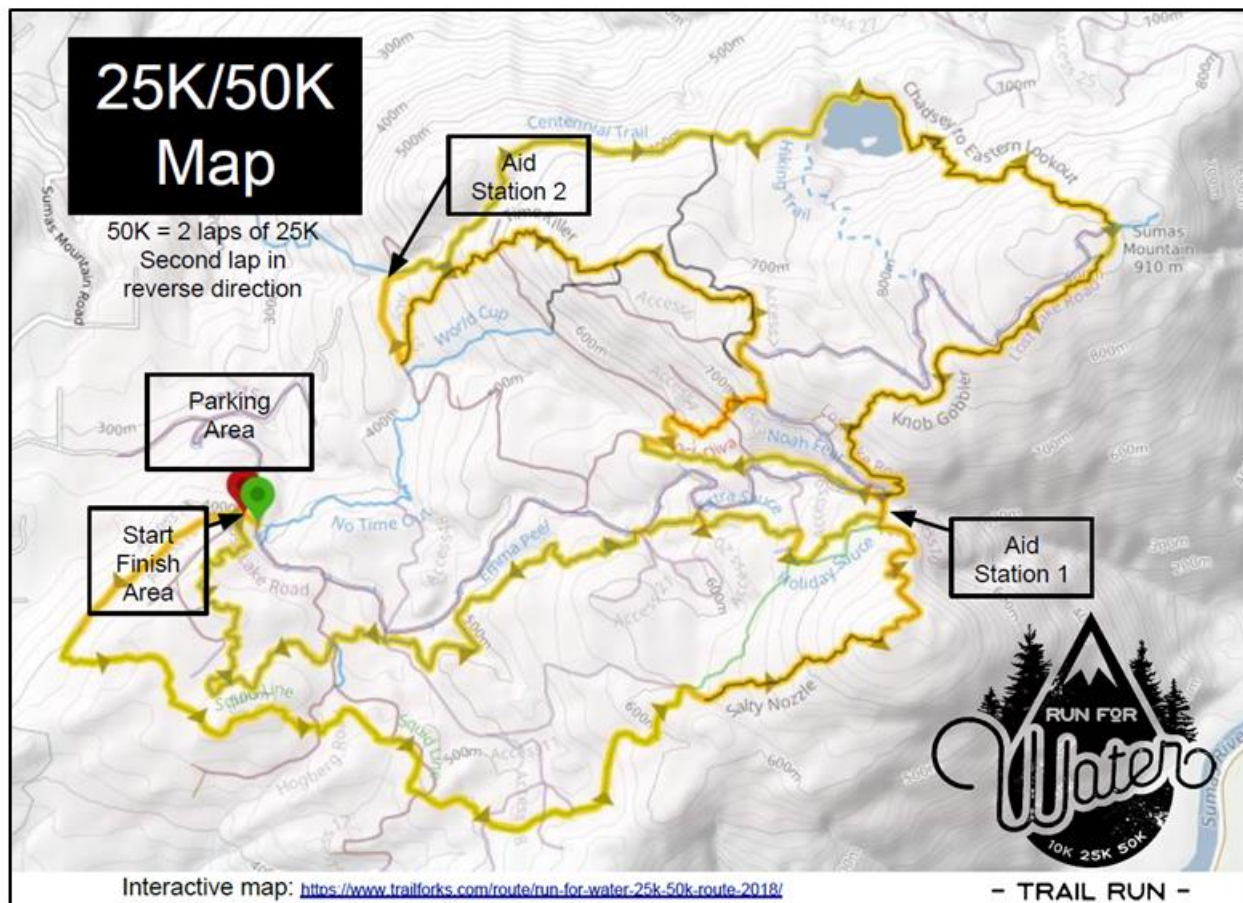
## **COMMENTS BY:**

**Margaret Thornton, Director of Planning & Development** Reviewed and supported.

**Mike Veenbaas, Director of Financial Services** Reviewed and supported.

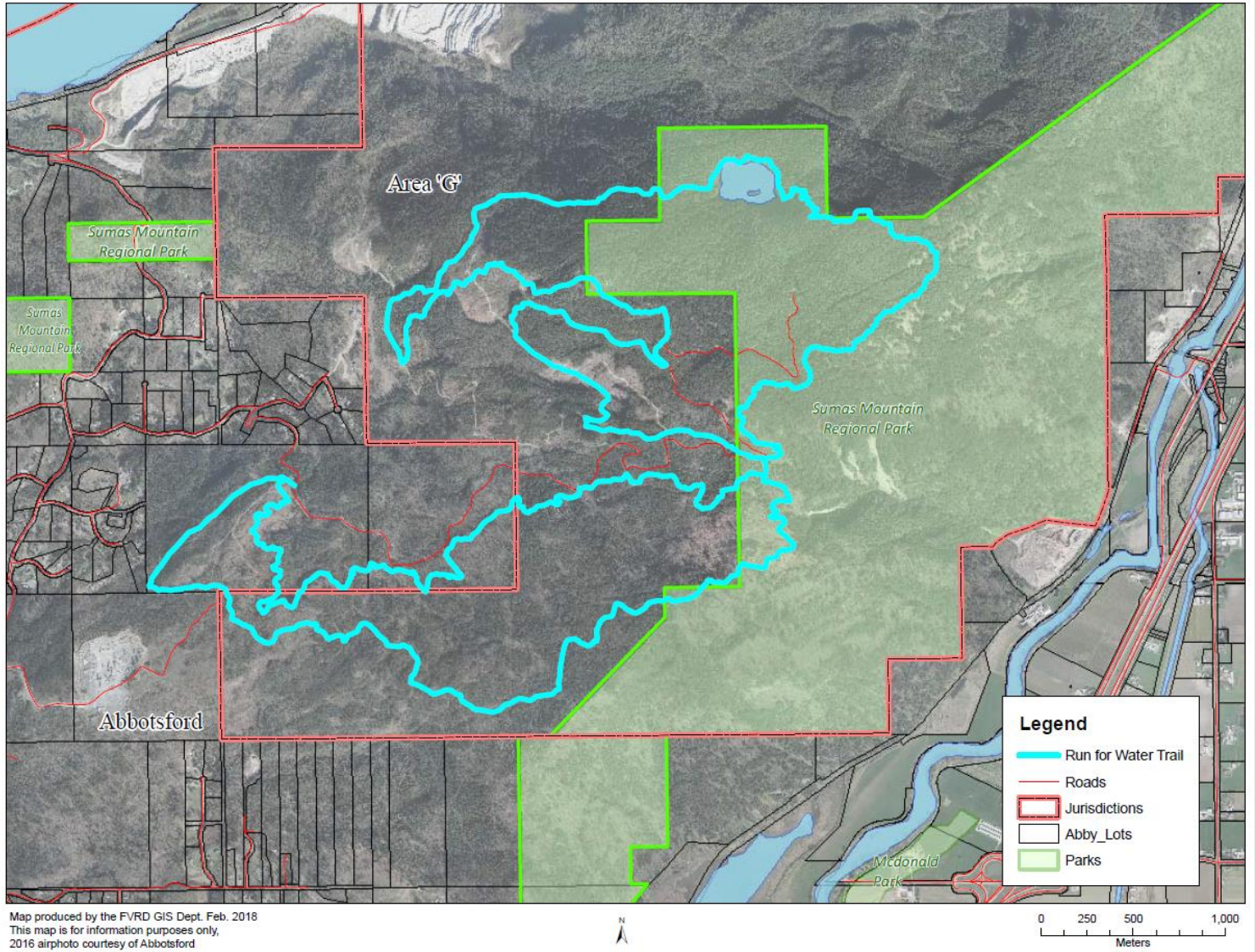
**Paul Gipps, Chief Administrative Officer** Reviewed and supported

## APPENDIX "A"





# Run For Water Trail on Sumas Mtn.



**APPENDIX "B"**  
**Draft Special Event Licence**

SPECIAL EVENT LICENCE	
<b>License Number:</b>	2019-02
<b>Date Issued:</b>	TBA
<b>Promoter:</b>	Paul Enns representing Run For Water Society
<b>Location of Event:</b>	All lands as shown on attached map: Appendix "A" Run For Water Trail Race on Sumas Mountain
<b>Property Owner(s) with Civic Address:</b>	<b>Description of Land:</b>
None.	None.
<b>Nature of Special Event:</b>	Run For Water Society Trail Race on Sumas Mountain
<b>Date of Special Event:</b>	Saturday May 25, 2019
<b>Hours of Event:</b>	4:00 am – 5:00 pm
<b>Maximum Number of Persons Permitted:</b>	499
<hr/> <b>Jason Lum</b> FVRD Board Chair	<hr/> <b>Paul Gipps</b> Chief Administrative Officer





**FRASER VALLEY REGIONAL DISTRICT**

Special Events Bylaw No. 0111, 1997

**A bylaw to provide for the regulation of "special events"  
in all electoral areas of the Fraser Valley Regional District****Schedule "A"****Application for Special Event License**

Application No.: \_\_\_\_\_

Date of Application: 2019-02-11

Charity #: \_\_\_\_\_

Owner: Run For Water Society #829946037 Business Phone: \_\_\_\_\_Mailing Address: 101-2020 Abbotsford Way V2S 6K8 Residence Phone: \_\_\_\_\_Promoter (if different from owner): Paul Enns - race directorPromoter's Mailing Address: 2751 Sheffield Way, Abbotsford, V2S 4B7Business Phone: \_\_\_\_\_ Residence Phone: 778-241-4447

Legal Description of Land to be used for Special Event: \_\_\_\_\_

Sumas Mountain Regional Park trailsStreet Address of Land(s): Sumas Mtn - Taggart RdDate of Special Event: Sat, May 25/19 Anticipated Number of Participants Per Day: 250 + 125 volunteers and spectatorsHours of Operation: 4am - 5pm Is Liquor to be Available: NoBrief Description of Special Event: Three trail running races (10K/25K/50K)  
to raise money for clean water projects in EthiopiaAre Special Structures to be Installed: No If so, Briefly Describe: \_\_\_\_\_

I/We hereby certify I/we have knowledge of the particulars contained in the foregoing statement and I/we solemnly declare that they are fully and truly stated to the best of my/our knowledge and belief.

Owner Volunteer Race Director

Agent \_\_\_\_\_

**For Office Use Only**

Class I, II or III Special Event: \_\_\_\_\_

Written statement submitted: \_\_\_\_\_

Application fee paid: \_\_\_\_\_

Insurance certificate received: \_\_\_\_\_

Bonding/Security required: \_\_\_\_\_

Sketch plan of site submitted: \_\_\_\_\_

This is Schedule "A" attached to and forming part of Special Events Bylaw No. 0111, 1997.

Chairman \_\_\_\_\_

Secretary R. S. P. M.

## Run for Water Trail Race 2019

**\*\*This event is held in what is commonly known as Sumas Mountain Regional Park. FVRD and Ministry of FLNR permits are pending. Semath First Nation consent was given in 2018.**

**\*\*HUP applies to City of Abbotsford parking bylaws regarding Taggart Rd and Bakstad Rd**

### Outdoor Special Events Permit Application Checklist

A copy of the event agenda including a schedule of all activities.

- 4:30 am - set up of start/finish area inside Sumas Mtn Interregional Park
- 5 am - 50K trail race start
- 8 am - 25K trail race start
- 10 am - 10K trail race with First Nations welcome just prior - Sydney Ned
- 4 pm - cut-off time for all races
- 5 pm - site cleaned and vacated

Sponsors:

- Vendors who are giving away free product and/or sponsoring our event include:
  - Lepp Farm Market (LFM)
  - Abbotsford Chrysler
  - Clearbrook Coffee
  - Kintec

A copy of the Fraser Health Authority Temporary Food Permit.

- pending

Tent size and placement must be included on the site plan.

- Site plan attached
- All tents are 10x10 size.
- In the lower parking lot, there will be 5 display tents for vendors listed above, plus 5 tents for racers to use in case of inclement weather
- One tent will be set up at each of 3 aid stations around the park

A Sustainability Plan providing details, such as a recycling plan, green energy use, compostable utensils, etc.

- Separate sets of composting, recycling, and garbage containers will be available wherever an aid station is located or a food service is located
- Racers are advised to bring their own reusable drink container on race day
- Compost, recycling, and garbage will be disposed of appropriately following event

A copy of the security plan identifying the number of certified and/or volunteer security personnel and an emergency protocol and communication plan.

- Central Fraser Valley Search and Rescue provides medical first aid and evacuation and is on site for duration of event
- First Aid attendant will be on site
- Emergency physician will be on site
- Radio communication is maintained with Communications director
- All participants are given communications cell number on race bib for emergency contact

A First Aid Attendant's certificate or a BC Ambulance Service or St. John's Ambulance contract.

- Central Fraser Valley Search and Rescue provides medical first aid and evacuation and is on site for duration of event
- First Aid attendant will be on site
- Emergency physician will be on site
- Radio communication is maintained with Communications director
- All participants are given communications cell number on race bib for emergency contact

A documented process and a communications plan which provides direction to volunteers and event organizers regarding a lost child during the event.

- All participants have the race communications director cell number on the back of their race bib and will be instructed to contact director in case of lost child

A detailed site map identifying activity areas, stage, tents, first aid, emergency access, parking, etc.

- See attached start/finish area site map
- Interactive race route maps: [runforwater.ca/trail](http://runforwater.ca/trail)

A copy of an organizational Mandate / Charter or a personal background reference must be provided.

- Run for Water Trail Race is part of the Run for Water Society that has been hosting charitable running events in Abbotsford since 2007.
- Registered Canadian Charity 82994 6037 RR0001

Written consent from all event contacts for the release of personal information.

A description of all steps taken to notify local neighbourhood groups / businesses of the event and copies of all posters, flyers, notices, ads, etc.

- Notices attached
- Neighbours impacted by HUP will receive hand-delivered notice one month prior to event
- Notice will be posted on community mailboxes at the corner of Sumas Mountain Rd and Dawson Rd

All arrangement for the portable washrooms facilities, if required, and washroom facilities must be included on the site plan.

- 3 portable toilets will be brought to the site in addition to the two permanent toilets inside the park

A copy of the parking plan for the event.

- See attached

Copies of letters from affected businesses

- N/A





# 25K/50K Map

50K = 2 laps of 25K  
Second lap in  
reverse direction

Parking  
Area

Start  
Finish  
Area

Aid  
Station 2

Aid  
Station 1



Interactive map: <https://www.trailforks.com/route/run-for-water-25k-50k-route-2018/>

- TRAIL RUN -



# Start / Finish Area Map

Parking Outside  
Park Gate  
(Shuttle Van)



- TRAIL RUN -



# Aid Station 1

Taggart Rd

Taggart Rd

Knob Gobbler  
Trail

G/C/R

Aid  
Tent

Wash

Tent

G/C/R

Search &  
Rescue



- TRAIL RUN -

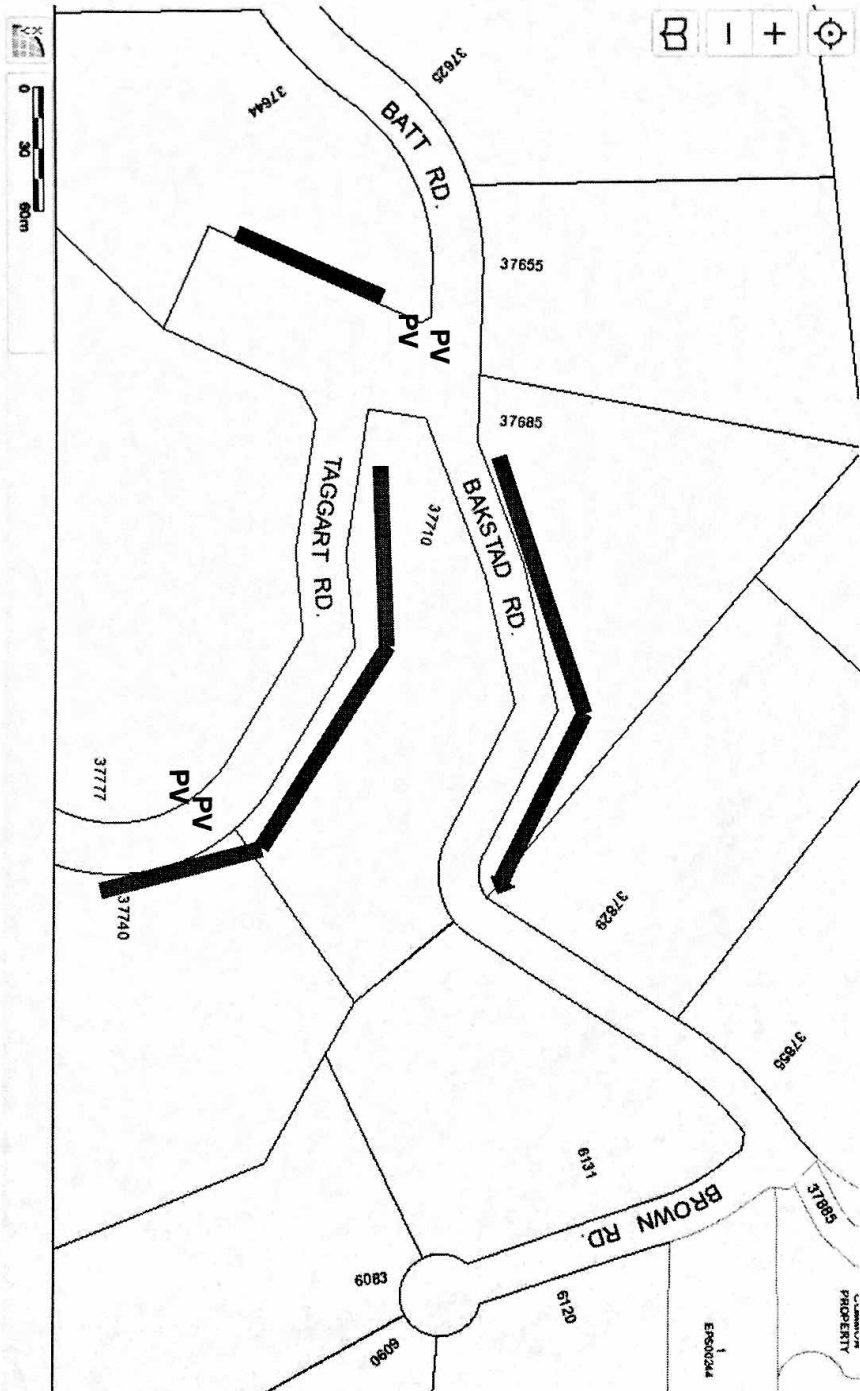


- TRAIL RUN -

**Sat, May 25, 2019**

**5 am - 5 pm**

- > Parking Volunteers (PV) give motorists info leaflet re parking on Taggart and Bakstad Roads
- > traffic completely unrestricted
- > single side angle parking in direction of travel on north and west sides of Taggart Rd keeping driveways clear
- > parallel parking on Bakstad Rd keeping driveways clear
- > carpooling from Lepp Farm Market strongly encouraged among participants
- > shuttle bus transporting pedestrians
- > direct letters and flyer posted on community mailbox by May 18 informing residents of event with contact info for concerns
- > signed support letters on file from same event in 2016 for 37777, 37710, 37644, 37685. Uninhabited: 37740.
- > Organizers cover parking signs with garbage bags the morning of the event and remove them by 5 pm.





**ALLSPORT COMMERCIAL GENERAL LIABILITY INSURANCE - OCCURRENCE  
MARKEL**  
1100 Melville Street, Suite 750  
Vancouver, BC V6E 4A6

**AMENDED  
CERTIFICATE OF INSURANCE**

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE AS HEREIN DESCRIBED HAVE BEEN ISSUED TO THE INSURED NAMED BELOW AND IN FORCE AT THE DATE HEREOF

**Name of Insured and Postal Address**

RUN FOR WATER SOCIETY

Suite 201 - 2020 Abbotsford Way, Abbotsford, BC V2S 6X8 Attn: Janet Vink

**COMMERCIAL GENERAL LIABILITY**

**Cert. No.**  
S3644

**Master Policy No.**  
AL5500

**Insurers**  
CERTAIN LLOYD'S  
UNDERWRITERS

**Limit of Liability**  
**\$5,000,000.00 LIMIT**  
per occurrence and in the aggregate with  
respect to products & completed operations  
**DEDUCTIBLE \$500.00**

Tenants Legal Liability Limit \$500,000, deductible \$500

**Policy Extensions**

CROSS LIABILITY CLAUSE INCLUDED

PARTICIPANT COVERAGE INCLUDED

SUBJECT TO 30 DAYS WRITTEN NOTICE OF CANCELLATION OR MATERIAL CHANGE

**This Certificate is issued at the request of:**

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE  
OF BRITISH COLUMBIA, CITY OF ABBOTSFORD, FRASER  
VALLEY REGIONAL DISTRICT, METRO VANCOUVER,  
MINISTRY OF FOREST, LANDS NATURAL RESOURCES  
OPERATIONS, FRASER HEALTH AUTHORITY, BC HYDRO  
**MISSION SEARCH AND RESCUE**  
**CENTRAL FRASER VALLEY SEARCH AND RESCUE**  
**SOCIETY**

ABOVE ARE ADDED AS ADDITIONAL INSURED, BUT SOLELY WITH  
RESPECT TO THE LIABILITY WHICH ARISES OUT OF THE  
ACTIVITIES OF THE NAMED INSURED

**To whom notice will be mailed if such insurance is cancelled or is changed  
in such a manner as to affect this certificate**

**Location & Operations to which this certificate applies:**

SUMAS MOUNTAIN, ABBOTSFORD, BC

"10KM, 25KM & 50KM TRAIL RACE"

\*excluding liquor liability

MAY 25, 2019

Premium: 225.00

**IDENTIFICATION OF INSURER / ACTION AGAINST INSURER**

This insurance has been effected in accordance with the authorization granted to the Coverholder by the Underwriting Members of the Syndicates whose definitive numbers and proportions are shown in the Table attached to Agreement No. MKL2018001, UMRB6027MKL2018001 (hereinafter referred to as "the Underwriters"). The Underwriters shall be liable hereunder each for his own part and not one for another in proportion to the several sums that each of them has subscribed to the said Agreement.

In any action to enforce the obligations of the Underwriters they can be designated or named as "Lloyd's Underwriters" and such designation shall be binding on the Underwriters as if they had each been individually named as defendant. Service of such proceedings may validly be made upon the Attorney In Fact in Canada for Lloyd's Underwriters, whose address for such service is 1155 rue Metcalfe, Suite 2220, Montreal, Quebec, H3B 2V6.

NOTICE: Any notice to the Underwriters may be validly given to the Coverholder.

