

FRASER VALLEY REGIONAL DISTRICT



ELECTORAL AREA SERVICES COMMITTEE

OPEN MEETING AGENDA

Wednesday, May 8, 2019

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

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 May 8, 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 49200 Trans Canada Hwy, Electoral Area A, (PID: 003-318-273) and (PID: 003-318-206)

10 - 35

- Presentation by Staff
- Corporate report dated May 8, 2019 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated April 8, 2019 to Property Owners
- Letter dated October 17, 2018 to Property Owner
- Title Search
- Title Search
- 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 and the BC Building Code*, at 49200 Trans Canada Hwy Electoral Area A, Fraser Valley Regional District, British Columbia (legally described as That Portion of Legal Subdivision 15 Section 2 Lying Easterly of the – Way of the Canadian Northern Pacific Railway; Township 11 Range 26 West of the 6th Meridian Yale Division Yale District Except Plan H670 (PID: 003-318-273) and Legal Subdivision 16 Section 2 Township 11 Range 26 West of the 6th Meridian Yale Division Yale District Except Plan G670 (PID: 003-318-206).

3.2 Building Bylaw and BC Building Code Contraventions at 13085 Degraff Road, Electoral Area F, Legally Described as: Lot 14 Section 25 Township 18 East of the Coast Meridian New Westminster District Plan 2782 (PID: 010-712-453)

36 - 50

- Presentation by Staff
- Corporate report dated May 8, 2019 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated April 8, 2019 to Property Owner
- Letter dated January 16, 2019 to Property Owner
- Letter dated March 23, 2018 to Property Owner
- Title Search
- Title Search
- Property Report
- Property Information Report

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 and the BC Building Code*, at 13085 Degraff Road Electoral Area F, Fraser Valley Regional District, British Columbia (Legally described as: Lot 14 Section 25 Township 18 East of the Coast Meridian New Westminster District Plan 2782. (PID: 010-712-453).

4. DELEGATIONS AND PRESENTATIONS

4.1 James Walsh, BC Micro Lease Association

Presentation on small scale "micro-licence" cannabis production.

5. MINUTES/MATTERS ARISING

5.1 Minutes of the Electoral Area Services Committee Meeting - April 9, 2019

51 - 63

MOTION FOR CONSIDERATION

THAT the Minutes of the Electoral Area Services Committee Open Meeting of April 9, 2019 be adopted.

6. CORPORATE ADMINISTRATION

No Items.

7. FINANCE

7.1 Fraser Valley Regional Library Branch Improvements – Yale & Boston Bar

64 - 84

- Corporate report dated May 8, 2019 from Mike Veenbaas, Director of Financial Services
- FVRL - Proposed Changes to Yale and Boston Bar Libraries

MOTION FOR CONSIDERATION

THAT the Electoral Area Services Committee provide direction to Staff regarding improvements to the FVRL Yale and Boston Bar Branches by selecting one of the options below:

Option 1: \$3,000 in improvements to both branches for the installation of external book drops

Option 2: \$45,000 for Yale Branch and \$33,000 for the Boston Bar Branch to address a number of projects as outlined in the FVRL proposal

Option 3: \$45,000 for Yale Branch and \$58,000 for Boston Bar Branch for additional improvements being requested at the Boston Bar Branch

7.2 Grant-In-Aid Request – Chilliwack Vedder River Cleanup Society, Electoral Area “E”

85 - 87

- Corporate report dated May 8, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application - Chilliwack Vedder River Cleanup Society

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$1,100 to the Chilliwack Vedder River Cleanup Society, funded from the 2019 Electoral Area “E” grant-in-aid budget to help offset the costs associated with hosting the Chilliwack Vedder River cleanups on April 13 and September 22 of 2019.

7.3 Grant-In-Aid Request – Deroche & District Community Association, Electoral Area “G”

88 - 90

- Corporate report dated May 8, 2019 from Kristy Hodson, Manager of

Financial Operations

- GIA Application - Deroche and District Community Association

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board approve a grant-in-aid to the Deroche & District Community Association in the amount of \$5,000, to be funded from the 2019 Electoral Area “G” grant-in-aid budget to help offset the costs of building a community tennis court.

7.4 Grant-In-Aid Request – Chilliwack Area Lions Clubs, Electoral Area “H”

91 - 93

- Corporate report dated May 8, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application - Chilliwack Area Lions Club

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to the Chilliwack Area Lions Clubs, funded from the Electoral Area “H” grant-in-aid budget, to help offset the costs of the Cultus Lake Pike Minnow Fishing Derby.

7.5 Grant-In-Aid Request – Cultus Lake Community and Events Engagement Committee, Electoral Area “H”

94 - 97

- Corporate report dated May 8, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application - Cultus Lake Community and Events Engagement Committee

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$3,500 to the Cultus Lake Community and Events Engagement Committee with the grant being funded from the Electoral Area “H” grant-in-aid budget to help offset the costs of the annual Cultus Lake Day event.

8. ENGINEERING & UTILITIES

No Items.

9. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

9.1 Secondary Dwellings Study - Policy Development Update

FOR INFORMATION ONLY

- Presentation by Staff

9.2 Application for Development Variance Permit 2018-28 to reduce the rear

98 - 118

setback to facilitate the construction of an accessory structure (shed) at #129-14500 Morris Valley Road, Electoral Area "C"

- Corporate report dated May 8, 2019 from Andrea Antifaeff, Planner 1
- DVP Application
- Corporate report dated September 5, 2018 from Andrea Antifaeff, Planner I

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C to reduce the rear lot line setback from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet), clear to sky to facilitate the construction of an accessory structure (shed);

AND THAT the Fraser Valley Regional District Board direct staff to consider zoning regulations related to accessory structures (sheds) in the Private Resort Development (PRD-1) zone at the time that staff are reviewing the consolidated zoning bylaw;

AND FURTHER THAT the Fraser Valley Regional District Board direct staff to take no further bylaw enforcement actions at #129-14500 Morris Valley Road with respect to the shed, provided that the accessory structure (shed) is moved to the proposed location in the application for Development Variance Permit 2018-28 and pending resolution of the PRD-1 accessory structure (shed) zoning regulations in the consolidated zoning bylaw.

9.3 Application for Development Variance Permit 2019-09 to reduce the front lot line setback to permit the re-construction of a residential porch at 35103 North Sward Road, Electoral Area "F"

119 - 135

- Corporate report dated May 8, 2019 from Julie Mundy, Planning Technician
- DVP Application
- Draft DVP 2019-09

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-09 for 35103 North Sward Road, Electoral Area F, to reduce the front lot line setback from 6.0 metres (19.7 feet) to 2.1 metres (6.9 feet), to facilitate the re-construction of a residential porch, subject to the issuance of an Encroachment Permit from the BC Ministry of Transportation and Infrastructure, and subject to consideration of any comments or concerns raised by the public.

9.4 Application for Development Variance Permit 2019-10 to vary the maximum height and size requirements for an accessory building at 10395 Wildrose

136 - 153

Road, Electoral Area "D"

- Corporate report dated May 8, 2019 from Julie Mundy, Planning Technician
- DVP Application
- Draft DVP 2019-10

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-10 to increase the maximum permitted area of an accessory building from 45 square metres to 58 square metres and to increase the maximum permitted height of an accessory building from 5.0 metres to 5.2 metres, subject to consideration of any comment or concerns raised by the public.

9.5 Application for Development Variance Permit 2019-12 to vary the maximum height and size requirements for an accessory building at 10163 Royalwood Blvd, Electoral Area "D"

154 - 175

- Corporate report dated May 8, 2019 from Julie Mundy, Planning Technician
- DVP Application
- Draft DVP 2019-12

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-12 to increase the maximum permitted area of an accessory building from 45 square metres to 76 square metres and to increase the maximum permitted height of an accessory building from 5.0 metres to 5.3 metres, subject to consideration of any comment or concerns raised by the public

9.6 Aquadel Crossing Ltd. applied to amend an existing Development Permit (relating to form and character) to permit fencing across common strata property at the development known as Aquadel Crossing, 1885 Columbia Valley Road, Electoral Area "H".

176 - 248

- Corporate report dated May 8, 2019 from David Bennett, Planner II
- Letter dated March 12, 2019 from Linley Welwood LLP re Buffer Zones
- Letter dated April 1, 2019 from Van Der Zalm and Associates
- Public Information Meeting Report dated March 7, 2019
- Site Plan
- Development Permit Application
- Public Comments

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board refuse Development Permit 2019-02.

9.7 FVRD Bylaw No. 1525, 2019 - to amend the Comprehensive Development 1 (CD-1) zone to permit the construction of Enclosed Decks in the Bridal Falls RV Resort located at 53480 Bridal Falls Road, Electoral Area "D".

249 - 263

- Corporate report dated May 8, 2019 from David Bennett, Planner II
- Application
- Draft Bylaw No. 1525, 2019

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. 1525, 2019* to permit the construction of Enclosed Decks in the Bridal Falls RV Resort;

THAT the *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* be forwarded to Public Hearing;

THAT the Fraser Valley Regional District Board delegate the holding of the Public Hearing with respect to the proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 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 *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 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 *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* in accordance with the Local Government Act;

AND FURTHER THAT in the absence of Director Dickey, or his alternate in his/her absence at the time of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 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 *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019*.

9.8 Agricultural Land Commission Application – Proposed Two (2) Lot Subdivision

264 - 288

at 1385 Frost Road, Electoral Area “H”

- Corporate report dated May 8, 2019 from Andrea Antifaeff, Planner I
- ALC Application

MOTION FOR CONSIDERATION

THAT the application for a two (2) lot subdivision within the Agricultural Land Reserve for the property located at 1385 Frost Road, Electoral Area “H” be forwarded to the Agricultural Land Commission for consideration;

AND FURTHER THAT the Agricultural Land Commission consider the staff report dated May 8, 2019 under file number 3015-20 2019-05.

9.9 Policy – Non-Farm Use Applications for Cannabis Production Facilities in the ALR 289 - 306

- Corporate report dated May 8, 2019 from Graham Daneluz, Deputy Director of Planning and Development
- Policy - Non-Farm Use Applications for Cannabis Production Facilities in the ALR
- Presentation provided at April 9, 2019 EASC Meeting

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board adopt the policy titled *Non-Farm Use Application for Cannabis Production Facilities in the ALR*.

10. ELECTORAL AREA EMERGENCY SERVICES

10.1 FVRD Emergency Program Regulations Establishment Bylaw No. 1526, 2019 307 - 312

- Corporate report dated May 8, 2019 from Reg Dyck, Manager of Electoral Area Emergency Services and Jaime Reilly, Manager of Corporate Administration
- Draft Bylaw No. 1526, 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 Emergency Program Regulations Establishment Bylaw No. 1526, 2019*.

11. OTHER MATTERS

11.1 Bill 18 - 2018 Local Government Statutes Amendment Act, 2018 - Housing Needs Reports 313 - 334

FOR INFORMATION ONLY

- Corporate report dated May 8, 2019 from Melissa Geddert, Planning Technician
- Appendix A - Bill 18, 2018
- Appendix B - Guide to Requirements for Housing Needs Reports

12. **ADDENDA ITEMS/LATE ITEMS**

13. **REPORTS BY STAFF**

14. **REPORTS BY ELECTORAL AREA DIRECTORS**

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

16. **ADJOURNMENT**

MOTION FOR CONSIDERATION

THAT the Electoral Area Services Committee Open Meeting of May 8, 2019 be adjourned.

To: CAO for the Electoral Area Services Committee
 From: Louise Hinton, Bylaw Compliance & Enforcement Officer

Date: 2019-05-08
 File No: A06043.000

Subject: Building Bylaw, and BC Building Code Contraventions at 49200 Trans Canada Hwy, Electoral Area A, (PID: 003-318-273) and (PID: 003-318-206).

RECOMMENDATION

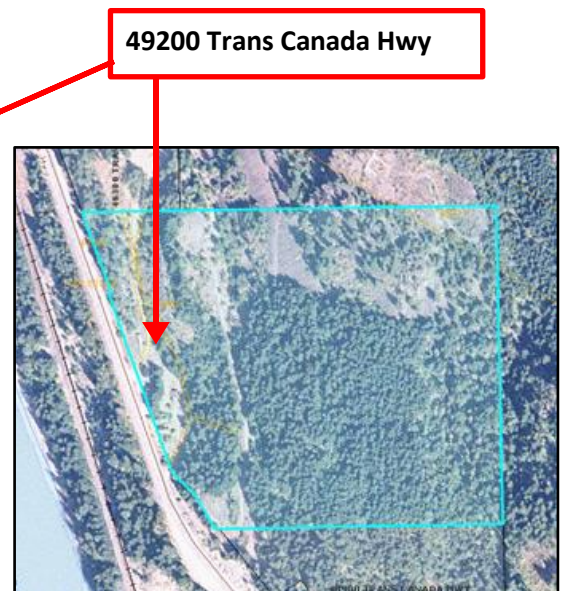
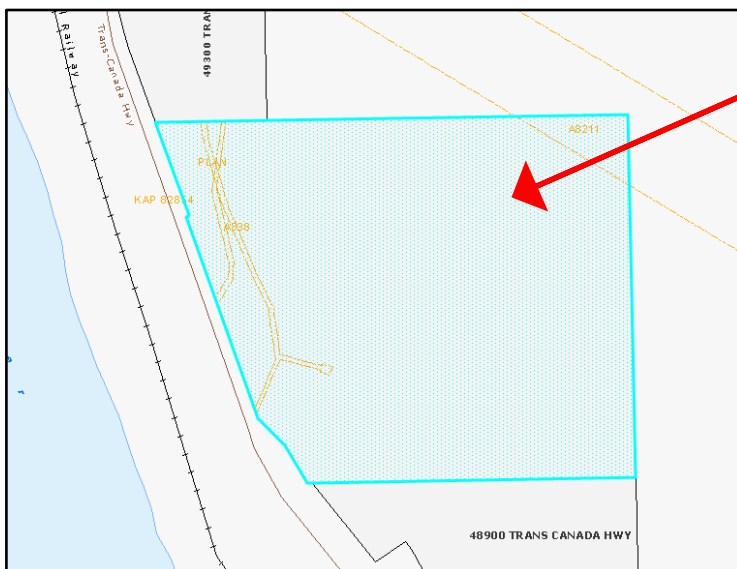
THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013* and the *BC Building Code*, at 49200 Trans Canada Hwy Electoral Area A, Fraser Valley Regional District, British Columbia (legally described as That Portion of Legal Subdivision 15 Section 2 Lying Easterly of the – Way of the Canadian Northern Pacific Railway; Township 11 Range 26 West of the 6th Meridian Yale Division Yale District Except Plan H670 (PID: 003-318-273) and Legal Subdivision 16 Section 2 Township 11 Range 26 West of the 6th Meridian Yale Division Yale District Except Plan G670 (PID: 003-318-206).

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship
 Provide Responsive & Effective Public Services

BACKGROUND

June 12, 1991 Complaint received from Ministry of Health that there are three atco trailer structures on site, being used as a motel. There are rooms without proper septic services - some are for sale.



June 25, 1991	Building Inspector conducts site inspection – trailers are posted with stop work and no occupancy notices.
Nov. 25, 1991	Bylaw Enforcement Officer conducts site inspection – the acto trailer structures are still on site.
Nov. 18, 1993	Bylaw Enforcement Officer conducts site inspection – the acto trailer structures have been removed from property.
Feb. 21, 1994	Complaint received about unsightly premises on the property.
Jan. 4, 2005	Complaint received about unsightly premises on the property.
Mar. 20, 2006	Complaint received that the property is in worse condition and that someone is living in one of the unsecured structures on site.
Mar. 28, 2006	Bylaw Enforcement Officer conducts site inspection - spoke to previous tenant who is helping to clean up the site, and noted that there are several structures and vehicles in various states of disrepair.
Mar. 30, 2006	Bylaw Enforcement letter mailed to property owner regarding hazardous condition of property.
April 28, 2006	Building Inspector conducts site inspection.
Oct. 10, 2007	Bylaw Enforcement Officer conducts site inspection – property remains unsightly, worse condition of the 3 buildings and garage are in disrepair.
Oct. 22, 2007	Bylaw Enforcement Officer speaks with owner on telephone, the following is discussed: (1) property has been recently inherited; (2) one of owners is away until late November 2007; (3) arrangements made to re-connect in November 2007 with intent to bring property into compliance.
Nov. 6, 2007	Bylaw Enforcement Officer and Management meeting with owner at FVRD Office, the following is discussed: (1) owner promises to clean up site and secure buildings as soon as possible; and (2) owner agrees to meeting Bylaw Enforcement Officer at the end of the week with a timeline and plans on how he will secure the site.
Nov. 13, 2007	Bylaw Enforcement Officer speaks with owner by phone, owner states that he has recently been to the property and promises to clean up the pile of garage and fix a recently collapsed wall on one of the buildings within the next 2 weeks.
Jan. 16, 2008	Bylaw Enforcement Officer conducts site inspection – roof has caved in on the house closest to the roadway.
Jan. 28, 2008	Bylaw Enforcement Officer speaks with owner by phone advises him that great efforts need to be made to clean up the site. Owner agreed that once the snow melts that he would either secure the building property or demolish it.
April 23, 2008	Bylaw Enforcement Officer conducts site inspection – the following is noted: (1) Building closest to the road way remains unchanged and remains a hazard; and (2) the garage/barn in the rear of the property has collapsed and now poses a hazard.

July 14, 2008	Building Inspector and Bylaw Enforcement Officer conduct site inspection – the following was noted: (1) the garage has been torn down; (2) debris is piled up close to cement pad; and (3) all other structures remain in disrepair and in a hazardous condition.
Feb. 6, 2009	Bylaw Enforcement Officer conducts inspection – there is no change to condition of site.
Feb. 9, 2009	Bylaw Enforcement Officer attempts to contact owner by phone and voicemail is left.
Mar. 1, 2011	There is a front counter enquiry at the FVRD Office regarding this property from a potential purchaser.
Oct. 11, 2011	There is a front counter enquiry at the FVRD Office regarding this property from a potential purchaser.
Nov. 14, 2014	Bylaw Enforcement letter mailed to property owner regarding hazardous conditions on the site.
Jan. 5, 2015	Bylaw Enforcement Officer met with the property owner and the following was discussed: (1) the letter was reviewed; (2) Owners are unsure how to deal with structures; (3) have no plans to apply for permits for the structures (fire damaged foundation, single family dwelling or accessory structure); (3) geotechnical issues in the area and wasn't sure if re-build was possible; (4) owner declined to speak with planner; (5) intention was to sell the property as it is; (6) Bylaw Enforcement Officer reviewed possible enforcement measures and a compliance deadline of January 12, 2016; and (7) owner stated he has no plans to comply with FVRD requests.
Jan. 23, 2015	There is a front counter enquiry at the FVRD Office regarding this property from a Real Estate Agent for a potential purchaser. Planning and Bylaw Staff relayed land use and general bylaw issues on the site.
July 16, 2015	Bylaw Enforcement Officer and management staff conduct site inspection with RCMP in attendance to keep the peace.
Nov. 6, 2017	There was a front counter enquiry at the FVRD Office regarding this property from a potential purchaser. Officer is advised that fires and vandalism have completely destroyed most of the structures on the site. Planning and Bylaw Staff relayed land use and general bylaw issues on the site.
Jan. 17, 2018	There was a front counter enquiry at the FVRD Office regarding this property from a potential purchaser. Planning and Bylaw Staff relayed land use and general bylaw issues on the site. Staff is advised that the main dwelling (yellow house) is the only structure left on the property that still remains unsightly.
June 2018	Management received information that people were camping on the subject property.
July 18, 2018	Bylaw Enforcement letter mailed to property owner, operating a campsite without proper permits, deadline for response to FVRD is August 20, 2018.
July 23, 2018	Email response from owners daughter denying the operation of a campground.

Sept. 21, 2018	<p>Joint site inspection conducted (Bylaw, Building, Planning Staff and RCMP to keep the peace); the property is located along the Trans-Canada Highway and the following was observed from the Highway and on the property:</p> <ul style="list-style-type: none"> • The foundation of a building previously destroyed by fire has been filled with wood and debris. A pipe is sticking out of the debris, and is possibly a vent for a septic system. • A number of Mobile Homes and Recreational Vehicles and newly constructed additions were observed without building permits. • A number of shipping containers were also observed as placed on the property without building permits. • Property in general was in an untidy condition - with building materials, rubbish, debris found all thought the area fronting the property surrounding the RV's, and the single family dwelling. • The following four separate structures were posted with stop work and no occupancy Notices. <ol style="list-style-type: none"> 1. Structure 1 – One Ramada over two Recreational Vehicles. 2. Structure 2 – One addition Structure to Recreation Vehicle. 3. Structure 3 – One addition Structure to Recreational Vehicle with wood stove installed. 4. Structure 4 – One addition Structure to Commercial Vehicle Box. • There were several occupants living in each of the recreational vehicles/mobile homes on the property; the building inspector and management staff spoke with most of the occupants and encountered the property owners daughter who was aggressive, uttering threats and caused staff to cease the inspection for safety reasons.
Sept. 21, 2018	Email from Property Owners daughter – the following was outlined: (1) Doesn't believe there is any violations of building bylaw; (2) Staff should not have been on her property; (3) they have no intention in comply with FVRD; (4) they have ripped up the stop work and no occupancy notices; and (5) they all live on the property full time and will not be leaving.
Sept. 30, 2018	Email from Owner to Director – the following was discussed in the email: (1) the details of works without permits; and (2) the behavior of his daughter towards FVRD staff during the site inspection.
Oct. 4/5, 2018	FVRD Management received a phone call from Owners' daughter outlining that some of the construction issues on the property have been resolved.
Oct. 10, 2018	Email from Owner to Area Director of Planning – the following was discussed in the email: (1) details of the RV's that are on the property; and (2) he intends to pay the fines and comply with FVRD Regulations.
Oct. 18, 2018	Bylaw Enforcement letter mailed to property owner, with four bylaw notice tickets attached for construction without permits. The letter addresses the following issues:

(1) Construction without permits on multiple structures; (2) Mobile Homes, decks, and wood stoves require a building permit; (3) accessory structures that do not require permits; (4) ripped up stop work and no occupancy notices; (5) property access; (6) legal action against FVRD; (7) zoning – unauthorized camping on the property; (8) septic requirements; (9) previous bylaw enforcement; (10) unsightly property; and (11) conduct during the Sept. 21, 2018 site inspection. The FVRD requests compliance of all matters and the deadline for response to FVRD is Nov. 26, 2018.

INSPECTION PHOTOS OF SUBJECT PROPERTY:

January 5, 2005



March 10, 2008



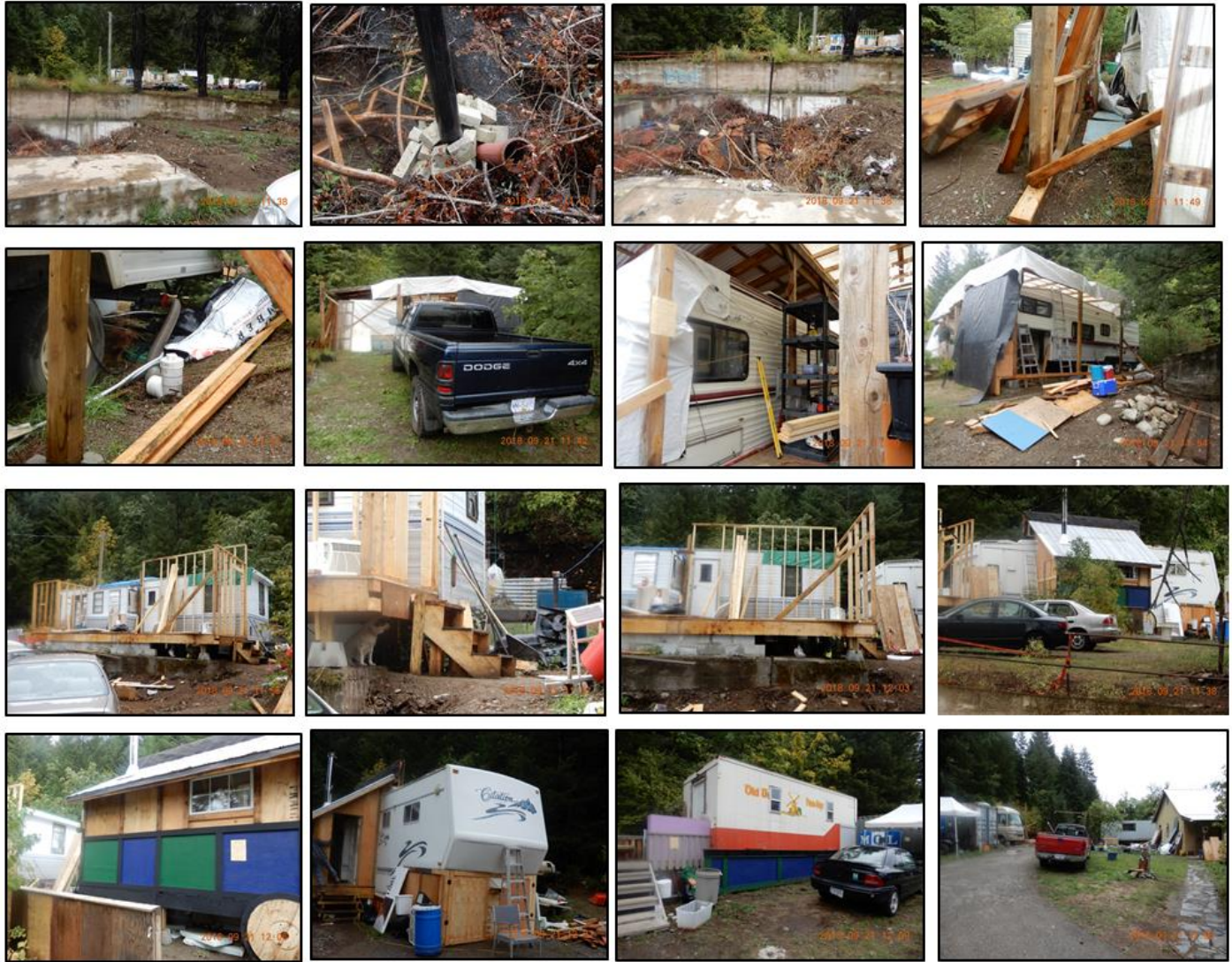
October 7, 2010



October 20, 2014



September 21, 2018



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 would like you to 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 works to build the following: (1) one ramada over two recreation vehicles; (2) one addition structure to a recreational vehicle; (3) one addition structure to recreation vehicle with wood stove installed; and (4) one addition structure to commercial vehicle box were all discovered in September of 2018 mid-construction.

Under Section 5.2(a) of the *Regional District Building Bylaw No. 1188, 2013* placement of any mobile home on any property is required to obtain a building permit from the Regional District.

When decks are over 215 square feet or elevated 2 or more feet above grade pursuant to section 5.2 and 5.4 of the *FVRD Building Bylaw No. 1188* and the *BC Building Code* they require a Building Permit.

The *FVRD Building Bylaw 1188* section 5.4 provides for an exemption for a building permit for an accessory structure, but only when it is single story and not intended to be used for residential occupancy as detailed below. All of the accessory structures on the subject property are intended for residential occupancy.

The *FVRD Building Bylaw 1188* Section 5.2(f) and 8.1.3 state that all wood stoves or solid fuel building appliances require a building permit

In the time since the construction was first discovered, the following works have been completed on the property:

- Building one – the ramada over the two recreational vehicles has been completely removed.
- Building two - the framing for the walls on the deck addition have been removed, now qualifying as exempt and no longer requiring a building permit.

Building three, the one addition structure to a recreation vehicle with wood stove installed, and building four, the one addition structure to a commercial vehicle box have both remained unchanged since they were first identified in 2018.

No building permit applications have ever been made for any of the above outlined structures.

Multiple Building Permits are required for the construction works undertaken by the property owner.

Zoning Bylaw

This property is in Electoral Area A, and a front portion of it is zoned Highway Commercial (C-2) of *Zoning Bylaw for Rural Portions of Electoral Area "A" No. 823, 1990* (Bylaw 823).

It has been confirmed by regional district staff that several recreational vehicles on the property are being used for residential purposes. The use of recreational vehicles as defined in Bylaw 823 is considered a camping use. Camping on the subject property is only permitted under regulated conditions and residential use of recreational vehicles is not permitted. Campground use is a listed permitted use in the C-2 zoned portion of the property. However, the development of a campground requires a permit as per the *Campground and Holiday Park Bylaw No. 1190, 1994*. The property owner does not currently have a campground permit, therefore camping is a prohibited land use on the property.

A campground permit would be required to authorize a campground use on the property.

COST

Land Titles Office filing fee of approximately \$74.

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 unauthorized construction works on building three, the one addition structure to recreation vehicle with wood stove installed, and on building four, the one addition structure to commercial vehicle box are both either:

1. Demolished with Building Permits issued by the FVRD, with successful final inspections; or
2. Fully completed Building Permits for the construction works to both building three and building four are issued by the FVRD and both receive successful final inspections, and successful rezoning or the issuance of a of campground permit.

CONCLUSION

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the construction works of the addition to the recreation vehicle with wood stove installed, and the addition to the commercial vehicle box structures without Building Permits violates the *Regional District Building Bylaw*, and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of Building Permits for the construction of the addition to recreation vehicle with wood stove installed, and the addition to commercial vehicle box. 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 Building Bylaw, Policies, and the *BC Building Code*.

COMMENTS BY:

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

April 8, 2019

REGISTERED MAIL

Mr. John Michael Parlett
Mr. Dallas Shane Harris
PO Box 59
42900 Trans Canada Hwy
Boston Bar BC V0K 1C0

Ms. Michelle Lynn Parlett
Mr. John Michael Parlett
#55 – 7790 King George Hwy
Surrey BC V3W 5Y4

Ms. Melanie Louise Parlett
10893 – 140th Street
Surrey BC V3R 3G3

FILE: 4010-20- A06043.000

CIVIC: 49200 Trans Canada Hwy

PID: 003-318-273 / 003-318-206

LEGAL: That Portion of Legal Subdivision 15 Section 2 Lying Easterly of the – Way of the Canadian Northern Pacific Railway; Township 11 Range 26 West of the 6th Meridian Yale Division Yale District Except Plan H670 (PID: 003-318-273) and Legal Subdivision 16 Section 2 Township 11 Range 26 West of the 6th Meridian Yale Division Yale District Except Plan G670 (PID: 003-318-206)

Dear Sirs and Madams':

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Tile
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building
without a Permit – 49200 Trans Canada Hwy Boston Bar BC**


Further to our previous correspondence dated October 17, 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 49200 Trans Canada Hwy 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 **May 8th, 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 49200 Trans Canada Hwy 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@fvrld.ca in advance of this meeting.

Sincerely,

 Digitally signed
by Paul Gipps
Date: 2019.04.05
08:02:03 -07'00'

Paul Gipps
Chief Administrative Officer

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

Attach: May 9, 2019 Staff Report from Bylaw and Appointed Building Inspector
October 17, 2018, Copy of Bylaw Enforcement Letter to Property Owner
March 28, 2019 Land Title Search Results
March 28, 2019 Property Information Report
March 28, 2019 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

October 17, 2018

VIA EMAIL: [REDACTED]

Mr. John M. Parlett
55-7790 King George Blvd.
Surrey BC V3W 5Y4

FILE: 4010-20 A06043.000

CIVIC: 49200 Trans Canada Hwy

PID: 003-318-273

LEGAL: THAT PORTION OF LEGAL SUBDIVISION 15 SECTION 2 LYING EASTERLY OF THE RIGHT-OF-WAY OF THE CANADIAN NORTHERN PACIFIC RAILWAY; TOWNSHIP 11 RANGE 26 WEST OF THE 6TH MERIDIAN YALE DIVISION YALE DISTRICT EXCEPT PLAN H670.

Dear Mr. Parlett,

RE: Stop Work Order and No Occupancy Orders – Bylaw Enforcement Contraventions - at 42900 Trans Canada Highway, Electoral Area A

Further to our previous letter dated July 19, 2018 the following is a detailed list of bylaw contraventions confirmed by Regional District Staff during our recent September 21, 2018 site inspection that are occurring on your property at 49200 Trans-Canada Highway (the "property"), see enclosed photos below.

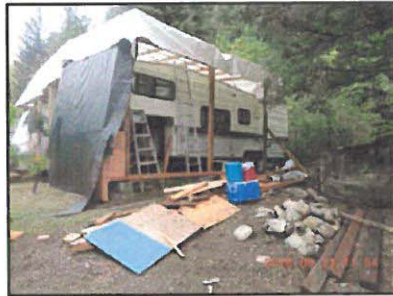


1) Construction of Multiple structures without Building Permits:

The FVRD Building Inspector has confirmed during the site inspection on September 21, 2018 that there has been new construction on no less than four unpermitted structures on your property at 49200 Trans Canada Highway (the "property") without any approved building permits. The following items were observed during this site visit:

A. One Ramada over two Recreational Vehicles (1)

- Posted Stop Work / No Occupancy Notice on September 21, 2018
- Requires a Building Permit for Construction; or demolition permit for removal
- Issued Bylaw Offence Notice Ticket No. 28889



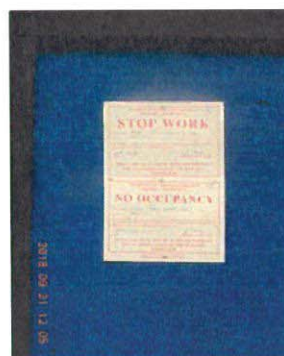
B. One Addition Structure to Recreational Vehicle

- Posted Stop Work / No Occupancy Notice on September 21, 2018
- Requires a Building Permit for Construction; or demolition permit for removal
- Issued Bylaw Offence Notice Ticket No. 28890



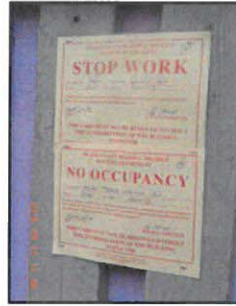
C. One Addition Structure to Recreational Vehicle with wood stove installed

- Posted Stop Work / No Occupancy Notice on September 21, 2018
- Requires a Building Permit for Construction; or demolition permit for removal
- Issued Bylaw Offence Notice Ticket No. 28891



D. One Addition Structure to Commercial Vehicle Box

- Posted Stop Work / No Occupancy Notice on September 21, 2018
- Requires a Building Permit for Construction; or demolition permit for removal
- Issued Bylaw Offence Notice Ticket No. 28892



E. Two shipping containers

- Each container requires a building permit for placement on the property or each container requires a demolition permit for removal.



Each of the unauthorized structures requires a fully completed building permit before works begin as detailed below in section 6.1 of the *Fraser Valley Regional District's Building Bylaw No. 1188, 2013*.

Building Bylaw No. 1188 Section 6 Prohibition

Section 6 of FVRD Building Bylaw No. 1188 States: *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*

During our site inspection and in the follow-up email of November 30, 2018 you reference several sections of the *Regional District Building Bylaw* that you felt exempted your new structures from Building Permits. The Regional District would like to clarify the following items:

Mobile Homes require a Building Permit

Under Section 5.2(a) of the *Regional District Building Bylaw No. 1188, 2013* placement of any mobile home on any property is required to obtain a building permit from the Regional District as detailed below:

- 5.2(a) *Subject to section 5.1, every owner of real property or his or her agent, in an area of the Regional District which is accessible by a highway maintained by the Ministry of Transportation and Infrastructure, shall obtain from the building official a building permit before commencing any construction, works, or change in occupancy as described below: (a) the placing on any land of any manufactured or factory-built home or of any housing component or modular structure;*

Decks require a Building Permit

When decks are over 215 square feet or elevated 2 or more feet above grade pursuant to section 5.2 and 5.4 of the *FVRD Building Bylaw No. 1188* and the *BC Building Code* they require a Building Permit.

Accessory Structure not requiring a Building Permit

The *FVRD Building Bylaw 1188* section 5.4 provides for an exemption for a building permit for an accessory structure, but only when it is single story and not intended to be used for residential occupancy as detailed below. Your detached accessory structures are all intended for residential occupancy.

- 5.4 *Notwithstanding section 5.2, a building permit is not required where the proposed construction consists of: (a) a new single storey detached accessory building or structure which is not intended to be used for any "residential occupancy" and which has a floor area not exceeding 20 square metres (215 square feet);*

Residential Occupancy is defined in the *Building Code* as the occupancy or use of a (Group C) building or part thereof by persons for whom sleeping accommodation is provided but who are not harboured or detained to receive medical care or treatment or are not involuntarily detained.

Wood Stoves require a Building Permit

The *FVRD Building Bylaw 1188* Section 5.2(f) and 8.1.3 state that all wood stoves or solid fuel building appliances require a building permit as outlined below:

- 5.2 (f) *Subject to section 5.1, every owner of real property or his or her agent, in an area of the Regional District which is accessible by a highway maintained by the Ministry of Transportation and Infrastructure, shall obtain from the building official a building permit before commencing any construction, works, or change in occupancy as described below: (f) installation of solid fuel or oil burning appliances or chimneys;)*
- 8.1.3 *Every person shall apply for and obtain a solid fuel/oil burning appliance permit prior to the construction of a masonry fireplace or the installation of a solid fuel or oil burning appliance or chimney unless the works are encompassed by a valid building permit.*

Ripped Up Stop Work Order/No Occupancy Notice Postings

Mr. Greg Price, Regional District Building Inspector posted stop work and no occupancy notices on four non-permitted structures on your property, and advised you these notices are to remain in place until such time as a required and fully completed building permit was submitted to the Regional District Office. As witnessed by FVRD Staff and by the admission of Ms. Nicole Brandy Parlett in her email dated September 21, 2018, you have removed all of the posted stop work and no occupancy notices from our September 21, 2018 site inspection. It is an offence to remove, or alter any notice posted by a Regional District Building Inspector as outlined in section 6.4 of the *FVRD Building Bylaw 1188* below:

- 6.4 *No person shall, unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this bylaw.*

In the case of the structures on your property, the following items are required to bring the multiple unpermitted structures into compliance with the *Regional District Building Bylaw* and all other FVRD regulations prior to **November 26, 2018**:

1. The Stop Work Order and No Occupancy Notices remain effect for the all of the unpermitted structures. The structures that are posted with Notices are not to be occupied or used for residential purposes. The Stop Work and No Occupancy Notices are to remain posted on the building.
2. Submit fully completed Building Permit Applications for each of the unpermitted structures, to the Regional District office. Each of 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 for each permit.
3. Alternatively, you may consider demolishing each of the structures which will require a Building Permit for demolition for each individual structure.

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) Property Access:

During our September 21, 2018 partial site inspection of your property Regional District staff repeatedly stated to the persons present on the property that the site inspection was for the purpose of confirming land use under the *Zoning Bylaw* and any construction under the *Building Bylaw*. Constable Darren McKay of the Boston Bar RCMP was invited by FVRD staff to keep the peace.

During the entirety of the site inspection and in the follow-up email from Nikole/Brandy Parlett dated September 21, 2018 it was repeatedly stated the opinion that the FVRD did not have the authority to inspect the property. The Regional District's authority to enter property is governed by sections 284 and 219 of the *Local Government Act* and section 16 of the *Community Charter* which provide authority to enter onto a property at reasonable times to inspect and determine if all regulations, prohibitions and requirements are being met. In addition Section 7.2 of the *Regional District's Building Bylaw No. 1188, 2013* and Section 302 of the *Zoning Bylaw for Rural Portions of Electoral Area "A" No. 823, 1990* authorize Regional District staff to inspect property if there are reasonable grounds that a bylaw is being contravened.

In the case of your property, historically staff has inspected previous bylaw violations and once in the area we could visibly observe from Trans-Canada Highway that violations of both local *Building* and *Zoning Regulations* were underway. In the future the FVRD will contact the registered property owner, Mr. John Parlett at 604-749-1307 or via email terrysivers4466@gmail.com prior to any site inspections to arrange the site visits on a mutually convenient date. If we are unable to arrange a mutually agreeable date, we will provide you with at least 24 hour notice of our inspection.

3) Legal Action against the Fraser Valley Regional District:

The September 21, 2018 email from Ms. Nikole/Brandy Parlett references a number of legal actions against the FVRD. Please have your solicitor contact me at mthornton@fvrd.ca or Paul Gipps, Chief Administrative Officer (CAO) at pgipps@fvrd.ca.

4) Zoning Unauthorized camping on the Property:

The comments by Ms. Nikole/Brandy Parlett during the on-site inspection of the property and the September 21, 2018 follow-up email to me reference your impression that it may be permissible under existing land use that family members of the property owner are authorized to live on the property in

recreational vehicles. Camping on your property is only permitted under regulated conditions and residential use of recreational vehicles is not permitted.

It is my interpretation as the Director of Planning and Development of the *Zoning Bylaw for Rural Portions of Electoral Area "A" No. 823, 1990* (Bylaw 823) that the front portion of your property is currently zoned as C-2 (Highway Commercial Zone) in Bylaw 823. Section 4.4.1 of Bylaw 823 provides for a list of permitted uses on that front portion of your property. Campground, as defined below is a permitted use in the C-2 Zone and is permitted in that front portion of the property.

Bylaw 823

Division Eight *CAMPGROUND is defined in part in the Zoning Bylaw No. 1190 as:*
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 development of a campground requires a permit as per the *Campground and Holiday Park Bylaw No. 1190, 1994* as detailed in part below. At this time you do not have a campground permit as required and therefore camping is a prohibited land use on your property.

Bylaw 1190

Section 1.07 *It shall be unlawful for any person to cause, suffer or permit the location, establishment, construction, extension, alteration, expansion, subdivision or operation of a natural camping ground, campground, holiday park, or to cause or allow a tent, mobile home, travel trailer, recreational vehicle or park model trailer to be parked or to remain in a natural camping ground, campground, holiday park or natural camping ground in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.*

In consideration of the above please ensure that you achieve the following by the above mentioned deadline of **November 26, 2018**:

- Submit a completed application, as provided 4 in Schedule "B" of Bylaw No. 1190 for operation of a campground; or
- Discontinue the use of the property as a campground until a permit is obtained.

I have enclosed a Schedule "B" Application form for the operation of a Campground to this letter for your convenience. 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 do not hesitate to contact one of our Building Inspectors at (604) 702-5000.

5) Septic Requirements:

The Fraser Health Authority regulates on-site septic approval for the Boston Bar and surrounding areas. Sewage disposal from multiple recreational vehicles on your property is occurring on site without the utilization of an approved sewage disposal system. Please ensure that the non-permitted sewage disposal is discontinued immediately and appropriate clean-up is conducted to ensure there are no environmental concerns. We have forwarded our information to the Health Authority for their follow-up.

6) Previous Bylaw Enforcement at 49200 Trans-Canada Highway:

The FVRD has been in contact with the previous property owners to address the outstanding Bylaw Enforcement issues of the abandoned residence (yellow house) and the unsecured foundation other dwelling residence that was destroyed by a structure fire. As the new owner of the property at 49200

Trans-Canada Highway you may or may not have been aware of the outstanding bylaw enforcement on your property. A change in ownership in no way negates the bylaw enforcement issue.

I have enclosed a letter to the previous property owners, dated November 14, 2014 that outlines all previous bylaw enforcement matters on the property. The following two bylaw violations that continue to remain outstanding on the property are detailed below:

- A) It is required that the foundation where the structure fire occurred needs to be backfilled to reduce the risk of persons falling into the foundation wall. Alternatively you may apply for and carry out the requirements of a demolition permit to remove the damaged foundation.
- B) The single family dwelling is unsecured, may have unauthorized squatting, and has possible structural damage rendering it an unsafe structure. It is required that you submit a fully completed Building Permit Application to renovate the dwelling or alternatively apply for and carry out the requirements of a demolition permit to remove the structure.

We believe your property in its current condition creates a serious safety concern for yourself, your neighbours and or visitors to your property. We 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

8) Unsightly Property:

It has come to the attention of the Fraser Valley Regional District that your property is once in an unsightly and untidy condition due to an accumulation of rubbish, debris, refuse and building materials.

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;

Section 3 of Bylaw 0037 states:

- a) 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.*

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws, therefore it is requested that you please remove the rubbish, debris, refuse and building materials from your property by Monday, **November 26, 2018**. Some materials can be deposited at the Chaumoux Landfill at 50390 Chaumoux Road, North Bend, BC.

8) Conduct during the September 21, 2018 on-site Property Inspection:

During the site inspection on September 21, 2018 I introduced myself and FVRD staff, provided my business card and advised the reason for the site visit. The RCMP staff member was invited to keep the pace at the FVRD request. The offensive language of Nikole/Brandy Parlett during the September 21, 2018 site was unacceptable and will not be tolerated in the presence of Regional District Staff. The FVRD has a Respectful Workplace bullying and harassment prevention policy that provides a commitment to provide a work environment that is free from discrimination, bullying and harassment where all workers are treated in a fair and respectful manner with dignity and respect; including from members of the public. We will treat you respectfully and expect that all of your interactions with Regional District staff will also be respectful.

Please find attached four separate Bylaw Enforcement Offence Notice Tickets (No. 28889, No. 28890, No. 28891 and No. 28892), one for each of the four unpermitted structures viewed on your property totaling the amount of \$2000 all for the contravention of building without required Building Permits as outlined in *Bylaw Notice Enforcement Bylaw No. 1415, 2017*.

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 **November 26, 2018** then you will be subject to additional 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

Ms. Brandy Parlett has contacted FVRD staff by email and telephone. Ms. Parlett advised that since the September 21, 2018 FVRD staff visit that a number of the structures posed with stop work and no occupancy notices as detailed in this letter have been removed. It is the intent of the FVRD to work cooperatively with you to bring the property into compliance.

The FVRD requires a comprehensive site inspection to catalogue all existing structures, and uses of the entire property. Please contact bylaw enforcement staff prior to **November 26, 2018** to arrange access on a mutually convenient date when you will be available to meet on site and allow access to inspect all existing structures and to confirm any if any structures have been removed. If the structures have been removed after being confirmed by an FVRD staff visit, the Bylaw Offence Notice (tickets) associated with the infractions will be reviewed. Please be aware that the authority to conduct inspections and gain entrance to property is recognized within the *Local Government Act (Section 419)* as well as the *Building Bylaw No. 1188, 2013 (Part 7.2)*.

Ms. Brandy Parlett has also requested to receive correspondence regarding the property via email: sobergirls@outlook.com. As the registered property owner, the FVRD will correspond directly with you only. You may choose to forward the FVRD correspondence to Ms. Brandy Parlett.

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 mthornton@fvr.ca. Our office hours are Monday through Friday from 8:30am to 4:30pm. Thank you in advance for your anticipated co-operation.

Respectfully,



Margaret-Ann Thornton
Director of Planning and Development

cc: Terry Raymond, Director of Electoral Area A
Greg Price, Building and Bylaw Coordinator
Louise Hinton, Bylaw Compliance and Enforcement Officer
Fraser Health Protection Office, Hope BC
Royal Canadian Mounted Police, Boston Bar Detachment

Attach: Bylaw Offence Notice Tickets No.28889, 28890, 28891 and 28892
Copy of Letter dated July 19, 2018
Copy of Letter to Previous Property Owner, dated November 14, 2014

UPPER FRASER VALLEY BYLAW ADJUDICATION SYSTEM

☐ City of Chilliwack ☐ District of Hope **BNE No 28880**
☐ District of Kent ☒ Fraser Valley Regional District
☐ Village of Harrison Hot Springs

BYLAW OFFENCE NOTICE

Local Government Bylaw Notice Enforcement Act

ISSUED TO:

SURNAME OR CORPORATE NAME PARLETT		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED) JOHN M.	GENDER M / F	BIRTHDATE (YY MM DD)	
ADDRESS 49200 Trans Canada Hwy			
CITY Boston Bar	PROVINCE BC	POSTAL CODE V0K 1C0	

VEHICLE INFORMATION (IF APPLICABLE)

MAKE _____ MODEL _____

COLOUR _____ LICENCE NO. _____ PROVINCE _____

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED PERSON OR VEHICLE:

ON OR ABOUT **2018-07-21** AT THE TIME OF **(24hr Clock)**

AT OR NEAR **49200 Trans Canada Hwy, Boston Bar**
 STREET ADDRESS, CITY, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW:

BUILDING BYLAW No. 1188, 2013

DESCRIPTION OF OFFENCE	SECTION	PENALTY
BUILD WITHOUT A PERMIT	6.1	\$ 500
		\$
		\$

EARLY PAYMENT TERMS

THE PENALTY WILL BE REDUCED BY \$10.00 IF PAYMENT IS RECEIVED WITHIN 14 DAYS. A SURCHARGE OF \$10.00 WILL BE APPLIED IF PAYMENT IS NOT RECEIVED WITHIN 28 DAYS.

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO FILE AN ADJUDICATION REQUEST:

Upper Fraser Valley Bylaw Adjudication Registry
 8550 Young Road, Chilliwack, BC, V2P 8A4

OR DELIVER, HAVE DELIVERED OR MAIL AN ADJUDICATION REQUEST TO THE ADDRESS ON THE REVERSE.

IF YOU WISH TO PAY THE PENALTY, THE PENALTY AMOUNT MAY BE PAID AT THE ABOVE ADDRESS IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

DATE SERVED **2018-10-15**
☒ BY MAIL/COURIER ☐ HAND DELIVERED ☐ POSTED ON PROPERTY

ISSUING OFFICER **#1578**

SIGNATURE **[Signature]**

IF THE PENALTY IS NOT PAID, OR AN ADJUDICATION REQUEST IS NOT SUBMITTED WITHIN 14 DAYS OF RECEIVING THIS NOTICE, THE PENALTY INDICATED WILL BECOME DUE AND PAYABLE.

ALLEGED OFFENDER'S COPY

UPPER FRASER VALLEY BYLAW ADJUDICATION SYSTEM

☐ City of Chilliwack ☐ District of Hope **BNE No 28880**
☐ District of Kent ☒ Fraser Valley Regional District
☐ Village of Harrison Hot Springs

BYLAW OFFENCE NOTICE

Local Government Bylaw Notice Enforcement Act

ISSUED TO:

SURNAME OR CORPORATE NAME PARLETT		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED) JOHN M.	GENDER M / F	BIRTHDATE (YY MM DD)	
ADDRESS 49200 Trans Canada Hwy			
CITY Boston Bar	PROVINCE BC	POSTAL CODE V0K 1C0	

VEHICLE INFORMATION (IF APPLICABLE)

MAKE _____ MODEL _____

COLOUR _____ LICENCE NO. _____ PROVINCE _____

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED PERSON OR VEHICLE:

ON OR ABOUT **2018-07-21** AT THE TIME OF **(24hr Clock)**

AT OR NEAR **49200 Trans Canada Hwy, Boston Bar**
 STREET ADDRESS, CITY, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW:

BUILDING BYLAW No. 1188, 2013

DESCRIPTION OF OFFENCE	SECTION	PENALTY
BUILD WITHOUT A PERMIT	6.1	\$ 500
		\$
		\$

EARLY PAYMENT TERMS

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DATE SERVED **2018-10-15**
☒ BY MAIL/COURIER ☐ HAND DELIVERED ☐ POSTED ON PROPERTY

ISSUING OFFICER **#1578**

SIGNATURE **[Signature]**

IF THE PENALTY IS NOT PAID, OR AN ADJUDICATION REQUEST IS NOT SUBMITTED WITHIN 14 DAYS OF RECEIVING THIS NOTICE, THE PENALTY INDICATED WILL BECOME DUE AND PAYABLE.

ALLEGED OFFENDER'S COPY

UPPER FRASER VALLEY BYLAW ADJUDICATION SYSTEM

☐ City of Chilliwack
 ☐ District of Hope
 BNE No 28892
☐ District of Kent
 ☒ Fraser Valley Regional District
☐ Village of Harrison Hot Springs

BYLAW OFFENCE NOTICE

Local Government Bylaw Notice Enforcement Act

ISSUED TO:

SURNAME OR CORPORATE NAME PARLETT		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED) JOHN M.		GENDER M / F	BIRTHDATE (YY MM DD)
ADDRESS 49200 Trans Canada Hwy			
CITY Boston Bar	PROVINCE BC	POSTAL CODE V0K1C0	

VEHICLE INFORMATION (IF APPLICABLE)

MAKE _____ MODEL _____

COLOUR _____ LICENCE NO. _____ PROVINCE _____

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED PERSON OR VEHICLE:

ON OR ABOUT **2018-07-21** AT THE TIME OF **(24hr Clock)**

AT OR NEAR **49200 Trans Canada Hwy, Boston Bar**
STREET ADDRESS, CITY, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW:

BUILDING BYLAW No 1188, 2013

BYLAW NAME		
DESCRIPTION OF OFFENCE	SECTION	PENALTY
BUILD WITHOUT A PERMIT	6.1	\$500
		\$
		\$

EARLY PAYMENT TERMS
THE PENALTY WILL BE REDUCED BY \$10.00 IF PAYMENT IS RECEIVED WITHIN 14 DAYS. A SURCHARGE OF \$10.00 WILL BE APPLIED IF PAYMENT IS NOT RECEIVED WITHIN 28 DAYS.