**In witness whereof** this policy has been signed as authorized by the Underwriters, by **MARKEL CANADA LIMITED**

Per 

THE INSURANCE AFFORDED IS SUBJECT TO THE TERMS, CONDITIONS & EXCLUSIONS OF THE APPLICABLE POLICY



# ABBOTSFORD POLICE DEPARTMENT

## Special Events Assessment

Based on assessment below, number of police officer required for special event:

Note: Each event will be assessed individually. Depending on the totality of the circumstances, the level of assigned/required APD resources may vary from the guidelines noted below.

### 1. Event Details

EVENT NAME Run For Water		ORGANIZATION NAME Run For Water Society Trail Race <input type="checkbox"/> N/A	
CONTACT NAME Paul Enns / Kevin Barata		CONTACT TELEPHONE 778-241-4447	CONTACT EMAIL ptenns@gmail.com
EVENT DATE May 25th 2019	START TIME 0430 hours	END TIME 1700hrs	
EVENT VENUE AND ADDRESS <input type="checkbox"/> INDOOR <input checked="" type="checkbox"/> OUTDOOR 37777 Tagart Rd Abbotsford.			

### 2. Risk Assessment:

WILL PRIVATE SECURITY BE PRESENT? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW	IS THERE EXTENSIVE SOCIAL MEDIA CHATTER ABOUT THE EVENT? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW
WILL VIPs BE ATTENDING? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW	IS CROWD SIZE A POTENTIAL SAFETY ISSUE? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW
IS THE EVENT MOBILE? <input checked="" type="checkbox"/> Y (IF "Y", ATTACH ROUTE) <input type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW	ARE OPPOSING GROUPS INVOLVED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW
WILL ALCOHOL BE SERVED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW	IS THE EVENT AGE-RESTRICTED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW
DOES CURRENT INTEL INDICATE A THREAT TO PUBLIC SAFETY? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW	IS AN OPERATIONAL PLAN REQUIRED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW
IS POLICE INVOLVEMENT <u>REQUIRED</u> (E.G. EVENT ON/NEAR PROVINCIAL HWY WHERE FLAGGERS CANNOT BE USED ETC.) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW	IS THERE HISTORICAL, POLITICAL, SOCIAL OR SYMBOLIC SIGNIFICANCE WHICH MAY HEIGHTEN CONCERNS REGARDING PUBLIC SAFETY? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW
ARE THERE POTENTIAL THREATS TO THE EVENT, INCLUDING THOSE ARISING FROM POSSIBLE DOMESTIC OR GLOBAL TERRORIST ACTIVITIES? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW	SHOULD A SIGNIFICANT EVENT OCCUR, WOULD THE SPAN OF CONTROL BE BEYOND THAT WHICH IS CONSIDERED REASONABLE FOR THE ON-DUTY PATROL STAFF SERGEANT? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> DETAILS BELOW
HAS THE DEBRIEF OF THE PREVIOUS OCCURRENCE OF THE EVENT BEEN REVIEWED? <input type="checkbox"/> N/A – NEW EVENT <input type="checkbox"/> Y <input checked="" type="checkbox"/> N NUMBER OF MEMBERS ATTENDING PREVIOUS EVENT: _____ + _____ (SCHEDULED) (UNSCHEDULED) <input checked="" type="checkbox"/> NO SIGNIFICANT ISSUES WITH PREVIOUS EVENT <input type="checkbox"/> ISSUES WITH PREVIOUS EVEN T- DETAILS BELOW	

#### DETAILS/ADDITIONAL CONSIDERATIONS

There are no concerns with this event.





# ABBOTSFORD POLICE DEPARTMENT

## Special Events Assessment

### 3. Police Resources Guidelines:

	LOW RISK			MED RISK		HIGH RISK	
Crowd Size	0-100	101-200	201-500	501-1000	1001-2000	2001-3000	3000+
STANDARD SECURITY/POLICE PRESENCE REQUIRED:							
Fair/Festival	-	-	Private security	2 Constables Private security	1 Sergeant 2 Constables Private security	1 Sergeant 3 Constables Private security	1 additional Constable for each additional 500 attendees
Live Concert	Private security	Private security	Private security	2 Constables Private security	2 Constables Private security	1 Sergeant 3 Constables Private security	1 additional Constable for each additional 500 attendees
VIP/ Film Shoots/ Public Demonstrations	To be determined individually based on event profile and assessed risk.						

Number of required police officers **reduced** from standard due to:

☐ EVENT HISTORY – NO SIGNIFICANT ISSUES HISTORICALLY

☐ EVENT PROFILE – LOWER RISK ASSESSMENT

Number of required police officer **increased** from standard due to:

☐ EVENT HISTORY – SIGNIFICANT ISSUES WARRANT INCREASED PRESENCE

☐ EVENT PROFILE – HEIGHTENED RISK ASSESSMENT

Sergeants required per table above:	0
Constables required per table above:	0
Adjustments to required Constables (+/-):	0
Additional requested by organizer (+):	0
Total police officers required for event:	0

#### RATIONALE FOR DETERMINING RESOURCE LEVEL:

This is a running event with no alcohol being served. There have been no issues with previous years events. Unknown expected participants. 2018 expected attendance was 220

### 4. Completed by:

MEMBER SIGNATURE	PIN	DATE
	352 Hryhorczuk	2019-03-13

Completed form provided to City Special Events Coordinator on [Date]:	2019-03-13
Completed form provided to event organizer on [Date]:	2019-03-13

Questions or concerns regarding this assessment may be directed to the APD Special Events Coordinator's supervisor (Traffic Section Sergeant) at (604) 859-5225.

To: CAO for the Electoral Area Services Committee

Date: 2019-04-09

From: Andrea Antifaeff, Planner 1

File No: 3090-20-2019-06

**Subject: Application for Development Variance Permit 2019-06 to reduce the side setback to permit the reconstruction/addition to an agricultural building at 11180 Popkum Road North, Electoral Area D**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-06 to reduce the side setback from 7.62 metres (25 feet) to 0 metres (0 feet), to facilitate the reconstruction/addition to an agricultural building at 11180 Popkum Road North, Area "D", subject to consideration of any comments or concerns raised by the public;

**AND THAT** the Fraser Valley Regional District Board authorize its signatories to execute all legal instruments associated with this application, including a Section 219 restrictive covenant tying the sale of either of the two properties to the other to address existing and new construction built across the side lot line and to restrict the use of the building to agricultural storage.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Foster a Strong & Diverse Economy

## BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to reduce the side setback for an agricultural building as outlined in *Zoning By-law for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam*.

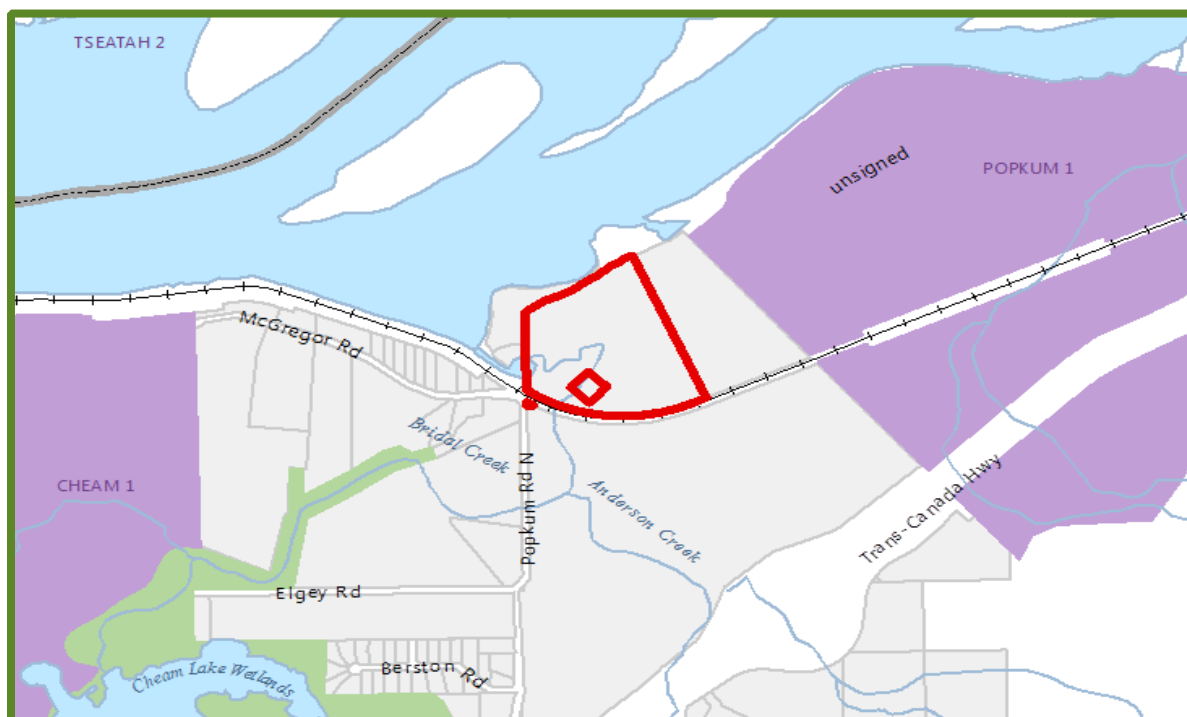
PROPERTY DETAILS	
<b>Electoral Area</b>	D
<b>Address</b>	11180 Popkum Road North
<b>PID</b>	030-039-371
<b>Folio</b>	733.06473.200
<b>Lot Size</b>	34.02 acres

<b>Owner</b>	Klyn, Martin & Niessa	<b>Agent:</b>	Texo Pacific Construction (Pieter Kerkhoff)
<b>Current Zoning</b>	Rural Agriculture (R-Ag); Park Reserve (P2)	<b>Proposed Zoning:</b>	No change
<b>Current OCP</b>	Agricultural Large Holding (AG-L)	<b>Proposed OCP:</b>	No change
<b>Current Use</b>	Agriculture	<b>Proposed Use:</b>	Agriculture
<b>Development Permit Areas:</b>	DPA 6-D- Riparian Areas		
<b>Agricultural Land Reserve</b>	Yes –portion where agricultural building is located		

#### ADJACENT ZONING & LAND USES

<b>Noi</b>	^	Park Reserve (P-2), Forest & Fraser River
<b>Eas</b>	>	Rural Agriculture (R-Ag); Park Reserve (P-2) Farm
<b>We</b>	<	Park Reserve (P-2), Forest
<b>Sol</b>	v	Rural Agriculture (R-Ag), Farm

#### NEIGHBOURHOOD MAP





## PROPERTY MAP



## DISCUSSION

The owners of the property have made an application to reconstruct and add an addition to an agricultural building at 11180 Popkum Road North. The portion of the property where the agricultural building is sited is within the Agricultural Land Reserve. The property at 11180 Popkum Road North has a landlocked parcel within it (PID 024-762-091). The landlocked parcel was discovered during a survey several years ago by the previous owners. The survey also revealed that the existing barn (now being reconstructed), predated building permit requirements and was constructed over the property line. The majority of the agricultural building renovation is to the existing structure with the addition of thirteen posts on the eastern side to support a new roof and overhang.

### Bylaw Enforcement

During a site inspection on February 20, 2018 FVRD building and bylaw staff confirmed that there had been a significant amount of unauthorized construction works for a large agricultural building at 11180 Popkum Road North. Stop Work and No Occupancy Notices were posted on the structure. A building permit was submitted on March 15, 2018 and FVRD staff have been working with the applicant to address issues with the agricultural building.



## **Variance Requested – DVP 2019-06**

### Side Setback Variance

The owners are seeking a 7.62 metre (25 foot) relaxation to the required side lot line setback, reducing the setback requirement from 7.62 metres (25 feet) to 0 metres (0 feet).

### Application Rationale

The applicant advises that the reasons in support of the variance are: 1. that the existing barn is already constructed across parcel boundaries; and, 2. the parcels are now owned by the same owner.

### Covenant Tying Two Lots Together & Restricting Use of Building

The side lot line for 11180 Popkum Road North is shared with PID 024-762-091, which is also owned by the applicant. The site plan shows that the existing agricultural building was already crossing the property line and that the addition of thirteen posts on the eastern side which will support a new roof and overhang will cause the building to be further onto the adjacent parcel (PID 024-762-091). To address this issue, the property owners have offered to register a covenant in favour of the Regional District which states that the properties will be treated as a single parcel for as long as the structure that crosses the property boundary exists and that the property owner cannot sell, agree to sell, transfer or otherwise dispose of either of the parcels individually.

The proposed variance does not have any adverse building permit implications, as the two lots of 11180 Popkum Road North and PID 024-762-091 will be tied together as one parcel.

The owners have also offered for the covenant to state that the use of the building will be restricted to agricultural storage (no livestock or farm animals). The use must accord with both FVRD Zoning Bylaw No. 75 and Agricultural Land Commission regulations; and provide a mechanism to recover all costs associated with any enforcement activities related to non-permitted use of the building.

## **Neighbourhood Notification and Input**

All property owners within 30 metres of the property will be notified by the FVRD of the Development Variance Permit application and be given the opportunity to provide written comments or attend the Board meeting to state their comments. FVRD staff encourage the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification. To date no letters of support or objection have been submitted.

## **COST**

The application fee of \$350.00 has been paid by the applicant.

## **CONCLUSION**

The property owners have applied for a DVP to reduce the side setback for an agricultural building. Staff recommend that the FVRD Board issue the permit for the following reasons:

- the historical property lot lines were discovered during a survey several years ago;
- the existing building is existing non-conforming and the Development Variance Permit is required to acknowledge the property lines to address the construction that commenced without a building permit; and,
- the variance is not anticipated to negatively affect the surrounding properties as the property that the building crosses over is now owned by the same owner.

## **OPTIONS**

### **Option 1 – Issue (Staff Recommendation)**

Staff recommend that the FVRD Board issue Development Variance Permit 2019-06 for the property located at 11180 Popkum Road North, Electoral Area D to reduce the side setback from 7.62 metres (25 feet) to 0 metres (0 feet), to facilitate the reconstruction/addition to an agricultural building, subject to consideration of any comments or concerns raised by the public.

### **Option 2 – Refuse**

If the Board wishes to refuse the application, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-06 for the property located at 11180 Popkum Road North, Electoral Area D.

### **Option 3 – Refer to Staff**

If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-06 for the property located at 11180 Popkum Road North, Electoral Area D to FVRD staff.

**COMMENTS BY:**

**Graham Daneluz, Deputy Director of Planning & Development:** Reviewed and supported.

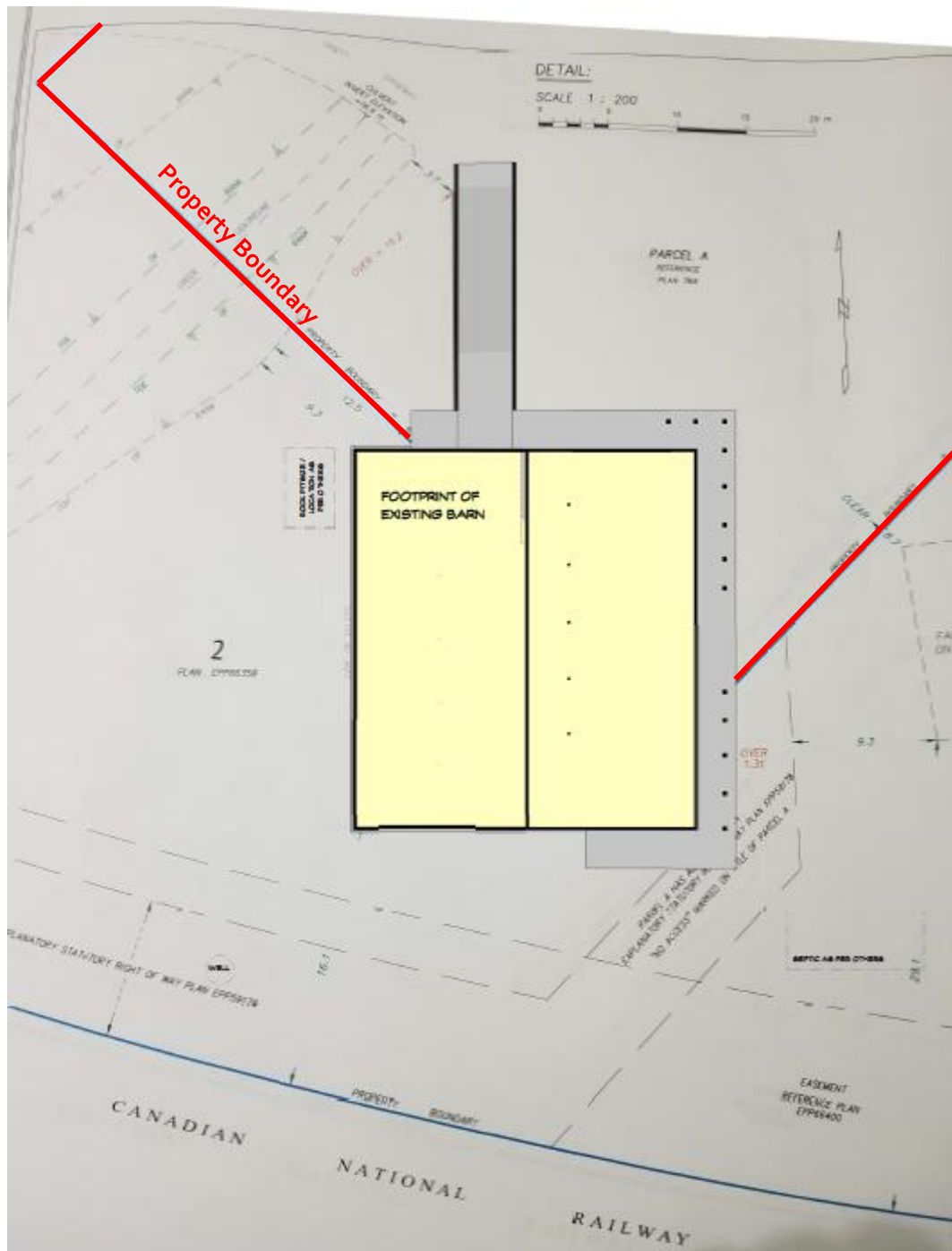
**Margaret Thornton, Director of Planning & Development:** Reviewed and supported.

**Mike Veenbaas, Director of Financial Services:** No further financial comment.

**Paul Gipps, Chief Administrative Officer:** Reviewed and supported

## Appendix A

### Site Plan





**SCHEDULE A-4**

**Permit Application**

I / We hereby apply under Part 14 of the *Local Government Act* for a;

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit


An Application Fee in the amount of \$ 350.00 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 11180 Popkum Rd N PID 030-039-371

Legal Description Lot 2 Block \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ Plan \_\_\_\_\_

*The property described above is the subject of this application and is referred to herein as the 'subject property.' This application is made with my full knowledge and consent. I declare that the information submitted in support of the application is true and correct in all respects.*

Owner's  
Declaration

Name of Owner (print) <b>Martin Adriaan Klyn</b>	Signature of Owner 	Date <b>Feb 18, 2019</b>
Name of Owner (print) <b>Niesje (Niessa) Nicolina Klyn</b>		Date <b>Feb 18, 2019</b>

Owner's  
Contact  
Information

Address 10507 Woodrose Pl		City Rosedale
Email		Postal Code V0X1X1
Phone	Cell	Fax

<b>Office Use Only</b>	Date <b>Feb 20, 2019</b>	File No.
	Received By <b>JM</b>	Folio No.
	Receipt No. <b>8016 / 2</b>	Fees Paid: \$ <b>350</b>



**Agent**

I hereby give permission to Pieter Kerkhoff to act as my/our agent in all matters relating to this application.

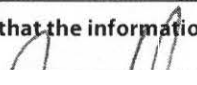
Only complete this section if the applicant is NOT the owner.

	Date Feb 18, 2019
	Date Feb 18, 2019

Agent's contact information and declaration

Name of Agent <b>Pieter Kerkhoff</b>		Company <b>Texo Pacific Construction Ltd</b>
Address <b>10338 Wildrose Dr</b>		City <b>Rosedale</b>
Email		Postal Code
		Fax

I declare that the information submitted in support of this application is true and correct in all respects.

Signature 	<b>Feb 18, 2019</b>
--	---------------------

**Development Details**

Property Size \_\_\_\_\_ Present Zoning \_\_\_\_\_

Existing Use Agriculture

Proposed Development \_\_\_\_\_

Proposed Variation / Supplement Reduce interior setback to 0 m to allow for renovation of existing barn

(use separate sheet if necessary)

Reasons in Support of Application Existing barn is constructed across to separate parcels owned by the same landowner

**Riparian  
Areas  
Regulation**

Please indicate whether the development proposal involves residential, commercial, or including vegetation removal or alteration; soil disturbance; construction of buildings and structures; creation of impervious or semi-pervious surfaces; trails, roads, docks, wharves, bridges and, infrastructure and works of any kind – within:

yes  
☐

no  
☒

30 metres of the high water mark of any water body

yes  
☐

no  
☒

a ravine or within 30 metres of the top of a ravine bank

"Water body" includes; 1) a watercourse, whether it usually contains water or not; 2) a pond, lake, river, creek, or brook; 3) a ditch, spring, or wetland that is connected by surface flow to 1 or 2 above.

Under the *Riparian Areas Regulation* and the *Fish Protection Act*, a riparian area assessment report may be required before this application can be approved.

**Contaminated  
Sites Profile**

Pursuant to the *Environmental Management Act*, an applicant is required to submit a completed "Site Profile" for properties that are or were used for purposes indicated in Schedule 2 of the *Contaminated Sites Regulations*. Please indicate if:

yes  
☐

no  
☒

the property has been used for commercial or industrial purposes.

If you responded 'yes,' you may be required to submit a Site Profile. Please contact FVRD Planning or the Ministry of Environment for further information.

**Archaeological  
Resources**

Are there archaeological sites or resources on the subject property?

yes  
☐

no  
☒

I don't know  
☐

If you responded 'yes' or 'I don't know' you may be advised to contact the Archaeology Branch of the Ministry of Tourism, Sport and the Arts for further information.

## Required Information

When providing Application Forms to the applicant, Regional District staff shall indicate which of the following attachments are required for this application. **Additional information may also be required at a later date.**

	Required	Received	Details
<b>Location Map</b>			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
<b>Site Plan</b>  At a scale of:  1: _____			Reduced sets of metric plans
			North arrow and scale
			Dimensions of property lines, rights-of-ways, easements
			Location and dimensions of existing buildings & setbacks to lot lines, rights-of-ways, easements
			Location and dimensions of proposed buildings & setbacks to lot lines, rights-of-ways, easements
			Location of all water features, including streams, wetlands, ponds, ditches, lakes on or adjacent to the property
			Location of all existing & proposed water lines, wells, septic fields, sanitary sewer & storm drain, including sizes
			Location, numbering & dimensions of all vehicle and bicycle parking, disabled persons' parking, vehicle stops & loading
			Natural & finished grades of site, at buildings & retaining walls
			Location of existing & proposed access, pathways
			Above ground services, equipment and exterior lighting details
			Location & dimensions of free-standing signs
			Storm water management infrastructure and impermeable surfaces
			Other:
<b>Floor Plans</b>			Uses of spaces & building dimensions
			Other:
<b>Landscape Plan</b>  Same scale as site plan			Location, quantity, size & species of existing & proposed plants, trees & turf
			Contour information ( _____ metre contour intervals)
			Major topographical features (water course, rocks, etc.)
			All screening, paving, retaining walls & other details
			Traffic circulation (pedestrian, automobile, etc.)
			Other:
<b>Reports</b>			Geotechnical Report
			Environmental Assessment
			Archaeological Assessment
			Other:

The personal information on this form is being collected in accordance with Section 26 of the *Freedom of Information and Protection of Privacy Act, RSBC 1996 Ch. 165* and the *Local Government Act, RSBC 2015 Ch. 1*. It will only be collected, used and disclosed for the purpose of administering matters with respect to planning, land use management and related services delivered, or proposed to be delivered, by the FVRD. Questions about the use of personal information and the protection of privacy may be directed to the FVRD Privacy Officer at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6, Tel: 1-800-528-0061 [FOI@fvrd.ca](mailto:FOI@fvrd.ca).



## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

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**Permit No.** Development Variance Permit 2019-06

**Folio No.** 733.06473.200

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**Issued to:** Martin & Niesje Klyn

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**Address:**

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**Applicant:** Martin & Niesje Klyn

---

**Site Address:** 11180 Popkum Road North, Electoral Area D

---

The lands affected by and subject to this permit are shown on Schedule "A", Location Map, attached hereto, which forms an integral part of this permit, and are legally described as:

LOT 2 DISTRICT LOT 446 GROUP 2 NEW WESTMINSTER DISTRICT PLAN EPP66358  
030-039-371

---

### LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

---

### AUTHORITY TO ISSUE

1. This Development Variance Permit is issued under Part 14 – Division 9 of the *Local Government Act*.

---

### BYLAWS SUPPLEMENTED OR VARIED

Zoning By-law for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam is **varied** as follows:

Section 2002 (b) Side: is reduced from 7.62 metres (25 feet) to 0 metres (0 feet) for the reconstruction of an agricultural building and the addition of thirteen posts on the eastern side which will support a new roof and overhang.

---

### SPECIAL TERMS AND CONDITIONS

1. No variances other than those specifically set out in this permit are implied or to be construed.
2. If the holder of this permit does not commence the construction with respect to which the Permit was issued within two (2) years after the date of the permit, this permit shall lapse.
3. Development of the site shall be undertaken in accordance with the Site Plan attached hereto as Schedule "B".
4. All new construction shall be generally in compliance with Building Permit No. 014523.

---

## GENERAL TERMS AND CONDITIONS

1. This Development Variance Permit is issued Pursuant to Part 14 – Division 9 of the *Local Government Act*.
  2. This Development Variance Permit shall not vary the permitted uses or densities of land use in the applicable zoning bylaw nor a flood plain specification designated under Section 524 of the *Local Government Act*.
  3. Nothing in this permit shall in any way relieve the developer's obligation to ensure that the development proposal complies in every way with the statutes, regulations, requirements, covenants and licences applicable to the undertaking.
  4. Nothing in this permit shall in any way relieve the developers obligation to comply with all setback regulations for construction of structures or provision of on-site services pursuant to the *Public Health Act*, the *Fire Services Act*, the *Safety Standards Act*, and any other provincial statutes.
- 

## SECURITY DEPOSIT

As a condition of the issuance of this Permit, and pursuant to Section 502 of the *Local Government Act*, the Regional Board is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit

Should the holder of this permit:

- a. fail to complete the works required to satisfy the landscaping conditions contained herein,
- b. contravene a condition of the permit in such a way as to create an unsafe condition,

The Regional Board may undertake and complete the works required to satisfy the landscaping conditions, or carry out any construction required to correct an unsafe condition at the cost of the holder of the permit and may apply the security in payment of the costs of the works, with any excess to be returned to the holder of the permit.

Security Posted:       (a)     an irrevocable letter of credit in the amount of: \$ N/A.  
                               (b)     the deposit of the following specified security: \$ N/A.

---

Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2019-06. The notice shall take the form of Appendix I attached hereto.

---

AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, <YEAR>.

---

Chief Administrative Officer / Deputy

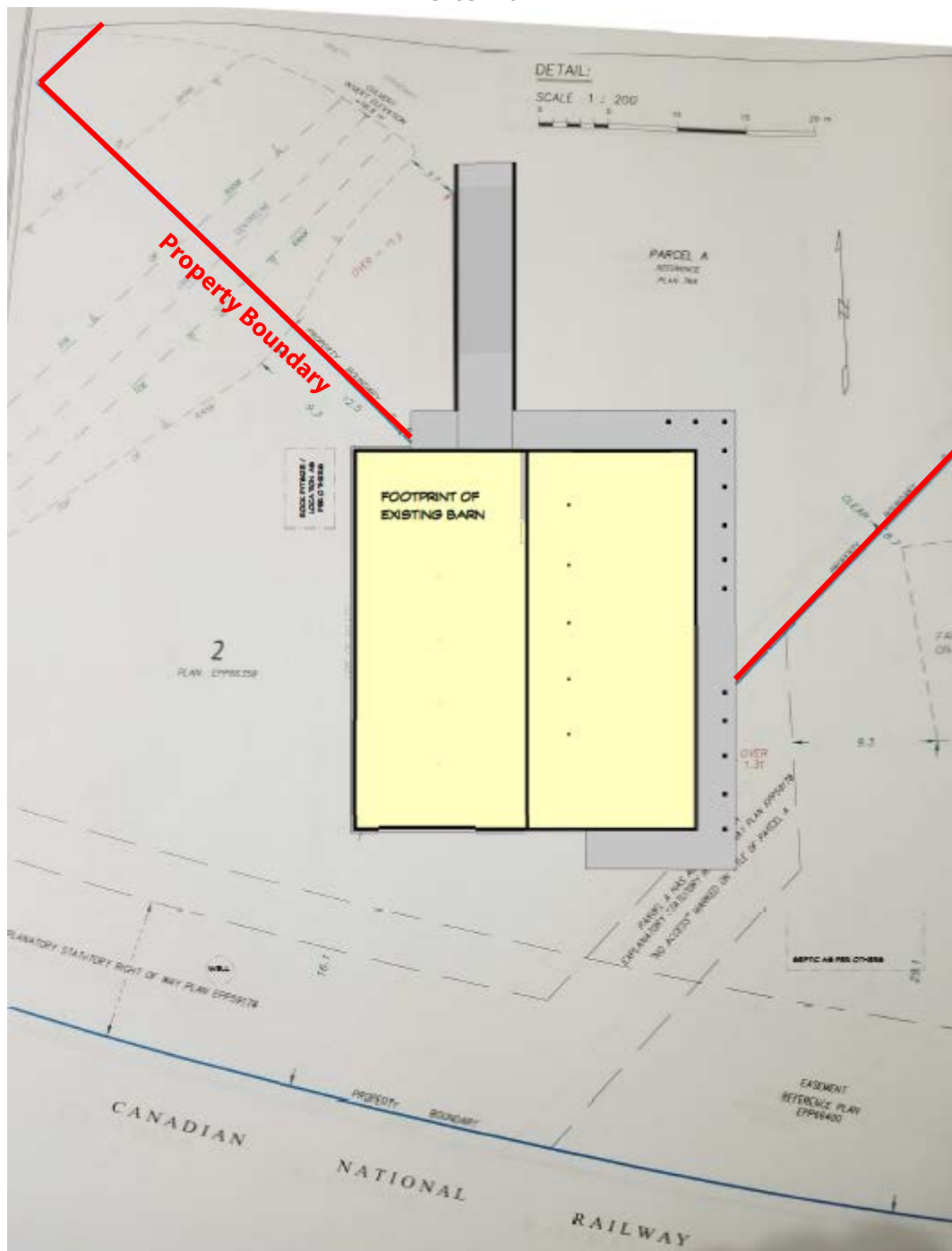
THIS IS NOT A BUILDING PERMIT



**DEVELOPMENT VARIANCE PERMIT 2019-06**  
**SCHEDULE "A"**  
**Location Map**



# DEVELOPMENT VARIANCE PERMIT SCHEDULE "B" Site Plan



To: CAO for the Electoral Area Services Committee

Date: 2019-04-09

From: Andrea Antifaeff, Planner 1

File No: 3090-20-2019-08

**Subject: Application for Development Variance Permit 2019-08 to waive requirements related to exceptions to minimum parcel size to facilitate at two (2) lot subdivision at 54660 Trans Canada Highway, Electoral Area A**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-08 to vary requirements related to exemptions to minimum parcel size to facilitate a two (2) lot subdivision at 54660 TransCanada Highway, Area "A", subject to consideration of any comments or concerns raised by the public.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

## BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to waive requirements related to exceptions to minimum parcel size (for subdivision) as outlined in *Zoning Bylaw for the Rural Portions of Electoral Area "A", Regional District of Fraser-Cheam Bylaw No. 823, 1989* to facilitate a two (2) lot subdivision.

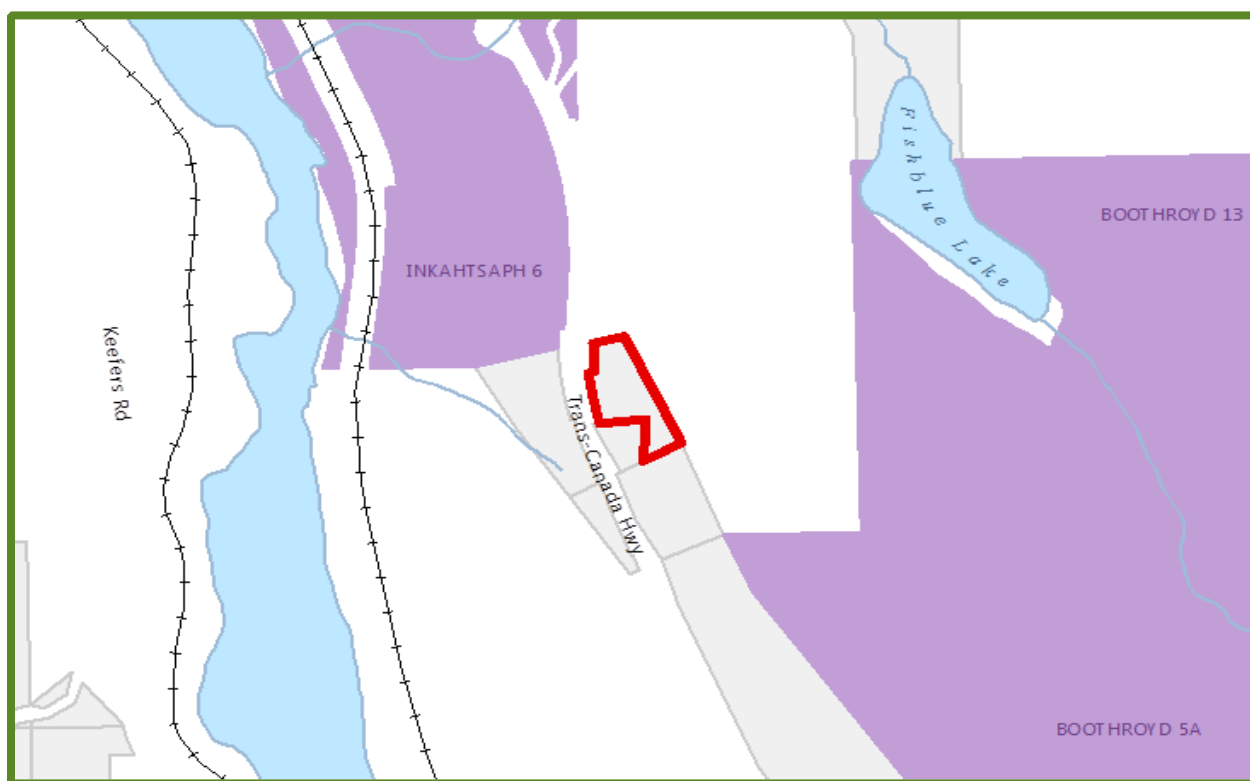
PROPERTY DETAILS			
Electoral Area	A		
Address	54660 Trans Canada Highway		
PID	008-063-338		
Folio	732.00036.110		
Lot Size	6.59 acres		
Owner	Kenneth & Mary Lou Campbell	Agent	Chris O'Connor
Current Zoning	Rural (R-1)	Proposed Zoning	No change
Current OCP	N/A	Proposed OCP	N/A
Current Use	Residential	Proposed Use	No change

Development Permit Areas	N/A
Agricultural Land Reserve	Yes

#### ADJACENT ZONING & LAND USES

North	^	Rural Resource (R-4); Crown Land
East	>	Rural Resource (R-4); Crown Land
West	<	Rural (R-1); Residential/Farm
South	v	Rural (R-1); Vacant

#### NEIGHBOURHOOD MAP



## PROPERTY MAP



## DISCUSSION

The owners of the property have made an application to the Ministry of Transportation and Infrastructure (MOTI) to subdivide the property into two (2) lots. The FVRD provided comments to MOTI regarding the subdivision on February 21, 2017 (attached as Appendix "B"). The subject property, 54660 Trans Canada Highway, is zoned Rural 1 (R-1) and is located within the Agricultural Land Reserve. In 2016, the property owners received approval from the Agricultural Land Commission to subdivide the property into two lots. This approval from the Agricultural Land Commission will expire May 2019.

The proposed subdivision would create two lots that are 1.33 hectares in size, which is smaller than the 2.0 hectare minimum parcel size as specified in the Zoning Bylaw (March 29, 1990). The property has two existing single family dwellings and the subdivision will create two (lots) with one existing single family dwelling on each lot.

The Zoning Bylaw allows for exceptions to minimum parcel size requirements where:

- the property had two principal buildings (containing dwelling units) that were legally constructed prior to the adoption date of the Zoning Bylaw; and,
- the owner obtained Occupancy Permits for the buildings from the Regional District

The subject property does not meet the above requirements as the two buildings were constructed in 1993 and 2002 and the owner has not obtained Occupancy Permits from the Regional District.

### **Variance Requested – DVP 2019-08**

In order to proceed with the two lot subdivision a Development Variance Permit has been requested to waive the following exceptions to minimum parcel size clauses in the Zoning bylaw:

- the construction dates of the two (2) existing residences; and,
- the conditions for occupancy.

### **Neighbourhood Notification and Input**

All property owners within 30 metres of the property will be notified by the FVRD of the development variance permit application and be given the opportunity to provide written comments or attend the Board meeting to state their comments. FVRD staff encourage the applicant to advise neighbouring property owners and residents of the request variance in advance of the mail-out notification. To date not letters of support or objection have been submitted.

### **COST**

The application fee of \$350.00 has been paid by the applicant.

### **CONCLUSION**

The property owners have applied for a DVP to waive the construction dates of the two existing residences and the conditions for occupancy to facilitate a two (2) lot subdivision at 54660 Trans Canada Highway, Electoral Area A. Staff recommend that the FVRD Board issue the permit. The variance is not anticipated to negatively affect surrounding properties.

### **OPTIONS**

#### **Option 1 – Issue (Staff Recommendation)**

Staff recommend that the FVRD Board issue Development Variance Permit 2019-08 for the property located at 54660 Trans Canada Highway, Electoral Area A to waive the construction dates of the two existing residences and the conditions for occupancy to facilitate a two (2) lot subdivision, subject to consideration of any comments or concerns raised by the public.

#### **Option 2 – Refuse**

If the Board wishes to refuse the application, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-08 for the property located at 54660 Trans Canada Highway, Electoral Area A.



### **Option 3 – Refer to Staff**

If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

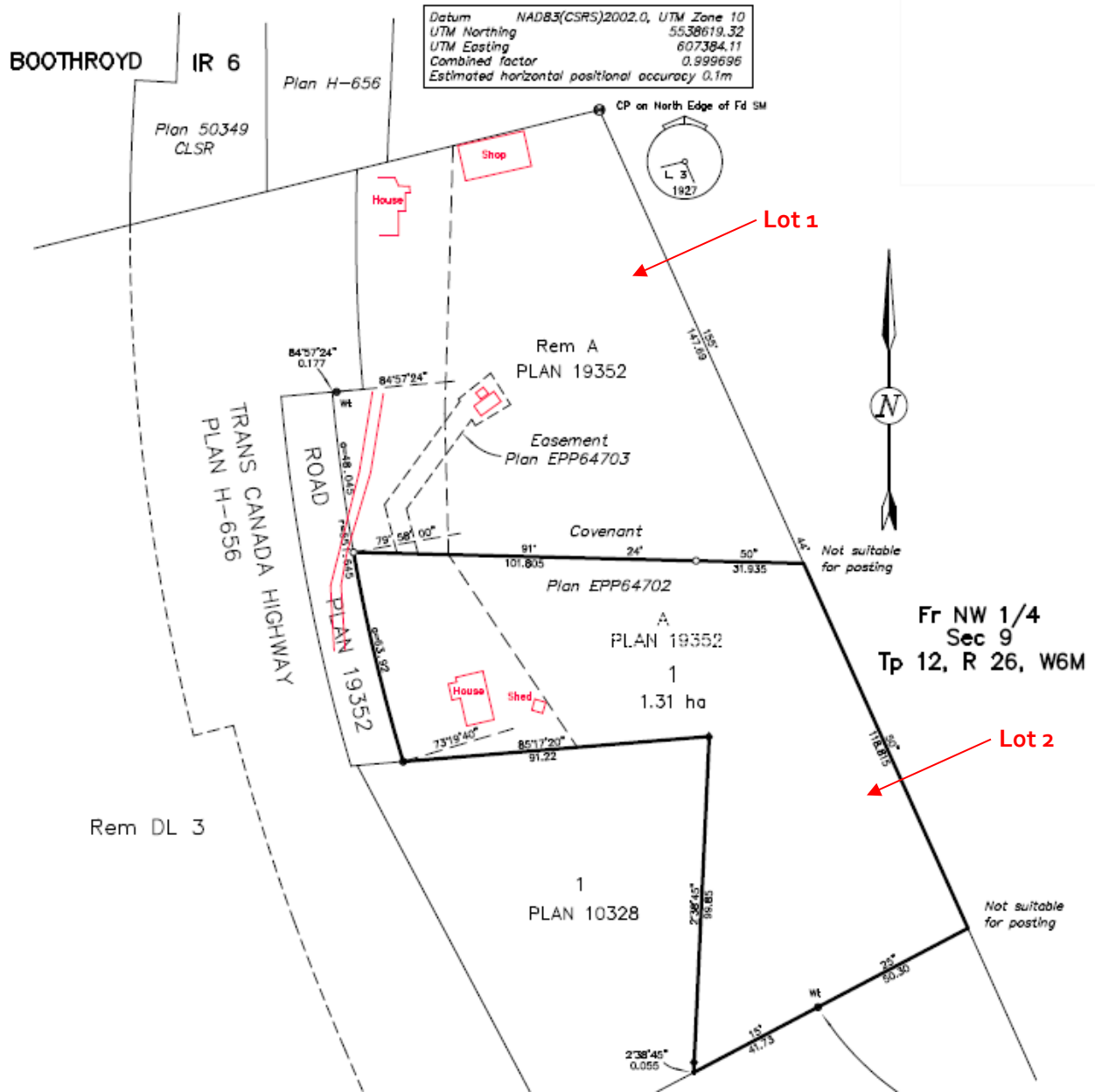
MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-08 for the property located at 54660 Trans Canada Highway, Electoral Area A to FVRD staff.

### **COMMENTS BY:**

<b>Graham Daneluz, Deputy Director of Planning &amp; Development:</b>	Reviewed and supported.
<b>Margaret Thornton, Director of Planning &amp; Development:</b>	Reviewed and supported.
<b>Mike Veenbaas, Director of Financial Services:</b>	No further financial comments.
<b>Paul Gipps, Chief Administrative Officer:</b>	Reviewed and supported

# Appendix "A"

## Proposed Subdivision Layout



## Appendix "B"

### FVRD Letter to MOTI



**PLANNING &  
DEVELOPMENT**

[www.fvrd.ca](http://www.fvrd.ca) | [planning@fvrd.ca](mailto:planning@fvrd.ca)

MOTI File: 2016-00792  
FVRD File: 3320-20 2016-00792

February 21, 2017

Ministry of Transportation  
45890 Victoria Street  
Chilliwack, BC V2P 2T1

Dear James A. Ferguson:

**Re: Proposed Conventional Two (2) Lot Subdivision Application for 54660 Trans Canada Highway, Lot A District Lot 3 Yale (Formerly Lytton) Division Yale District Plan 19352**

The Fraser Valley Regional District has reviewed the proposed conventional 2-lot subdivision application as noted above and as shown in the enclosed **Appendix A**. This letter from the Fraser Valley Regional District (FVRD), given to Ministry of Transportation and Infrastructure and copied to the applicants for convenience, is a list of the FVRD requirements and general information, and is in no way a final approval for any purpose.

The comments and requirements of this letter are valid for a period of one year from the above noted date and subject to the applicant fulfilling all requirements of applicable Fraser Valley Regional District bylaws and regulations.

Please note that we reserve the right to add additional requirements to this letter if necessary. Notification of further requirements will be provided to both the developer and the approving officer.

We are advising the applicant of our comments and requirements by copy of this letter. We request that the applicant provide a copy of this letter to all professionals engaged on their behalf. We also recommend that the applicant meet with us to discuss Fraser Valley Regional District requirements prior to undertaking work on the relevant items.

#### FRASER VALLEY REGIONAL DISTRICT REQUIREMENTS

##### **1. Fees and Payment:** *For Information*

Charge	Charge Rate
School Site Acquisition Charges (Per Newly Created Lot)	<b>Not Applicable</b>
Development Cost Charges (Per Newly Created Lot)	<b>Not Applicable</b>

## 2. FVRD Land Use Bylaw Compliance Summary: *Development Variance Permit Required*

### Zoning

Proposed Lot	Zone	Minimum Size	Proposal	Complies
Remainder A	R-1	2.0 hectares	approx. 1.33 hectares	No
Lot 1	R-1	2.0 hectares	approx. 1.33 hectares	No

The proposal does not comply with *Zoning Bylaw for the Rural Portions of Electoral Area "A", Regional District of Fraser-Cheam Bylaw No.823, 1990*.