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IF YOU WISH TO PAY THE PENALTY, THE PENALTY AMOUNT MAY BE PAID AT THE ABOVE ADDRESS IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

DATE SERVED **2018-10-15**
☒ BY MAIL/COURIER
 ☐ HAND DELIVERED
 ☐ POSTED ON PROPERTY

ISSUING OFFICER **#1528**
SIGNATURE **[Signature]**

IF THE PENALTY IS NOT PAID, OR AN ADJUDICATION REQUEST IS NOT SUBMITTED WITHIN 14 DAYS OF RECEIVING THIS NOTICE, THE PENALTY INDICATED WILL BECOME DUE AND PAYABLE.

ALLEGED OFFENDER'S COPY

UPPER FRASER VALLEY BYLAW ADJUDICATION SYSTEM

☐ City of Chilliwack
 ☐ District of Hope
 BNE No 28891
☐ District of Kent
 ☒ Fraser Valley Regional District
☐ Village of Harrison Hot Springs

BYLAW OFFENCE NOTICE

Local Government Bylaw Notice Enforcement Act

ISSUED TO:

SURNAME OR CORPORATE NAME PARLETT		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED) JOHN M.		GENDER M / F	BIRTHDATE (YY MM DD)
ADDRESS 49200 Trans Canada Hwy			
CITY Boston Bar	PROVINCE BC	POSTAL CODE V0K1C0	

VEHICLE INFORMATION (IF APPLICABLE)

MAKE _____ MODEL _____

COLOUR _____ LICENCE NO. _____ PROVINCE _____

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED PERSON OR VEHICLE:

ON OR ABOUT **2018-07-21** AT THE TIME OF **(24hr Clock)**

AT OR NEAR **49200 Trans Canada Hwy, Boston Bar**
STREET ADDRESS, CITY, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW:

BUILDING BYLAW NO. 1188, 2013

BYLAW NAME		
DESCRIPTION OF OFFENCE	SECTION	PENALTY
BUILD WITHOUT A PERMIT	6.1	\$500
		\$
		\$

EARLY PAYMENT TERMS
THE PENALTY WILL BE REDUCED BY \$10.00 IF PAYMENT IS RECEIVED WITHIN 14 DAYS. A SURCHARGE OF \$10.00 WILL BE APPLIED IF PAYMENT IS NOT RECEIVED WITHIN 28 DAYS.

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO FILE AN ADJUDICATION REQUEST:

Upper Fraser Valley Bylaw Adjudication Registry
8550 Young Road, Chilliwack, BC, V2P 8A4

OR DELIVER, HAVE DELIVERED OR MAIL AN ADJUDICATION REQUEST TO THE ADDRESS ON THE REVERSE.

IF YOU WISH TO PAY THE PENALTY, THE PENALTY AMOUNT MAY BE PAID AT THE ABOVE ADDRESS IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

DATE SERVED **2018-10-15**
☒ BY MAIL/COURIER
 ☐ HAND DELIVERED
 ☐ POSTED ON PROPERTY

ISSUING OFFICER **#1528**
SIGNATURE **[Signature]**

IF THE PENALTY IS NOT PAID, OR AN ADJUDICATION REQUEST IS NOT SUBMITTED WITHIN 14 DAYS OF RECEIVING THIS NOTICE, THE PENALTY INDICATED WILL BECOME DUE AND PAYABLE.

ALLEGED OFFENDER'S COPY

TITLE SEARCH PRINT

2019-03-28, 16:27:47

File Reference:

Requestor: Louise Hinton

Declared Value \$215000

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN******Land Title District**

Land Title Office

KAMLOOPS

KAMLOOPS

Title Number

From Title Number

CA7133580

CA6717701

Application Received

2018-10-17

Application Entered

2018-10-19

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

JOHN MICHAEL PARLETT, BACKGROUND PERFORMER
DALLAS SHANE HARRIS, LANDSCAPER
PO BOX 59, 49200 TRANS CANADA HIGHWAY
BOSTON BAR, BC
V0K 1C0
MICHELLE LYNN PARLETT, ECE
#55 - 7790 KING GEORGE BOULEVARD
SURREY, BC
V3W 5Y4
MELANIE LOUISE PARLETT, ECE
10893 - 140TH STREET
SURREY, BC
V3R 3G3
AS JOINT TENANTS

Taxation Authority

Chilliwack Assessment Area

Description of Land

Parcel Identifier:

003-318-273

Legal Description:

THAT PORTION OF LEGAL SUBDIVISION 15 SECTION 2 LYING EASTERLY OF THE RIGHT-
OF-WAY OF THE CANADIAN NORTHERN PACIFIC RAILWAY; TOWNSHIP 11 RANGE 26 WEST OF
THE 6TH MERIDIAN YALE DIVISION YALE DISTRICT EXCEPT PLAN H670

Legal Notations

NONE

TITLE SEARCH PRINT

2019-03-28, 16:27:47

File Reference:

Requestor: Louise Hinton

Declared Value \$215000

Charges, Liens and Interests

Nature:	RIGHT OF WAY
Registration Number:	24112E
Registration Date and Time:	1936-09-19 10:32
Registered Owner:	CANADIAN NORTHERN PACIFIC RAILWAY COMPANY
Remarks:	INTER ALIA PART ON PLAN A838
Nature:	EASEMENT
Registration Number:	LB3250
Registration Date and Time:	2007-01-09 14:22
Remarks:	PART ON PLAN KAP82854 APPURTENANT TO THE FRACTIONAL LS 2 SEC.11 TP.11 RG.26 W6M YDYD EXCEPT THE RW OF THE CANADIAN NATIONAL RAILWAY AS SHOWN ON PLAN A706 AND PLAN H670

Duplicate Infeasible Title

NONE OUTSTANDING

Transfers

NONE

Pending Applications

NONE

TITLE SEARCH PRINT

2019-03-28, 16:29:00

File Reference:

Requestor: Louise Hinton

Declared Value \$215000

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District	KAMLOOPS
Land Title Office	KAMLOOPS
Title Number	CA6810969
From Title Number	KL117082
Application Received	2018-05-22
Application Entered	2018-05-24
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	JOHN MICHAEL PARLETT, BACKGROUND PERFORMER 49200 TRANS CANADA HIGHWAY BOSTON BAR, BC V0K 1C0
Taxation Authority	Chilliwack Assessment Area
Description of Land	
Parcel Identifier:	003-318-206
Legal Description:	LEGAL SUBDIVISION 16 SECTION 2 TOWNSHIP 11 RANGE 26 WEST OF THE 6TH MERIDIAN YALE DIVISION YALE DISTRICT EXCEPT PLAN H670
Legal Notations	NONE
Charges, Liens and Interests	
Nature:	RIGHT OF WAY
Registration Number:	24112E
Registration Date and Time:	1936-09-19 10:32
Registered Owner:	CANADIAN NORTHERN PACIFIC RAILWAY COMPANY
Remarks:	INTER ALIA PART ON PLAN A838
Duplicate Indefeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

Folio: 732.06043.000
Civic: 49200 TRANS CANADA HWY
Size: 5.86 ACRES

Pid: 003-318-273

Legal: LEGAL SUBDIVISION 15, SECTION 2, TOWNSHIP 11,
 RANGE 26, MERIDIAN W6, YALE DIV OF YALE LAND
 DISTRICT, EXCEPT PLAN H670, E OF CNR / W * REM

Owner: PARLETT, JOHN M
 HARRIS, DALLAS S
 49200 TRANS CANADA HWY
 PO BOX 59
 BOSTON BAR BC V0K 1C0
 (CA7133580)

Owner: PARLETT, MELANIE L
 10893 140TH ST
 SURREY BC V3R 3G3
 (CA7133580)

Owner: PARLETT, MICHELLE L
 55-7790 KING GEORGE BLVD
 SURREY BC V3W 5Y4
 (CA7133580)

2019 Taxable Assessments

				<u>Land</u>	<u>Improvements</u>	<u>Net</u>
1	Res	GENERAL	Gross	61,300	10,000	71,300
			Exempt	0	0	0
			Net	61,300	10,000	71,300
1	Res	SCHOOL	Gross	61,300	10,000	71,300
			Exempt	0	0	0
			Net	61,300	10,000	71,300

2019 Actual Assessments

	<u>Land Class</u>	<u>Land</u>	<u>Impr Class</u>	<u>Impr</u>
00 - FULLY TAXABLE LAND, STRUCTURES	1 - Res	61300	1 - Res	10000

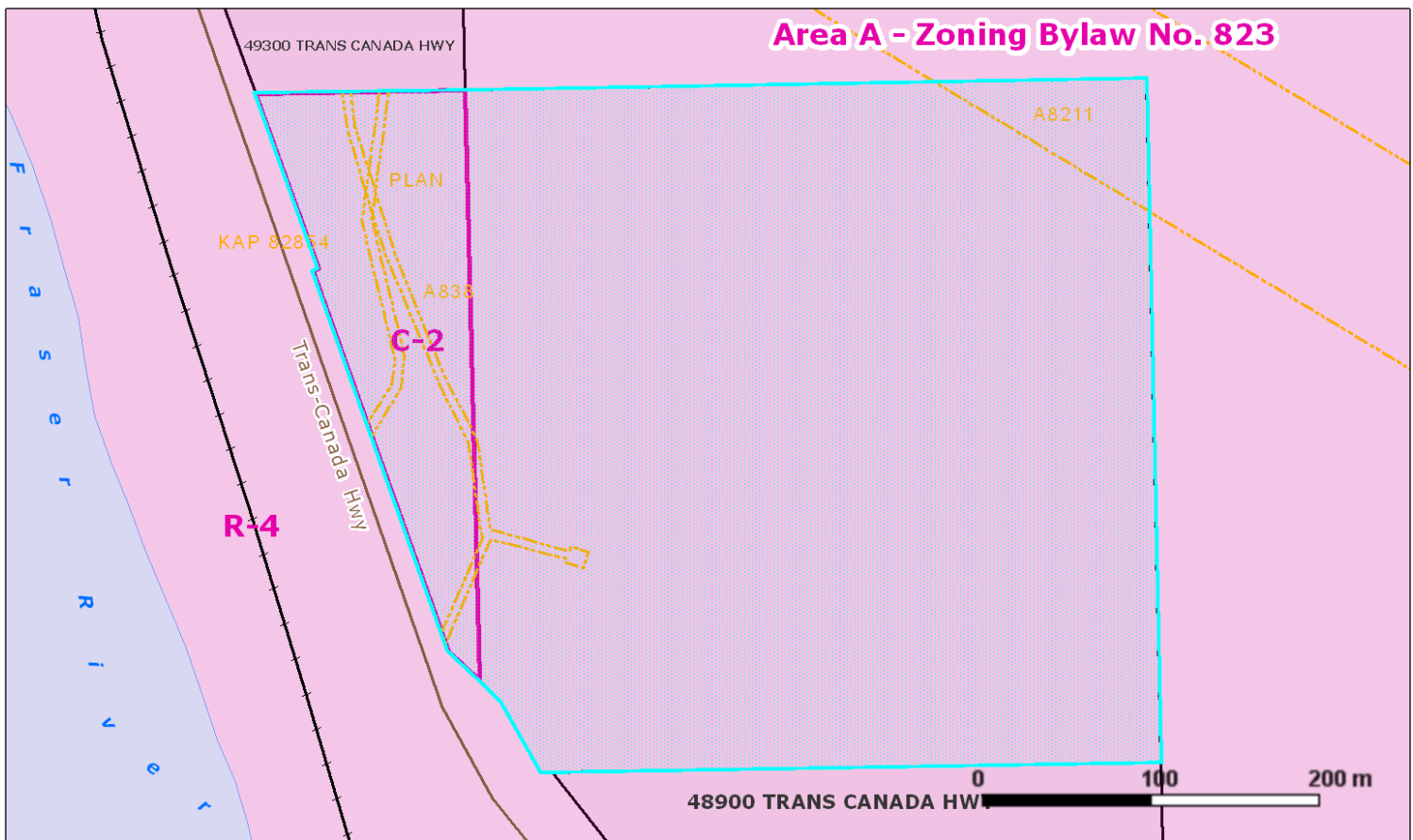
<u>Lto Number</u>	<u>Sales Price</u>	<u>Date</u>	<u>Description</u>
CA7133580	215,000.00	Oct 17, 2018	REJECT - NOT SUITABLE FOR SALES ANALYSIS
CA6810969	215,000.00	May 22, 2018	MULTIPLE PROPERTY TRANSACTION
CA6717701	215,000.00	Apr 5, 2018	REJECT - NOT SUITABLE FOR SALES ANALYSIS
87104	0.00	Apr 23, 1996	REJECT - NOT SUITABLE FOR SALES ANALYSIS
KK30952	0.00	Apr 19, 1996	REJECT - NOT SUITABLE FOR SALES ANALYSIS
83176	10,900.00	Feb 2, 1996	IMPROVED SINGLE PROPERTY CASH TRANSACTI

<u>Attribute</u>	<u>Value</u>	<u>Description</u>
ACTUAL USE	060	2 ACRES OR MORE (SINGLE FAMILY DWELLING, D
ELECTORAL AREA	A	ELECTORAL AREA A
MANUAL CLASS	0080	1 STY SFD-AFTER 1930-FAIR
NEIGHBOURHOOD	111	
SCHOOL DISTRICT	78	FRASER CASCADE
SERVICE	0245AC	
SUBDIVISION	NORTH BEN	
TENURE TYPE	01	CROWN GRANTED

<u>Classification</u>	<u>Start Date</u>	<u>Stop Date</u>	<u>Comment</u>
BYLAW ENFORCEM	Jan 1, 2002		See bylaw enforcement staff for details.A06043.000
BYLAW ENFORCEM	Jan 1, 2002		See bylaw enforcement staff for details.A06043.000
BYLAW ENFORCEM	Jan 1, 2002	Nov 18, 1993	See bylaw enforcement staff for details.A06043.000
BYLAW ENFORCEM	Jan 1, 2002	Nov 18, 1993	See bylaw enforcement staff for details.A06043.000
BYLAW ENFORCEM	Oct 2, 2018		RCMP escort required. See Bylaw Dept. for Details.

Property Information Report

Civic Address:	49200 TRANS CANADA HWY	Lot Size:	5.86 ACRES
Folio Number:	732.06043.000	Electoral Area:	A
PID:	003-318-273	Map Scale:	1:4109
Legal Description:	LEGAL SUBDIVISION 15, SECTION 2, TOWNSHIP 11, RANGE 26, MERIDIAN W6, YALE DIV OF YALE LAND DISTRICT, EXCEPT PLAN H670, E OF CNR / W * REM		



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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This information is provided as a public resource for general information purposes only. The information shown is compiled from various sources and the Fraser Valley Regional District makes no warranties, expressed or implied, as to the accuracy or completeness of the information. This report is not a legal document and is published for information and convenience only. The Fraser Valley Regional District is not responsible for any errors or omissions that may appear on this report.

To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: Louise Hinton, Bylaw Compliance & Enforcement Officer

File No: F02302.025

Subject: Building Bylaw and BC Building Code Contraventions at 13085 Degraff Road, Electoral Area F, Legally Described as: Lot 14 Section 25 Township 18 East of the Coast Meridian New Westminster District Plan 2782 (PID: 010-712-453).

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 and the BC Building Code*, at 13085 Degraff Road Electoral Area F, Fraser Valley Regional District, British Columbia (Legally described as: Lot 14 Section 25 Township 18 East of the Coast Meridian New Westminster District Plan 2782. (PID: 010-712-453)

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship

Provide Responsive & Effective Public Services

BACKGROUND

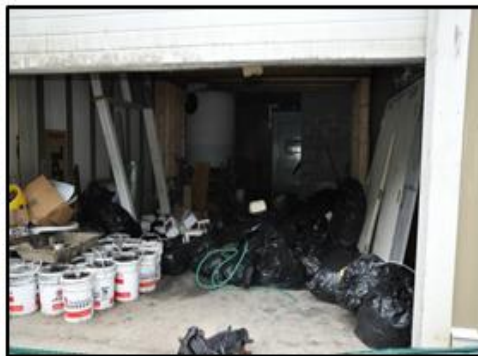
July 15, 2011	Bylaw Officer is contacted by the RCMP that a marijuana grow operation has been dismantled on the property. The large detached shop/barn structure had five shipping containers inside and all of them were utilized to manufacture marijuana.
Aug. 5, 2011	Bylaw Officer conducted site inspection and posted stop work and no occupancy notices on the large accessory shop/barn structure. Bylaw Letter mailed to owner, requests compliance of all matters and the deadline for response to FVRD is September 5, 2011.
Aug. 29, 2011	Owners submits Building Permit Application (BP012617) for the detached shop and marijuana growing operation remediation.
Oct. 6, 2011	Building Department Letter is mailed to owner advising him of outstanding items remaining to complete his Building Permit Application (BP012617).
Dec. 19, 2011	Bylaw Officer received a telephone enquiry regarding this property from a Real Estate Agent of a potential purchaser.

Feb. 1 2012	Bylaw Officer received a separate telephone enquiry regarding this property from another Real Estate Agent of a potential purchaser.
Feb. 3, 2012	Bylaw Officer received another separate telephone enquiry regarding this property from another Real Estate Agent of a potential purchaser.
Feb. 10, 2012	Second Building Department Letter is mailed to owner advising him of outstanding items remaining to complete his Building Permit Application (BP012617).
May 18, 2012	Third Building Department Letter is mailed to owner advising him of outstanding items remaining to complete his Building Permit Application (BP012617).
July 19, 2012	Building Department mailed a final notice letter to owner advising him that his building permit application (BP012617) remains incomplete.
Oct. 2, 2013	File is referred back to bylaw enforcement for follow-up as Building Permit Application (BP012617) has been closed due to inactivity.
Nov. 28, 2013	Bylaw Letter mailed to Owner advising him that his file has been referred back to bylaw enforcement for follow-up. Deadline to respond to FVRD is January 13, 2014.
Dec. 6, 2013	Bylaw Officer received phone call from owner – the following was discussed: (1) one of the owners has passed away and single ownership will go on from now, (2) the structure remains on site and is currently in use, (3) Bylaw Officer explained that Building Permit is still required for building, and (4) Owner seems willing to comply.
Jan. 15, 2014	A new Building Permit Application (BP013074) has been submitted to the FVRD for the same single structure, as an accessory agricultural barn for growing.
Mar. 3, 2016	Building Department mailed a letter to the owner advising him that his building permit application (BP0113074) is closed due to outstanding items.
Mar. 16, 2016	Bylaw Letter mailed to owner with a bylaw ticket (No. 22884) attached advising him that his building permit file was closed and referred back to bylaw enforcement for follow-up. Deadline to respond to FVRD is April 17, 2016.
April 18, 2016	Bylaw Notice Ticket is paid in full. A third Building Permit Application (BP013569) has been submitted to the FVRD for the same accessory structure; this building permit describes the same structure as a barn.
June 22, 2016	Building Department Letter is mailed to owner advising him of outstanding items remaining to complete his Building Permit Application (BP013569).

Jan. 26, 2017	Staff conducts a file review and the building permit file remains unchanged – no further outstanding building permit items have been submitted to the FVRD Building Department.
Jan. 30, 2017	Second Building Department Letter is mailed to owner advising him of outstanding items remaining to complete his Building Permit Application (BP013569).
Mar. 23, 2018	Third Building Department Letter is mailed to owner advising him of outstanding items remaining to complete his Building Permit Application (BP013569).
July 19, 2018	Building Department mailed a letter to the owner advising him that his building permit application (BP013569) is closed due to inactivity.
Jan. 10, 2019	Bylaw Officer and Building Inspector conduct drive by site inspection – structure remains on the property.
Jan. 17, 2019	A final warning Bylaw letter is mailed to property owner advising owner of staff recommendation to proceed with the process to register a notice on title.
Feb. 20, 2019	A hand written letter is received by FVRD from the property owner outlining his history on the structure.
April 8, 2019	Bylaw Officer attempted to contact the property owner by telephone and the following was discussed (1) lengthy history of Bylaw file, (2) notice on title process, and (3) owner stated he understood and agreed to staff move forward to pursue a Notice on Title on his property.
April 9, 2019	Bylaw Staff sent a letter by mail to owner notifying him of the show cause hearing for May 8, 2019.

INSPECTION PHOTOS OF SUBJECT PROPERTY:

July 16, 2011



July 16, 2011 continued



August 5, 2011



January 10, 2019



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; provides disclosure to future owners; and protects against potential claims with regard to the contraventions.

Staff would like you to 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 works to build the detached accessory barn/shop structure was first discovered in 2011 to have been constructed around the placement of six large sixty foot shipping containers for the operation of several marijuana growing operations without any building permits.

The construction of this large accessory structure that encloses the six shipping containers is required to have an issued building permit prior to the start of construction. This construction of this building has been completed for a number of years without a permit.

Any structure that has a change of use from its initial intended use is required to obtain a Building Permit to authorize the new use in order to comply with *Bylaw* and *BC Building Code* Regulations. The initial use of the detached accessory shop/barn would be for storage or possibly agricultural use, so a permit is required for the change of use to a Marijuana Grow Operation.

Three separate building permit applications have been made to the FVRD for this single structure (2011, 2014, and 2016). However, none of the required documentation has ever been submitted to the FVRD for any of the applications. All three applications were closed due to inactivity.

A Building Permit is required for the construction works undertaken by the property owner.

Zoning Bylaw

This property is in Electoral Area F, and it is zoned Upland Agricultural (A-1) of *Zoning Bylaw No. 559, 1992 for Area "G" Portions of "C" and "F"* (Bylaw 559). The primary purpose of this zone is to contain a cohesive and well-defined community of agricultural lands.

The detached accessory barn/shop structure is currently being used to operate Marijuana Grow Operation. A Marihuana Grow Operation Use is listed as a permitted use in the Upland Agricultural (A-1) zone provided that it is approved by the appropriate provincial and federal authorities.

The subject Property is entirely within the Agricultural Land Reserve (ALR) and therefore the production of cannabis in accordance with the Cannabis Act and Agricultural Land Commission Regulations is permitted if it meets the criteria as outlined by the ALC.

COST

Land Titles Office filing fee of approximately \$74.

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 unauthorized construction works on the detached accessory barn structure is either:

1. Demolished with a Building Permit issued by the FVRD, with a successful final inspection; or
2. Fully completed Building Permit for the construction works to the detached accessory barn/shop structure is issued by the FVRD and receives a successful final inspection.

CONCLUSION

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the construction works of the addition to the detached accessory barn/shop structure without Building Permits violates the *Regional District Building Bylaw*, and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of a Building Permit for the construction works to the detached accessory barn structure. 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 Building Bylaw, Policies, and the *BC Building Code*.

COMMENTS BY:

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

April 8, 2019

REGISTERED MAIL

Mr. Michael Maurice Desaulniers
3089 Starlight Way
Coquitlam BC V3C 3P9

FILE: 4010-20- F02302.025

CIVIC: 13085 Degraff Road

PID: 010-712-453

LEGAL: LOT 14 SECTION 25 TOWNSHIP 18 EAST OF THE COAST MERIDIAN
NEW WESTMINSTER DISTRICT PLAN 2782

Dear Mr. Desaulniers:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Title
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building
without a Permit – 13085 Degraff Road Mission BC (Electoral Area: F)**

Further to our previous correspondence dated January 16, 2019 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 titles of both parcels on your property at 13085 Degraff 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 **May 8th, 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 titles of both parcels on your property at 13085 Degraff 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 in advance of this meeting.

Sincerely,

 Digitally signed by Paul
Gipps
Date: 2019.04.05 08:04:20
-07'00'

Paul Gipps
Chief Administrative Officer

cc: Hugh Davidson, Electoral Area Director (F)
Margaret-Ann Thornton, Director of Planning & Development
Greg Price, Building Inspector / Bylaw Compliance Coordinator
Louise Hinton, Bylaw Compliant and Enforcement Officer
Review of Registered Property Title – Organizations with interest in property
HBC Bank Canada (Mortgage #BA549739)

Attach: May 8, 2019 Staff Report from Bylaw and Appointed Building Inspector
January 16, 2019, Copy of Bylaw Enforcement Letter to Property Owner
March 23, 2018, Copy of Building Department Incomplete Application letter to Owner
March 29, 2019 Land Title Search Results
March 29, 2019 Property Information Report
March 29, 2019 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

January 16, 2019

Mr. Michael Desaulniers
3089 Starlight Way
Coquitlam, BC V3C 3P9

FILE: **4010-20-F02302.025**

CIVIC: 13085 Degraff Road

PID: 010-712-453

LEGAL: Lot 14 Section 25 Township 18 East of the Coast Meridian New Westminster District Plan 2782

Dear Mr. Desaulniers:

RE: Final Warning – Construction without a Building Permit at 13085 Degraff Road

Further to our previous correspondence dated July 19, 2018, March 16, 2016, November 28, 2013 and August 5, 2011, Fraser Valley Regional District staff confirmed during our most recent site inspection on January 10, 2019 that your property at 13085 Degraff Road (the “property”) remains in breach of the Regional District bylaws despite our prior requests for compliance. Staff has verified that the unauthorized construction of the accessory building (barn) that was done without the benefit of a building permit remains in place despite our requests for compliance. See enclosed photos below:



Fraser Valley Regional District’s Building bylaw No. 1188, 2013 section 6 states:

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.

The Regional District continues to have an open bylaw enforcement file with regard to the illegal construction on your property. It has now been seven years since the infraction of construction without a building permit has been discovered and posted with Stop Work No Occupancy. The Regional District has made multiple attempts to work with you to help bring the property into compliance with all current bylaws since August of 2011.