The subject property, 54660 Trans Canada Highway, is zoned Rural (R-1). The proposed subdivision includes lots that are smaller than the minimum required parcel size of 2.0 hectares as specified in the zoning bylaw.

Per s. 6.3.0 (f) of the zoning bylaw, the minimum parcel size shall not apply where the number of new parcels in a proposed subdivision does not exceed the number of wholly separate and independent principle buildings containing dwelling units which have been legally constructed and permanently erected on the land to be subdivided, provided that:

- (i) Each new parcel so created contains at least one wholly separate and independent principal building containing a dwelling unit which was legally constructed prior to the date of adoption of this bylaw and for which the owner applies to and receives from the Regional Board an Occupancy Permit pursuant to the building regulations of the Regional District; and
- (ii) Where a proposed parcel is not served by a community sewer system, the written approval of the Medical Health Officer is given; and
- (iii) For other than parcel size, each new parcel so created meets the bylaw requirements of the Regional District for the intended use.

A Development Variance Permit is required to vary the above listed exemption clauses in the zoning bylaw that relates to the construction dates of the two (2) existing residences and the conditions for occupancy. Provided that a Development Variance Permit is attained, subject to the approval of the Regional Board, the zoning bylaw regulations will be considered met.

### Official Community Plan

The subject property is located outside of the Official Community Plan boundary and is therefore not subject to OCP policies or designations.

**3. Agricultural Land Reserve:** *For Information*

The property is located within the Agricultural Land Reserve (ALR), therefore, approval from the Agricultural Land Commission (ALC) is required. The CEO of the ALC, by delegated authority, approved the proposed subdivision on May 31, 2016 per Resolution #172/2016, subject to the following conditions:

- a. The subdivision be in substantial compliance with the plan submitted with the application;
- b. The subdivision plan must be completed within three (3) years from the date the decision.

A copy of the Decision is enclosed (**Appendix B**).

**4. Park Dedication:** *Not Required – For Information*

The proposed two (2) lot subdivision does not require park dedication under section 510 of the *Local Government Act* as fewer than 3 additional lots are being created.

**5. Frontage Requirements:** *For Information*

Pursuant to section 512 of the *Local Government Act*, the minimum frontage on a highway must be a minimum of 10% of the perimeter width. The proposed frontages of Remainder Lot A and Lot 1 meet this requirement.

**6. Hazards and Geotechnical Report:** *Restrictive Covenant Required*

The subject property is identified as being subject to rockfall hazards and related geotechnical issues. The applicant has provided a site specific geotechnical hazard assessment dated November 2010 which has been recently updated to include a cover letter from the author dated October 22, 2016 (**Appendix C**).

The report identifies the hazard affecting the property and concludes that the land may be used safely for the use intended, the proposed two (2) lot residential subdivision, on the condition that a safe residential area defined by the 27.5° rockfall shadow zone is enforced via a restrictive covenant registered on the property title. The hazard report is accompanied by reference plan EPP64702 of the safeline identified in the report.

The registration of a restrictive covenant and reference plan EPP64702 per section 56 of the *Community Charter* is required to identify the safe building sites on each proposed lot as recommended by the geotechnical hazard assessment.

**7. Fraser Valley Regional District – Levels of Service Requirements:** *Verification Required – See Below*

SUMMARY	
MINIMUM LEVELS OF SERVICE Single Family Residential (1 ha or greater)	APPROVAL AGENCY
Proven Water Supply	Interior Health Authority (IHA) and Ministry of Transportation and Infrastructure (MOTI) – Approving Officer (AO)
On-Site Sewage Disposal	
Overhead Wiring	Ministry of Transportation and Infrastructure (MOTI) – Approving Officer (AO)

Fraser Valley Regional District Subdivision and Servicing Bylaw No. 1319, 2015

The minimum levels of service standards per *Fraser Valley Regional District Subdivision and Servicing Bylaw No. 1319, 2015* are as follows:

**I. Proven Water Supply:** *Verification, Easement, and Development Variance Permit Required*

Bylaw No. 1319, 2015 water supply standard for parcels greater than 1.0 hectare (Policy 7.13.5):

**7.13.5.** Where a *Community Water System* is not required as prescribed by the level of service and an independent on-site water supply system is deemed appropriate, the following is required for *Approval* by the *Approving Officer*:

- a. The quality of the water must be approved by the [Interior Health Authority];
- b. The capacity of the well confirms to the requirements outlined in Schedule B of this bylaw without compromising the capacity of the water source;
- c. Flow rates shall be no less than 18 litres per minute for one hour;
- d. Capacity shall be no less than 2500 litres per day for each *Parcel* that includes, or can reasonably be expected in the future to include, a residential dwelling unit; and,
- e. Quality standards must meet the requirements set by the Guidelines for Canadian Drinking Water Quality.

The FVRD Subdivision and Development Servicing Bylaw No. 1319, 2015 requires an independent, on-site water supply for each parcel created through subdivision. However, the applicant has proposed that the water supply to the newly created Lot 1 be supplied by its own intake and supply line from the existing well located on the Remainder Lot A, with access secured by an easement.

The minimum flow and capacity requirements for on-site water supply, as noted above from section 7.13.5 are based on water supply to a single parcel. As the existing well is proposed to supply water for two separate parcels, the FVRD has determined that the following flow and capacity is acceptable:



On-Site Water Supply Requirements		
Metric	For One Parcel (Per Bylaw)	For Two Parcels (As Proposed)
Flow Rates	18 L/min	<b>18 L/min</b>
Capacity	2500 L/day	<b>3,750 L/day</b>

In order to proceed with the off-site water supply for the proposed Lot 1, secured through an easement, a Development Variance Permit is also required. Additionally, an Operating Permit may be required from Interior Health for the supply of water to more than one parcel from a single source.

Alternatively, the applicant may consider providing an independent on-site water supply system for the proposed Lot 1 that is consistent with FVRD bylaws and Provincial Regulations in order to eliminate the requirement for a Development Variance Permit, an access easement, and an Operating Permit.

**II. On-Site Sewage Collection and Disposal:** *Verification Required*

Bylaw No. 1319, 2015 on-site sanitary system standard for parcels greater than 1.0 hectare (Policy 7.14.2):

**7.14.2.** Where a *Community Sanitary Sewer System* is not required as prescribed by the level of service, and an on-site sanitary system is deemed appropriate, the following is required for *Approval* by the *Approving Officer*:

- a. A certified *Hydrogeologist* experienced with *Groundwater* and quaternary deposits shall certify that the ground percolation rates are suitable for the subsoil absorption of septic waste from an in-site sanitary system. Where a *Type 1 sanitary Sewer System* is proposed, this certification can be provided by a *Registered Onsite Wastewater Practitioner*;
- b. A *Medical Health Officer* from the [Interior Health Authority] shall approve the conditions for the proposed on-site sanitary system; and
- c. The proposed establishment of the on-site sanitary system shall be in accordance with the *Public Health Act*, *Environmental Management Act* and to the standards of the [Interior Health Authority].

**III. Overhead Wiring:** *Verification Required*

**Bylaw No.1319, 2015** specifies overhead wiring as a minimum level of service for the proposed subdivision (Policy 7.17.1):

Every proposed *Subdivision* shall have written confirmation that arrangements have been made to supply electrical power to each *Parcel* being created by the Subdivision.

**8. Property Title Encumbrances:** *Resolution/Discharge of Certificate of Pending Litigation Required*

A recent search of the property title (**Appendix D**) shows a Certificate of Pending Litigation (CA4124897) registered in favour of August Sturm against the title. This means that in order to register the required restrictive covenant on the property title, the covenant will be subject to the rights claimed under the Certificate of Pending Litigation. As it is not possible to obtain priority over the Certificate of Pending Litigation, the FVRD runs the risk of losing the covenant should the claim be successful. Given the critical nature of the required geotechnical covenant, to use the land only in the manner certified by the qualified professional engineer, the FVRD cannot enter into the covenant until the title has been cleared of the Certificate of Pending Litigation and a priority agreement can be registered in conjunction with the registration of the section 219 covenant.

**CONCLUSION**

The Fraser Valley Regional District can support the Ministry of Transportation and Infrastructure's issuance of a preliminary layout approval (PLA) for the proposed subdivision provided the FVRD requirements outlined in this letter are satisfied. The applicants are encouraged to arrange a meeting with the FVRD to review the details of this letter. If you have any questions or concerns about the information provided, please contact Katelyn Hipwell, Planner 1 at 604-702-5011 or [khipwell@fvrd.ca](mailto:khipwell@fvrd.ca).

Sincerely,



Digitally signed by  
Katelyn Hipwell  
Date: 2017.02.21  
14:08:22 -08'00'

Katelyn Hipwell  
Planner 1

cc: Ken and Mary Lou Campbell, Applicant  
Robert Dufresne, Alternate EA Director, Electoral Area "A"  
Terry Raymond, EA Director, Electoral Area "A"  
Margaret Thornton, Director of Planning and Development

**SCHEDULE A-4**

**Permit Application**

I / We hereby apply under Part 14 of the *Local Government Act* for a;

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

An Application Fee in the amount of \$ 350.00 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 54660 Trans-Canada Hwy, B.Bar PID 008-063-338

Legal Description Lot A Block DL3 Section 9 Township 12 Range 26 Plan 19352

*The property described above is the subject of this application and is referred to herein as the 'subject property.' This application is made with my full knowledge and consent. I declare that the information submitted in support of the application is true and correct in all respects.*

Owner's Declaration

Name of Owner (print)	Signature of Owner	Date
Mary Lou Campbell		Feb 28/2019
Name of Owner (print)	Signature of Owner	Date
Ken Campbell		Feb 28/2019

Owner's Contact Information

Address	City
54660 Trans-Canada Hwy	Boston Bar
Email	Postal Code
	V0K 1C0
Phone	Fax

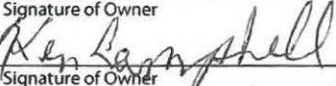
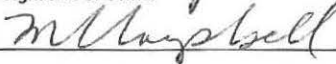
Office Use Only	Date	File No.
	4 MARCH 2019	3090-20 2019-08
	Received By	Folio No.
	AA	732.00036.110
	Receipt No.	Fees Paid: \$
	8069/2	350.00



Agent

I hereby give permission to Chris O'Connor to act as my/our agent in all matters relating to this application.

Only complete this section if the applicant is NOT the owner.

Signature of Owner 	Date Feb 28, 2019
Signature of Owner 	Date Feb 28, 2019

Agent's contact information and declaration

Name of Agent <b>Chris O'Connor</b>		Company N/A
Address		City
Email		Postal Code
Phone		Fax

I declare that the information submitted in support of this application is true and correct in all respects.

Signature of Agent 	Date Feb 28, 2019
---	----------------------

Development Details

Property Size 2.6 Present Zoning R-1  
Existing Use Residential  
Proposed Development Proposing to subdivide into two(2) residential lots

Proposed Variation / Supplement The proposed subdivision of the lot would create two parcels that do not meet the minimum lot size requirements of the zone(2.0 ha), lots of 1.33 hectares (3.28 acres).

(use separate sheet if necessary)

Reasons in Support of Application Section 6.3.0 (f) of Zoning Bylaw No. 0823 allows exceptions to minimum parcel sizes where the number of new parcels created does not exceed the number of separate principle dwelling units and that the d units were legally constructed prior to the adoption of the Zoning Bylaw.

The property has two existing dwellings, both of which were constructed after the adoption of the Zoning Bylaw without receiving final occupancy.

Page 3 of 4

**Riparian  
Areas  
Regulation**

Please indicate whether the development proposal involves residential, commercial, or including vegetation removal or alteration; soil disturbance; construction of buildings and structures; creation of impervious or semi-pervious surfaces; trails, roads, docks, wharves, bridges and, infrastructure and works of any kind – within:

yes  
☐

no  
☒

30 metres of the high water mark of any water body

yes  
☐

no  
☒

a ravine or within 30 metres of the top of a ravine bank

"Water body" includes; 1) a watercourse, whether it usually contains water or not; 2) a pond, lake, river, creek, or brook; 3) a ditch, spring, or wetland that is connected by surface flow to 1 or 2 above.

Under the *Riparian Areas Regulation* and the *Fish Protection Act*, a riparian area assessment report may be required before this application can be approved.

**Contaminated  
Sites Profile**

Pursuant to the *Environmental Management Act*, an applicant is required to submit a completed "Site Profile" for properties that are or were used for purposes indicated in Schedule 2 of the *Contaminated Sites Regulations*. Please indicate if:

yes  
☐

no  
☒

the property has been used for commercial or industrial purposes.

If you responded 'yes,' you may be required to submit a Site Profile. Please contact FVRD Planning or the Ministry of Environment for further information.

**Archaeological  
Resources**

Are there archaeological sites or resources on the subject property?

yes  
☒

no  
☐

I don't know

☐

If you responded 'yes' or 'I don't know' you may be advised to contact the Archaeology Branch of the Ministry of Tourism, Sport and the Arts for further information.



## Required Information

When providing Application Forms to the applicant, Regional District staff shall indicate which of the following attachments are required for this application. **Additional information may also be required at a later date.**

	Required	Received	Details
<b>Location Map</b>		X	Showing the parcel (s) to which this application pertains and uses on adjacent parcels
<b>Site Plan</b>  At a scale of:  1: _____		X	Reduced sets of metric plans
		X	North arrow and scale
		X	Dimensions of property lines, rights-of-ways, easements
		X	Location and dimensions of existing buildings & setbacks to lot lines, rights-of-ways, easements
		X	Location and dimensions of proposed buildings & setbacks to lot lines, rights-of-ways, easements
		X	Location of all water features, including streams, wetlands, ponds, ditches, lakes on or adjacent to the property
		X	Location of all existing & proposed water lines, wells, septic fields, sanitary sewer & storm drain, including sizes
		X	Location, numbering & dimensions of all vehicle and bicycle parking, disabled persons' parking, vehicle stops & loading
		X	Natural & finished grades of site, at buildings & retaining walls
		X	Location of existing & proposed access, pathways
		X	Above ground services, equipment and exterior lighting details
		X	Location & dimensions of free-standing signs
			Storm water management infrastructure and impermeable surfaces
			Other:
<b>Floor Plans</b>		X	Uses of spaces & building dimensions
			Other:
<b>Landscape Plan</b>  Same scale as site plan			Location, quantity, size & species of existing & proposed plants, trees & turf
		X	Contour information (_____ metre contour intervals)
		X	Major topographical features (water course, rocks, etc.)
			All screening, paving, retaining walls & other details
			Traffic circulation (pedestrian, automobile, etc.)
			Other:
<b>Reports</b>		X	Geotechnical Report
			Environmental Assessment
			Archaeological Assessment
			Other:

The personal information on this form is being collected in accordance with Section 26 of the *Freedom of Information and Protection of Privacy Act, RSBC 1996 Ch. 165* and the *Local Government Act, RSBC 2015 Ch. 1*. It will only be collected, used and disclosed for the purpose of administering matters with respect to planning, land use management and related services delivered, or proposed to be delivered, by the FVRD. Questions about the use of personal information and the protection of privacy may be directed to the FVRD Privacy Officer at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6, Tel: 1-800-528-0061 [FQI@fvrld.ca](mailto:FQI@fvrld.ca).





## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

---

**Permit No.** Development Variance Permit 2019-08

**Folio No.** 732.00036.110

---

**Issued to:** Mary Lou & Ken Campbell

---

**Address:**

---

**Applicant:** Chris O'Connor

---

**Site Address:** 54660 Trans Canada Highway, Electoral Area A

---

The lands affected by and subject to this permit are shown on Schedule "A", Location Map, attached hereto, which forms an integral part of this permit, and are legally described as:

LOT A DISTRICT LOT 3 YALE (FORMERLY LYTTON) DIVISION YALE DISTRICT PLAN 19352  
008-063-338

---

### LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

---

### AUTHORITY TO ISSUE

1. This Development Variance Permit is issued under Part 14 – Division 9 of the *Local Government Act*.

---

### BYLAWS SUPPLEMENTED OR VARIED

Zoning Bylaw for the Rural Portions of Electoral Area "A", Regional District of Fraser-Cheam Bylaw No. 823, 1989 is **varied** as follows:

Section 6.3.0 Exceptions to Minimum Parcel Size

(f)(i) To waive the requirements for:

- construction dates of the principal buildings (containing dwelling units); and,
  - obtaining Occupancy Permits for those principal buildings from the Regional Board.
- 

### SPECIAL TERMS AND CONDITIONS

1. No variances other than those specifically set out in this permit are implied or to be construed.
2. If the holder of this permit does not commence the construction with respect to which the Permit was issued within two (2) years after the date of the permit, this permit shall lapse.
3. Development of the site shall be undertaken in accordance with the Site Plan attached hereto as Schedule "B".

---

**GENERAL TERMS AND CONDITIONS**

1. This Development Variance Permit is issued Pursuant to Part 14 – Division 9 of the *Local Government Act*.
  2. This Development Variance Permit shall not vary the permitted uses or densities of land use in the applicable zoning bylaw nor a flood plain specification designated under Section 524 of the *Local Government Act*.
  3. Nothing in this permit shall in any way relieve the developer's obligation to ensure that the development proposal complies in every way with the statutes, regulations, requirements, covenants and licences applicable to the undertaking.
  4. Nothing in this permit shall in any way relieve the developers obligation to comply with all setback regulations for construction of structures or provision of on-site services pursuant to the *Public Health Act*, the *Fire Services Act*, the *Safety Standards Act*, and any other provincial statutes.
- 

**SECURITY DEPOSIT**

As a condition of the issuance of this Permit, and pursuant to Section 502 of the *Local Government Act*, the Regional Board is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit

Should the holder of this permit:

- a. fail to complete the works required to satisfy the landscaping conditions contained herein,
- b. contravene a condition of the permit in such a way as to create an unsafe condition,

The Regional Board may undertake and complete the works required to satisfy the landscaping conditions, or carry out any construction required to correct an unsafe condition at the cost of the holder of the permit and may apply the security in payment of the costs of the works, with any excess to be returned to the holder of the permit.

Security Posted:       (a)     an irrevocable letter of credit in the amount of: \$ N/A.  
                                  (b)     the deposit of the following specified security: \$ N/A.

---

Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2019-08. The notice shall take the form of Appendix I attached hereto.

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AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, <YEAR>

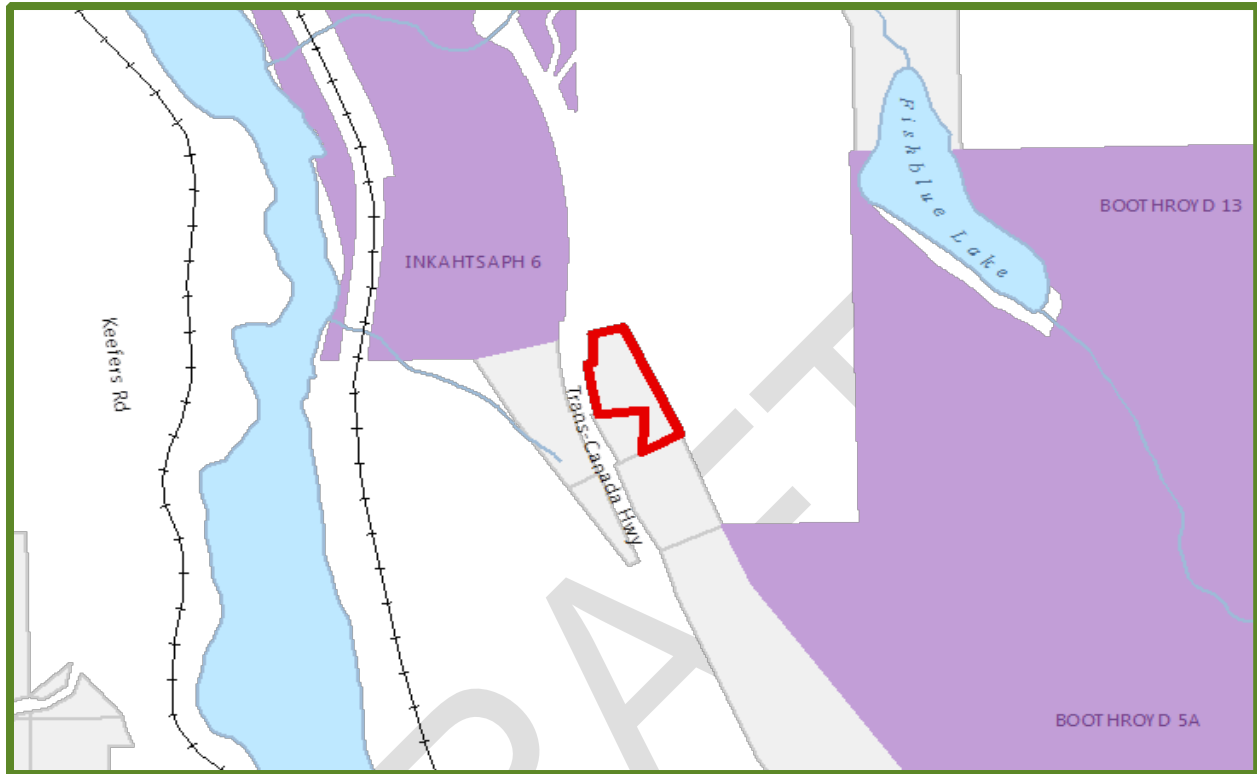
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Chief Administrative Officer / Deputy

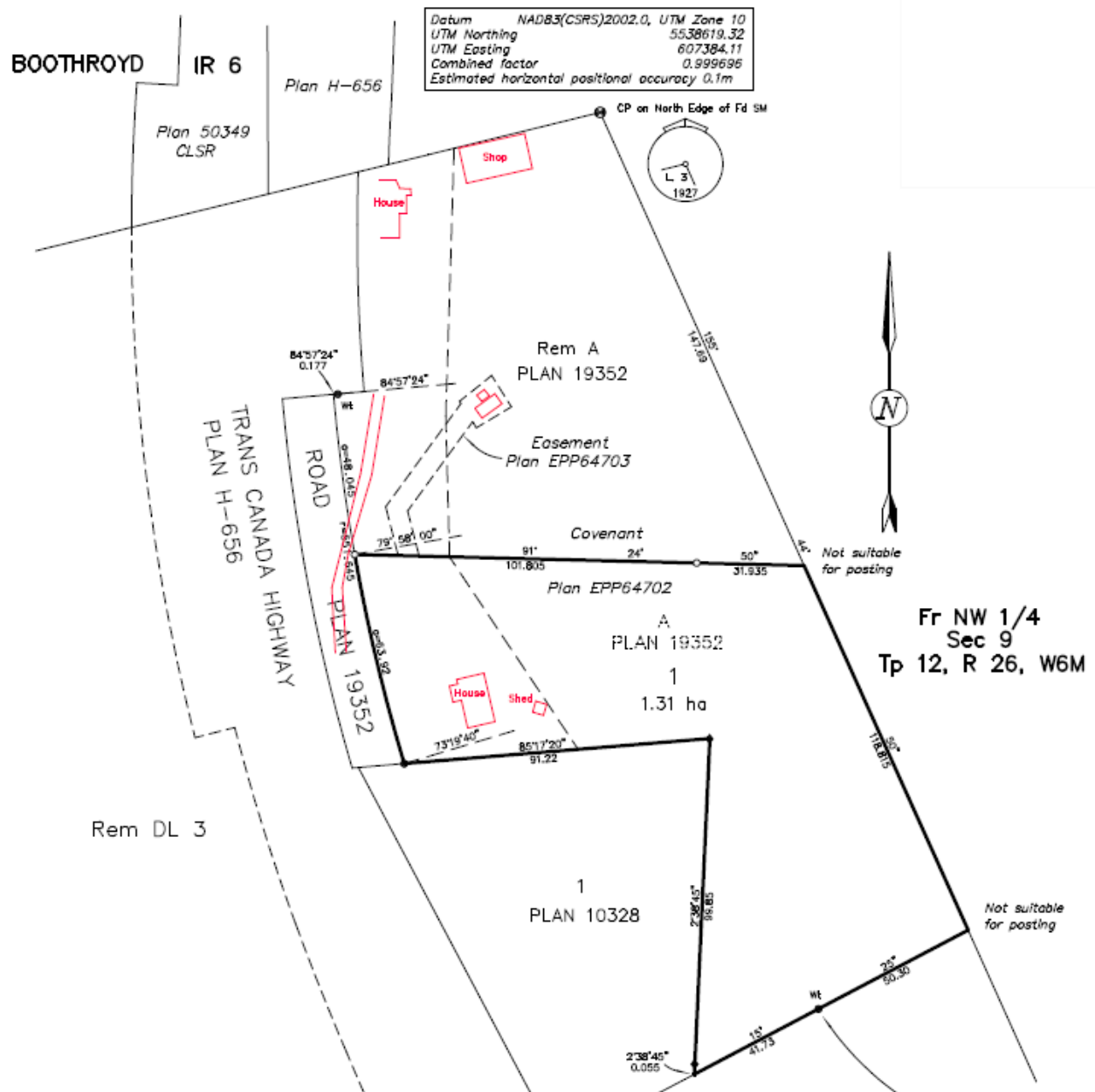
THIS IS NOT A BUILDING PERMIT

DRAFT

**DEVELOPMENT VARIANCE PERMIT 2019-08**  
**SCHEDULE "A"**  
**Location Map**



# **DEVELOPMENT VARIANCE PERMIT 2019-08** **SCHEDULE "B"** **Site Plan**



To: CAO for the Electoral Area Services Committee  
From: Andrea Antifaeff, Planner 1

Date: 2019-04-09  
File No: 3360-23 2019-01

**Subject: Rezoning amendment application for 10180 Royalwood Boulevard, Electoral Area "D" to facilitate an increase in lot coverage.**

---

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board consider giving first reading to the bylaw cited as *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* to rezone the property located at 10180 Royalwood Boulevard from Suburban Residential-2 (SBR-2) to Suburban Residential-3 (SBR-3) to facilitate an increase in lot coverage from 25% (SBR-2) to 40% (SBR-3) for the construction of a single family dwelling and detached garage;

**THAT** the *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* be forwarded to Public Hearing;

**THAT** the Fraser Valley Regional District Board delegate the holding of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* to Director Dickey, or his alternate in his absence;

**THAT** Director Dickey or his alternate in his absence preside over and Chair the Public Hearing with respect to proposed *Bylaw 1518, 2019*;

**AND THAT** the Chair of the Public Hearing be authorized to establish procedural rules for the conduct of the Public Hearing with respect to proposed *Bylaw 1518, 2019* in accordance with the Local Government Act;

**AND FURTHER THAT** in the absence of Director Dickey, or his alternate in his absence at the time of Public Hearing with respect to proposed *Bylaw 1518, 2019* the Fraser Valley Regional District Board Chair is delegated the authority to designate who shall preside over and Chair the Public Hearing regarding this matter;

**AND FINALLY THAT** the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to *Bylaw 1518, 2019*.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services



## BACKGROUND

The owners of the property have made an application to rezone the parcel located at 10180 Royalwood Boulevard. The purpose of Zoning Amendment Bylaw No. 1518, 2019 (Bylaw 1518) is to rezone the property located at 10180 Royalwood Boulevard from Suburban Residential-2 (SBR-2) to Suburban Residential-3 (SBR-3) to facilitate an increase in lot coverage from 25% (SBR-2) to 40% (SBR-3) for the construction of a single family dwelling and detached garage.

PROPERTY DETAILS			
Electoral Area		D	
Address		10180 Royalwood Boulevard	
PID		030-594-235	
Folio		733.06644.261	
Lot Size		0.27 acres	
Owner	Dekoff, Lorne & Lorrie	Agent	n/a
Current Zoning	Suburban Residential-2 (SBR-2)	Proposed Zoning	Suburban Residential-3 (SBR-3)
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Vacant Land	Proposed Use	Residential (SFD)
Development Permit Areas		n/a	
Hazards		n/a	
Agricultural Land Reserve		No	
ADJACENT ZONING & LAND USES			
North	^	Suburban Residential-2 (SBR-2), Single Family Homes	
East	>	Country Residential (CR), Single Family Homes	
West	<	Suburban Residential-2 (SBR-2), Single Family Homes	
South	v	Suburban Residential-2 & 3, Single Family Homes	

[illegible]

## An aerial photograph of a residential neighborhood. A red rectangular box highlights a vacant lot in the center of the image, which is labeled with the number '10180'. The lot is situated between Dyer Rd (top) and Roylwood Blvd (left). To the right of the lot is Canby Rd, and to the left is Portwood Dr. The surrounding area includes several houses, trees, and a parking lot. The lot itself appears to be a mix of dirt and sparse vegetation.

## DISCUSSION

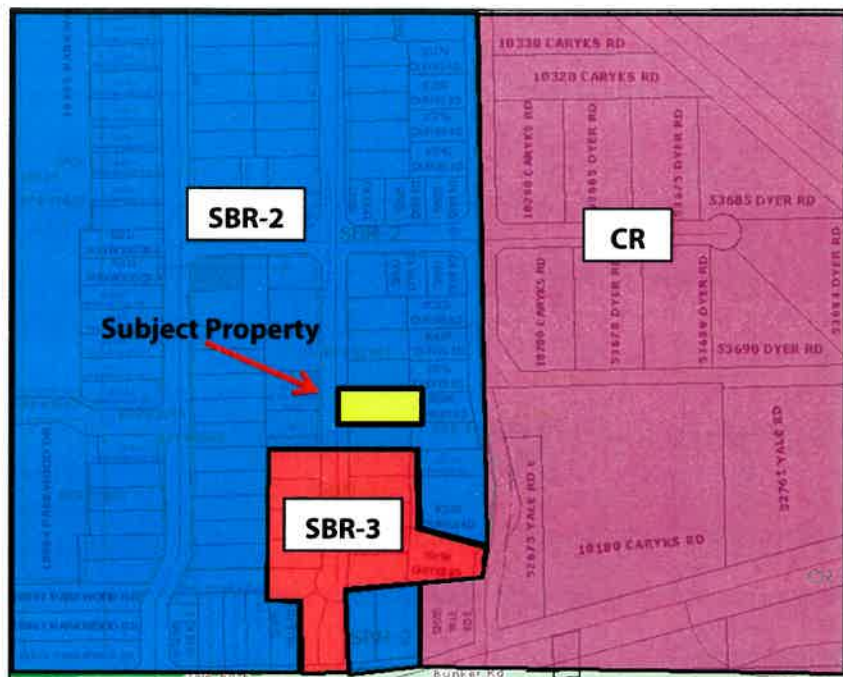
The proposal is to rezone the parcel from Suburban Residential-2 (SBR-2) to Suburban Residential-3 (SBR-3). The proposal is consistent with the current Official Community Plan and draft Official Community Plan (in the process of public review) but requires a site specific zoning bylaw map amendment. During the update of the Official Community Plan for Electoral Area "D" staff received FVRD Board and public input regarding the need to maintain a low-density suburban landscape look and feel in Popkum. New development in Popkum is typically in SBR-3 zones and there are SBR-3 zoned lots nearby to the proposal.

	Existing	Proposed
Official Community Plan	Suburban Residential (SR)	No change
Zoning	Suburban Residential-2 (SBR-2)	Suburban Residential-3 (SBR-3)
Lot Coverage	25%	40%
Setbacks	<u>Highway:</u> Any building or structure - 7.6m to ROW of road allowance or 17.6m to the centerline of the road, whichever is the greater distance. <u>Side:</u> Principal Building – 2.1m Accessory Building – 0.9m <u>Rear:</u> Principal Building – 7.6m Accessory Building – 3m	No change
Water Servicing	FVRD Community Water System	No change
Sewer Servicing	FVRD Community Sewer System	No change
Storm Water Servicing	FVRD Community Storm Water System	No change
Parcel Size	1100 square metres	No change
Land Use	Vacant	Single Family Dwelling and Detached Garage
Accessory Building Size	45m <sup>2</sup>	Requested Variance 64m <sup>2</sup>

### Surrounding Land Uses

	<u>Use</u>	<u>Zoning</u>
North	Residential	Suburban Residential-2 (SBR-2)
East	Residential	Suburban Residential-2 (SBR-2)
West	Residential	Suburban Residential-2 (SBR-2)
South	Residential	Suburban Residential-2 (SBR-2) & Suburban Residential-3 (SBR-3)

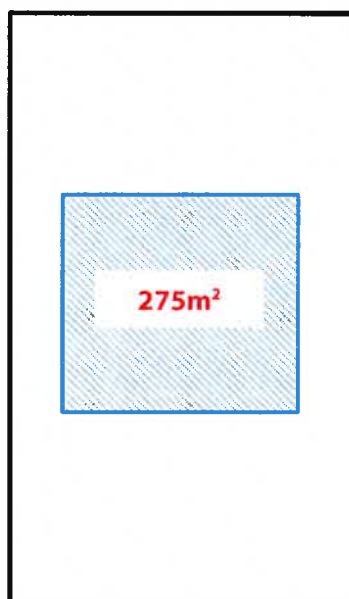
### Current Zoning Map



### Lot Coverage

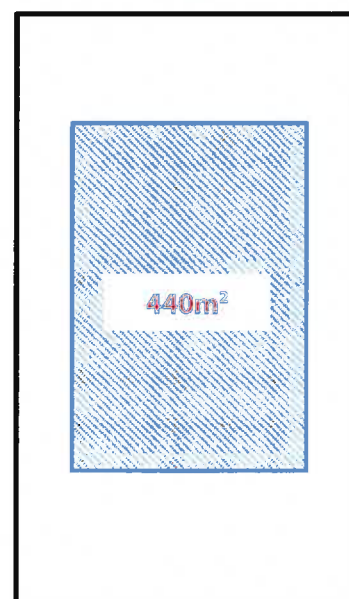
The property owners have made an application to rezone the property in order to increase the maximum lot coverage permitted on the lot. The current zoning (SBR-2) allows 25% lot coverage and the proposed zoning (SBR-3) would allow 40% lot coverage. The property owners are proposing to construct a single family dwelling and a detached garage. The preliminary construction drawings show a footprint of 3,230 square feet for a single storey dwelling (with basement and attached garage) and a footprint of 682 square feet for a detached garage. The total lot coverage from the preliminary drawings is 33%. A two-storey home could be accommodated on the lot, however, because a single storey rancher is proposed the lot coverage increases.

**Current SBR-2 zone  
Allowable  
Lot Coverage 25%**



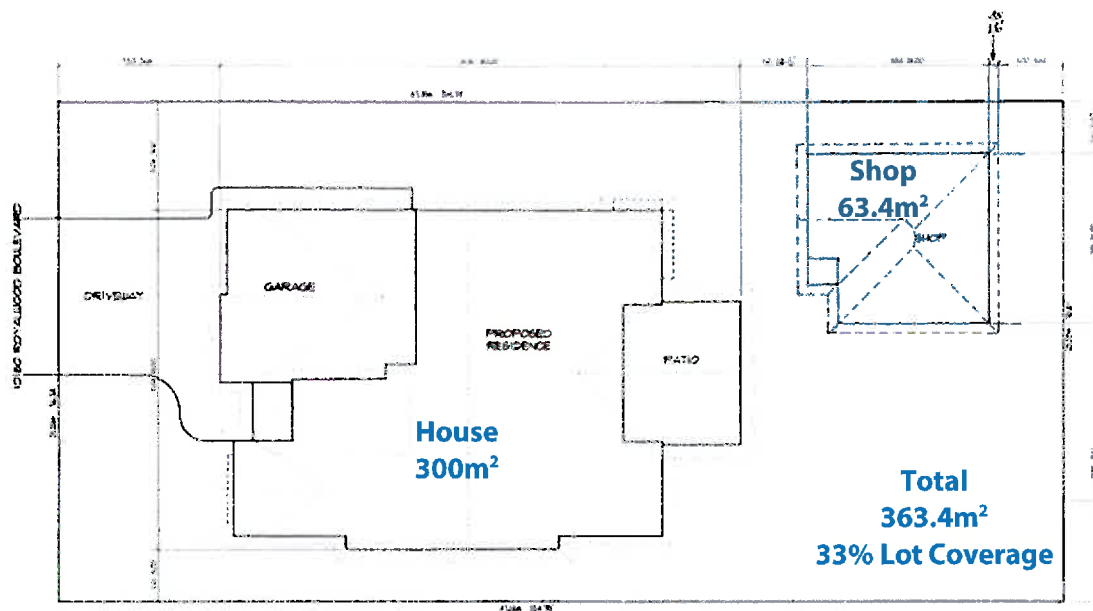
**Lot Size**  
**1,100m<sup>2</sup>**

**Proposed SBR-3 zone**  
**Allowable**  
**Lot Coverage 40%**



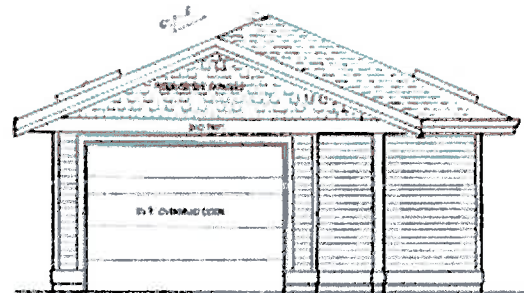
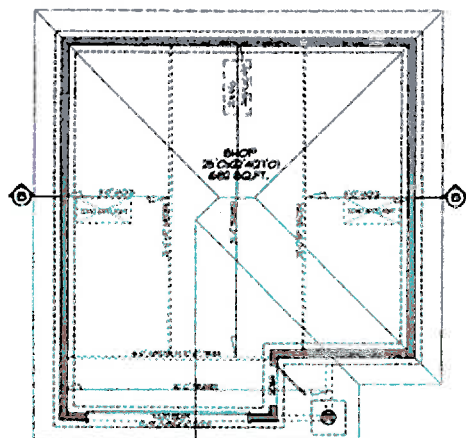


## Proposed Site Plan



## Development Variance Permit

The owners of the property have also applied for a Development Variance Permit to increase the maximum size of an accessory building from 45 square metres (484.4 square feet) to 64 square meters (688.9 square feet) to allow for the construction of a detached garage. The development variance permit is also requested in addition to the zoning amendment.



FRONT ELEVATION

## Development Permit – Exempt

The property is located within Riparian Areas Development Permit Area 6-D.

A development permit is not required as the property is located further than 30 metres from the natural boundary of any watercourse.

### Servicing

- SBR-2 zones typically consist of lots that are 1,100m<sup>2</sup> in area with on-site septic. The 25% lot coverage is the maximum to protect disposal areas and future back-up disposal areas and to provide for a low density suburban residential landscape.
- SBR-3 zones typically consist of lots that are 800m<sup>2</sup> in area and are fully-serviced with FVRD services. With the connection to services there is no need to protect areas for septic disposal.

The subject property will be connected to the following as part of the subdivision agreement:

- Area D Integrated Water System Local Service Area;
- West Popkum Storm Water Drainage Local Service Area; and,
- Popkum Sanitary Service Area.

In this situation, the subdivision is fully serviced by FVRD community water and sewer systems therefore lot coverage can be increased as locations for those on-site services do not need to be protected. Had the property not been fully serviced staff would not be in support of the rezoning application. The proposed rezoning will not allow any further subdivision of the lot and only one (1) single family dwelling is permitted on the property.

### Neighbourhood Notification and Input

If the bylaw receives first reading, all property owners within 150 metres of the property will be notified by the FVRD of the zoning amendment application and the date and time of the public hearing. Members of the public will be given the opportunity to provide written comments or attend the public hearing to state their comments. FVRD staff encourage the applicant to advise neighbouring property owners and residents of the requested zoning amendment and requested variance in advance of the mail-out notification. To date we have received one letter of support.

### **COST**

The application fee of \$2,500.00 has been paid by the applicant.

### **CONCLUSION**

In order to determine whether or not to recommend proceeding to First Reading; FVRD staff's consideration included the following:

- The proposal is consistent with Official Community Plan policies;
- Property will be connected to FVRD community water and sewer systems; and,



- The Development Variance Permit to vary the size of an accessory structure will be considered at the time of adoption of the bylaw.

It is recommended that the Fraser Valley Regional District Board consider giving first reading of Bylaw No. 1518, 2019 as outlined in the recommendation section of this report in order to proceed with the public review process. Following first reading, the application may proceed to public hearing without additional information meetings.

## OPTIONS

### **Option 1      1<sup>st</sup> Reading (Staff Recommendation)**

### **Option 2      Refer to EASC**

THAT proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* be referred to the Electoral Area Services Committee for further consideration.

### **Option 3      Defer**

THAT a decision with respect to the proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* be deferred to the next regular meeting of the Fraser Valley Regional District Board [or other date].

### **Option 4      Refuse**

THAT *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* not be given first reading and the application be refused.

## COMMENTS BY:

**Graham Daneluz, Deputy Director of Planning & Development:** Reviewed and supported.

**Margaret Thornton, Director of Planning & Development:** Reviewed and supported.

**Mike Veenbaas, Director of Financial Services:** No further financial comments.

**Paul Gipps, Chief Administrative Officer:** Reviewed and supported

## FRASER VALLEY REGIONAL DISTRICT

### Bylaw No. 1518, 2019

#### A Bylaw to Amend the Zoning for Electoral Area D

---

**WHEREAS** the Fraser Valley Regional District Board of Directors ("the Board") has deemed it advisable to amend *Zoning Bylaw [No. 75] for Electoral Area D, 1976 of the Regional District of Fraser Cheam*;

**THEREFORE** the Board enacts as follows:

#### 1) **CITATION**

This bylaw may be cited as *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019*.

#### 2) **MAP AMENDMENT**

- a) That the zoning map which accompanies and is part of *Zoning Bylaw [No. 75] for Electoral Area D, 1976 of the Regional District of Fraser Cheam*, be amended by rezoning the lands described as:

Lot 2 Section 1 Township 3 Range 29 West of the Sixth Meridian New Westminster District  
Plan EPP72713  
(P.I.D. 030-594-235),  
comprising 0.27 acres, more or less,

and as outlined in heavy black outline and cross-hatched on Zoning Amendment Map Schedule 1518-A, from the Suburban Residential 2 (SBR-2) zone to the Suburban Residential 3 (SBR-3) zone, as shown on Map Schedule 1518-A.

- b) That the map appended hereto as Zoning Amendment Map Schedule 1518-A showing such amendments is an integral part of this bylaw.

#### 3) **SEVERABILITY**

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

**4) READINGS AND ADOPTION**

READ A FIRST TIME THIS \_\_\_\_\_ day of \_\_\_\_\_

PUBLIC HEARING WAS HELD THIS \_\_\_\_\_ day of \_\_\_\_\_

READ A SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_

READ A THIRD TIME THIS \_\_\_\_\_ day of \_\_\_\_\_

APPROVED BY THE MINISTRY  
OF TRANSPORTATION AND  
INFRASTRUCTURE THIS \_\_\_\_\_ day of \_\_\_\_\_

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Chair/Vice Chair

\_\_\_\_\_  
Corporate Officer/Deputy

**5) CERTIFICATION**

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019* as read a third time/adopted by the Board of Directors of the Fraser Valley Regional District on the \_\_\_\_\_ day of \_\_\_\_\_.

Dated at Chilliwack, B.C. this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Corporate Officer/ Deputy

**FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1518, 2019**  
**Zoning Amendment Map Schedule 1518-A**



This is map 1 of 1 constituting Zoning Amendment Map Schedule 1518-A, attached to and forming part of Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1518, 2019.

**SCHEDULE A-2**

**Zoning Amendment Application**

I / We hereby apply to:

☐ Amend the text of Zoning Bylaw No. \_\_\_\_\_  
Purpose (in brief): \_\_\_\_\_

☐ Change the Zoning of the 'subject property' in Zoning Bylaw No. 75  
From: SBR2 (current zone)  
To: SBR3 (proposed zone)

An Application Fee in the amount of \$ 2500.00 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 10180 Royalwood Blvd PID 030-594-235

Legal Description Lot 2 Block \_\_\_\_\_ Section 1 Township 3 Range 29 Plan EPP72713

*The property described above is the subject of this application and is referred to herein as the 'subject property.' This application is made with my full knowledge and consent. I declare that the information submitted in support of the application is true and correct in all respects.*

Owner's  
Declaration

Name of Owner (print)	Signature of Owner	Date
Lorne Dekoff		Jan <u>31</u> , 19
Name of Owner (print)	Signature of Owner	Date
Lorrie Dekoff		Jan <u>31</u> , 19

Owner's  
Contact  
Information

Address		City
52333 Berkshire Pl		Rosedale
Email		Postal Code
		V0X 1X1
Phone	Cell	Fax

Office Use Only	Date	File No.
	<u>Jan 31 2019</u>	<u>3360-23 2019-01</u>
	Received By	Folio No.
	<u>JM</u>	<u>733.06644.261</u>
	Receipt No.	Fees Paid: \$
	<u>7877/2</u>	<u>2500</u>

**Agent**

I hereby give permission for \_\_\_\_\_ to act as my/our agent in all matters relating to this application.