Considering that you have not been able to meet any of the previously given deadlines to comply with the building permit requirements on three separate building permit applications (BPA012617, BPA013074 and BPA013569), the Regional District will proceed with the process of registering a Notice on Title of your property with the Land Titles Office as outlined in Section 57 of the *Community Charter*. Please see the enclosed information sheet that provides further details on the process.

If you do wish to take steps towards gaining compliance in the above stated matter please ensure a fully completed building permit application is submitted for the above noted construction to the Fraser Valley Regional District's Building Department no later than **February 28, 2019**. Alternatively, you may choose to demolish the unpermitted construction with an issued demolition permit. If you choose to proceed and follow through with a building permit, please ensure that the application form includes the following items:

- Detailed construction drawings including floor plans and uses for each space
- Detailed site plan of the entire property drawn to scale, showing all buildings, septic and well location, driveway and all setbacks to property lines
- An initial application fee of \$150

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>

If you fail to meet the above stated deadline of **February 28, 2019**, we will move forward to begin the process of registering a notice on title of your property with the Land Titles Office as outlined in section 57 of the *Community Charter*.

The primary purpose of an owner obtaining their Building Permit is for the safety of its occupants. Having a non-approved building puts the occupants at risk and should an unfortunate incident occur the owner may be held liable. We encourage you to read the BC Occupiers Liability Act regarding property safety and negligence, available online at:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96337_01

Your Electoral Area Director is copied on this letter to keep them informed of bylaw matters in the community.

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. Our office hours are Monday through Friday from 8:30am to 4:30pm.

Respectfully,

Digitally signed
by Louise Hinton
Date: 2019.01.16



Louise Hinton 15:03:26 -08'00'
Bylaw, Compliance and Enforcement Officer

Attach: Copy of Letter dated July 19, 2018
Copy of Letter dated March 16, 2016
Copy of Letter dated November 28, 2013
Copy of Letter dated August 5, 2011
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

cc: Hugh Davidson, Director of Electoral Area F
Margaret-Ann Thornton, Director of Planning & Development
Greg Price, Building & Bylaw Compliance Coordinator

March 23, 2018

Michael Desaulniers
3089 Starlight Way
Coquitlam, BC V3C 3P9

FILE: BP013569

CIVIC: 13085 DeGraff Road

PID: 010-712-453

LEGAL: Lot 14, Section 25, Township 18, New Westminster District, Plan NWP2782 Part SE 1/4

Dear Mr. Desaulniers;

RE: BUILDING PERMIT APPLICATION - BARN

Thank you for submitting a building permit application on April 18, 2016 for the placement of the above referenced *Barn*. The *Barn* is an existing structure built without a valid building permit. In reviewing your application and the information submitted, we require the following to clarify the details of your application and to assist with issuance of your Building Permit.

PLANNING:

1. During our visit to the property on April 26, 2016 we were unable to gain access into the structure to confirm the intended use and occupancy of the *Barn*.
2. If the *Barn* is to be used for cultivation, growth, storage, distribution, testing or research of medical marihuana, please provide documentation, such as copies of licences, to demonstrate that it is a legal use of land. A medical marijuana operation is permitted under the A-1 zoning of the property, subject to Health Canada licencing.
3. The *Barn* is located near a watercourse as observed during our site inspection of the property. A development Permit is required to address provincial requirements for protection of fish habitat. Development Permit and Building Permit applications may proceed at the same time to streamline the process. Regional District Planning staff will help you with the Development Permit; call 604-702-5487 or email planning@fvrd.bc.ca.
4. Please submit a revised site plan that is drawn to scale and includes all of the following:
 - a. the entire property complete with all existing buildings and structures;
 - b. the proposed *Barn* with setbacks to all property lines, watercourses and wells;
 - c. the location of the septic field, tank and driveway; and,
 - d. rock pit/storm drainage system (minimum 5.0m from any foundation).

This site plan will help us ensure your structure complies with all required setbacks. An example of a site plan is attached. You may prepare the site plan yourself, but it must be drawn to scale and contain the above-noted information.

BUILDING:

5. Please submit the following information prepared by a *Registered Professional of Record*:

- a. Schedule B and 3 sets of sealed drawings for all structural aspects of the project that reflect a frost depth of 0.45m and climatic (snow) loads of, $S_s=3.0\text{kpa}$ & $S_r=0.6\text{kpa}$
- b. Schedule B and a sealed subsurface geotechnical report.

This is required to meet the requirements of the BC Building Code.

A Registered Professional of Record is a person who is registered or licensed to practise as an Architect under the Architects Act, or a person who is registered or licensed to practise as a Professional Engineer under the Engineers and Geoscientists Act.

6. Please submit a BC Land Surveyor prepared location survey complete with setbacks to each property line, and the natural boundary of the pond.
7. Please provide three complete sets of construction drawings. Construction drawings are scaled drawings which provide sufficient information to show that the proposed work and proposed occupancy will conform to the *BC Building Code*, FVRD Bylaws, other relevant legislation or regulations. Note this item and item 5a may be combined.

It is noted that two previous building permit applications were applied for the Barn in August 2011 and January 2014. These applications were not finalized and FVRD Bylaw Enforcement was in contact with you to resolve this matter. Accordingly, please provide the above noted information no later than **November 22, 2016** to avoid further ticketing and referral to the Regional Board for their consideration and recommendation regarding further bylaw enforcement. Once the above has been submitted, we will continue our review of your building permit application. Further information about the proposed construction may be requested when we complete our review of your application.

Please contact me at 604-702-5019 or toll free 1-800-528-0061 at your convenience if you require any further information or clarification regarding any of the items in this letter.

Yours truly,



 Rudy Wieler, ASCT, RBO, CCBO,
Building Official

cc: Ray Boucher, Director of Electoral Area F
Margaret-Ann Thornton, Director of Planning & Development
Jennifer Wells, Bylaw, Permits & Licences Technician

TITLE SEARCH PRINT

2019-03-29, 15:50:21

File Reference:

Requestor: Louise Hinton

Declared Value \$666000

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District Land Title Office	NEW WESTMINSTER NEW WESTMINSTER
Title Number From Title Number	CA3705744 BA549738
Application Received	2014-05-01
Application Entered	2014-05-12
Registered Owner in Fee Simple Registered Owner/Mailing Address:	MICHAEL MAURICE DESAULNIERS, MILL RIGHT 3089 STARLIGHT WAY COQUITLAM, BC V3C 3P9
Taxation Authority	New Westminister Assessment District
Description of Land Parcel Identifier: Legal Description:	010-712-453 LOT 14 SECTION 25 TOWNSHIP 18 EAST OF THE COAST MERIDIAN NEW WESTMINSTER DISTRICT PLAN 2782
Legal Notations	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT, SEE AGRICULTURAL LAND RESERVE PLAN NO. 17 DEPOSITED JULY 30TH, 1974.
Charges, Liens and Interests Nature: Registration Number: Registration Date and Time: Registered Owner:	MORTGAGE BA549739 2006-09-20 09:12 HSBC BANK CANADA
Duplicate Indefeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

Folio: 775.02302.025**Civic:** 13085 DEGRAFF RD**Size:** 4.6 ACRES**Pid:** 010-712-453**Legal:** LOT 14, PLAN NWP2782, PART SE1/4, SECTION 25,
TOWNSHIP 18, NEW WESTMINSTER LAND DISTRICT**Owner:** DESAULNIERS, MICHAEL M
3089 STARLIGHT WAY
COQUITLAM BC V3C 3P9
(CA3705744)

2019 Taxable Assessments				Land	Improvements	Net
1	Res	GENERAL	Gross	552,000	616,000	1,168,000
			Exempt	0	0	0
			Net	552,000	616,000	1,168,000
1	Res	SCHOOL	Gross	552,000	616,000	1,168,000
			Exempt	-276,000	0	-276,000
			Net	276,000	616,000	892,000

2019 Actual Assessments		Land Class	Land	Impr Class	Impr
00 - FULLY TAXABLE LAND, STRUCTURES		1 - Res	0	1 - Res	616000
13 - AGRICULTURAL LAND RESERVE		1 - Res	552000	1 - Res	0

Lto Number	Sales Price	Date	Description
CA3705744	666,000.00	May 1, 2014	REJECT - NOT SUITABLE FOR SALES ANALYSIS
BA549738	774,900.00	Sep 20, 2006	IMPROVED SINGLE PROPERTY
BV255175	485,000.00	Jul 4, 2003	IMPROVED SINGLE PROPERTY
BF353355	82,000.00	Sep 17, 1992	VACANT SINGLE PROPERTY CASH TRANSACTION

Attribute	Value	Description
ACTUAL USE	060	2 ACRES OR MORE (SINGLE FAMILY DWELLING, D
DEFINED	B	
ELECTORAL AREA	F	ELECTORAL AREA F
MANUAL CLASS	0147	2 STY SFD-NEW STANDARD
NEIGHBOURHOOD	803	
SCHOOL DISTRICT	75	MISSION
SERVICE	045CDF	
TENURE TYPE	01	CROWN GRANTED

Classification	Start Date	Stop Date	Comment
BYLAW ENFORCEM	Aug 5, 2011		See BE staff for details

Property Information Report

Civic Address:	13085 DEGRAFF RD	Lot Size:	4.6 ACRES
Folio Number:	775.02302.025	Electoral Area:	F
PID:	010-712-453	Map Scale:	1:4640
Legal Description:	LOT 14, PLAN NWP2782, PART SE1/4, SECTION 25, TOWNSHIP 18, NEW WESTMINSTER LAND DISTRICT		

13213 DEGRAFF RD		13225 SPRATT RD		13220 SPRATT RD
13178 BURNS RD	13171 DEGRAFF RD	13240 DEGRAFF RD	13173 SPRATT RD	13160 SPRATT RD
13122 BURNS RD	13111 DEGRAFF RD		13131 SPRATT RD	
13066 BURNS RD	13085 DEGRAFF RD	13068 DEGRAFF RD	13085 SPRATT RD	13050 SPRATT RD
13010 BURNS RD	13013 DEGRAFF RD	13020 DEGRAFF RD	13011 SPRATT RD	
12980 BURNS RD	12975 DEGRAFF RD	12972 DEGRAFF RD	12991 SPRATT RD	12930 SPRATT RD

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, April 9, 2019

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

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
Milly Marshall, Director of EA Special Projects
Graham Daneluz, Deputy Director of Planning & Development
Jaime Reilly, Manager of Corporate Administration
Sterling Chan, Manager of Engineering and Infrastructure
Janice Mikuska, Human Resources Manager (part)
Louise Hinton, Bylaw Compliance and Enforcement Officer
David Bennett, Planner II
Andrea Antifaeff, Planner I
Katelyn Hipwell, Planner I
Christine Cookson, Building and Bylaw Clerk
Matthew Fang, Network Analyst I
Tina Mooney, Executive Assistant to CAO and Board
Chris Lee, Executive Assistant (Recording Secretary)

Also Present: Alternate Director Diane Johnson, Electoral Area A
Director Jason Lum, Chair FVRD (part)
Director Ken Popove, City of Chilliwack (part)
Director Bud Mercer, City of Chilliwack (part)

Director Carol Hamilton, District of Mission (part)
Director Peter Robb, District of Hope (part)

Superintendent Bryon Massie – Upper Fraser Valley Regional
Detachment (*as per item 4.1*)
Inspector Annette Fellner, Mission RCMP detachment (*as per item 4.1*)
Sergeant Steve Crawford, Mission RCMP detachment (*as per item 4.1*)

Jai Birdie, Director, Regional Operations, Community Living BC
(*as per item 4.2*)
Sharon Rose, Regional Manager, Community Living BC
(*as per item 4.1*)

There were fourteen members of the public present.

1. CALL TO ORDER

Chair Dickey called the meeting to order at 1:33 p.m.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By ADAMSON
Seconded By STOBART

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.

CARRIED

3. SHOW CAUSE HEARING(S)

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)

Louise Hinton provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 58470 Laidlaw Road, Electoral Area B, and the efforts of staff to encourage voluntary compliance by the property owner.

No comments were offered from the public.

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, 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).

CARRIED

4. DELEGATIONS AND PRESENTATIONS

4.1 Superintendent Bryon Massie - Upper Fraser Valley Regional Detachment

Superintendent Bryon Massie from the Upper Fraser Valley Regional Detachment (UFVRD) acknowledged the presence of Inspector Annette Fellner and Sergeant Steve Crawford from the Mission RCMP detachment.

Superintendent Bryon Massie spoke to the resources for Provincial funding for RCMP and municipal policing and the challenges faced by the RCMP. He reported that the UFVRD covers Chilliwack, District of Kent, Harrison Hot Springs, District of Hope and Boston Bar. He presented the statistics for Chilliwack, Kent, Hope and Boston Bar for the period 2000 – 2019, and indicated that there has not been that great an increase in provincial funding and that municipalities have stepped up and have been supportive. He reported that a business case has been submitted to the Province last fall requesting for additional resources and noted that a strategy has to be developed to get the Province's attention.

Inspector Fellner from the Mission RCMP detachment reported that Mission has similar concerns and has also submitted a business case to the Province requesting for additional resources and are waiting to hear back. She indicated that Mission has not had an increase in provincial resources since 2007 and that the District of Mission has lent support by increasing its municipal policing resources. Inspector Fellner reported that with the increase of visitors coming to the area for recreation, it has been a challenge to manage provincial areas, such as camp grounds.

Discussion ensued and It was noted that current policing resources is not sustainable.

Electoral Area Directors brought up concerns and questions regarding policing in their respective areas.

Chair Dickey thanked the delegation for their presentation.

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

Jai Birdi, Director, Regional Operations of Community Living BC (CLBC) thanked the Committee for the opportunity to present at the meeting. He also acknowledged Randy Schmidt, CLBC Director of Communications who was present at the meeting.

Sharon Rose, CLBC Regional Manager spoke to CLBC's vision and eligibility criteria for clients and their key services. She reported that CLBC works with individuals and families to understand interests and goals for adulthood. Support needs are assessed and where needed CLBC works with experts to have in place effective behavioural support and safety plans. If required, CLBC also collaborates with health agencies, police and other community professionals to ensure successful integration. Ms. Rose noted that CLBC seeks to ensure homes are well-maintained and that residents are good neighbours and when neighbours have concerns or questions, CLBC communicates directly with them.

The Committee brought up concerns regarding the handling of complex situations, resources for aging parents with children in disabilities program, public safety and the need for CLBC engagement with the community.

5. MINUTES/MATTERS ARISING

5.1 Draft Minutes of the Electoral Area Services Committee Meeting - March 12, 2019

Moved By RAYMOND

Seconded By STOBART

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

CARRIED

5.2 Draft EASC Strategic Planning Session Minutes - March 15, 2019

A concern was raised regarding attendance of staff members at the EASC Strategic Planning Session. Comments were offered regarding a typograph error in the minutes.

Moved By RAYMOND

Seconded By DAVIDSON

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

CARRIED

6. CORPORATE ADMINISTRATION

No items.

7. FINANCE

7.1 Community Forest Funding Application from Hope River Monsters Swim Club

Moved By ADAMSON

Seconded By ENGAR

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

CARRIED

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

Moved By STOBART

Seconded By ADAMSON

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*.

CARRIED

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

Moved By RAYMOND
Seconded By DAVIDSON

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.

CARRIED

7.4 Grant-In-Aid Request – Hope River Monsters Swim Club, 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 \$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.

CARRIED

8. ENGINEERING & UTILITIES

8.1 Community Sanitary Sewer Servicing in North Cultus, Electoral Area "H"

Moved By DIXON
Seconded By ENGAR

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.

CARRIED

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

A comment was offered regarding mailout radiuses for bylaws. Staff offered clarification on this issue.

Moved By DAVIDSON
Seconded By RAYMOND

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*”.

CARRIED

9. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

9.1 Cannabis Regulations

Margaret-Ann Thornton, Director of Planning and Development provided a brief presentation on ‘*Cannabis – Land Use Regulations for Electoral Area*’, noting that the purpose of the presentation is to obtain feedback and direction from EA Directors with respect to cannabis production in their areas. Staff will then review input from EA Directors to draft a policy for consideration.

Highlights of the presentation are:

- Cannabis is legal: Medical, Recreational and Retail Sales;
- Federal, Provincial and ALR legislation are changing and evolving;
- Cannabis industry is changing – large facilities, micro-grows, variety of products, including edibles;
- Currently there are existing legal and unauthorized facilities;
- In 2014 Medical Marihuana grow operation defined and permitted in some zones and subsequently zoning bylaw amendments were made to the 8 zoning bylaws for Electoral Areas;
- In 2018 Federal legislation permits both Medical and Recreational Cannabis;
- In 2018 Province regulates retail sales of cannabis; and
- In 2018 ALC limits production to exterior and soil-based buildings only.

Cannabis land use considerations:

- zoning: where permitted and conditions (size, setbacks);
- nuisances: odours, light-spill, building design (rural aesthetic), use of buildings if cease use, security;
- building permit requirements;
- enforcement of illegal operations and building permit requirements; and
- coordination with Federal and Provincial requirements.

Electoral Area Directors provided feedback and indicated that more information is required before decision can be made.

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

Moved By BALES

Seconded By STOBART

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.

CARRIED

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

Moved By STOBART

Seconded By DAVIDSON

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.

CARRIED

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"

Moved By STOBART
Seconded By RAYMOND

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.

CARRIED

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"

Moved By RAYMOND
Seconded By ADAMSON

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.

CARRIED

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

Moved By ADAMSON
Seconded By DIXON

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*.

CARRIED

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

Information on the Summary of Legislative Changes to the Agricultural Land Reserve Regulation and the Agricultural Land Commission Act was provided for information.

10. ELECTORAL AREA EMERGENCY SERVICES

No items.

11. ADDENDA ITEMS/LATE ITEMS

11.1 Hatzic Prairie Water System Legacy Debt

Moved By DAVIDSON
Seconded By STOBART

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.

CARRIED

Staff was acknowledged for coming up with a solution to resolve this complex issue.

12. REPORTS BY STAFF

None

13. REPORTS BY ELECTORAL AREA DIRECTORS

Director Engar reported on his attendance at the Residents Association meeting.

Director Dixon reported goose management update, concerns with emergency response time in Columbia Valley and noted that she will be meeting with BC Ambulance, Fire Department and Reg Dyck next week.

Director Adamson reported that a grant in aid was provided to the Sunshine Valley Fire Department for the purchase of home sprinklers for fire protection.

Director Stobart reported on a dialogue with the community regarding a pilot project with Fraser Health regarding Naloxone kits, and noted high numbers of opioid overdoses.

Director Raymond reported on a recent well-attended community meeting where maintenance of highways and policing issues were discussed.

Director Davidson reported on a recent incident on Spratt Road.

Director Bales reported on a recent emergency preparedness meeting in her area, and requested that emergency evacuation notices be issued with a date. She noted a lack of cell coverage in her area, and noted plans for an upcoming meeting on this topic.

Director Dickey thanked staff for work on developments in Area D.

14. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

Virginia Vale of Spratt Road in Electoral Area F asked a question regarding CLBC's presentation. It was noted that there will be further discussions with CLBC.

15. RESOLUTION TO CLOSE MEETING

Moved By RAYMOND

Seconded By BALES

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.

CARRIED

The Open Meeting recessed at 3:39 p.m.

16. RECONVENE OPEN MEETING

The Open Meeting reconvened at 4:15 p.m.

17. RISE AND REPORT OUT OF CLOSED MEETING

None

18. ADJOURNMENT

Moved By RAYMOND

Seconded By DIXON

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

CARRIED

The Electoral Area Services Committee Open Meeting adjourned at 4:15 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: 7960-02

Subject: Fraser Valley Regional Library Branch Improvements – Yale & Boston Bar

RECOMMENDATION

THAT the Electoral Area Services Committee provide direction to Staff regarding improvements to the FVRL Yale and Boston Bar Branches by selecting one of the options below:

Option 1: \$3,000 in improvements to both branches for the installation of external book drops

Option 2: \$45,000 for Yale Branch and \$33,000 for the Boston Bar Branch to address a number of projects as outlined in the FVRL proposal

Option 3: \$45,000 for Yale Branch and \$58,000 for Boston Bar Branch for additional improvements being requested at the Boston Bar Branch

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community
Provide Responsive & Effective Public Services

PRIORITIES

Priority #4 Tourism

BACKGROUND

The Fraser Valley Regional Library attended the March EASC meeting to present on the operations of the FVRL system and specifically the two branches operated under the Fraser Valley Regional District. In addition they presented a capital funding request for proposed improvements to the Yale and Boston Bar Branches.

DISCUSSION

A detailed funding request proposal has been prepared by FVRL staff, attached to this memo and circulated to Directors Raymond and Adamson directly as the impacted branches are located within their electoral areas.

The goal of the project is to improve and revitalize the Yale and Boston Bar Branches through a major facelift thereby increasing its appeal to existing and potentially new customers.

COST

The Electoral Area Regional Library Service has a capital reserve balance of \$143,000 as at December 31, 2018 that the committee could consider allocating funding from for the project proposals. These funds were collected in years past from all electoral areas and there are no current plans for the funds.

CONCLUSION

The FVRL would like to see some renovations and upgrades be completed to the Yale and Boston Bar Branches in order to increase their appeal to the users. They are seeking funding support from EASC to complete these projects.

COMMENTS BY:

Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

Proposed Changes To Yale and Boston Bar Libraries

Submitted by: Nicole Glentworth, Library Manager



Read. www.fvrl.ca Learn. Play.

Project Outline

To improve and revitalize the Yale and Boston Bar Libraries through a major facelift thereby increasing its appeal to existing and potentially new customers.

Background Information

These two rural libraries have not had any major capital investments in them for over 25 years. The furniture and space are dated, and are not in line with the typical look and feel of other FVRL libraries.

Most/all of the furniture has been donated by the community over the years. As the donated furniture was a household item, they do not wear in the same way as commercial items, nor do they present a consistent look and feel throughout the library space. Other items such as the shelves at Yale, were possibly the original shelves when the school was in operation and are beginning to show their age and do not have the flexibility that is needed, as our collection changes.

Additionally, at the Yale Library there are two basic safety concerns:

- The front desk is laid out in such that the staff member's back is facing the entrance which (also not a welcoming for customers), and
- The electrical cord that provides power to the cash register is suspended/hanging from the ceiling, near the centre of the library.

Vision

To make the best use of the small spaces in these two libraries, giving them the flexibility to change as the demand of the space changes over future years. The aim is to align the space with the mission of FVRL "Opening minds. Enabling dreams."