Only complete this section if the applicant is NOT the owner.

Signature of Owner	Date
Signature of Owner	Date

Agent's contact information and declaration

Name of Agent		Company	
Address		City	
Email		Postal Code	
Phone	Cell	Fax	

I declare that the information submitted in support of this application is true and correct in all respects.

Signature of Agent	Date
--------------------	------

**Development Details**

Property Size 0.110 ha (m<sup>2</sup> or ha)

Existing Use Residential

Proposed Development / Text Amendment Rezone said Lot from existing SBR2 to SBR3  
1 single family residential dwelling completewith a detached shop in the back yard.

The proposed dwelling and shop exceed the maximum allowable square footage in SBR2

Justification and Support The Subdivision was developed and zoned SBR2,  
SBR2 zoning allows for enough room on the property to accomodate  
a septic system on the property, this Lot and the complete subdivision  
will be hooked up to the sewer system that connects Rosestone,  
Stonewood and Minter Gardens subdivisions

The 13 Lots on the South end of Royalwood Blvd are Zoned SBR3

(use separate sheet if necessary)

Anticipated Start Date: July 2019



## Services

Services	Currently Existing		Readily Available *	
	Yes	No	Yes	No
Road Access	X			
Water Supply	X			
Sewage Disposal	X			
Hydro	X			
Telephone	X			
School Bus Service	X			

\* 'Readily Available' means existing services can be easily extended to the subject property.

**Proposed  
Water Supply**

**FVRD Water system**

**Proposed  
Sewage Disposal**

**FVRD Sewer system**

## Provincial Requirements (This is not an exhaustive list; other provincial regulations will apply)

### Riparian Areas Regulation

Please indicate whether the development proposal involves residential, commercial, or including vegetation removal or alteration; soil disturbance; construction of buildings and structures; creation of impervious or semi-pervious surfaces; trails, roads, docks, wharves, bridges and, infrastructure and works of any kind – within:

yes ☐ no ☒

30 metres of the high water mark of any water body

yes ☐ no ☒

a ravine or within 30 metres of the top of a ravine bank

"Water body" includes; 1) a watercourse, whether it usually contains water or not; 2) a pond, lake, river, creek, or brook; 3) a ditch, spring, or wetland that is connected by surface flow to 1 or 2 above.

Under the *Riparian Areas Regulation* and the *Fish Protection Act*, a riparian area assessment report may be required before this application can be approved.

Pursuant to the *Environmental Management Act*, an applicant is required to submit a completed "Site Profile" for properties that are or were used for purposes indicated Schedule 2 of the *Contaminated Sites Regulations*. Please indicate if:

yes ☐ no ☒

the property has been used for commercial or industrial purposes.

If you responded 'yes,' you may be required to submit a Site Profile. Please contact the FVRD Planning Department or the Ministry of Environment for further information.

### Contaminated Sites Profile

### Archaeological Resources

Are there archaeological sites or resources on the subject property?

yes ☐ no ☒ I don't know ☐

If you responded 'yes' or 'I don't know' you may be advised to contact the Archaeology Branch of the Ministry of Tourism, Sport and the Arts for further information.

## Required Information

When providing Application Forms to the applicant, Regional District staff shall indicate which of the following attachments are required for this application. **Additional information may also be required at a later date.**

	Required	Received	Details
<b>Location Map</b>			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
<b>Site Plan</b>  At a scale of:  1: _____			Reduced sets of metric plans
			North arrow and scale
			Dimensions of property lines, rights-of-ways, easements
			Location and dimensions of existing buildings & setbacks to lot lines, rights-of-ways, easements
			Location and dimensions of proposed buildings & setbacks to lot lines, rights-of-ways, easements
			Location of all water features, including streams, wetlands, ponds, ditches, lakes on or adjacent to the property
			Location of all existing & proposed water lines, wells, septic fields, sanitary sewer & storm drain, including sizes
			Location, numbering & dimensions of all vehicle and bicycle parking, disabled persons' parking, vehicle stops & loading
			Natural & finished grades of site, at buildings & retaining walls
			Location of existing & proposed access, pathways
			Above ground services, equipment and exterior lighting details
			Location & dimensions of free-standing signs
			Storm water management infrastructure and impermeable surfaces
			Other:
<b>Floor Plans</b>			Uses of spaces & building dimensions
			Other:
<b>Landscape Plan</b>  Same scale as site plan			Location, quantity, size & species of existing & proposed plants, trees & turf
			Contour information ( _____ metre contour intervals)
			Major topographical features (water course, rocks, etc.)
			All screening, paving, retaining walls & other details
			Traffic circulation (pedestrian, automobile, etc.)
			Other:
<b>Reports</b>			Geotechnical Report
			Environmental Assessment
			Archaeological Assessment
			Other:

The personal information on this form is being collected in accordance with Section 26 of the *Freedom of Information and Protection of Privacy Act, RSBC 1996 Ch. 165* and the *Local Government Act, RSBC 2015 Ch. 1*. It will only be collected, used and disclosed for the purpose of administering matters with respect to planning, land use management and related services delivered, or proposed to be delivered, by the FVRD. Questions about the use of personal information and the protection of privacy may be directed to the FVRD Privacy Officer at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6, Tel: 1-800-528-0061 [FOI@fvr.ca](mailto:FOI@fvr.ca).





## Support Letter

Date: MARCH 14 / 2019

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: DEREVLÉAM ROMEO

Address: 10200 CARYKS RD  
~~10200~~ ROSEDALE BC  
V0X 1X1

Signature: 

Support letter can be emailed to:  
arrange pickup

to

Thank you

Megan

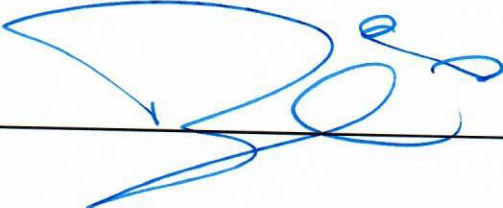
## Support Letter

Date: March 14/19

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: DEREK CORNWELL

Address: 10209 Canyons Rd  
ROSEDALE  
VOX 1X1

Signature: 

Support letter can be emailed to:  
arrange pickup

to

Thank you

Megan

## Support Letter

Date: March 15/19

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: Brad Klaassen

Address: 10153 Royalwood Blvd  
U0X 1X1  
Rosedale O.C.

Signature: 

Support letter can be emailed to:  
arrange pickup

to

Thank you

Megan



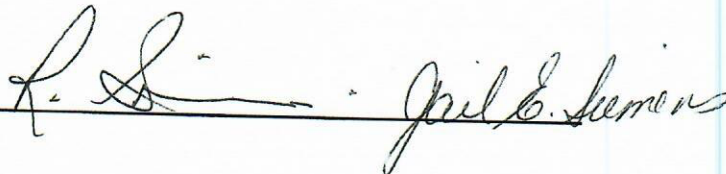
## Support Letter

Date: MARCH 18 / 2019.

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: ROGER Y GAIL SIEMENS

Address: 10203 ROYALWOOD BLVD  
ROSEDALE BC  
\_\_\_\_\_

Signature: 

Support letter can be emailed to:  
arrange pickup

to

Thank you

Megan

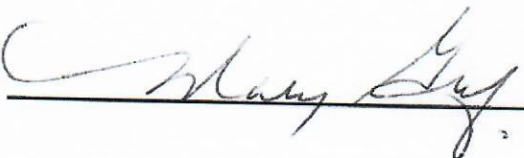
## Support Letter

Date: MARCH 22, 2019.

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: MARY GRAF

Address: 10175 CARYKS RD  
ROSELAND SC  
29081

Signature: 

Support letter can be emailed to:  
arrange pickup

to

Thank you

Megan

## Support Letter

Date: 3/14/2019

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: Tyson Kennedy

Address: 10206 Royalwood Blvd  
Rosedale, BC  
V0X1X1

Signature: **Tyson Kennedy**  
Digitally signed by Tyson Kennedy  
 DN: cn=Tyson Kennedy, o=SafeTek  
 Emergency Vehicles Ltd., ou,  
 email=tkennedy@firetrucks.ca, c=CA  
 Date: 2019.03.14 11:21:51 -07'00'

Support letter can be emailed to: [arrange\\_pickup@hawaii.gov](mailto:arrange_pickup@hawaii.gov)

to

Thank you

Megan

**T & N Unity  
PO Box 355  
Agassiz, BC V0M 1A0**

February 25, 2019

Fraser Valley Regional District  
Planning Department  
45950 Cheam Avenue  
Chilliwack, BC V2P 1N6

File # 2016-04063, 8 lot subdivision of 10189 Caryks Road, Electoral Area "D"

Re: Re-Zoning

Dear Mr. David Bennett,

We are totally in support of Rezoning of any or all of these 8 lots created from 10189 Caryks Road subdivision from SBR2 to SBR3 zoning if the new owners request for it to be changed.

Lot 1 – 10174 Royalwood Blvd  
Lot 2 – 10180 Royalwood Blvd  
Lot 3 – 10186 Royalwood Blvd  
Lot 4 – 10194 Royalwood Blvd

Lot 5 – 10197 Cayks Road  
Lot 6 – 10191 Caryks Road  
Lot 7 – 10185 Cayks Road  
Lot 8 – 10179 Caryks Road

Yours truly,



Natalie teBrinke



Trevor teBrinke

**T & N Unity  
PO Box 355  
Agassiz, BC V0M 1A0**

February 26, 2019

Fraser Valley Regional District  
Planning Department  
45950 Cheam Avenue  
Chilliwack, BC V2P 1N6

Re: Lot 2 – Variance Permit

Dear Mr. David Bennett,

We are in support of Lorne Dekhoff's application for a Variance Permit for his accessory building proposed on Lot 2 – 10180 Royalwood Blvd.

Yours truly,



Natalie teBrinke



Trevor teBrinke

To: CAO for the Electoral Area Services Committee

Date: 2019-04-09

From: Julie Mundy, Planning Technician

File No: 3015-01

**Subject: For information – Summary of legislative changes to the Agricultural Land Reserve Regulation and the Agricultural Land Commission Act**

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### INTENT

This report is intended to advise the Electoral Area Services Committee of recent changes to regulations governing the Agricultural Land Reserve. Staff is not looking for a recommendation and has forwarded this information should members want more clarification or to discuss the item further.

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

### BACKGROUND

On February 22, 2019 significant changes to the *Agricultural Land Commission Act* (ALC Act) and the *Agricultural Land Reserve Regulation* came into effect. These changes will affect all lands within the ALR.

### DISCUSSION

The Agricultural Land Commission (ALC) is the provincial agency responsible for administering the Agricultural Land Reserve (ALR). Effective February 22, 2019, there were changes to the *ALR Regulations* and to the *ALC Act* which increased the oversight powers of the Agricultural Land Commission. Key changes can be generally grouped into three topics: 1) Governance & Structure 2) Residential Use and 3) Soil and Fill Use.

#### Governance & Structure



The former *ALR Use, Subdivision, and Procedure Regulation* has been restructured into two pieces: 1) *ALR General Regulation* and 2) *ALR Use Regulation*. The *ALR General Regulation* covers procedures for applications, subdivisions, inclusions, exclusions, and general administration.

The *ALR Use Regulation* categorizes all uses on ALR land into one of four streams: Farm use, Non-farm use, Residential use, and Soil or Fill use. The intention of this approach is to create clear delineation and regulation for each type of use. The definition of farm use has changed to exclude any type of soil removal or fill as these activities now form a distinct category.

Other broad changes include the elimination of Zone 1 and Zone 2, resulting in a single set of rules for all ALR lands.

### Residential Use

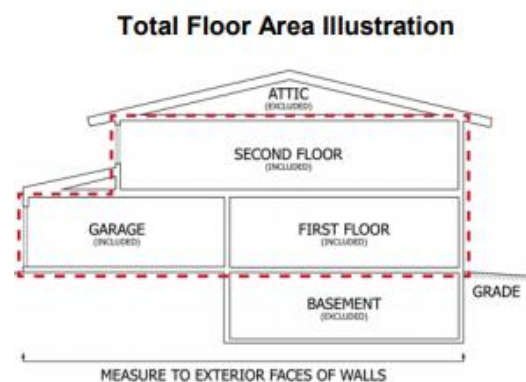
The legislative changes include new regulations for the size and number of residences permitted on ALR parcels. The maximum size of a new residence in the ALR is restricted to 500m<sup>2</sup> (5382 square feet). The size of a residence is calculated by adding the floor area of all stories above the basement.

There is also a new residential limit of one residence per ALR parcel unless the ALC grants approval for a secondary residence. Provisions that broadly permitted secondary residences for family members and farm employees have been removed from the *ALC Act* and the *ALR Regulations*. Under the new rules, the ALC is authorized to approve a secondary residence only if it is deemed necessary for a farm use.

Effective February 22, 2019, a local government may not approve or permit construction of a secondary residence or a residence over 500m<sup>2</sup> without approval by the ALC. Any portion of the FVRD's bylaws contradicting the new rules has no force or effect.

Construction of a secondary residence is allowed to continue if a building permit has been issued and the construction of the foundation substantially began before February 22, 2019. There are, however, no provisions for considering in-stream applications where a property owner has applied for a building permit or has invested in the property, but has not yet been issued a building permit. There are five properties within FVRD with active building permit applications which are adversely impacted by the regulation changes. Planning staff have coordinated with the property owners and have informed the ALC of the challenges for the owners.

Some grandfathering principles are in place for existing residences, however, there are no provisions to replace a second residence without an application for a "non-adhering residential use" to the ALC. The application fee is \$1500.



The ALR regulations permit one suite if it is located within the primary residence. It should be noted that most FVRD zones do not currently allow suites. Staff are working with Electoral Area Directors to develop a policy to support secondary dwellings in some circumstances.

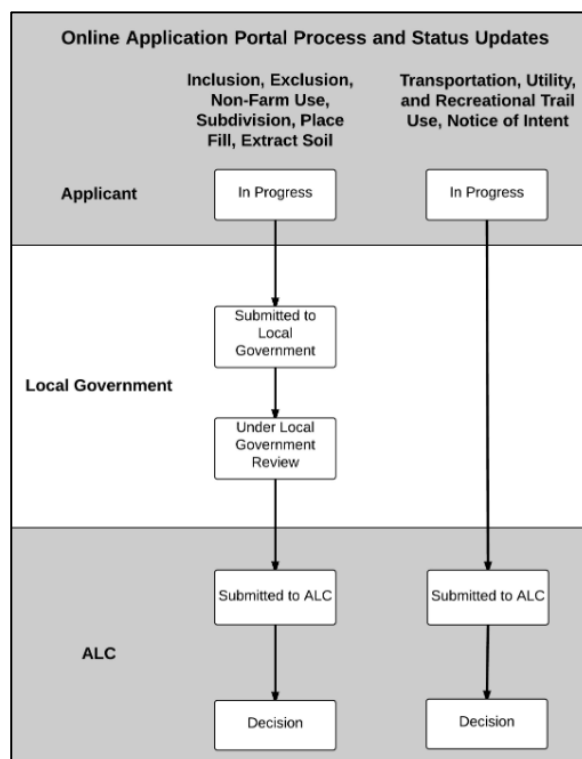
### Soil and Fill

Under the new regulations, soil/fill removal and placement is its own land use category. In only very limited circumstances can soil/fill placement or aggregate removal be undertaken without interacting with the ALC through a Notice of Intent or a Soil or Fill Use Application. The Notice of Intent is a new procedure which enables the ALC to more closely monitor soil and fill use in the ALR.

A Notice of Intent is to be submitted by a land owner prior to initiating any soil or fill activity, and is not to be used as a mechanism to seek retroactive approval. The Notice of Intent is received by the ALC and is approved or refused by the Commissions CEO. The application fee is \$150.

If the Notice of Intent is refused, or if the property owner is not satisfied with the terms of an approval, the property owner may submit a Soil or Fill Use Application. The fee for a Soil or Fill Use Application is \$1500.

Local governments are notified when a Notice of Intent is submitted, however, they do not have a role in evaluating the proposal unless the ALC requests input. For a Soil or Fill Use Application to move forward, comments and a recommendation from the local government are required.



### CONCLUSION

This information note summarizes key changes to the *Agricultural Land Commission Act* and to the *ALR Regulations* that are most relevant to the Fraser Valley Regional District. Additional Information from the ALC is attached.

### COMMENTS BY:

**Graham Daneluz, Deputy Director of Planning & Development:** Reviewed & supported

**Margaret Thornton, Director of Planning & Development:** Reviewed & supported

**Mike Veenbaas, Director of Financial Services:** No further financial comments.

**Paul Gipps, Chief Administrative Officer:** Reviewed and supported



## INFORMATION BULLETIN 05

### RESIDENCES IN THE ALR

Revised February 26, 2019  
February 25, 2019

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## 1. SCOPE OF THIS INFORMATION BULLETIN

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (**ALCA**) and the Agricultural Land Reserve Use Regulation (the **ALR Use Regulation**), in relation to residences in the agricultural land reserve (**ALR**). The ALCA and ALR Use Regulation will govern if inconsistent with this bulletin.

This information bulletin is directed only to interpretation of the ALCA and the ALR Use Regulation. All other applicable laws, regulations and bylaws related to residential uses must also be complied with.

## 2. RECENT CHANGES TO STATUTE AND REGULATIONS

Effective February 22, 2019, the ALCA has been amended and the ALR Use Regulation has been created. Though many concepts contained in the ALCA and its regulations are unchanged from the past, there have been changes to the use of ALR land for residences. All references in this information bulletin to the ALCA and the ALR Use Regulation are as of February 22, 2019, unless otherwise stated.

The following is a summary of key residential changes to the ALCA and the ALR Use Regulation:

- Generally land in the ALR may have **no more than one residence** per parcel: ALCA, s. 20.1(1)(a), subject to certain grandfathering exceptions (see “Grandfathering Provisions” section). In addition, the Commission may approve an application for an additional residence if necessary for farm use, but the Commission is prohibited from approving an additional residence otherwise: ALCA, s. 25(1.1).
- New size, siting and use requirements apply to residential structures: ALCA, s. 20.1(1)(c).
- The **total floor area of a principal residence must be 500 m<sup>2</sup> or less** in order to comply with the ALCA, though a local government may impose a lower size cap under their bylaws: ALCA, ss. 20.1(1)(b), 46. The Commission has resolved on a definition of “total floor area” for the purpose of the ALCA and ALR Use Regulation, as set out in the “Glossary” section at the end of this bulletin.
- The ALCA and regulations had previously contained provisions facilitating the construction of additional dwellings for farm help, manufactured homes for immediate family members, accommodation above an existing farm building, or (in parts of the province) a second single family dwelling. These provisions are no longer found in the ALCA and the ALR Use Regulation, though the ALCA provides some grandfathering protection for pre-existing structures of these kinds and the Commission may approve an application for an additional residence if necessary for farm use.

- If a landowner wishes in the absence of certain grandfathering exceptions to have a principal residence having a total floor area that is more than 500 m<sup>2</sup>, to have an additional residence, or to use a residential structure in a manner that contravenes the regulations, the landowner may submit an application to the Commission, through the local government, seeking Commission approval: ALCA, ss. 20.1(2), 25. The ALCA calls this type of application an “**application for a non-adhering residential use**”. More information about this type of application is provided later in this bulletin under the heading “Applications for Non-Adhering Residential Use”.

### 3. ROLE OF LOCAL GOVERNMENTS

#### A. Role as Approving Body

##### I. Principal Residence

In order to comply with the ALCA, an approving body such as a local government may not approve or permit construction or alteration of a principal residence on ALR land unless the principal residence has a total floor area of 500 m<sup>2</sup> or less and is sized, sited and used in accordance with the ALR Use Regulation, or is permitted by the Commission on application: ALCA, s. 18. See the Section 11 “Glossary”, found at the end of this bulletin, for the definition of “**total floor area**”.

##### II. Additional Residence

An approving body may not approve or permit construction or alteration of an additional residence on ALR land unless the residence is approved by the Commission on application or is permitted under the ALR Use Regulation: ALCA, s. 18.

#### B. Applications

An application to the Commission asking it to approve a non-adhering residential use, such as new construction of a principal residence with a total floor area of more than 500m<sup>2</sup> or an additional residence, may be submitted through the landowner’s local government. For more information on the process for making applications to the Commission, please see the Commission’s website, at [www.alc.gov.bc.ca/alc/content/applications-and-decisions](http://www.alc.gov.bc.ca/alc/content/applications-and-decisions) as well as Section 10 of this information bulletin entitled “Applications For Non-Adhering Residential Use”.

#### C. Consistency with Zoning and Other Bylaws

Any portion of a local government bylaw that purports to allow a use of land in the ALR that is not permitted under the ALCA or the ALR Use Regulation, or contemplates a use of land that would impair or impede the intent of the ALCA or the ALR Use Regulation, is inconsistent with the ALCA or the ALR Use Regulation and has no force or effect: ALCA, ss. 46(4), (5).



For example, **if a zoning bylaw provides for more residences on ALR land than do the ALCA and the ALR Use Regulation, its provision for extra residences is of no force or effect and cannot be relied on.**

Construction, alteration or use of any residences in contravention of the ALCA or the ALR Use Regulation may be subject to compliance and enforcement action even if the construction, alteration or use seems to be in compliance with a local government bylaw.

#### **D. Local Government May Restrict**

**Local government bylaws can be more restrictive of residential use of the ALR than the ALCA:** ALCA, s. 46(6). The ALR Use Regulation identifies certain designated farm uses and permitted non-farm uses that local governments must not prohibit, but places no limitation on local government powers to prohibit or otherwise restrict residential uses of ALR land. **As such, a local government may impose restrictions on sizing, siting and use of principal residences on ALR land additional to those found in the ALCA.** For example, a local government could enact a bylaw imposing a size limit smaller than 500 m<sup>2</sup> total floor area on principal residences on ALR land.

#### **E. Areas Without Zoning Bylaws**

Note that some areas of the province do not have zoning bylaws. The absence of local zoning bylaws does not relieve a landowner from complying with the restrictions in the ALCA and ALR Use Regulation.

### **4. NEW CONSTRUCTION OF A RESIDENCE ON ALR LAND THAT HAS NO EXISTING RESIDENCE**

No application is required to the Commission in order to construct a residence with a total floor area of 500 m<sup>2</sup> or less on a parcel of ALR land which has **no existing residence** (a “**vacant parcel**”).

The Commission will consider the residence when built on a vacant parcel to be the “principal residence”.

If the proposed principal residence is more than 500m<sup>2</sup> or there is already another residence located on the ALR land, in order to construct the residence the landowner must apply to the Commission through the local government and obtain permission from the Commission: ALCA, s. 20.1(1).