Project Details

YALE LIBRARY

- Install exterior freestanding bookdrop for customers to return items when library is closed (currently no option in place which may be a deterrent for some to use their local library)



External bookdrop for items to be returned outside of open hours

- Remove and replace service desk with U-shaped desk opposite the main entrance of the library for better sight lines to the front door (current Health and Safety issue)
- Remove hanging power cable from middle of the library and seal off the connection



Electrical cord suspended from ceiling

Main entrance

Service desk area



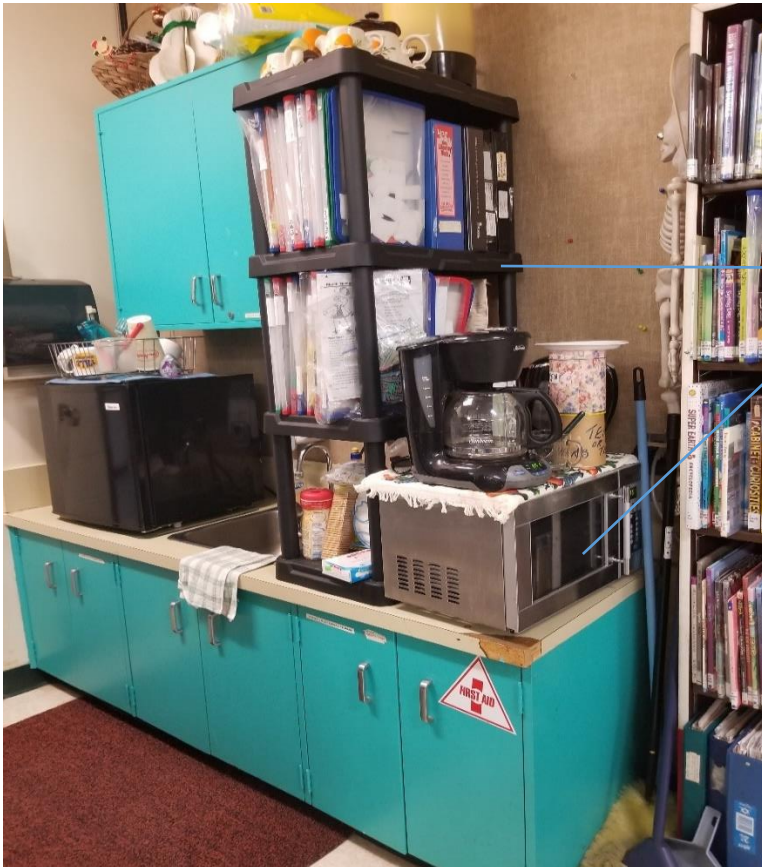
No sight lines from front desk to secondary entrance door

- Remove and replace wall shelving (may need to repair area behind as the condition of the walls is not known, but should be minimal as the new shelves will be mounted in the same space)



Old shelving not adjustable

- Remove and replace sink, faucet and under sink cabinets (remove over sink cabinets and repair wall or cover wall with mirror or piece of art)



Aged units with little storage options

- Replace public chairs, couch and computer chairs (chairs donated from other libraries over the years as they reached the end of their salvageable life)

Door not functional

Donated chairs and table
from another library



- Purchase specialized furnishing from library supplier (children's table and chairs, adult table and chairs, book display units)



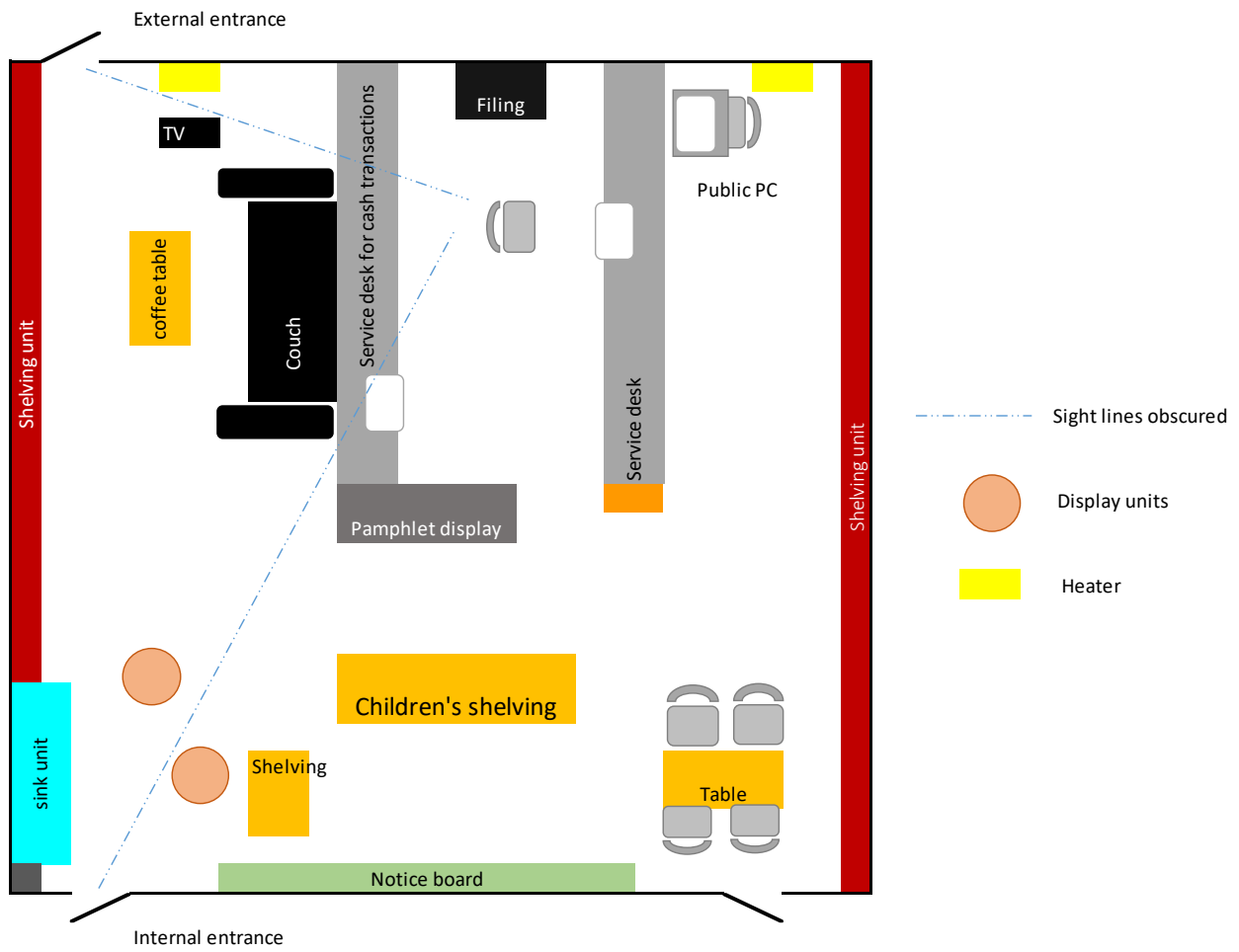
Children's furniture from another library

- Change flooring and baseboards (previously the flooring of two classrooms and has areas of obvious wear)
- Paint the interior walls of the library in a more vibrant colour, repairing any damage that has been caused over the years
- Purchase new display backgrounds and filing cabinet

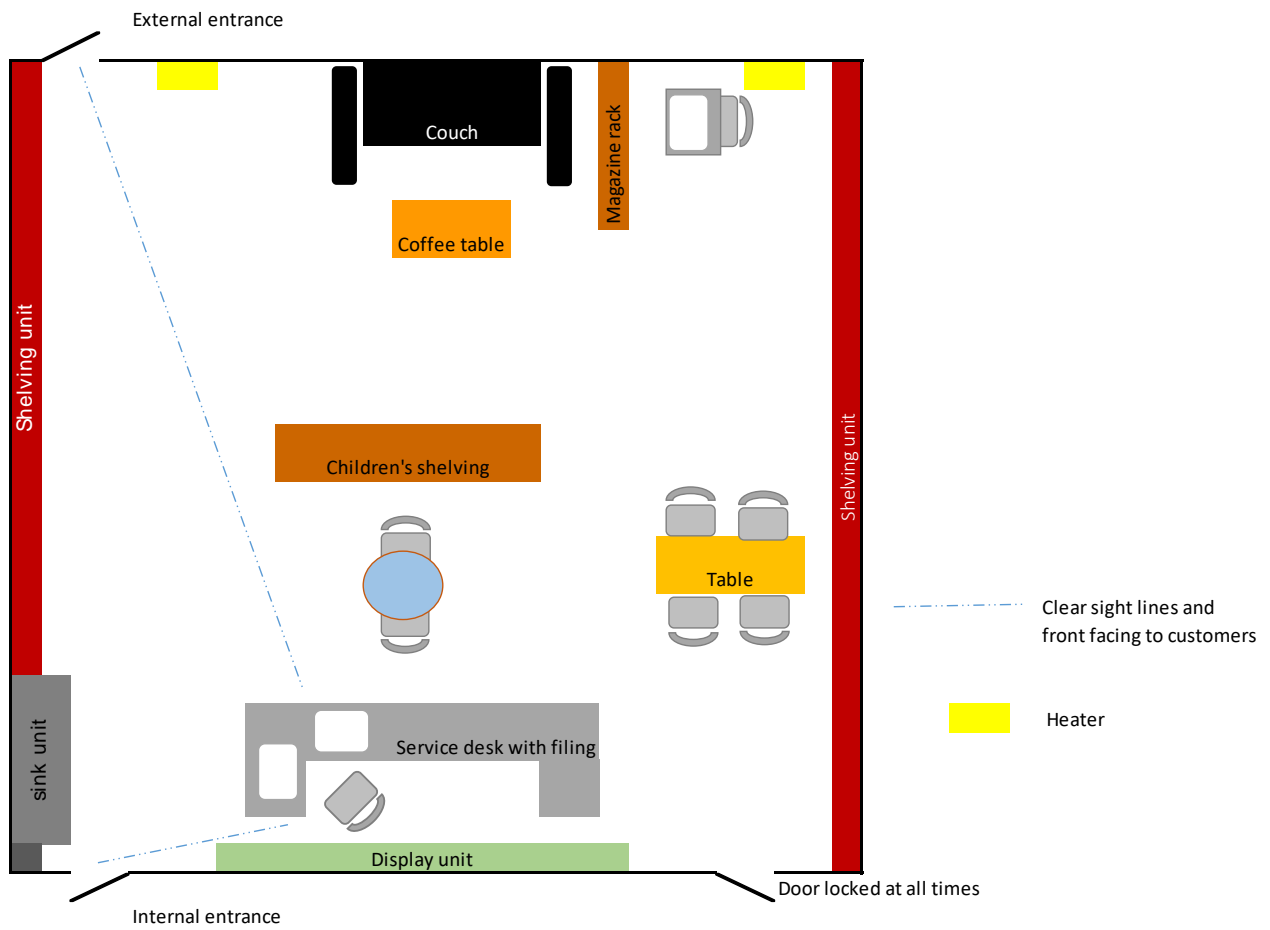


Customer's record could be seen by other customers as they enter the library

- Ceiling tile replacement (optional). Tiles are a variety of shades and patterns due to damage over the years and replacement from different stock



Current Floorplan of Yale Library



Proposed Floorplan for Yale Library

The estimated time for renovations including ceiling tiles is 2 weeks which will be 4 days of operation since the library opens 2 days per week. Staff have the option of setting up a popup temporary library across the hall in one of the classrooms, thereby minimizing disruption of service. Van deliveries will remain the same. Staff will use this opportunity to clean out the resources to store them more efficiently.

Required Resources

Items to be packed up and moved out of the library. Contractors will dismount and dispose of shelving and furniture. Contractor will make arrangements for power supply to be installed and suspended power cord to be disabled. NEEDED: IT network cabling needs to be relocated to other side of the room. Furniture will be delivered to the library and assembled by contractors. Access would be needed to be given to the contractors for the duration of the project.

Personnel

Supervisor will work in the popup library. Library Manager will be on call for any issues that may come up and work with supervisor to weed files to fit new storage units.

Cost

See Appendix A

BOSTON BAR LIBRARY

- Install exterior freestanding bookdrop for customers to return items when library is closed (currently no option in place)



External bookdrop for items to be returned outside of open hours

- Remove and replace wall shelving in workroom (may need wall repairs the condition of the walls behind the shelves is unknown, but should be minimal as the new shelves will be mounted in the same space. Close off the internal door access as it is no longer needed and mount shelves in its place.



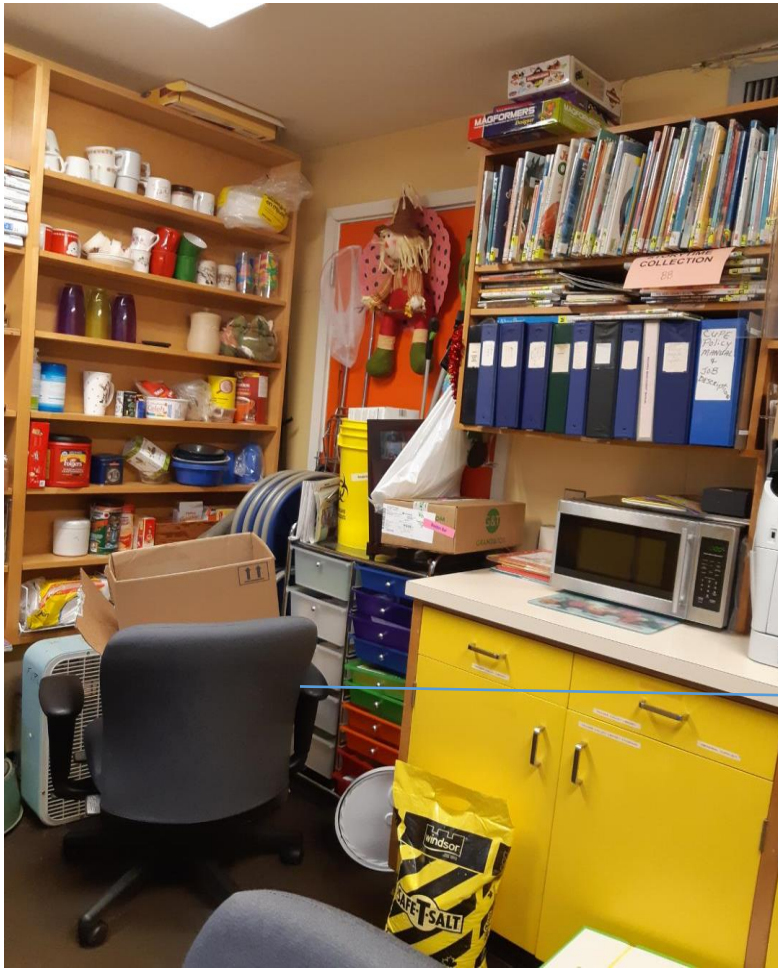
Shelving unit in need of updating and safety concerns to be addressed

- Remove and replace sink, faucet and under sink cabinets



Old sink unit, replace before it becomes an issue and creates water damage

Replace computer chairs, filing cabinet and counter organizer (chairs donated from other libraries over the years)



Old computer chairs donated from other libraries when they reached the end of their lives there

- Paint the interior walls of the library in a more vibrant colour, repairing any damage that has been caused over the years.
- Purchase specialized furnishing from library supplier (table and chairs, lounge chairs, book display units)
- Modernize front desk and lowering it for easier access to customers and new book shelves(Option 3)

Staff / Administration

The estimated time for renovations including ceiling tiles is 2 weeks which will be 4 days of operation. Most of the work is in the workroom so the library can remain open, painting of the public area of the library can be done on closed days. Van deliveries will remain the same. Staff will use this opportunity to clean out the resources to store them more efficiently.

Required Resources

Items to be packed up and moved out of the library. Contractors will dismount and dispose of shelving and furniture. No IT network cabling need to be relocated, only the printer needs to be moved for the cabinets to be fitted and then moved back. Furniture will be delivered to the library and assembled by contractors. Access would be needed to be given to the contractors for the duration of the project.

Personnel

Supervisor will continue to work in the library. Library Manager will be on call for any issues that may come up and work with supervisor to weed files to fit new storage units.

Cost

See Appendix B

Appendix A

Cost for Yale Library Renovations

Option 1:

\$3000 - External Bookdrop

Option 2:

\$34 500 + \$10 500 contingency = \$45 000

External bookdrop

Complete repaint

Flooring replacement

Furniture replacement

Address/move power cord hanging from ceiling

Re-location of the staff service desk

(Funded by: FVRD Capital Reserve)

Appendix B

Cost for Boston Bar Library Renovations

Option 1:

\$3000 - External Bookdrop

Option 2:

$\$25\,500 + \$7\,500 \text{ contingency} = \$33\,000$

External bookdrop

Complete repaint

Furniture replacement

Staff workroom renovation

Program items to be shared between the two libraries

Option 3:

$\$45\,000 + \$12\,500 \text{ contingency} = \$58\,000$

Option 2 plus shelving and other modernization

(Funded by: FVRD Capital Reserve)

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

Date: 2019-05-08
File No: 1850-20 / 002

Subject: 2019 Grant-In-Aid Request – Chilliwack Vedder River Cleanup Society, Electoral Area “E”

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$1,100 to the Chilliwack Vedder River Cleanup Society, funded from the 2019 Electoral Area “E” grant-in-aid budget to help offset the costs associated with hosting the Chilliwack Vedder River cleanups on April 13 and September 22 of 2019.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship
Support Healthy & Sustainable Community

PRIORITIES

Priority #4 Tourism
Priority #5 Outdoor Recreation

BACKGROUND

This request for funding is eligible under the Electoral Area Grant-in-Aid policy under the “Promotion of volunteer participation and citizen involvement” option.

DISCUSSION

The Chilliwack Vedder River Cleanup Society organizes two yearly clean-ups of the Chilliwack Vedder River and its associated riparian areas. The society coordinates volunteers within the general community and has been supported in prior years by the City of Chilliwack, Fraser Valley Regional District and Department of Fisheries and Oceans.

The funding request is to offset the costs of tipping fees, newspaper ads and event supplies to ensure the cleanup is safely and effectively executed.

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

COST

The \$1,100 cost will be funded from the Electoral Area "E" grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

A funding request has been received from the Chilliwack Vedder River Cleanup Society to help offset the costs of hosting the two Vedder River cleanup events held April 13 and September 22 of this year. Funding allows the Society to host safe and effective events that remove a significant amount of garbage from the river system.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported.

Jennifer Kinneman, Acting Chief Administrative Officer

Reviewed and supported.



GRANT-IN-AID APPLICATION

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

Applicant Name: Chilliwack Vedder River Cleanup Society
Mailing Address: 45163 South Sumas Rd
Chilliwack, BC V2R1W5
Email Address: info@cleanrivers.ca

Contact:

Nikki Reisman
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 non-profit community group specifically benefiting area E. We are based in Chilliwack focusing on the removal of garbage/illegal dumps from the Chilliwack River valley: the riparian zone of the Chilliwack River. We motivate volunteers in our community to keep the river valley clean by organizing two river cleanups per year.

APPLICATION SUMMARY:

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

We organize two river cleanups per year, April 13/19 (past) & Sept. 23/19 (the September cleanup corresponds with BC River Day. Our funding request is for the September cleanup.

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

These funds will assist us with the following costs: tipping fees, supplies (garbage bags, gloves, pick up sticks, safety vests etc.). We also host a BBQ for our volunteers. The money stays in Chilliwack as we procure all of our supplies from local businesses.

Amount of Grant Requested: \$ 1100.

**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.

Nikki Reisman

[Signature]
Signature of Authorized Signatory and Title

Amount Approved: \$1100.00

Date: APRIL 16/2019

Signature of Electoral Area Director

Please return completed form by fax or e-mail to: Fax: 604-702-5043 (Finance Dept.); Email: info@frvd.bc.ca; or to your Electoral Area Director.

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

Date: 2019-05-08
File No: 1850-20 / 007

Subject: 2019 Grant-In-Aid Request – Deroche & District Community Association, Electoral Area "G"

RECOMMENDATION

THAT the Fraser Valley Regional District Board approve a grant-in-aid to the Deroche & District Community Association in the amount of \$5,000, to be funded from the 2019 Electoral Area "G" grant-in-aid budget to help offset the costs of building a community tennis court.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

PRIORITIES

Priority #5 Outdoor Recreation

BACKGROUND

This request for funding is eligible under the "activities/ programs which are accessible to a large portion of the electoral area" option.

DISCUSSION

The Deroche & District Community Association has owned, operated, and maintained the Deroche Community Hall since its purchase in 1947. Their main purpose is to keep the Hall structurally safe for use by their residents.

The Association is requesting a \$10,000 - \$25,000 grant-in-aid to assist in the funding of a new tennis court on the hall property from areas C, F & G as it is anticipated that it will draw from players living from Mission to Harrison Mills.

Director Stobbart is in support of providing a grant-in-aid of \$5,000 towards this grant-in-aid request.

COST

The \$5,000 cost will be funded from the Electoral Area "G" grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

A grant-in-aid application has been received from the Deroche & District Community Association seeking funds to help construct a new tennis court on their property.

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: Deroche & District Community Association

Mailing Address: Box # 41, Deroche, B.C. V0M 1G0

Email Address(es): [REDACTED]

Contact(s):
Lloyd John McKimmon - President
Name

[REDACTED]
Telephone/Fax Number

Donald Crowhurst - Secretary
Name

[REDACTED]
Telephone/Fax Number

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

The Deroche & District Community Association is a Registered Non-Profit Society #S0002883 and has been maintaining and operating the Deroche Community Hall since the property was purchased in 1947. Our main purpose today is to keep the Deroche Community Hall Structurally Safe for use by Residents of the area when it is needed.

APPLICATION SUMMARY:

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

We are currently Constructing a Brand New Tennis Court on our Community Hall Property that will be used by players from Mission to Harrison Mills and will include all of Areas C, F & G I would like to request a Grant in Aid from the Directors of C, F & G to help offset our Capital Costs of \$ 37,500.00 for this Project - Thanks

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

This project will provide a Top Notch Tennis Court for the Residents of Electoral Areas C, F & G for Years to come. - Thanks for your Consideration

Amount of Grant Requested: \$10,000.00.- \$ 25,000.00

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.

Lloyd John McKimmon - President

[REDACTED]

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: 2019-05-08
File No: 1850-02 / 002

Subject: 2019 Grant-In-Aid Request – Chilliwack Area Lions Clubs, Electoral Area “H”

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to the Chilliwack Area Lions Clubs, funded from the Electoral Area “H” grant-in-aid budget, to help offset the costs of the Cultus Lake Pike Minnow Fishing Derby.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship
Support Healthy & Sustainable Community

PRIORITIES

Priority #4 Tourism
Priority #5 Outdoor Recreation

BACKGROUND

This request for funding is eligible under 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 7 Chilliwack Area Lions Clubs have provided services and assistance throughout the local area for a combined 250 years. Each club operates under strict fiscal guidelines and have developed relationships with the many organizations required to make for a successful event.

The Clubs are requesting a \$2,500 grant-in-aid to help offset the costs of hosting the Cultus Lake Pike Minnow Derby. Specifically, the event has a \$10,000 budget with \$6,000 secured at the time of the application. Projected costs include advertising, printing, website updates, rentals, prizes and medical attendees.

The Clubs plan to also use the event to further develop resident and visitor’s understanding of the Cultus Lake Sockeye and best practices related to lake health and environmental sustainability.

Director Dixon is in support of providing a \$2,500 grant-in-aid.

COST

The \$2,500 will be funded from the Electoral Area "H" grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

A grant-in-aid application has been received from the Chilliwack Area Lions Clubs seeking support for their hosting of the Cultus Lake Pike Minnow Fishing Derby on June 15 (Father's Day weekend).

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported.

Jennifer Kinneman, Acting Chief Administrative Officer

Reviewed and supported.



GRANT-IN-AID APPLICATION

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

Applicant Name: Chilliwack Area Lions Clubs "CULTUS LAKE PIKE MINNOW FISHING DERBY"

Mailing Address: P.O. Box 9

CHILLIWACK, B.C. V2P 6H7

Email Address(es): [REDACTED]

Contact(s):
Chairperson Robert Prinse
Name [REDACTED] Telephone/Fax Number

Treasurer Bob Jones
Name [REDACTED] Telephone/Fax Number

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

The 7 Chilliwack Area Lions Clubs taking part are each a registered non-profit, are under the umbrella of Lions Clubs International
and have provided service and assistance throughout the local area for a combined total of more than 250 years.
Each club operates under the strict fiscal guidelines of LCI and our reputation and proven administrative abilities have allowed us to partner with
the Fraser River Salmon Table, Fisheries and Oceans Canada, Soowahlie FN, Cultus Lake Parks Board, CLASS and others as sponsors of this event.

APPLICATION SUMMARY:

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

The Cultus Lake Pike Minnow Fishing Derby provides the community an opportunity to assist in the rehabilitation of the endangered Cultus Sockeye Salmon stock by removing
its primary predator, the Pike Minnow. The event is conducted during BC's free fishing days which fall on the Father's Day weekend each year. Most
years >1,000 anglers take part. In order to hold a fun and safe event, we anticipate our costs to be \$10,000 to cover advertising, printing, website updates
needed rentals (tables, chairs, lighting, etc.) prizes and medical attendees (St. Johns Ambulance) To date, \$6,000 has been secured from other funding partners.

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

The Chilliwack area Lions Clubs reinstated the Cultus Lake Pike Minnow Fishing Derby in 2016 after a one year hiatus. The requested funding will assist us in hosting once again
a safe and enjoyable event on Saturday, June 15, 2019 at Cultus Lake. As well as an enjoyable day on the shore or on the water for all ages, we hope to
further develop resident's and visitor's understanding of the Cultus Sockeye and best practices related to lake health and environmental sustainability,
by promoting discussion and information sharing as part of the day's overall goals of education, recreation, and good old family fun.

Amount of Grant Requested: \$ 2,500.00

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.

CHAIRPERSON

Robert Prinse

Digitally signed by Robert Prinse
Date: 2019.04.06 16:45:01 -0700

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: 2019-05-08
File No: 1850-20 / 002

Subject: 2019 Grant-In-Aid Request – Cultus Lake Community and Events Engagement Committee, Electoral Area “H”

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$3,500 to the Cultus Lake Community and Events Engagement Committee with the grant being funded from the Electoral Area “H” grant-in-aid budget to help offset the costs of the annual Cultus Lake Day event.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

BACKGROUND

This request for funding is eligible under 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 Cultus Lake Community and Events Engagement Committee’s purpose is to create experiences that promote community spirit and pride within Cultus Lake Park with activities that are meant for residents and non-residents.

The Committee is requesting a \$3,500 grant-in-aid to provide funds to help offset the costs of hosting the annual Cultus Lake Day event, specifically, for marketing and promotional support.

Director Dixon is in support of providing a \$3,500 grant-in-aid in regards to this request.

COST

The \$3,500 cost will be funded from the Electoral Area "H" grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

The Cultus Lake Community and Events Engagement Committee have submitted a grant-in-aid application seeking financial support for their hosting of the annual Cultus Lake Day event running June 22 of this year.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported.

Jennifer Kinneman, Acting Chief Administrative Officer

Reviewed and supported.



GRANT-IN-AID APPLICATION

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

Applicant Name: Cultus Lake Community and Events Engagement Committee
Mailing Address: 4165 Columbia Valley Highway
Cultus Lake, BC V2R 5B5
Email Address: bonny.bryant@cultuslake.bc.ca

Contact:

Bonny Bryant 604.347.2040
Name Telephone/Fax Number

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

Please see attachment

APPLICATION SUMMARY:

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

Please see attachment

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

Please see attachment

Amount of Grant Requested: \$ 3,500

****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.

B. Bryant
Chief Administrative Officer
Signature of Authorized Signatory and Title

Amount Approved:

Date: _____

Signature of Electoral Area Director

Please return completed form by fax or e-mail to: Fax: 604-702-5043 (Finance Dept.); Email: info@fvrd.bc.ca; or to your Electoral Area Director.

Statement as to eligibility to apply for Grant-In-Aid Funds:

The Cultus Lake Park Community Events and Engagement Committee is a community/volunteer committee led by a Cultus Lake Park Board member. The Cultus Lake Park Board is the governing body for Cultus Lake Park.

<https://www.cultuslake.bc.ca/governance/>

Project of purpose for which you require assistance:

Cultus Lake Park's annual Cultus Lake Day event is set for June 22, 2019. Last year, there were more than 1,300 local visitors (with an estimate of approximately 2,000 total visitors throughout the day). We are planning for a 10% - 20% increase in visitors for the 2019 event.

This year's event includes:

- Pancake Breakfast
- Parade
- Children's Play Area
- Farmers' Market
- Food Vendors
- Beverage Garden
- Fireworks

The purpose of the funds being requested would be to provide marketing and promotional support for the event. This would include publicity and marketing such as advertising, development, design and distribution of posters and other promotional materials, social media visuals, web and social media copy, and social media outreach.

Statement as to how these funds will benefit the community or an aspect of the community

This is a family-friendly community event that helps build strong relationships among the residents of Cultus Lake Park and the greater community of FVRD. This grant will benefit the community by providing the opportunity for people to connect with one another in a fun, lively and safe environment and to have families enjoy the day with their children and grandchildren.

In addition, the event encourages visitors to come to Cultus Lake Park – showcasing the beauty of the area and the region and supporting the region's economy.