“Construct” includes “to build a new structure” or “to place on land a new structure that is fully or partially pre-fabricated”: ALCA, s. 1(1).

## 5. GRANDFATHERING PROVISIONS

### A. Completing a Residential Construction Initiated by February 22, 2019

If by February 22, 2019 a landowner had already initiated construction of a residence in the ALR, in certain circumstances the owner may be able to complete that work without application to the Commission. In other circumstances, the work will not be able to proceed unless the Commission first approves an **application for a non-adhering residential use** made by the owner: ALCA, ss. 20.1(2), 25. See Section 10 “Applications for Non-Adhering Residential Use” later in this bulletin.

#### I. Unfinished Principal Residence

##### Total Floor Area of 500 m<sup>2</sup> or less

If the landowner is completing construction of an unfinished principal residence which will on completion have a total floor area of **500 m<sup>2</sup> or less** and is otherwise also compliant with the ALCA and regulations, the owner may complete that construction without applying to the Commission for permission to do so.

##### Total Floor Area of more than 500 m<sup>2</sup>

If the landowner is completing construction of an unfinished principal residence which will, if completed as designed, have a total floor area of **more than 500 m<sup>2</sup>**, the landowner may continue if:

- a) Where building permit authorization **is required** by local government bylaw
  - all required authorizations to construct the residence were granted before February 22, 2019 and construction of the foundation of the residence substantially begins on or before November 5, 2019, AND
  - from the date construction of the residence began until completion, the construction or alteration (i) is carried out in accordance with all applicable authorizations and enactments, and (ii) continues without interruption, other than work stoppages considered reasonable in the building industry; OR
- b) Where building permit authorization **is NOT required** by local government bylaw
  - if no authorizations to construct the residence are required, construction of the foundation of the residence had substantially begun before February 22, 2019; AND
  - from the date construction of the residence began until completion, the construction or alteration (i) is carried out in accordance with all applicable authorizations and enactments, and (ii) continues without interruption, other than work stoppages considered reasonable in the building industry.

## II. Unfinished Additional Residence

If the landowner is completing construction of a residence that, **if completed as designed**, will be an additional residence, the landowner may do so if:

- a) Where building permit authorization **is required** by local government bylaw
  - all required authorizations to construct the residence were granted before February 22, 2019 and construction of the foundation of the residence substantially begins before February 22, 2019, AND
  - from the date construction of the residence began until completion, the construction or alteration (i) is carried out in accordance with all applicable authorizations and enactments, and (ii) continues without interruption, other than work stoppages considered reasonable in the building industry; OR
- b) Where building permit authorization **is NOT required** by local government bylaw
  - if no authorizations to construct the residence are required, construction of the foundation of the residence had substantially begun before February 22, 2019; AND
  - from the date construction of the residence began until completion, the construction or alteration (i) is carried out in accordance with all applicable authorizations and enactments, and (ii) continues without interruption, other than work stoppages considered reasonable in the building industry.

## **B. Completing Residential Alterations Initiated by February 22, 2019**

If an owner wants to complete alterations to a residence on ALR land that had been initiated prior to February 22, 2019, the owner may do so without application to the Commission only in limited circumstances.

To “alter” means “(a) to alter the exterior of a structure so as to increase its size; (b) to move or alter the exterior walls or edges of a structure so as to change its siting”: ALCA, s. 1(1).

### I. Completing Alterations to a Principal Residence

#### Total Floor Area of 500 m<sup>2</sup> or less

If the landowner is completing alterations to a principal residence that will not cause its total floor area to exceed **500 m<sup>2</sup>** and that will otherwise also be compliant with the ALCA and regulations, the landowner may complete those alterations without applying to the Commission for permission to do so.

### Total Floor Area of more than 500 m<sup>2</sup>

Alterations that had already been commenced as of February 22, 2019 to a principal residence that, **if completed as designed**, will have a total floor area of more than 500 m<sup>2</sup>, may be completed if:

- a) Where building permit authorization **is required** by local government bylaw
  - all required authorizations to alter the residence were granted before February 22, 2019 and construction of the foundation of the residence substantially begins on or before November 5, 2019, AND
  - from the date alteration of the residence began until completion, the construction or alteration (i) is carried out in accordance with all applicable authorizations and enactments, and (ii) continues without interruption, other than work stoppages considered reasonable in the building industry; OR
- b) Where building permit authorization **is NOT required** by local government bylaw
  - if no authorizations to alter the residence are required, construction of the foundation of the residence had substantially begun before February 22, 2019; AND
  - from the date alteration of the residence began until completion, the construction or alteration (i) is carried out in accordance with all applicable authorizations and enactments, and (ii) continues without interruption, other than work stoppages considered reasonable in the building industry.

### II. Completing Alterations to an Additional Residence

Alterations that had already been commenced as of February 22, 2019 to a residence in the ALR that, **if completed as designed**, will be an additional residence, may be completed if:

- a) Where building permit authorization **is required** by local government bylaw
  - all required authorizations to alter the residence were granted before February 22, 2019 and construction of the foundation of the residence substantially begins before February 22, 2019, AND
  - from the date alteration of the residence began until completion, the construction or alteration (i) is carried out in accordance with all applicable authorizations and enactments, and (ii) continues without interruption, other than work stoppages considered reasonable in the building industry; OR
- b) Where building permit authorization **is NOT required** by local government bylaw

- if no authorizations to alter the residence are required, construction of the foundation of the residence had substantially begun before February 22, 2019; AND
- from the date alteration of the residence began until completion, the construction or alteration (i) is carried out in accordance with all applicable authorizations and enactments, and (ii) continues without interruption, other than work stoppages considered reasonable in the building industry.

### **C. New Alterations Initiated After February 22, 2019**

Alterations that were not initiated by February 22, 2019 may also be undertaken in some circumstances on ALR land even without application to the Commission.

An owner who wishes to alter a residential structure that exists on ALR land on February 22, 2019 but that (a) is an additional structure; or (b) is a principal residence with a total floor area of more than 500 m<sup>2</sup>; or (c) is of a size or is sited in contravention of a regulation, may do so in some circumstances. The owner may alter the structure without applying to the Commission **only** if the alteration will lead to no further contravention of the ALCA or regulations: ALCA, s. 20.2.

The Commission expects that the alterations undertaken in the context of the above paragraph would eliminate, or at least reduce or not worsen, any pre-existing contravention of the ALCA or the regulations. It does not expect that alterations would increase the size of the residential structure or initiate a non-adhering residential use; any such alterations should be the subject of an application to the Commission.

An owner who wishes to alter a principal residence that will remain no larger than 500 m<sup>2</sup> and that will otherwise also remain in compliance with the ALCA and regulations may also do so without application to the Commission.

### **D. Manufactured Home on ALR Land**

If on February 22, 2019, there was one manufactured home which was an additional residence, was constructed in accordance with all applicable enactments, and was used as a residence by a member of the immediate family of the owner of the land in the ALR, it may continue to be used as a residence in the ALR if on February 22, 2019 there was one manufactured home, up to 9 m in width, constructed in accordance with all applicable enactments and used as a residence by a member of the immediate family of the owner of the land in the ALR, it may continue to be used as a residence in the ALR if:

- there is no other residence on the land other than the principal residence; AND
- the size and siting of the residence is not altered after February 22, 2019 unless
  - permitted on application, OR

- the size of the manufactured home or the total area occupied by all residences and other residential structures, roads and service lines, and all agricultural land between them, as applicable, is not increased by the alteration.

ALR Use Regulation, s. 32

There is no right to replace a residential structure which is permitted due to a grandfathering exception. An application to the Commission for its approval is required to replace such a structure. See the “Replacing a Residence” section for more information.

#### **E. Single-Level Accommodation Constructed Above an Existing Building on the Farm**

If on February 22, 2019 there was accommodation that had been constructed in accordance with all applicable enactments above an existing building on the farm and that had only a single level, it may continue to be used as a residence in the ALR if:

- there is no other residence on the land other than the principal residence; AND
- the size and siting of the residence is not altered after February 22, 2019 unless
  - permitted on application, OR
  - the total area occupied by all residences and other residential structures, roads and service lines, and all agricultural land between them, as applicable, is not increased by the alteration.

ALR Use Regulation, s. 32

There is no right to replace a residential structure which is permitted due to a grandfathering exception. An application to the Commission for its approval is required to replace such a structure. See the “Replacing a Residence” section for more information.

#### **F. Second Single Family Dwelling in Former Zone 2 (“Zone 2 Second SFD”)**

Until February 22, 2019, land in the ALR was considered to be either in Zone 1 (the panel regions of the South Coast, Island and Okanagan panels) or Zone 2 (the panel regions of the Interior, North and Kootenay panels).

Prior to February 22, 2019, certain activities were permitted in Zone 2 that were not permitted in Zone 1. The term “**Zone 2 Second SFD**” is used in this bulletin to refer to a second single family dwelling in the area of the province that until February 22, 2019 was Zone 2, if the parcel was at least 50 ha in size and if the total area occupied by all residences and other residential structures, roads and service lines, and all land between them, was 4 000 m<sup>2</sup> or less.



If on February 22, 2019 there was a “**Zone 2 Second SFD**” on Zone 2 land in the ALR, constructed in accordance with all applicable enactments, the Zone 2 Second SFD may continue to be used as a residence in the ALR if:

- there is no other residence on the land other than the principal residence; AND
- the size and siting of the Zone 2 Extra Home is not altered after February 22, 2019 unless
  - permitted on application, OR
  - the total area occupied by all residences and other residential structures, roads and service lines, and all agricultural land between them, as applicable, is not increased by the alteration.

ALR Use Regulation, s. 32

There is no right to replace a residential structure which is permitted due to a grandfathering exception. An application to the Commission for its approval is required to replace such a structure. See the “Replacing a Residence” section for more information.

## **6. REPLACING A RESIDENCE**

The term “construct” includes “to replace a structure, 75% or more of which has been substantially damaged or destroyed”: ALCA, s. 1(1). In order to replace a structure, an owner must abide by the requirements in section 20.1 and, if applicable, section 20.2 of the ALCA.

### **A. Parcels on which there is only one residence**

If an owner is replacing the only residence on a parcel in the ALR, the total floor area of the new residence must not be more than 500 m<sup>2</sup>.

### **B. Parcels on which there is more than one residence**

An application to the Commission, and Commission approval of that application, are required to replace residences which pre-date the ALR (that is, are older than December 21, 1972), residences approved by local government under the former section 18 of the ALCA and its predecessors, residences permitted without application to the Commission under previous versions of the ALCA and regulations, and residences constructed in contravention of local zoning bylaws or the ALCA or regulations.

Whether an application is required to replace a residence that the Commission itself had previously approved on application may depend on the terms of that approval.

## 7. USE OF RESIDENCE IN ALR

Use of a residence located in the ALR is limited. Generally it may be used only as a residence, subject to limited exceptions:

### A. Secondary Suites

The use of land in the ALR for a secondary suite is permitted if there is one suite only, located in the principal residence: ALR Use Regulation, s. 31.

### B. Limited Accommodation for Tourists

See the Commission's information bulletin called "Accommodation for Tourists" for more information. Strict conditions must be met for such use.

## 8. SOIL OR FILL FOR RESIDENTIAL CONSTRUCTION

Removing soil from or placing fill on ALR land is permitted for the construction or maintenance of a principal residence if the total area from which soil is removed or on which fill is placed is 1,000 m<sup>2</sup> or less. If the affected area is in a floodplain, an additional condition applies: the resulting elevation level must be consistent with applicable local government or first nation government requirements for flood protection: ALR Use Regulation, s. 35.

Removing soil from or placing fill on ALR land in connection with other residential uses (such as for the construction of an additional residence, alteration of a residence or where the area affected by a principal residence is greater than 1,000 m<sup>2</sup>) is not permitted. An owner of ALR land seeking to remove soil or place fill may submit a notice of intent along with payment of the required fee to the ALC's chief executive officer requesting approval: ALCA, s. 20.3. The landowner may also apply to the Commission for a soil or fill use under s. 25 of the ALCA.

The following types of fill are prohibited on ALR land (ALR Use Regulation, s. 36):

- construction or demolition waste (including masonry rubble, concrete, cement, rebar, drywall and wood waste);
- asphalt;
- glass;
- synthetic polymers;
- treated wood;
- unchipped lumber.

## 9. INFRASTRUCTURE NECESSARY FOR RESIDENTIAL USE

Subject to any limits and conditions set out in Part 4 of the ALR Use Regulation, the use of agricultural land to construct, maintain or operate the following is permitted:

- (a) a structure, other than a residential structure, that is necessary for a residential use permitted under Part 4. Examples include detached garages;
- (b) a driveway or utility necessary for a residential use permitted under this part: ALR Use Regulation, s. 30.

## 10. APPLICATIONS FOR NON-ADHERING RESIDENTIAL USE

An owner may apply to the Commission for permission under section 25 of the ALCA for a non-adhering residential use: ALCA, s. 20.1(2). A “**non-adhering residential use**” means “any of the following: (a) an additional residence; (b) a principal residence having a total floor area that is more than 500 m<sup>2</sup>; (c) a use of a residential structure that contravenes the regulations”: ALCA, s. 1(1).

For more information on making applications to the Commission, please see the Commission’s website, at [www.alc.gov.bc.ca/alc/content/applications-and-decisions](http://www.alc.gov.bc.ca/alc/content/applications-and-decisions).

Section 25(1) of the ALCA provides that on receiving a use application the Commission normally may:

- refuse permission for the use applied for,
- grant permission, with or without limits or conditions, for the use applied for, or
- grant permission for an alternative use or subdivision, with or without limits or conditions, as applicable.

With respect to an application for a non-adhering residential use, the Commission (a) must consider the prescribed criteria, if any, (b) must not grant permission for an additional residence unless the additional residence is necessary for a farm use; and (c) must reject the application if required by the regulations to do so: ALCA, s. 25(1.1).

Examples of considerations that the Commission may take into account in determining a use application are found here: [www.alc.gov.bc.ca/alc/content/applications-and-decisions/what-the-commission-considers](http://www.alc.gov.bc.ca/alc/content/applications-and-decisions/what-the-commission-considers)

## 11. GLOSSARY

The following key definitions are relevant to this information bulletin:

**“additional residence”** means “a residence on a parcel of agricultural land, other than the principal residence”: ALCA, s. 1(1)

**“alter”** means “the following: (a) to alter the exterior of a structure so as to increase its size; (b) to move or alter the exterior walls or edges of a structure so as to change its siting”: ALCA, s. 1(1)

**“as designed”** means as stated or shown in (a) a design, proposal or other plan approved under or accepted in support of an authorization, or (b) a design or plan finalized, before the date this section comes into force, by an architect or engineer or, if none, the designer of the residence, if no authorizations are needed to construct or alter the residence: ALCA, s. 20.2

**“authorization”** means a permit or other authorization, issued under an enactment, to construct or alter a residence: ALCA, s. 20.2

**“construct”** means “the following: (a) to build a new structure; (b) to place on land a new structure that is fully or partially pre-fabricated; (c) to replace a structure, 75% or more of which has been substantially damaged or destroyed”: ALCA, s. 1(1)

**“farm use”** means “an occupation or use of agricultural land for (i) farming land, plants, mushrooms, truffles or animals, (ii) a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*, or (iii) a purpose designated as a farm use by regulation”, but “farm use” does “not include a residential use or a soil or fill use”: ALCA, s. 1(1)

**“fill”** means “any material brought onto agricultural land other than materials exempted by regulation”: ALCA, s. 1(1)

**“non-adhering residential use”** means “any of the following: (a) an additional residence; (b) a principal residence having a total floor area that is more than 500 m<sup>2</sup>; (c) a use of a residential structure that contravenes the regulations”: ALCA, s. 1(1)

**“non-farm use”** means “a use of agricultural land other than a farm use, a residential use or a soil or fill use”: ALCA, s. 1(1)

**“pre-existing residential structure”** means “a residential structure that exists on agricultural land on the date this section comes into force [February 22, 2019], and (a) is an additional residence, (b) is a principal residence having a total floor area of more than 500 m<sup>2</sup>, or (c) is of a size or is sited in contravention of a regulation”: ALCA, s. 20.2

**“prescribed residential structure”** is either a “structure” that, or a “vehicle” that, is “used, whether permanently or temporarily, to provide or in connection with providing accommodation as described in [Part 4 of the ALR Use Regulation]”: ALR Use Regulation, s. 29

**“principal residence”** means “the residence permitted under section 20.1(1)(a)”: ALCA, s. 1(1)

**“residential structure”** means “a structure used, during all or part of the year and whether fully or partially, as (a) a residence, (b) if prescribed, accommodation, or (c) if prescribed, in relation to a residence or accommodation”: ALCA, s. 1(1)

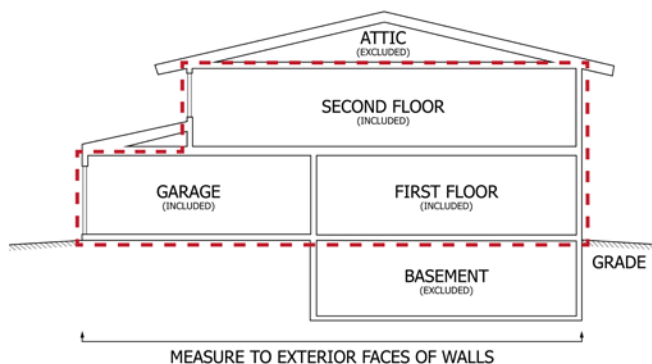
**“residential use”** means “a use of agricultural land for a residential structure” but “does not include a farm use or a soil or fill use”: ALCA, s. 1(1)

**“soil or fill use”** means “the removal of soil from, or the placement of fill on, agricultural land” but “does not include a farm use or a residential use”: ALCA, s. 1(1)

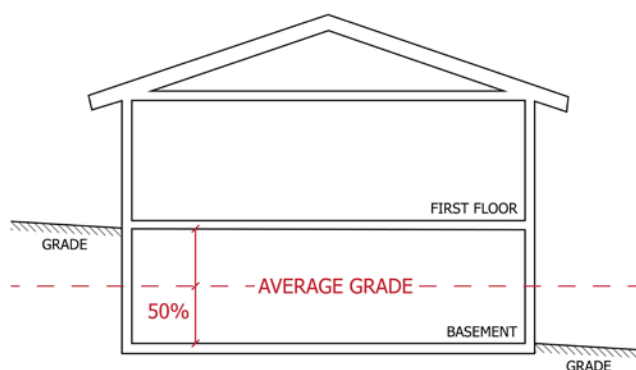
**“total floor area”** means, for purposes of the ALCA and ALR Use Regulation and pursuant to Commission Resolution No. 054N-2019, the total area of all floors measured to the outer surface of the exterior walls, including corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies, enclosed porches or verandas, attached garages and excluding:

- (a) unenclosed carports;
- (b) basements, with basement meaning that portion of any floor area having more than one-half its vertical height below the average finished grade at the perimeter of a building;
- (c) attics, with attic meaning the unfinished space between the roof and the ceiling of the top storey of a building or between a partial wall and a sloping roof.

**Total Floor Area Illustration**



**Basement Illustration**



**“unfinished pre-existing residence”** see the definition at s. 20.2 of the ALCA and in the body of the information bulletin above

**“use or subdivision application”** means “an application for permission made under any of the following: (a) section 20 (2) for a non-farm use; (b) section 20.1 (2) (a) for a non-adhering residential use; (c) section 20.3 (5) for a soil or fill use; (d) section 21 (2) for subdivision”: ALCA, s. 1(1)

**“Zone 2 Second SFD”** means a second single family dwelling in the area of the province that until February 22, 2019 was Zone 2, but only if the parcel was at least 50 ha in size and if the total area occupied by all residences and other residential structures, roads and service lines, and all land between them, was 4 000 m<sup>2</sup> or less





## INFORMATION BULLETIN 07

### SOIL OR FILL USES IN THE ALR

March 22, 2019

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## 1. SCOPE OF THIS INFORMATION BULLETIN

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (**ALCA**), the Agricultural Land Reserve General Regulation (the **ALR General Regulation**) and the Agricultural Land Reserve Use Regulation (the **ALR Use Regulation**), in relation to fill placement or soil or aggregate removal in the agricultural land reserve (**ALR**). The ALCA, the ALR General Regulation and the ALR Use Regulation will govern if inconsistent with this bulletin.

This information bulletin is directed only to interpretation of the ALCA, the ALR General Regulation and the ALR Use Regulation. All other applicable provincial and federal laws and regulations, as well as applicable local government bylaws, must also be complied with.

## 2. RECENT CHANGES TO STATUTE AND REGULATIONS

Effective February 22, 2019, the ALCA has been amended and the ALR Use Regulation has been created. Though many concepts contained in the ALCA and its regulations are unchanged from the past, there have been significant changes in relation to fill placement, soil removal, and aggregate removal. All references in this information bulletin to the ALCA and its regulations are as of February 22, 2019, unless otherwise stated.

The following is a summary of key fill placement, soil removal, and aggregate removal changes to the ALCA and ALR Use Regulation:

- Farm use is no longer defined in any circumstance to include soil removal or fill placement.
- Non-farm use is no longer defined in any circumstance to include soil removal or fill placement.
- Only in very limited circumstances, which are expressly identified in the ALR Use Regulation, can fill placement or removal of soil or aggregate be undertaken without interaction with the Agricultural Land Commission (ALC) via a *Notice of Intent* or a *Soil or Fill Use Application* as outlined in this bulletin.
- Prohibited fill has been defined.

The changes to the ALCA and the regulations mean that previous ALC bylaws, policies and information bulletins in relation to fill placement, soil removal and aggregate removal are superseded.

**Anyone who intends to place fill on land in the ALR or to remove soil or aggregate from land in the ALR must comply with the ALCA and its regulations.**

### 3. PLACEMENT OF FILL OR REMOVAL OF SOIL IN THE ALR

#### A. Fill Placement or Soil Removal That May Occur Without Authorization

See Section 4 of this bulletin for information on Aggregate Removal.

The following fill placement or soil removal activities are permitted uses and are considered “**Exempted Activities**” or an “**Exempted Activity**” and do not require authorization from the ALC:

- constructing or maintaining a structure for farm use OR for a principal residence **if** both of the following conditions are met:
  - (i) the total area from which soil is removed, or on which fill is placed, is 1,000 m<sup>2</sup> or less; AND
  - (ii) if the area from which the soil is removed, or on which the fill is placed, is in a floodplain, the resulting elevation level is consistent with the minimum elevation level established under all applicable local government enactments and first nation government laws, if any, respecting flood protection in the floodplain;

See the Section 9 “Glossary”, found at the end of this bulletin, for the definition of “**structure for farm use**” and “**principal residence**”.