To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: Andrea Antifaeff, Planner I

File No: 3090-20-2018-28

Subject: Application for Development Variance Permit 2018-28 to reduce the rear setback to facilitate the construction of an accessory structure (shed) at #129-14500 Morris Valley Road, Electoral Area C

RECOMMENDATION

THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C to reduce the rear lot line setback from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet), clear to sky to facilitate the construction of an accessory structure (shed) ;

AND THAT the Fraser Valley Regional District Board direct staff to consider zoning regulations related to accessory structures (sheds) in the Private Resort Development (PRD-1) zone at the time that staff are reviewing the consolidated zoning bylaw;

AND FURTHER THAT the Fraser Valley Regional District Board direct staff to take no further bylaw enforcement actions at #129-14500 Morris Valley Road with respect to the shed, provided that the accessory structure (shed) is moved to the proposed location in the application for Development Variance Permit 2018-28 and pending resolution of the PRD-1 accessory structure (shed) zoning regulations in the consolidated zoning bylaw.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The owners of the property made an application for a Development Variance Permit (DVP) in order to reduce the rear lot line setback for an accessory structure (shed) as outlined in *Zoning By-law for Electoral Area "F", 1978, of the Regional District of Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	C		
Address	#129-14500 Morris Valley Road		
PID	026-412-063		
Folio	776.06731.429		
Lot Size	0.172 acres		
Owner	Karen Sidhu & Matt Thomas	Agent	n/a
Current Zoning	Private Resort Residential (PRD-1)	Proposed Zoning	No change
Current OCP	Resort Residential (RR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Accessory Residential
Development Permit Areas	DPA 1-C and 2-C		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Private Resort Residential (PRD-1), Residential
East	>	Private Resort Residential (PRD-1), Residential
West	<	Private Resort Residential (PRD-1), Residential
South	v	Private Resort Residential (PRD-1), Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The owners of the property made an application in August 2018 to allow an accessory structure (shed) at #129-14500 Morris Valley Road to be sited on the property. The subject property is located in the Eagle Point Estates residential development in Morris Valley, Electoral Area C.

Variance Requested

The owners are seeking a 2.6 metre (8.52 foot) relaxation to the required rear lot line setback, reducing the setback requirement from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet).

Bylaw Enforcement

In January 2018, the FVRD received a complaint of an accessory structure (shed) sited in contravention of the Zoning Bylaw. At a subsequent inspection of the property an FVRD bylaw enforcement officer confirmed the presence of an accessory structure (shed) sited in contravention of the Zoning Bylaw (exterior side and rear setbacks and the overhang of the shed roof encroached over the fence and onto the strata road property). The applicant proposed to move the location of the shed which would require a variance (reduction) to only the required rear lot line setback. Obtaining a Development Variance Permit and relocating the accessory structure (shed) would rectify the bylaw enforcement.



Since the application for Development Variance Permit 2018-28 was received there have been numerous complaints regarding the placement of accessory structures (sheds) on additional properties located within Eagle Point Estates (16 complaints) and Rivers Reach Estates (14 complaints)

EASC Meeting September 5, 2018

Development Variance Permit 2018-28 was considered at the September 5, 2018 meeting of the Electoral Area Service Committee. The Electoral Area Directors made a motion to postpone the consideration of Development Variance Permit 2018-28.

Discussion at the meeting included concern that there is conflict between the strata corporation bylaws and FVRD Zoning Bylaws. At the meeting staff noted that due to current staff and budget constraints, it was not feasible to conduct a study on this issue and coordinate a strategy with the three individual strata councils, at that time and staff proposed that the consideration of the application for Development Variance Permit 2018-28 be postponed until after budget decisions.

Zoning Bylaw Setback Requirements

The requirements for siting within the Private Resort Development (PRD-1) zone per *Zoning By-law for Electoral Area "F", 1978, of the Regional District of Fraser-Cheam* are:

Strata Lot Setbacks:

No part of any building or structure on a strata lot shall be closer than:

- *6.0 metres from a front strata lot line*
- *4.5 metres from a flanking road strata lot line*
- *2.1 metres from an interior lot line*
- *7.6 metres from any rear lot line*

Given the strata lot sizes within the lands zoned Private Resort Development (PRD-1) on most lots it would be impossible to place an accessory structure (shed) that is in compliance with the strata lot setbacks noted above.

As the existing zoning essentially prohibits an accessory shed and the development is constructed as a single family subdivision, typically an accessory shed is permitted for the storage of common household goods, such as lawn mower, garden tools, etc.

Update May 2019

Staff have re-evaluated Development Variance Permit application 2018-28 and spoken with bylaw enforcement staff. Staff feel it would be best to address the issue of accessory structure (shed) placement/setbacks in coordination with the consolidated zoning bylaw that is currently in progress.

An alternative to the zoning consolidation approach would be to do a site specific text amendment to the Private Resort Residential Development (PRD-1 zone). A text amendment to this zone would affect all properties zoned PRD-1 which includes:

- Harrison Lane subdivision (14505 Morris Valley Road);
- Eagle Point Estates subdivision (14500 Morris Valley Road); and,
- Rivers Reach Estates subdivision (14550 Morris Valley Road).



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 rear lot line setback for an accessory structure (shed). Staff recommend that the FVRD Board direct staff to examine the zoning regulations related to accessory structures (sheds) in the Private Resort Development (PRD-1) zone at the time that staff are reviewing the consolidated zoning bylaw. Staff will also engage with the strata corporations at the subdivisions zoned PRD-1.

Option 1 – Refuse (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board refuse Development Variance Permit 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C to reduce the rear lot line setback from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet), clear to sky to facilitate the construction of an accessory structure (shed).

AND THAT the Fraser Valley Regional District Board direct staff to consider zoning regulations related to accessory structures (sheds) in the Private Resort Development (PRD-1) zone at the time that staff are reviewing the consolidated zoning bylaw.

AND FURTHER THAT the Fraser Valley Regional District Board direct staff to take no further bylaw enforcement actions at #129-14500 Morris Valley Road, provided that the accessory structure (shed) is moved to the proposed location in the application for Development Variance Permit 2018-28 and pending resolution of the PRD-1 accessory structure (shed) zoning regulations in the consolidated zoning bylaw.

Option 2 – Site specific text amendment

If the Board wishes to direct staff to do a text amendment to the Private Resort Development (PRD-1) zone of *Zoning By-law for Electoral Area "F", 1978, of the Regional District of Fraser-Cheam* to allow for the placement of accessory structures (sheds) within achievable setbacks, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board direct staff to do a text amendment to the Private Resort Development 1 (PRD-1) zone of *Zoning By-law for Electoral Area "F", 1978, of the Regional District of Fraser-Cheam* to address issues with the placement of accessory structures.

Option 3 – Approve Development Variance Permit 2018-28

If the Board wishes to approve requested Development Variance Permit 2018-28, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C to reduce the rear lot line setback from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet), clear to sky, to facilitate the construction of an accessory structure (shed).

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.

Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

Proposed Shed Location



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 \$ 350⁰⁰ as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address #129 14500 Morris Valley RD PID _____

Legal Description Lot ☒ 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)	Signature of Owner	Date
Math Thomas		Aug 3/18
Name of Owner (print)	Signature of Owner	Date
Karen Sidhu		Aug 3/18

Owner's
Contact
Information

Address <u>#129 14500 Morris Valley RD</u>		City <u>Harrison Mills</u>
Email _____		Postal Code <u>V0M-1A1</u>
Phone _____	Cell _____	Fax _____

Office Use Only	Date	File No.
	<u>AUGUST 7, 2018</u>	<u>3090-20 2018-28</u>
	Received By	Folio No.
	<u>6614/3</u>	<u>776.06731.429</u>
	Receipt No.	Fees Paid: \$ <u>350.00</u>

Agent

I hereby give permission to _____ 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 7800 sq ft Present Zoning the Recreational / resort
 Existing Use Residential
 Proposed Development Na

Proposed Variation / Supplement From 7.6 m (24.93 Feet) to 5m or (16.4 Feet) From the Back Lot Line
No variation needed for side lot line - all measurements taken to the eaves of the shed

(use separate sheet if necessary)

Reasons in Support of Application All drainage will drain into Rock pit. Developed for whole house drainage. / Shed is made to look like house. will compliment house + neighbourhood. So owner does not lose investment. Variance of 7.6 m is unattainable on lot once house is placed on lot. 5m is doable.

Page 2 of 4

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.

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
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan 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:
Floor Plans			Uses of spaces & building dimensions
			Other:
Landscape Plan 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:
Reports			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.

B.C. Land Surveyors Building Location Certificate

Showing The Forms

On Strata Lot 129 Sec 35 Tp 3 R3W

NWD Strata Plan BCS1492

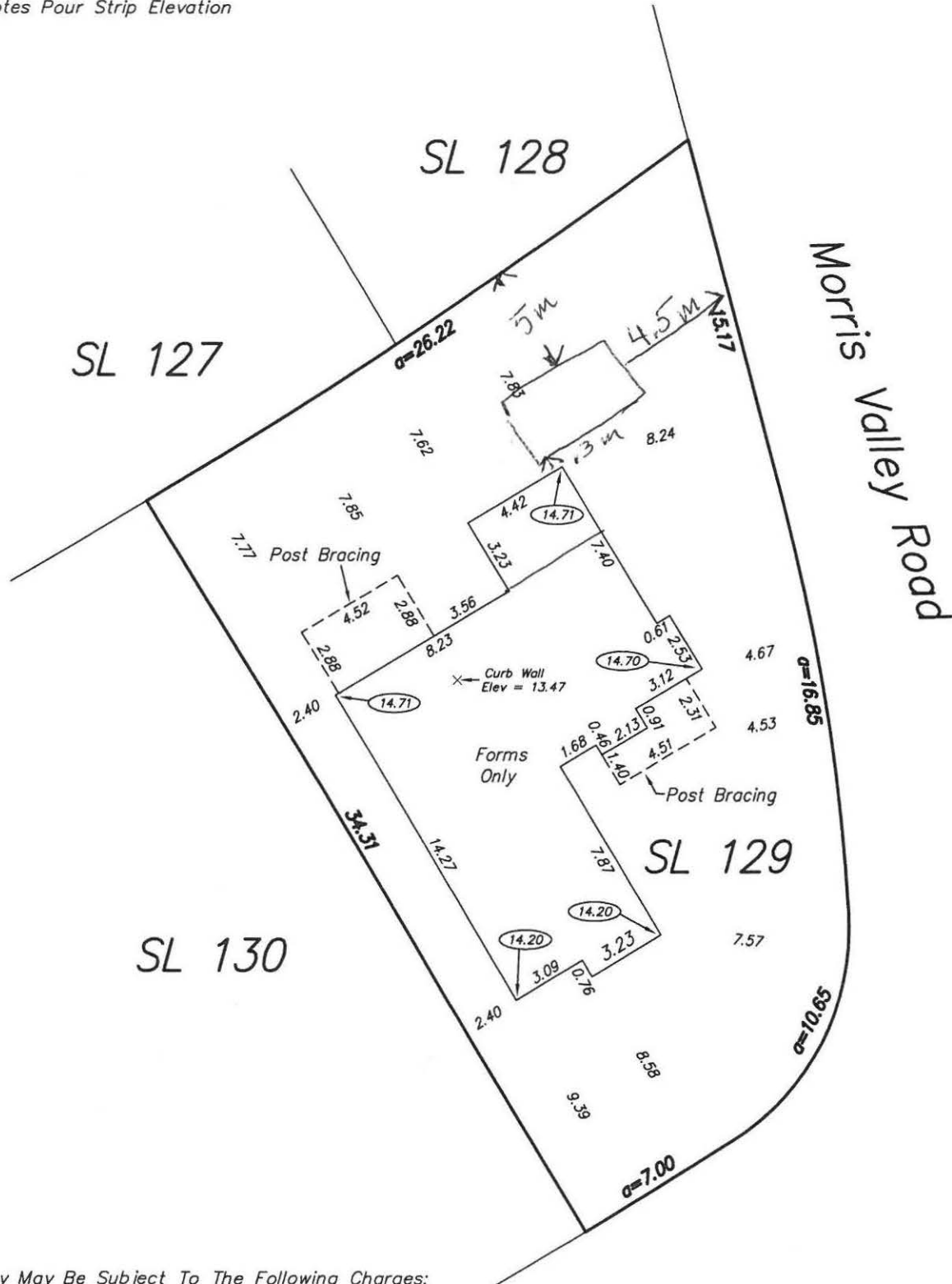
Prepared For The Exclusive Use Of: Anil Sharma

Civic Address: 14500 Morris Valley Road
Agassiz, BC

Scale 1 : 250 Dimensions are METRIC

Lot Dimensions Are Based On Plan BCS1492

Denotes Pour Strip Elevation



This Property May Be Subject To The Following Charges:

BX565303 COVENANT FRASER VALLEY REGIONAL DISTRICT

BX565455 COVENANT FRASER VALLEY REGIONAL DISTRICT

Y65666 COVENANT HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BC

BW553278 STATUTORY RIGHT OF WAY BC HYDRO AND POWER AUTHORITY

To: Electoral Area Services Committee
 From: Andrea Antifaeff, Planning Technician

Date: 2018-09-05
 File No: 3090-20-2018-28

Subject: Application for Development Variance Permit 2018-28 to reduce the rear setback to permit the construction of an accessory structure (shed) at #129-14500 Morris Valley Road, Area C

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C, to reduce the rear lot line setback from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet), clear to sky, to facilitate the construction of an accessory structure (shed), 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 reduce the rear lot line setback for an accessory structure (shed) as outlined in *Zoning By-law for Electoral Area "F", 1978, of the Regional District of Fraser-Cheam*.

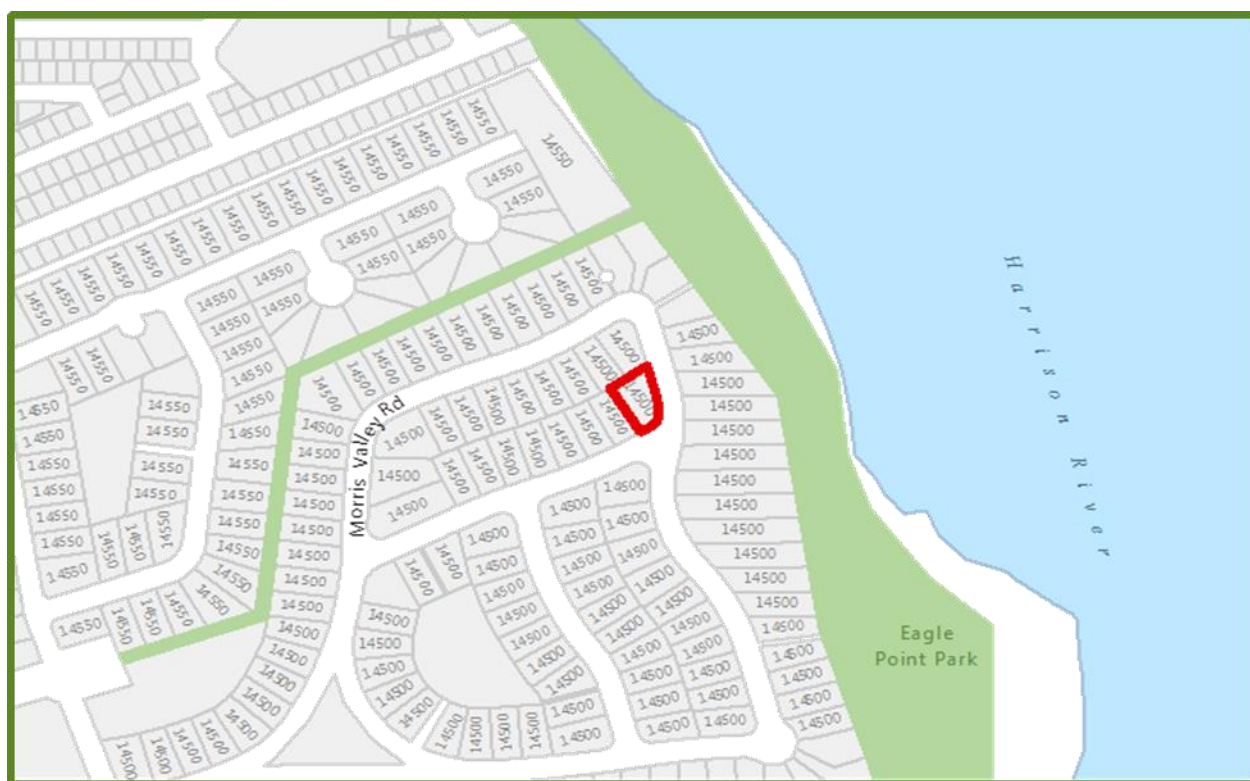
PROPERTY DETAILS			
Electoral Area	C		
Address	129-14500 Morris Valley Road		
PID	026-412-063		
Folio	776.06731.429		
Lot Size	0.172 acres		
Owner	Karen Sidhu & Matthew Thomas	Agent	n/a
Current Zoning	Private Resort Residential (PRD-1)	Proposed Zoning	No change
Current OCP	Resort Residential (RR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Accessory Structure (Shed)

Development Permit Areas	DPA 1-C and 2-C
Agricultural Land Reserve	No

ADJACENT ZONING & LAND USES

North	^	Private Resort Residential (PRD-1) / Residential
East	>	Private Resort Residential (PRD-1) / Residential
West	<	Private Resort Residential (PRD-1) / Residential
South	v	Private Resort Residential (PRD-1) / Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The owners of the property have made an application to allow an accessory structure (shed) at #129-14500 Morris Valley Road to be sited on the property. The subject property is located in the Eagle Point Estates residential development in Morris Valley.

Building staff have reviewed the site plan and there are no Building Code concerns regarding the separation distances between the single family dwelling and the accessory structure (shed). As the shed has a floor area not exceeding 20 square metres (215 square feet) a building permit is not required.

Bylaw Enforcement

In January 2018, the FVRD received a complaint of an accessory structure (shed) sited in contravention of the Zoning Bylaw. At a subsequent inspection of the property a bylaw enforcement officer confirmed the presence of an accessory structure (shed) sited in contravention of the Zoning Bylaw (exterior side and rear setbacks and the overhang of the shed roof encroached over the fence and on the strata road property). The applicant has decided to move the location of the shed which would require a variance (reduction) to only the required rear lot line setback. Obtaining a Development Variance Permit and relocating the accessory structure (shed) will rectify the bylaw enforcement. Figures 1 & 2 show the existing and proposed shed locations.



Figure 1. Existing shed location



Figure 2. Proposed shed location

Variance Requested – DVP 2018-28

Application Rationale

The applicant advises that the reasons in support of the variance are: 1. the 7.6 metre rear setback is unattainable on a lot once the house has been placed; 2. the shed will have a similar appearance to the house and compliment the house and neighbourhood; and, 3. all drainage from the shed will drain into the same drainage for the house.

Rear Lot Line Setback Variance

The owners are seeking a 2.6 metre (8.52 foot) relaxation to the required rear lot line setback, reducing the setback requirement from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet).

Neighbourhood Notification and Input

All property owners within 30 metres of the property and the Strata 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, residents and the Strata of the requested variance in advance of the mail-out notification. To date no letters of support or objection have been submitted. No comments from the Strata have been provided to date.

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 rear lot line setback for an accessory structure (shed). Staff recommend that the FVRD Board issue the permit, subject to community and Strata input, as the proposed variance will address the existing Bylaw Enforcement action and the existing encroachment onto the Strata road property; the shed is less than 20 sq.m and does not require a building permit; and the property is fenced and the shed should not be visible from the Strata road. The variance is not anticipated to negatively affect the surrounding properties.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C to reduce the rear lot line setback from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet), clear to sky, to facilitate the construction of an accessory structure (shed), 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 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C.

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 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C to FVRD Staff.

COMMENTS BY:

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

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

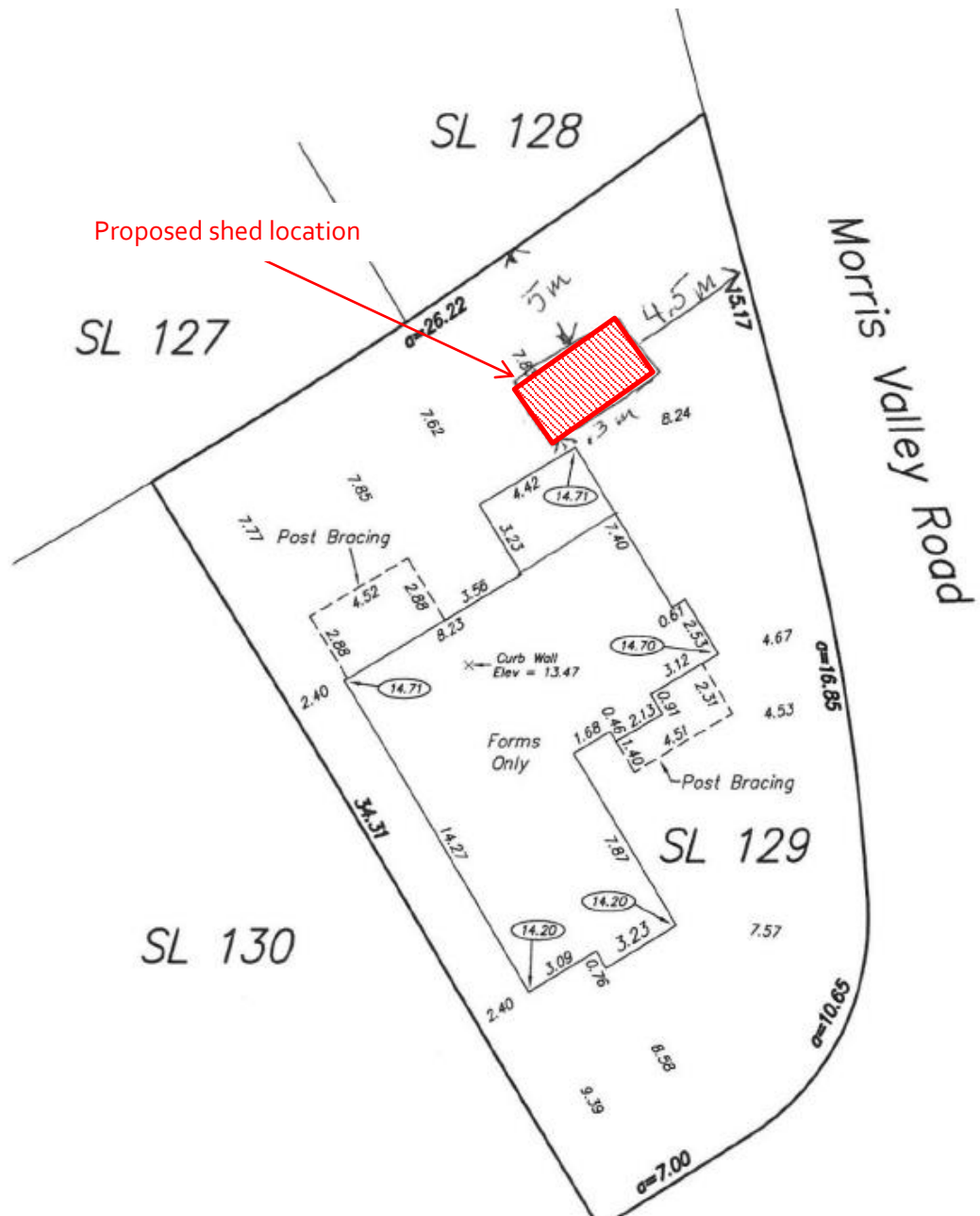
Mike Veenbaas, Director of Financial Services

No further financial comment.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

Appendix A



To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-09

Subject: Application for Development Variance Permit 2019-09 to reduce the front lot line setback to permit the re-construction of a residential porch at 35103 North Sward Road, Electoral Area F

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-09 for 35103 North Sward Road, Electoral Area F, to reduce the front lot line setback from 6.0 metres (19.7 feet) to 2.1 metres (6.9 feet), to facilitate the re-construction of a residential porch, subject to the issuance of an Encroachment Permit from the BC Ministry of Transportation and Infrastructure, and subject to consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

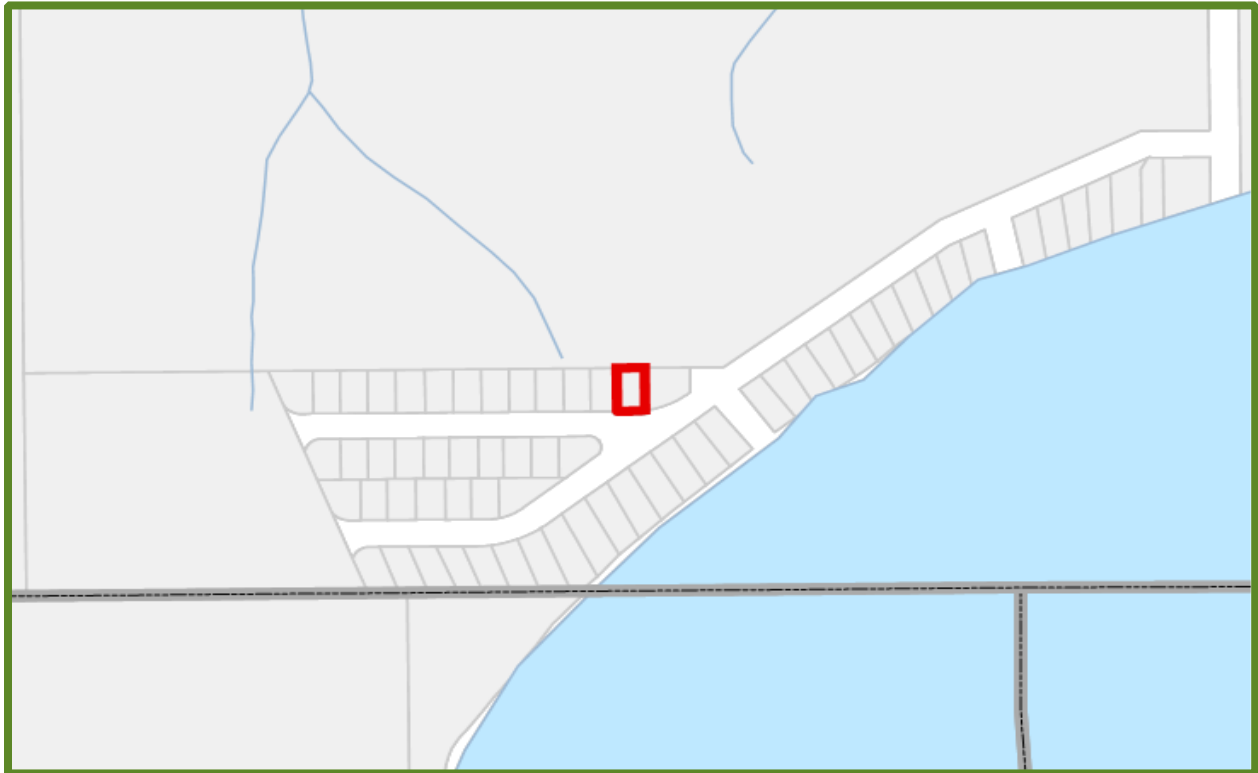
BACKGROUND

The property owner has applied for a Development Variance Permit (DVP) to reduce the front lot line setback for a residence as outlined in *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*. The proposed works are closer than 4.5 metres to the road right of way and, therefore, will require approval from the BC Ministry of Transportation and Infrastructure.