- constructing or maintaining berms for producing cranberries, if any fill placed on the area is (i) no higher than 2 m above the natural grade, and (ii) no wider than 10 m at the base;
- constructing or maintaining flood protection dikes, drainage, irrigation and livestock watering works for farm use, if the total annual volume of soil removed or fill placed is 320 m<sup>3</sup>/16 ha or less;
- maintaining an existing farm road, if the total annual volume of soil removed or fill placed is 50 m<sup>3</sup> or less;
- using clean sand as a top-dress for berry production, if the total annual volume of soil removed or fill placed is 100 m<sup>3</sup>/ha or less;
- applying soil amendments, if incorporated into the soil to a depth of 30 cm or less. “Soil amendment” means compost, fertilizer, manure, mulch and soil conditioners;
- conducting soil research and testing, if the soil removed or fill placed is limited to the amount necessary for the research or testing.

For any of the above purposes, fill must not include any of the following, which are defined as **Prohibited Fill** in the ALR Use Regulation:

- (a) construction or demolition waste, including masonry rubble, concrete, cement, rebar, drywall and wood waste;
- (b) asphalt;
- (c) glass;

- (d) synthetic polymers (e.g., plastic drainage pipe);
- (e) treated wood;
- (f) unchipped lumber.

## **B. Fill Placement or Soil Removal That Requires Authorization**

Other than those fill placement and soil removal activities described as Exempted Activities, a person must not place fill on, or remove soil from, land in the ALR without successfully completing one of the following processes:

- **Notice of Intent** – A landowner who wishes to place fill or remove soil in the ALR must submit a *Notice of Intent* to the CEO of the Commission in accordance with the process set out in this bulletin in Section 5.
- **Soil or Fill Use Application** - A landowner is always at liberty to make an application for fill placement or soil removal to be decided by the Commission under s. 25 of the ALCA. If the Commission approves the *Soil or Fill Use Application*, the landowner may proceed with the approved use on the terms of that approval.

If a landowner is unsure as to which type of authorization they should seek, they should contact the Commission staff for guidance at [ALC.Soil@gov.bc.ca](mailto:ALC.Soil@gov.bc.ca).

**A person who places fill or removes soil from land in the ALR without successfully having completed one of these processes, may be subject to a penalty or order to remediate the land or remove the unauthorized fill.**

## **4. REMOVAL OF AGGREGATE**

### **C. Aggregate Removal That May Occur Without Authorization**

If a person engages in aggregate removal within the following parameters, a *Notice of Intent* is not required and the removal will not breach the ALCA (ALR Use Regulation, s. 26) (a “**Section 26 Aggregate Removal**”) if:

- the total volume of aggregate removed from any single parcel is less than 500 m<sup>3</sup>; and,
- regardless of the volume of aggregate removed, the disturbed area is rehabilitated in accordance with good agricultural practice as soon as reasonably practicable after (i) aggregate removal is complete, if the aggregate is removed as part of a single continuous operation, or (ii) each stage of aggregate removal is complete, if subparagraph (i) does not apply; and,
- the cultivable surface layer of soil is salvaged, stored on the parcel and available for rehabilitation in accordance with the bullet point above.

### **D. Aggregate Removal That Requires Authorization**

A person must not remove aggregate from land in the ALR, with the exception of activities related to Section 26 Aggregate Removal, without successfully completing either a *Notice of Intent* or *Soil or Fill Use Application*, as described in this bulletin.

**A person who removes aggregate from land in the ALR without successfully having completed one of these processes, may be subject to a penalty or order to remediate the land or remove the unauthorized fill.**

## **5. PROCESS TO REQUEST AUTHORIZATION**

If a landowner is unsure as to which type of authorization they should seek, they should contact ALC staff for guidance at [ALC.Soil@gov.bc.ca](mailto:ALC.Soil@gov.bc.ca).

### **A. Notice of Intent Process**

If a landowner intends to place fill or remove soil or aggregate for reasons other than an Exempted Activity, the landowner must submit the *Notice of Intent* prior to initiating an activity. The *Notice of Intent* is submitted through the ALC Application Portal along with the prescribed \$150 fee: ALCA s. 20.3(1)(c), ALCA General Regulation, s. 33.1(6). This is the required manner of submission under s. 20.3(1)(c) of the ALCA. Please see [www.alc.gov.bc.ca/alc/content/applications-and-decisions](http://www.alc.gov.bc.ca/alc/content/applications-and-decisions) on the ALC website for more information.

**The purpose of a *Notice of Intent* is to seek authorization prior to lawful placement of fill or removal of soil or aggregate, and not as a mechanism to seek retroactive approval.**

#### **I. Receipt of a Complete Notice of Intent**

The CEO and employees of the Commission to whom authority is delegated under s. 20.3(6) of the ALCA (together referred to as the CEO as applicable in this bulletin) have certain powers and functions once both the *Notice of Intent* and fee have been received. The CEO will acknowledge the *Notice of Intent* when it has been received in the required form and manner and the fee has been paid. The *Notice of Intent* is not considered to be complete unless it is submitted to the CEO in the required form and manner and the fee has been paid.

**The 60 calendar day period for reviewing the *Notice of Intent* does not start running until the *Notice of Intent* has been acknowledged as complete.**

#### **II. Additional Information Request from CEO**

Upon review of a complete Notice of Intent, the CEO may request additional information from the landowner who submitted the *Notice of Intent*: ALCA s. 20.3(2)(a). The CEO has 60 days from when the *Notice of Intent* (in the form and manner) is found to be complete to request additional information.

Once all of the additional information requested by the CEO is provided, the CEO has 60 days either to:

- approve the placement of fill or the removal of soil or aggregate (either as set out in the *Notice of Intent* or subject to limits and conditions) (the “**CEO Approval**”) or
- issue a written order that the person stop or not engage in placing fill or removing soil or aggregate (the “**CEO Refusal**”): ALCA s. 20.3(2), (4).

**The 60 day period for issuing either the CEO Approval or the CEO Refusal does not start running until the CEO has received all of the additional information requested.**

If the CEO does not issue either a CEO Approval or a CEO Refusal within the 60 day period from receipt of all the additional information requested, fill placement or removal of soil or aggregate as described in the *Notice of Intent* will not contravene the ALCA or the regulations except if Prohibited Fill is placed on the property.

### III. CEO does not request additional information

If the CEO does not request additional information from the person who submitted the *Notice of Intent*, the CEO must within 60 days from receipt of the *Notice of Intent* (in the required form and manner) and fee, either:

- approve the fill placement or soil or aggregate removal activity (either as set out in the notice or subject to limits and conditions)(**CEO Approval**), or
- issue a written order that the person stop or not engage in placing fill or removing soil or aggregate (**CEO Refusal**): ALCA s. 20.3(2), (4).

### IV. Compliance with CEO Approval

A landowner who receives a CEO Approval may place fill or remove soil or aggregate in accordance with the terms of that approval. The CEO Approval will indicate terms and conditions of the fill placement or soil or aggregate removal activity.

### V. CEO Refusal

If the landowner who receives a CEO Refusal still wishes to place fill or remove soil or aggregate, he or she must submit and have an approved *Soil or Fill Use Application* to the Commission.

## **B. Soil or Fill Use Application Process**

A *Soil or Fill Use Application* is a form of “use application” to be decided by the Commission under s. 25 of the ALCA. A *Soil or Fill Use Application* may be made in any of the following circumstances:

- if a landowner in the ALR wishes to seek Commission approval via a use application rather than going through the *Notice of Intent* process;
- if a landowner in the ALR commences but changes their mind before completion of the *Notice of Intent* process and wishes to seek Commission approval via a use application;
- if at the conclusion of the *Notice of Intent* process, the CEO has issued a CEO Approval and the landowner is not satisfied with the terms and conditions of that approval and wishes to have different terms and conditions; or
- if at the conclusion of the *Notice of Intent* process, the CEO has issued a CEO Refusal.



If a *Notice of Intent* and associated fee have already been submitted, the *Soil or Fill Use Application* fee is \$1,350; otherwise the fee is \$1,500: ALR General Regulation, s. 33(1.1).

The *Soil or Fill Use Application* must be submitted through the ALC Application Portal. Please see [www.alc.gov.bc.ca/alc/content/applications-and-decisions](http://www.alc.gov.bc.ca/alc/content/applications-and-decisions) on the ALC website for more information. This is the required manner of submission under s. 20.3(5) of the ALCA.

On receiving a *Soil or Fill Use Application*:

- the Commission must reject the application if the fill to be placed includes any form of **Prohibited Fill**; or,
- the Commission must do one of the following:
  - (a) refuse permission for the fill placement or removal of soil or aggregate;
  - (b) grant permission, with or without terms or conditions, for the use applied for, or
  - (c) grant permission for an alternative use, with or without terms or conditions, as applicable: ALCA, s. 25(1)(b).

### C. Soil or Fill Use Application Considerations

For examples of general considerations that the Commission may take into account in determining a use application, please see [www.alc.gov.bc.ca/alc/content/applications-and-decisions/what-the-commission-considers](http://www.alc.gov.bc.ca/alc/content/applications-and-decisions/what-the-commission-considers).

Among the considerations that the Commission is likely to take into account on a *Soil or Fill Use Application* for soil or fill use are the following:

- Will the fill placement or soil removal aid the farm/farming activity?
- Will the fill placement or soil removal reduce the agricultural capability of the land, degrade soils, or limit the range of crops that can be grown on the subject property compared to the current crop suitability of the land?
- Is fill placement or soil removal the only means available to address implementation of standard agricultural best practices?
- Will the fill placement or soil removal aid in the rehabilitation of agricultural lands severely impacted by past fill activities or other activities that have degraded agricultural land, whether permitted or not permitted?
- Will the fill placement foul, obstruct, or impede the flow of any waterway?
- If fill is required for drainage improvements, will the proposed fill height exceed more than 0.5 metres above the maximum height of the water table (as confirmed by a Qualified Registered Professional) which is equivalent to a Class 1 excess water limitation?

- Will the final finished grade of the subject property complement adjacent landforms and provide for a smooth transition between the land contours and drainage channels on adjacent lands and the reclaimed area?
- How long are fill placement activities expected to last? Generally, the Commission will not consider fill placement activities that would extend beyond two years.

If the Commission approves a *Soil or Fill Use Application*, the fill placement or soil or aggregate removal activity may proceed only in accordance with that approval.

A person who places fill or removes soil or aggregate from land in the ALR without successfully having completed a *Notice of Intent* or a *Soil or Fill Use Application* may be subject to a penalty or order to remediate the land or remove the unauthorized fill.

**A *Notice of Intent* may NOT be made for a *Soil or Fill Use Application* that was refused by the Commission.**

## 6. ROLE OF LOCAL GOVERNMENT

The role of local government will depend on whether the landowner has submitted a *Notice of Intent* or a *Soil or Fill Use Application*.

### E. Notice of Intent

Local governments are notified when a *Notice of Intent* is submitted; however they do not have a role in processing or evaluating a *Notice of Intent*, unless the CEO requests their input. Local governments are also copied on decisions once the CEO has rendered them.

The local government must NOT approve or permit fill placement or soil or aggregate removal activities unless:

- the fill placement or soil removal is an **Exempted Activity**; or,
- there is a CEO Approval for the fill placement or removal of soil or aggregate.

### F. Soil or Fill Use Application

An application to the Commission asking it to approve a soil or fill use may be submitted through the local government.

Local governments that receive a *Soil or Fill Use Application* under section 34 (4) of the ALCA must:

- (a) review the application, and
- (b) forward to the Commission the application together with the comments and recommendations of the local government or the first nation government in respect of the application

The local government must NOT approve or permit fill placement or removal of soil or aggregate until such time that the Commission has approved the *Soil or Fill Use Application* for the subject property.

For more information on the process for making applications to the Commission, please see the Commission's website at [www.alc.gov.bc.ca/alc/content/applications-and-decisions](http://www.alc.gov.bc.ca/alc/content/applications-and-decisions).

### G. Consistency with Zoning and Other Bylaws

Any portion of a local government bylaw that intends to allow a use of land in the ALR that is not permitted under the ALCA or the ALR Use Regulation, or contemplates a use of land that would impair or impede the intent of the ALCA or the ALR Use Regulation, is inconsistent with the ALCA or the ALR Use Regulation and has no force or effect: ALCA, ss. 46(4), (5).

The placement of fill or removal of soil or aggregate in contravention of the ALCA or the ALR Use Regulation may be subject to compliance and enforcement action even if the use seems to comply with a local government bylaw.

## 7. LAND DEVELOPMENT WORKS

Farm use of land in the ALR includes “a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*”: ALCA, s. 1. The definition of “farm operation” in the *Farm Practices Act* includes “clearing, draining, irrigating or cultivating land” if “involved in carrying on a farm business”. A subset of this category of work is known as “land development works”, which includes all of the following:

- (a) levelling and berming agricultural land;
- (b) constructing reservoirs;
- (c) constructing works ancillary to clearing, draining, irrigating, levelling or berming agricultural land and to constructing reservoirs.

Some of these land development works may require fill placement or removal of soil; however, **this does not mean that these activities can occur without authorization of the Commission**. Authorization in the form of a *Notice of Intent* or *Soil or Fill Use Application* **must be obtained** (other than for **Exempted Activities**) before the fill placement or soil or aggregate removal activity associated with land development works is undertaken.

## 8. RESIDENTIAL CONSTRUCTION

Fill placement or removal of soil or aggregate is permitted for the construction or maintenance of a principal residence if:

- the total area from which soil or aggregate is removed or on which fill is placed is 1,000 m<sup>2</sup> or less, AND

- the total floor area of the principal residence is 500 m<sup>2</sup> or less, or the residence has been authorized by a *Non-Adhering Residential Use Application*. See Information Bulletin 05: Residences in the ALR for more information on residential uses.

If the affected area is in a floodplain, an additional condition applies: the resulting elevation level must be consistent with applicable local government or first nation government requirements for flood protection: ALR Use Regulation, s. 35.

Removing soil or aggregate from, or placing fill on, ALR land in connection with other residential uses (such as for the construction of an additional residence, alteration of a residence or where the area affected by a principal residence is greater than 1,000 m<sup>2</sup>) is not permitted. A landowner seeking to remove soil or aggregate or place fill that exceeds the 1000 m<sup>2</sup> condition may submit a *Notice of Intent* along with payment of the required fee. The landowner may also apply to the Commission through a *Soil or Fill Use Application* under s. 25 of the ALCA.

**Prohibited Fill is not permitted for the construction or maintenance of any residential uses.**

## 9. COMPLIANCE AND ENFORCEMENT

The Commission receives many complaints regarding fill, soil and aggregate-related activities on ALR land. Compliance and enforcement officials of the Commission have a wide range of compliance and enforcement mechanisms available under ss. 49-57 of the ALCA. This includes mechanisms to ensure that the ALCA, regulations and orders are complied with, that land can be rehabilitated where non-compliance occurs, and that violations can be penalized administratively or through the courts.

**The purpose of a *Notice of Intent* is to seek authorization prior to lawful placement of fill or removal of soil and aggregate, and not as a mechanism to seek retroactive approval.**

## 10. GLOSSARY

The following key definitions are relevant to this information bulletin:

**“aggregate”** means sand, gravel, crushed stone, quarry rock and similar materials used in the construction and maintenance of civil and structural projects

**“ALCA”** means the *Agricultural Land Commission Act*

**“ALR”** means the Agricultural Land Reserve

**“ALR General Regulation”** means the Agricultural Land Reserve General Regulation

**“ALR Use Regulation”** means the Agricultural Land Reserve Use Regulation

**“berming”** means the construction of dykes;

**“CEO”** means the Chief Executive Officer of the Commission and, as applicable, such employees to whom powers and duties are delegated under s. 20.3(6) of the ALCA

**“clearing”** means tree and stump removal undertaken to prepare land for cultivation

**“Farm Practices Act”** means the *Farm Practices Protection (Right to Farm) Act*

**“structure for farm use”** means structures used in a farm operation for the growing, producing, raising, or keeping of farm animals or plants, including mushrooms and aquaculture facilities, and the primary products of those plants and animals

**“farm use”** (a) means an occupation or use of agricultural land for (i) farming land, plants, mushrooms, truffles or animals, (ii) a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act* or (iii) a purpose designated as a farm use by regulation, and (b) does not include a residential use or a soil or fill use: ALCA, s. 1

**“fill”** means “any material brought onto agricultural land other than materials exempted by regulation”: ALCA, s. 1

**“flood protection requirements”** means the elevation level as established by local government bylaws for flood protection within a defined floodplain

**“levelling”** means reshaping the soil surface within a field or parcel of land to eliminate high and low areas and resulting in a uniform field level (that is, cutting high spots and filling in low spots);

**“non-farm use”** means “a use of agricultural land other than a farm use, a residential use or a soil or fill use”: ALCA, s. 1

**“Notice of Intent”** means a notice of intent submitted to the CEO under s. 20.3(1)(c)(ii) of the ALCA, in the form and manner that the CEO requires

**“placement”** of fill, or **“fill placement”**, means to deposit, place, store, or stockpile directly or indirectly, fill on any land in the ALR, where that fill did not previously exist

**“principal residence”** means the residence permitted under section 20.1(1)(a) of the ALCA

**“Prohibited Fill”** means (a) construction or demolition waste, including masonry rubble, concrete, cement, rebar, drywall and wood waste; (b) asphalt; (c) glass; (d) synthetic polymers; (e) treated wood; (f) unchipped lumber: ALR Use Regulation, s. 36.

**“Qualified Registered Professional”** means a person registered with a professional association including the Association of Professional Engineers and Geoscientists of BC, the Corporation of the Province of British Columbia Land Surveyors, British Columbia Institute of Agrologists or another person who is qualified because of knowledge, training and experience to organize, supervise and perform the relevant services

**“remove”** or **“removal”** means the act of removing soil or aggregate from any land in the ALR, where it existed or stood, which place or location shall include a stockpile or other storage facility

**“reservoir”** means a water impoundment that is used for agricultural water supply.

**“soil”** includes the entire mantle of unconsolidated material above bedrock other than minerals as defined in the *Mineral Tenure Act*: ALCA, s. 1

**“soil amendment”** means compost, fertilizer, manure, mulch and soil conditioners: ALR Use Regulation, s. 1

**“soil conditioner”** means organic or inorganic matter that has beneficial effects on the biological, chemical, or physical properties of soil

**“soil or fill use”** means (a) the removal of soil from, or the placement of fill on, agricultural land, and (b) does not include a farm use or a residential use: ALCA, s. 1

**“Soil or Fill Use Application”** means an application for permission made for a soil or fill

**“stockpile”** means a man-made accumulation of soil, fill, or organic materials held in reserve for future use, distribution or removal.

**“use application”** means an application for permission made under any of the following: (a) s. 20(2) of the ALCA for a non-farm use; (b) s. 20.1(2)(a) for a non-adhering residential use; (c) section 20.3 (5) for a soil or fill use: ALCA, s. 1

**“wood residue”** as defined by the Code of Practice for Agricultural Environmental Management means wood or a wood product that (a) is chipped or ground, (b) originates from (i) wood processing, (ii) the clearing of land, if the majority of the greenery is removed and no soil is present, or (iii) trimming or pruning activities, (c) has not been treated or coated with chemicals, including preservatives, glues, paints, varnishes, oils or finishing materials, (d) does not contain a foreign substance harmful to humans, animals, or plants when combusted, (e) has not been exposed to salt water, and (f) has not been used for or recovered from construction or demolition activities

**“wood waste”** includes wood residue, hog fuel, mill ends, bark, and sawdust, but does not include demolition waste, construction waste, tree stumps, branches, logs or log ends, or log yard waste



To: CAO for the Electoral Area Services Committee  
From: Paul Gipps, Chief Administrative Officer

Date: 2019 04 09  
File No: 3920-20-0837/1433

**Subject:** Hatzic Prairie Water System Legacy Debt

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### RECOMMENDATION

**THAT** staff be directed to enter into a Capital Improvement Construction Fee Agreement with the owners of the property located at 11426, 11210 and 11082 Sylvester Road not connecting into the Hatzic Prairie Water System Sylvester Road Extension.

### STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community  
Provide Responsive & Effective Public Services

### PRIORITIES

Priority #2 Air & Water Quality

### BACKGROUND

The Hatzic Prairie Water System (HPWS) was originally built in 2008 to provide potable water to the Sheltered Cove, Riverside and Mountainview subdivisions in Hatzic Prairie. In 2011, the system was upgraded with the construction of a reservoir for the provision of fire protection. Both the original system and the 2011 upgrades were paid for through a combination of grant funding as well as borrowing through the Municipal Financing Authority (MFA). The service area for the HPWS is shown in dark blue in the attached figure.

Funding for this service area is collected through a parcel tax as well as a user fee collected in the form of a semi-annual utility bill. The funds collected cover the water systems operations expenses, contributions towards the systems capital reserve and to service the legacy debt from funds borrowed through MFA for the original 2008 construction and 2011 upgrades. With the changes to the fee structure by proposed Fees and Regulations Amendment Bylaw No. 1522, 2019, all funding for operations expenses and contributions towards the capital reserve would be collected through the user fee whereas all funding required to service the legacy debt would be collected through the parcel tax.

In 2017, a petition was sent out to property owners on Sylvester Rd for the further expansion of the HPWS to provide service to properties along the Sylvester Rd corridor. The proposed extension would be financed through grant funding and some borrowing through MFA to be repaid only by the adjacent properties along Sylvester Rd. The service area for the Sylvester Rd water main extension is shown in light blue in the attached figure. The petitions sent out in 2017 passed in favour of the project and in early 2019 the Sylvester Rd water main extension was built.

Today we are finalizing the service areas and associated fees and taxes needed to collect the funds for this Sylvester Rd extension.

Staff are proposing that for consistency purposes all properties covered by the Sylvester Road Water Extension petition shall be required to pay for the construction of the project under a construction service area. Properties that connect will be required to pay all operating costs including the legacy debt that exists for the base system through an operating service area. There are three properties (11426, 11210 and 11082 Sylvester Rd) that are choosing not to connect, as they have their own well, and instead of collecting the legacy debt through a property tax each year we are proposing that they enter into a Capital Improvement Connection fee agreement, similar to a late user agreement, whereby they would be required to pay the current and historical legacy debt less depreciated value of the legacy infrastructure should they connect.

Staff feel this is a good alternative to taxation today for a future payment model should they connect.

**COMMENTS BY:**

**Tareq Islam, Director of Engineering and Community Services**

No further comments.

**Mike Veenbaas, Director of Financial Services**

No further comments.