PROPERTY DETAILS			
Electoral Area	F		
Address	35103 North Sward Road		
PID	008-059-292		
Folio	775.02202.099		
Lot Size	6000 sq ft (0.13 acres)		
Owner	Susan Quinn	Agent	P to P Contracting
Current Zoning	Rural 1 (R-1)	Proposed Zoning	No change
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	No change
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Floodplain Agriculture (A-2), Farm
East	>	Rural 1 (R-1), Residential / Single family residence
West	<	Rural 1 (R-1), Residential / Single family residence
South	v	Rural 1 (R-1), Residential / Single family residence

NEIGHBOURHOOD MAP

PROPERTY MAP



DISCUSSION

The property owner is conducting structural repairs and building an addition to an existing residence at 35103 North Sward Road. The works include rebuilding a porch at the front of the house which was previously removed to allow for foundation repairs. The existing house is small at 53.5 square metres (608 square feet) with the porch adding an additional 7.4 square metres (79.4 square feet) of covered outdoor space.

Application Rationale

The owner advises that the porch will enable greater enjoyment of the natural view as well as provide an outdoor space for relaxing and visiting with family. The owner additionally notes that the house and porch are aligned with other houses on the street and will not look out of place.

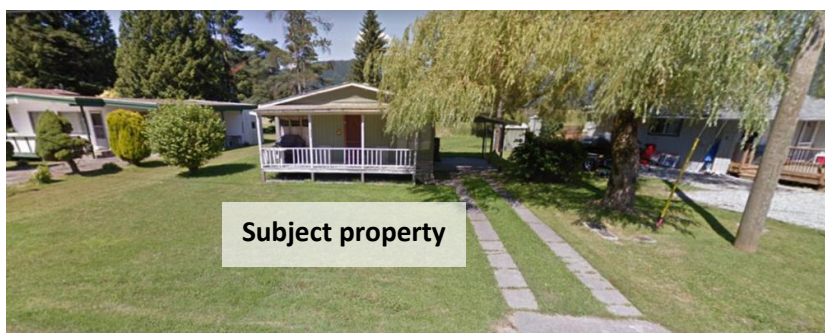


Image 1 – Demonstrates the alignment of the house with neighbouring houses.

Front Lot Line Setback Variance Request

In order to rebuild the porch in its previously existing location, the property owner is seeking a 3.9 metre (12.8 foot) relaxation from the front lot line setback. This will reduce the setback requirement from 6.0 metres (19.7 feet) to 2.1 metres (6.9 feet) measured clear to sky. The 2.1 metre setback accounts for porch roof overhang.

Front Lot Line Setbacks	
Permitted (zoning)	6 metres (19.7 feet)
Proposed	2.1 metres (6.9 feet)
Requested Variance	3.9 metres (12.8 feet)

Ministry of Transportation & Infrastructure Requirements

All construction within 4.5 metres of a road right of way requires approval from the BC Ministry of Transportation and Infrastructure (MOTI). MOTI has indicated to FVRD staff that they are working on issuing an encroachment permit for the subject property. The development variance permit will not be issued until MOTI officially grants approval for the works.

Bylaw Enforcement & Building Requirements

Construction on the house was started without the benefit of a building permit. Consequently, the property is in bylaw contravention. All outstanding bylaw fines have been paid, and the property owner is taking steps to remedy the contravention. The property owner has applied for all necessary permits including a development variance permit, a MOTI encroachment permit and a building permit (BP 014593).

The building permit application is currently under review by FVRD staff to ensure the plans meet all BC Building Code requirements as well as any flood construction level requirements.

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 has been paid by the applicant

CONCLUSION

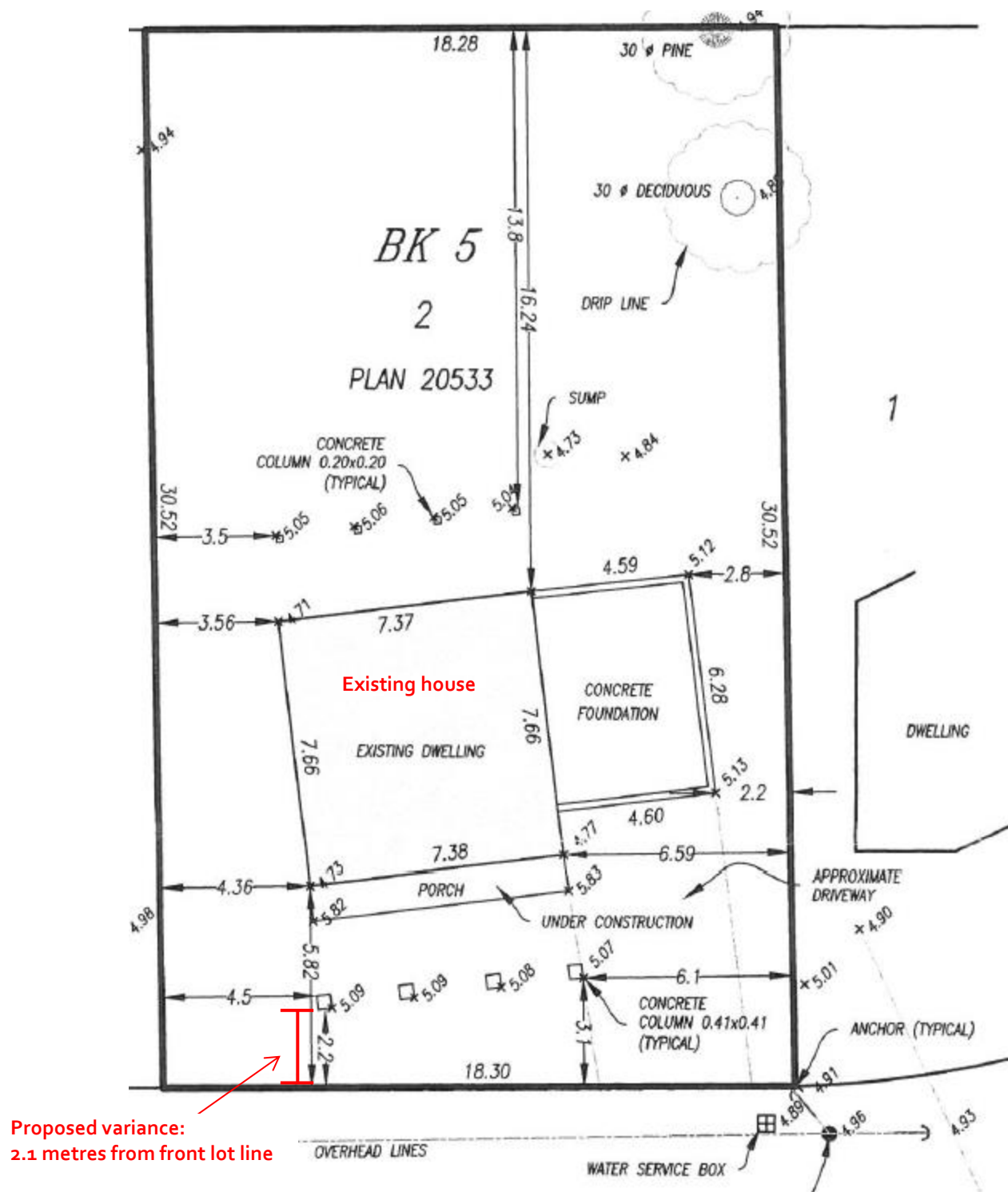
Staff recommend that Development Variance Permit 2019-09 be issued by the Fraser Valley Regional District Board, subject to the issuance of a Ministry of Transportation and Infrastructure Encroachment Permit, and subject to any comment or concerns raised by the public.

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.
Jennifer Kinneman, Acting Chief Administrative Officer:	Reviewed and supported.

Appendix A: Site Plan

Site Plan





45950 Cheam Avenue
Chilliwack, BC V2P 1N6
604-702-5000 | 1-800-528-0061

Receipt

Date April 4, 2019

Received from _____

Description of Payment and GL Code _____

35103 North Sward Rd

Development Permit

Variance Permit

For Office Use Only

Do not write in the space below

Fraser Valley Regional District

Receipt: 8333/3 Apr 4, 2019
Dated: Apr 4, 2019 12:13:22 PM
Station: EA SERVICE/CASH2

1 PLANNING DVP -35103 NORTH SWAR 350.00

Total 350.00

INTERAC PAPER TO PEAK CONTRACT -350.00

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 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic
Address

35103 NORTH SWARD ROAD PID 008-059-292
MISSION, BC.

Legal
Description

Lot _____ 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)	Signature of Owner	Date
SUSAN QUINN	<i>Susan Quinn</i>	4/4/19
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information

Address	<u>1358-227 STREET</u>		City	<u>LANGLEY, BC</u>
Email			Postal Code	<u>V2Z 2W8</u>
			Fax	

Office Use Only	Date	<u>April 4, 2019</u>	File No.	<u>2019-09</u>
	Received By	<u>JM</u>	Folio No.	<u>775.02202.009</u>
	Receipt No.	<u>8333/3</u>	Fees Paid: \$	<u>350</u>

Agent

I hereby give permission to _____ 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 ROLAND LEMPEL	Company P2P CONTRACTING LTD.
Address 1358-227 STREET	City LANGLEY BC
	Postal Code V2Z 2W8
	Fax

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

Signature of Agent 	Date APR 4 2019
---	--------------------

Development Details

Property Size _____ Present Zoning _____

Existing Use _____

Proposed Development _____

X Proposed Variation / Supplement REDUCED FRONT SET BACK TO 2.1 METERS

(use separate sheet if necessary)

X Reasons in Support of Application EXISTING HOUSE IS SMALL AND IS LOCATED APPROXIMATELY 15 FEET. NOT MEETING CURRENT SET-BACKS FROM PROPERTY LINE. EXISTING HOUSE IS IN LINE WITH OTHER HOUSES ON THE STREET. THE FRONT PORCH WOULD HELP WITH US ENJOYING THE VIEW. HAVING A SPOT FOR A OUTDOOR SPACE. TO VISIT WITH FAMILY AND RELAX.

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.

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
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan			Reduced sets of metric plans
At a scale of:			North arrow and scale
1: _____			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:
Floor Plans			Uses of spaces & building dimensions
			Other:
Landscape Plan			Location, quantity, size & species of existing & proposed plants, trees & turf
Same scale as site plan			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:
Reports			Geotechnical Report
			Environmental Assessment
			Archaeological Assessment
			Other:

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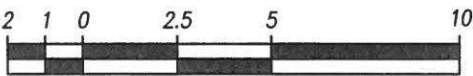
TOPOGRAPHIC SURVEY OF LOT 2
BLOCK 5 SECTION 2 TOWNSHIP 18
NEW WESTMINSTER DISTRICT
PLAN 20533

FVRD FILE:

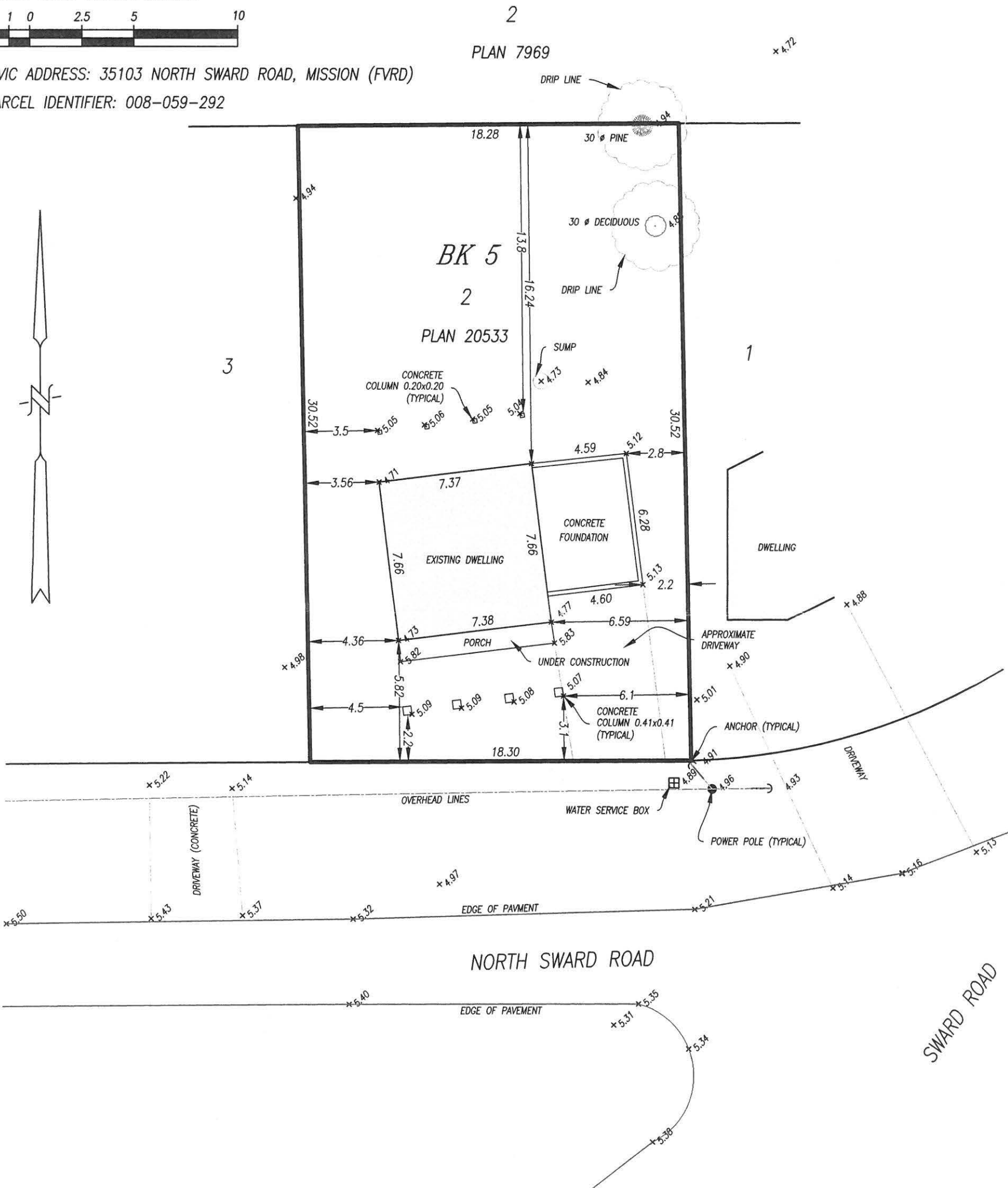
MAR 26 2019
F.V.R.D. BLDG. DEPT

SCALE 1 : 200

ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED.



CIVIC ADDRESS: 35103 NORTH SWARD ROAD, MISSION (FVRD)
PARCEL IDENTIFIER: 008-059-292



LOT DIMENSIONS DERIVED FROM
FIELD SURVEY

ELEVATIONS ARE IN METRES (GEODETIC)
ELEVATIONS REFERENCED TO
CGVD28 (HTv2.0)

CHARGE(S) ON TITLE WITHOUT REFERENCE TO
SURVEY PLANS THAT MAY AFFECT IMPROVEMENTS:
266242C RESTRICTIVE COVENANT

SURVEYED:

MARCH 11, 2019

DATED THIS 15TH DAY OF MARCH, 2019

Devon Pallmann
DEVON PALLMANN, B.C.L.S.

WADE & ASSOCIATES LAND SURVEYING LTD.
BC LAND SURVEYORS
MISSION & MAPLE RIDGE
PHONE: (604) 826-9561 OR 463-4753
FILE: P20533-BK05 LOT 02

PREPARED FOR: S & R QUINN



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-09 **Folio No.** 775.02202.099

Issued to: Susan Quinn

Address:

Applicant: Susan Quinn

Site Address: 35103 North Sward, Electoral Area F

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 BLOCK 5 SECTION 2 TOWNSHIP 18 NEW WESTMINSTER DISTRICT
PLAN 20533
008-059-292

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

"Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992" is **varied** as follows:

Part 412 (1), the front lot line setback is reduced from 6.0 metres to 2.1 metres for the construction of a residential porch.

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. 014593.

5. This permit shall lapse upon expiry or revocation of the Highway Encroachment Permit issued by the BC Ministry of Transportation and Infrastructure to authorize construction within the North Sward Road right of way.

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 2019-09. 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>, 2019

Chief Administrative Officer / Deputy

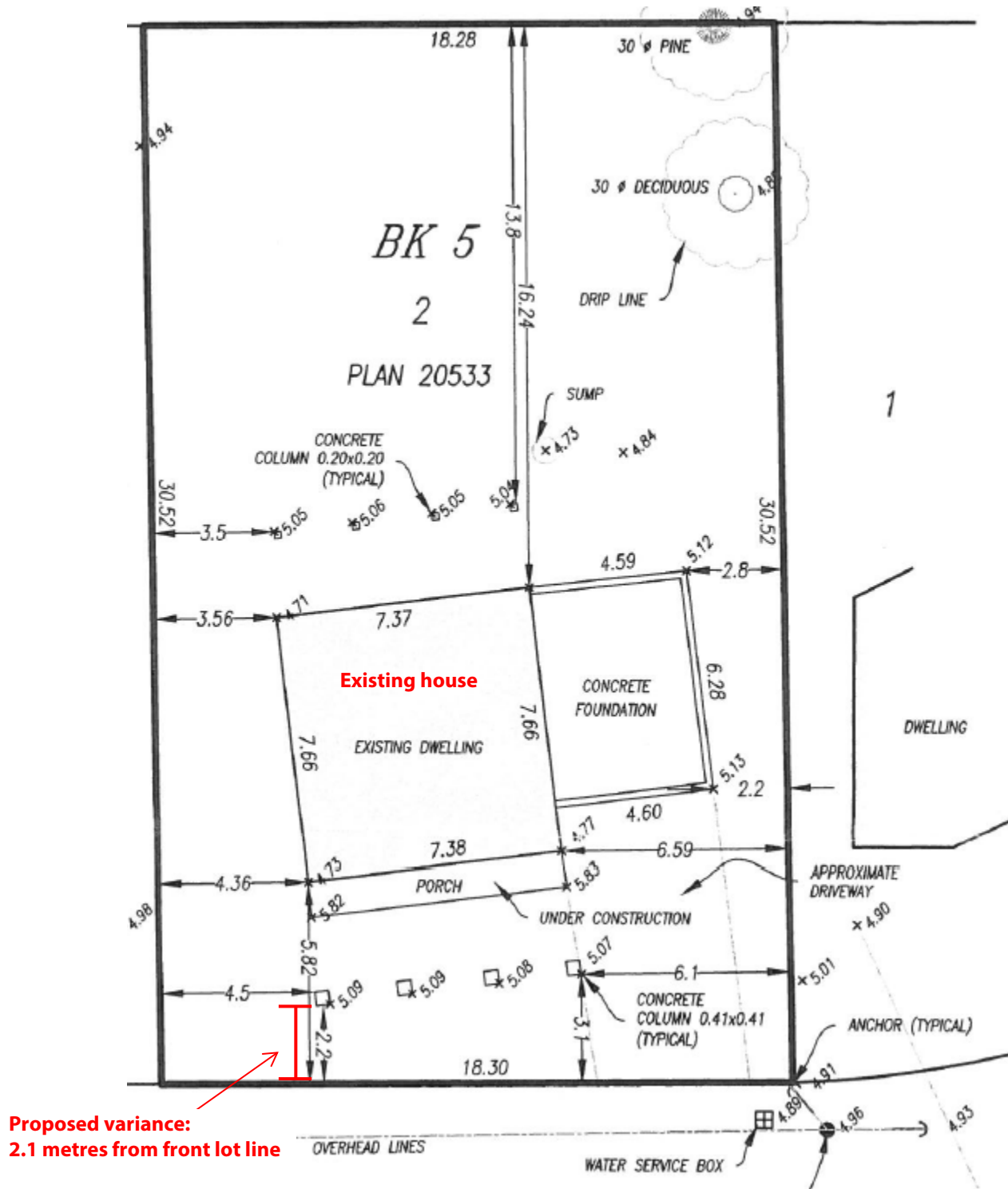
THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2019-09
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2019-09
SCHEDULE "B"
Site Plan



To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-10

Subject: Application for Development Variance Permit 2019-10 to vary the maximum height and size requirements for an accessory building at 10395 Wildrose Road, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-10 to increase the maximum permitted area of an accessory building from 45 square metres to 58 square metres and to increase the maximum permitted height of an accessory building from 5.0 metres to 5.2 metres, subject to consideration of any comment or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

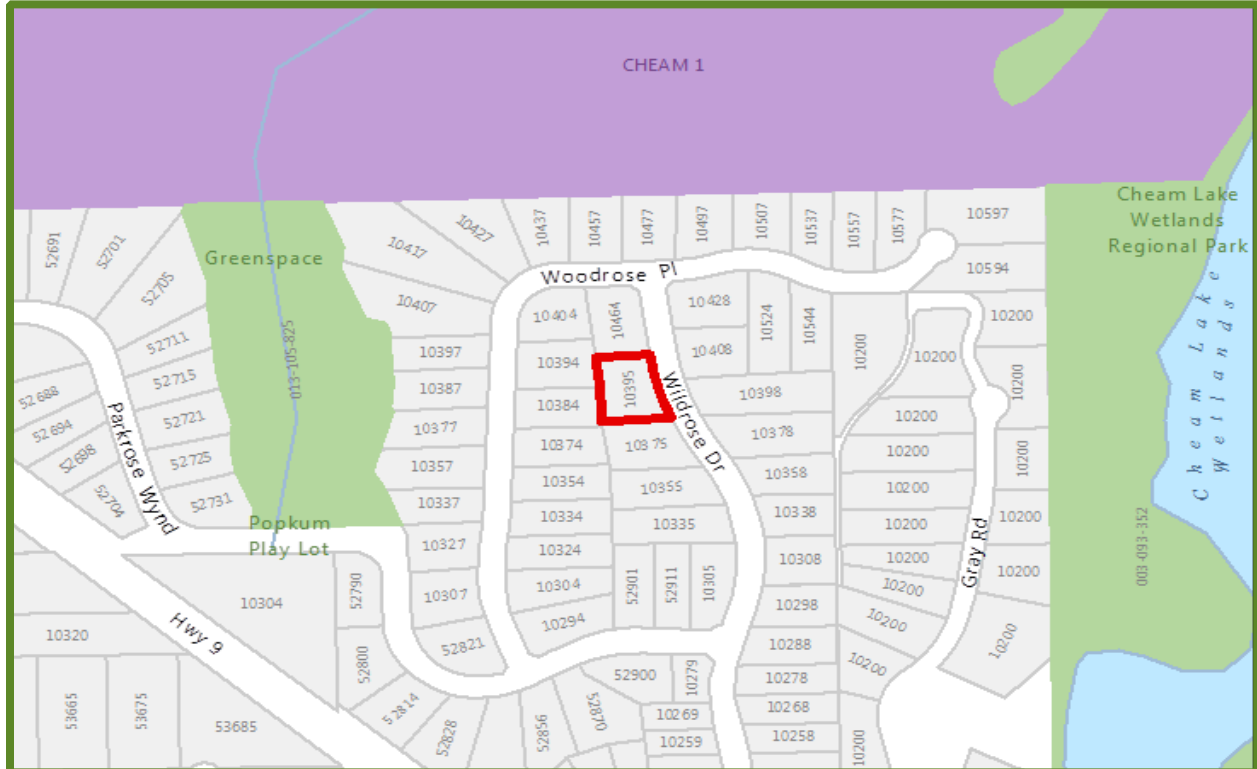
The property owners have made an application for a Development Variance Permit (DVP) to increase the maximum permitted area and height of an accessory building (garage) as outlined in *Zoning Bylaw for Electoral Area "D", 1976 of Regional District of the Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	D		
Address	10395 Wildrose Drive		
PID	028-850-386		
Folio	733.06453.069		
Lot Size	0.603 acres		
Owner	Paul Sousedik	Agent	MBE Construction
Current Zoning	Suburban Residential 2 (SBR-2)	Proposed Zoning	No change
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Accessory Residential
Development Permit Areas	DPA 6-D		
Hazards	-		
Agricultural Land Reserve	No		

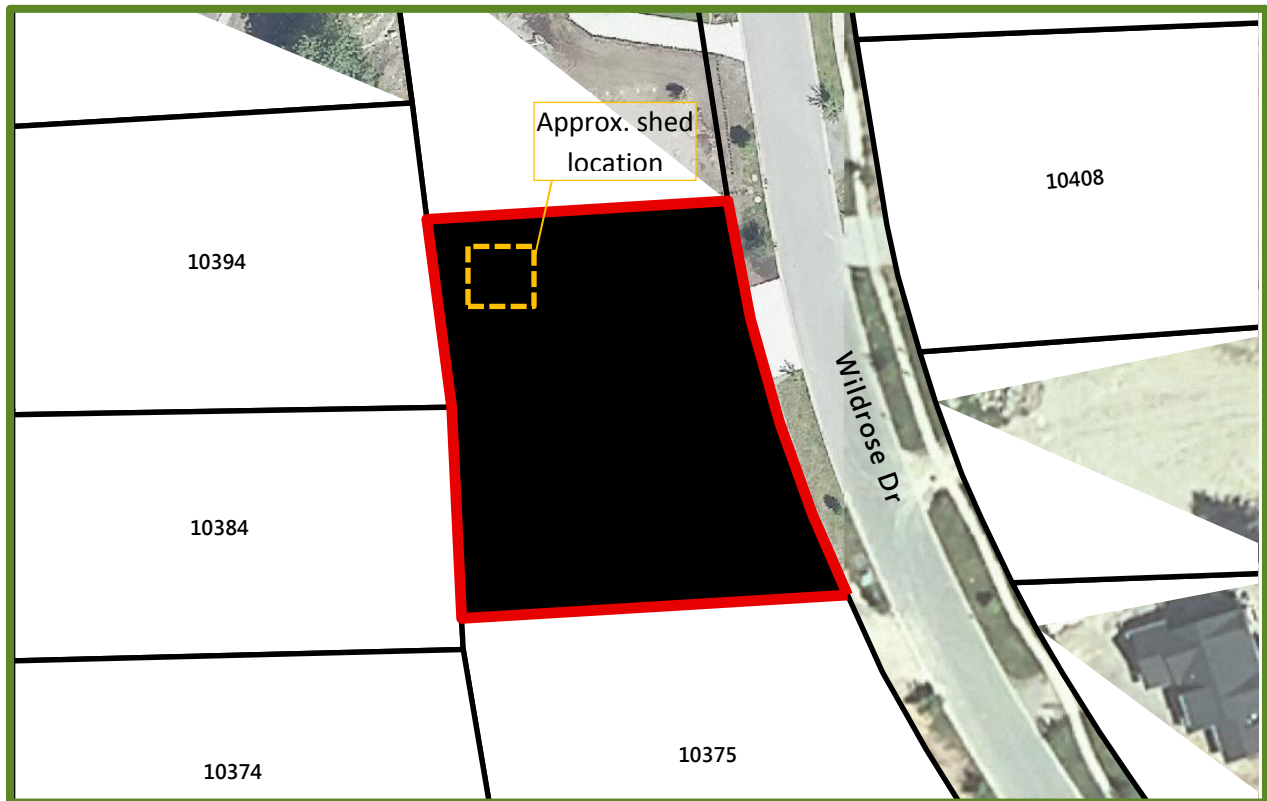
ADJACENT ZONING & LAND USES

North	^	Suburban Residential 2 (SBR-2), Single Family Dwelling
East	>	Suburban Residential 2 (SBR-2), Single Family Dwelling
West	<	Suburban Residential 2 (SBR-2), Single Family Dwelling
South	v	Suburban Residential 2 (SBR-2), Single Family Dwelling

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The applicant is proposing to construct a detached garage/shop which exceeds 1) the maximum allowable area and 2) the maximum allowable height for an accessory building under *Zoning Bylaw for Electoral Area "D", 1976 of Regional District of the Fraser Cheam*. There is currently a single family dwelling on the property with an attached double garage and an RV storage garage.

The applicant advises the reason for the variance is to provide additional room for storage. The extra floor space will also accommodate the parking of an additional vehicle.

Height and Size Variance

The proposed garage will be 24 x 26 feet with a total area of 624 square feet (58 square meters). The owners are seeking a size variance of 139.6 square feet (13 square meters).

Maximum Size of Accessory Buildings	
Permitted (zoning)	45.0 square metres (484 .4sq feet)
Proposed	58 square metres (624 sq feet feet)
Requested Variance	13 square metres (139.6 sq feet)

The proposed garage will have a total height of 5.2 metres (17.1 feet). The owners are seeking a height variance of 0.2 metres (8 inches)

Height of Accessory Buildings	
Permitted (zoning)	5.0 metres (16' 5") 16.4 feet
Proposed	5.2 metres (17' 1") 17.1 feet
Requested Variance	0.2 metres (8 inches) 0.7 feet

If the size variance is not granted, the applicant could construct a 22 x 22 foot structure that complies with the zoning regulation. If the height variance is not granted the applicant could build a structure which is 8 inches shorter than proposed.

Building Permit

The applicant has submitted a building permit which is currently under review. The proposed structure meets the required property line setbacks and site coverage requirements.

Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified by FVRD of the Development Variance Permit application and will 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 has been paid by the applicant.

CONCLUSION

Staff recommend Development Variance Permit 2019-10 be issued by the Fraser Valley Regional District Board, subject to any comments or concerns raised by the public.

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.

Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

Proposed shop

PROPOSED SHOP
624 SQ.FT.

DRIVEWAY

Existing residence

EXISTING RESIDENCE
BUILDING PERMIT #013335

N

SITE PLAN 1/4" = 4'-0"

LEGAL DESCRIPTION

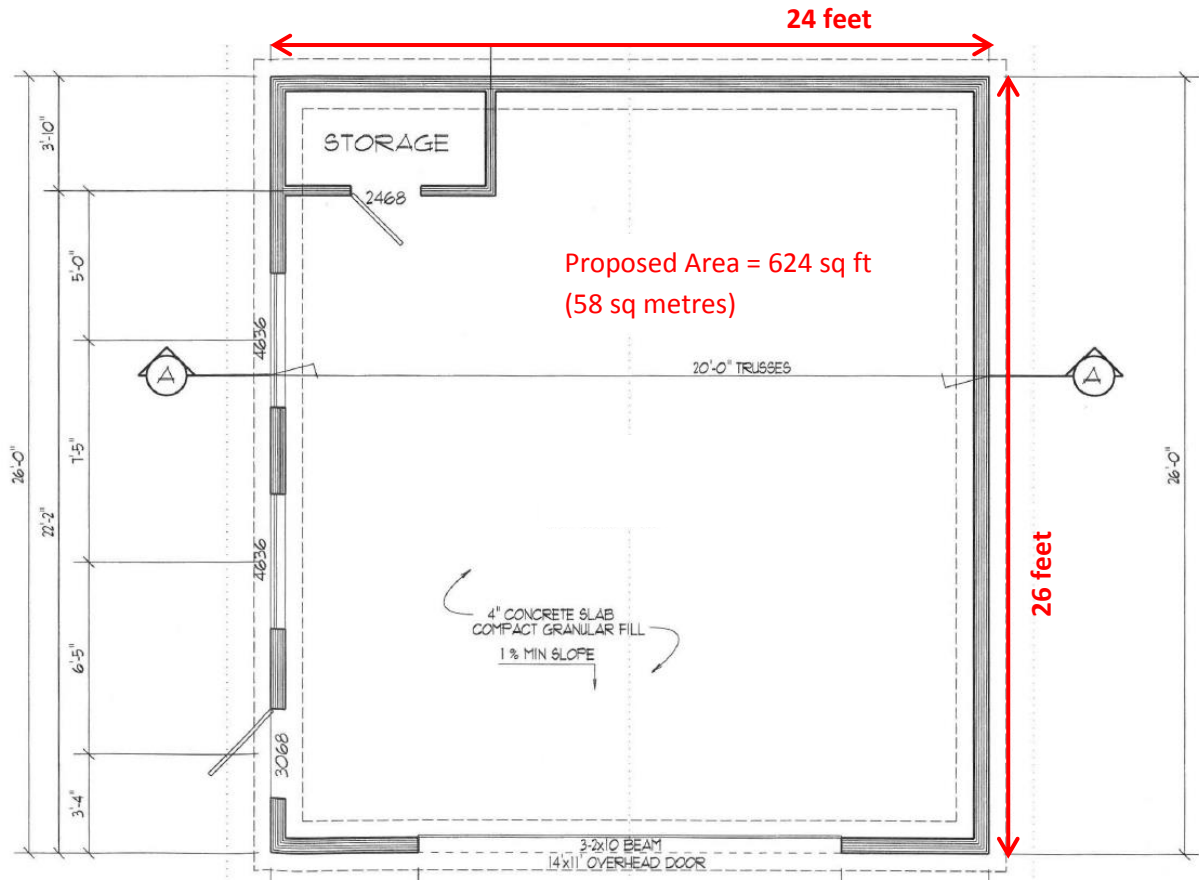
LOT 59 SEC 6 TP 3

R 28 W6M

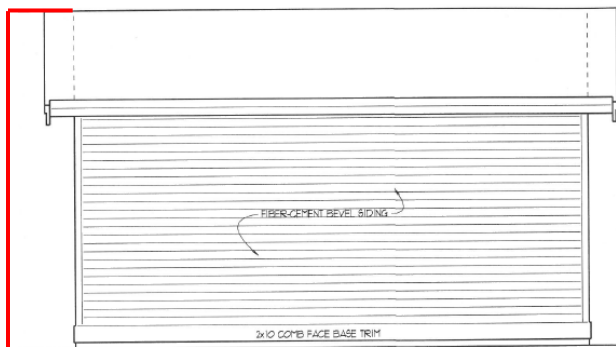
CIVIC ADDRESS

10395 WILDCR

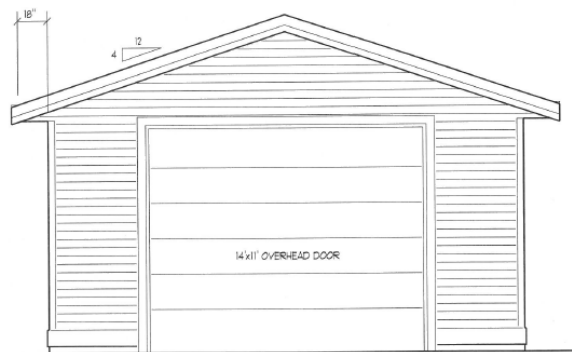
Appendix B – Proposed Building Plans



Proposed building height 17.1 feet (5.2m)



RIGHT (NORTH) ELEVATION



FRONT (EAST) ELEVATION

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 \$ _____ as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic

Address 10395 Wildrose Dr., Rosedale, BC PID _____

Legal

Description

Lot 59 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) <u>PAUL SOUSEDIK</u>	Signature of Owner 	Date <u>MAR 27/19</u>
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information


Address <u>10395 Wildrose Drive</u>	City <u>Rosedale</u>
Email	Postal Code <u>V0X 1X1</u>
Phone	Fax

Office Use Only	Date <u>5 APRIL 2019</u>	File No. <u>3090-20 2019-10</u>
	Received By <u>KW</u>	Folio No. <u>733.06453.069</u>
	Receipt No. <u>833815</u>	Fees Paid: \$ <u>350.00</u>

Agent

I hereby give permission to MBE Construction 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 <u>MAR 29/19</u>
Signature of Owner	Date

Agent's contact information and declaration

Name of Agent <u>Markin Biemond</u>	Company <u>MBE Construction Ltd</u>
Address <u>Box 216</u>	City <u>Rosedale</u>
	Postal Code <u>V0X 1X0</u>
	Fax

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

Signature of Agent 	Date <u>April 5/19</u>
---	---------------------------

Development Details

Property Size _____ Present Zoning SBR 2
Existing Use Residential
Proposed Development new Shop

Proposed Variation / Supplement Increase size from 484 sqft to 624 sqft.
Increase building height from 16'-4" to 17'-1".

(use separate sheet if necessary)

Reasons in Support of Application _____
Owner needs more room for storage.

**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
☐

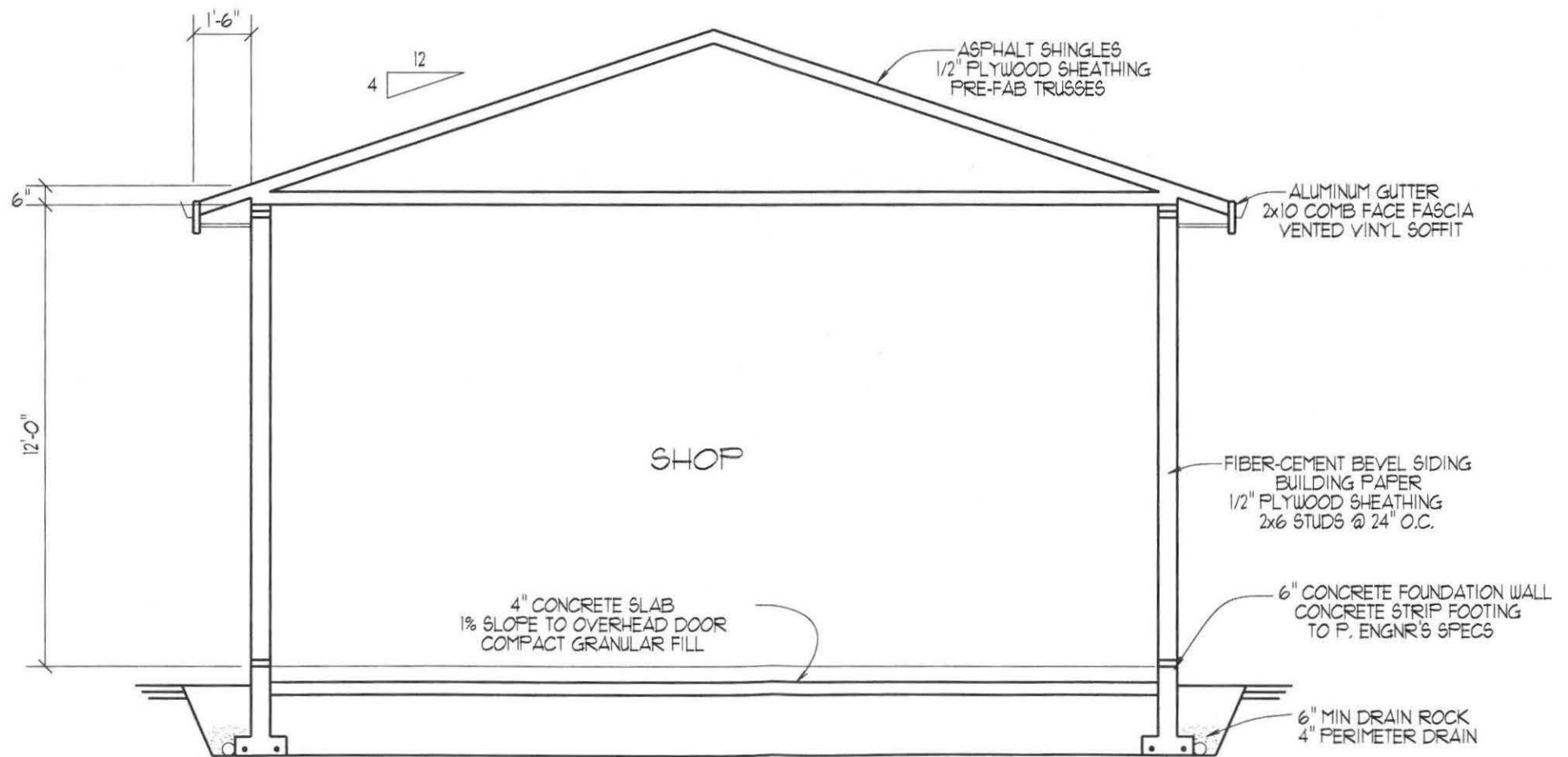
If you responded 'yes' or 'I don't know' you may be advised to contact the Archaeology Branch of the Ministry of Tourism, Sport and the Arts for further information.

Required Information

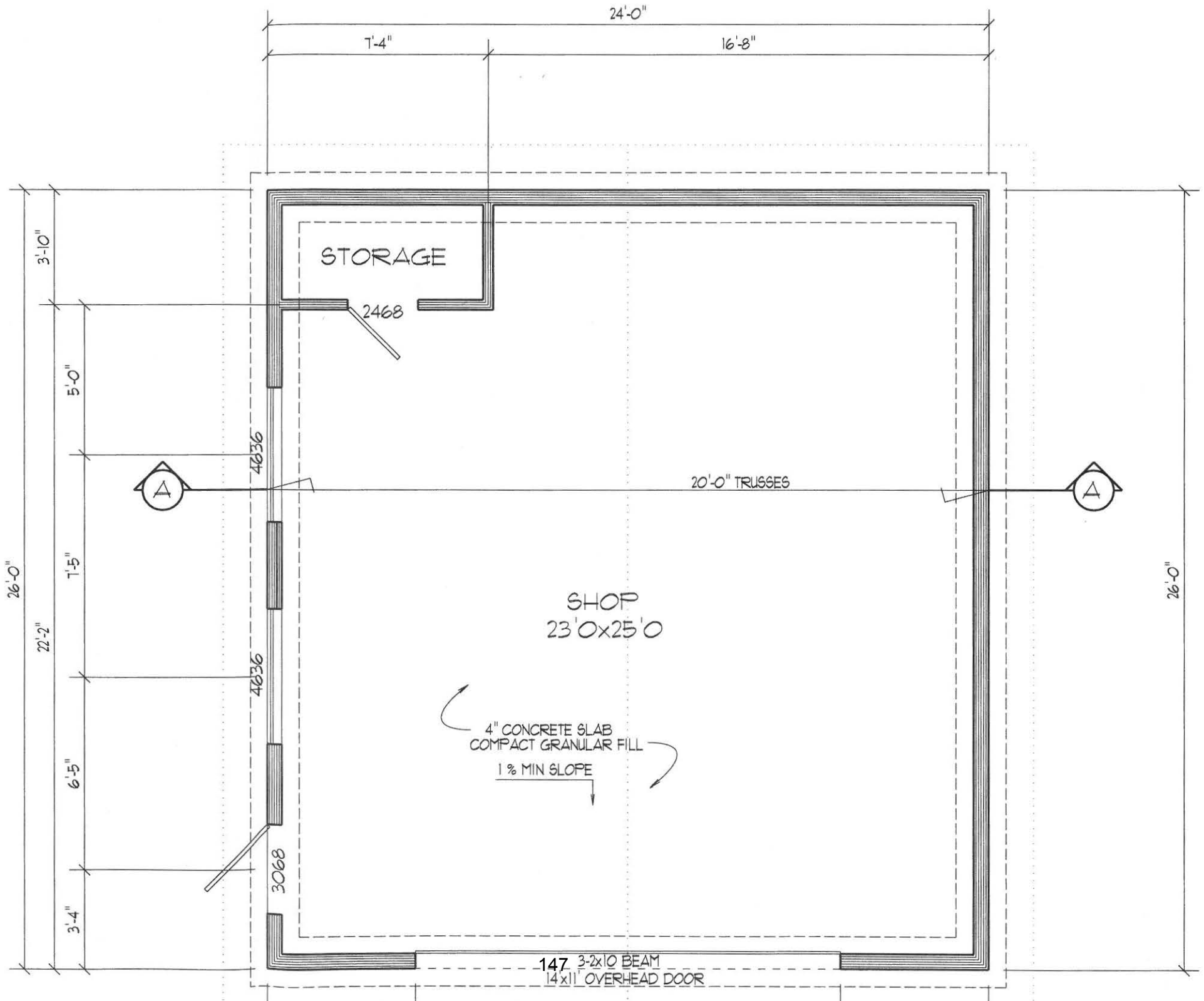
When providing Application Forms to the applicant, Regional District staff shall indicate which of the following attachments are required for this application. **Additional information may also be required at a later date.**

	Required	Received	Details
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan			Reduced sets of metric plans
At a scale of: 1: _____			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:
Floor Plans			Uses of spaces & building dimensions
			Other:
Landscape Plan			Location, quantity, size & species of existing & proposed plants, trees & turf
Same scale as site plan			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:
Reports			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.



CROSS SECTION A-A





FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-10 **Folio No.** 733.06453.069

Issued to: Paul Sousedik

Address: 10395 Wildrose Drive

Applicant: Martin Biemond, MBE Construction

Site Address: 10395 Wildrose Drive

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 59 SECTION 6 TOWNSHIP 3 RANGE 28 WEST OF THE 6TH MERIDIAN
NEW WESTMINSTER DISTRICT PLAN EPP18484
028-850-386

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

Schedule "C": Floor 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:

1. Division 23 Section 2302.3 (a) (ii): the maximum height of an accessory building is increased from 5.0m (16.4 ft) to 5.2m (17.1 ft).
 2. Division 23 Section 2302.3 (b): the maximum area of an accessory building is increased from 45 square metres (484 sq.ft) to 58 square metres (624 sq ft).
-

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. BP014625

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 2019-10. The notice shall take the form of Appendix I attached hereto.

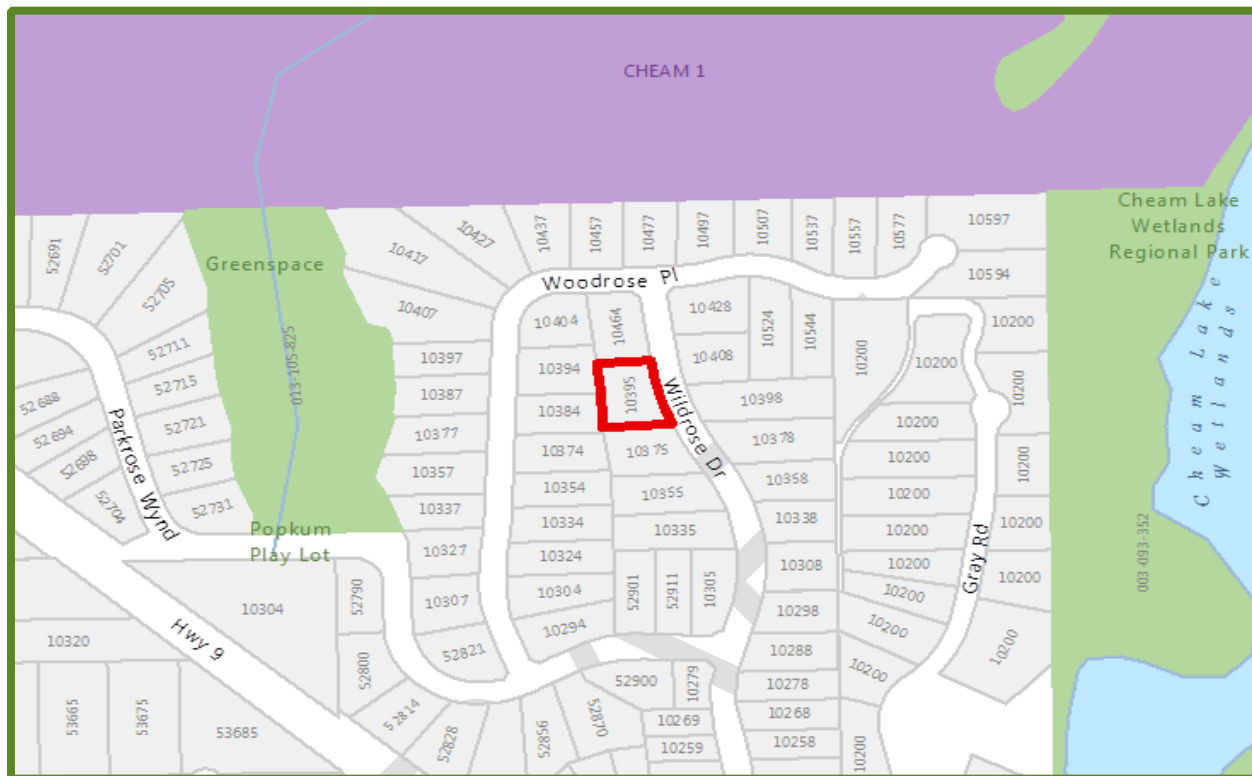
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY
REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, 2019

Chief Administrative Officer / Deputy

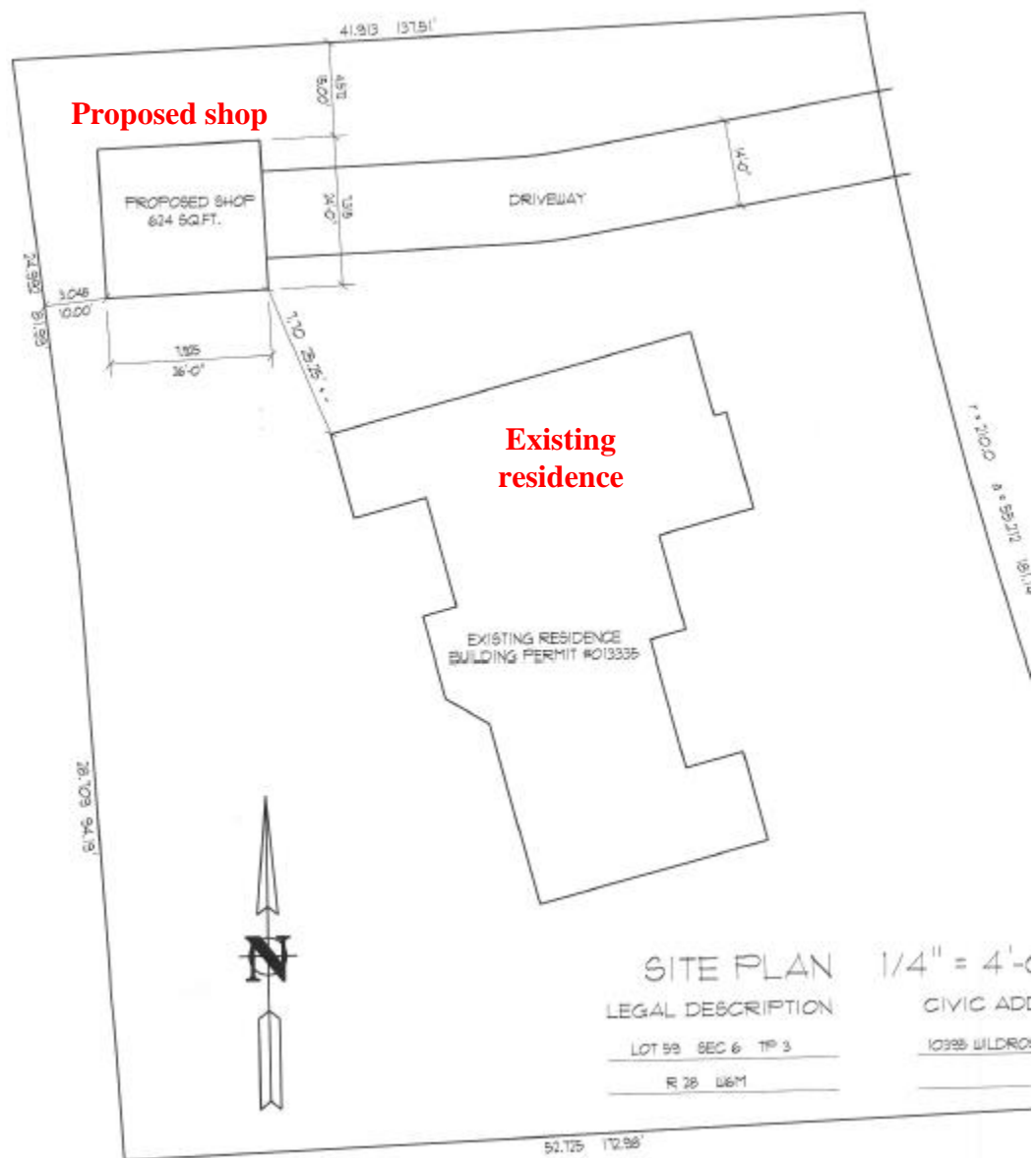
THIS IS NOT A BUILDING PERMIT

DRAFT

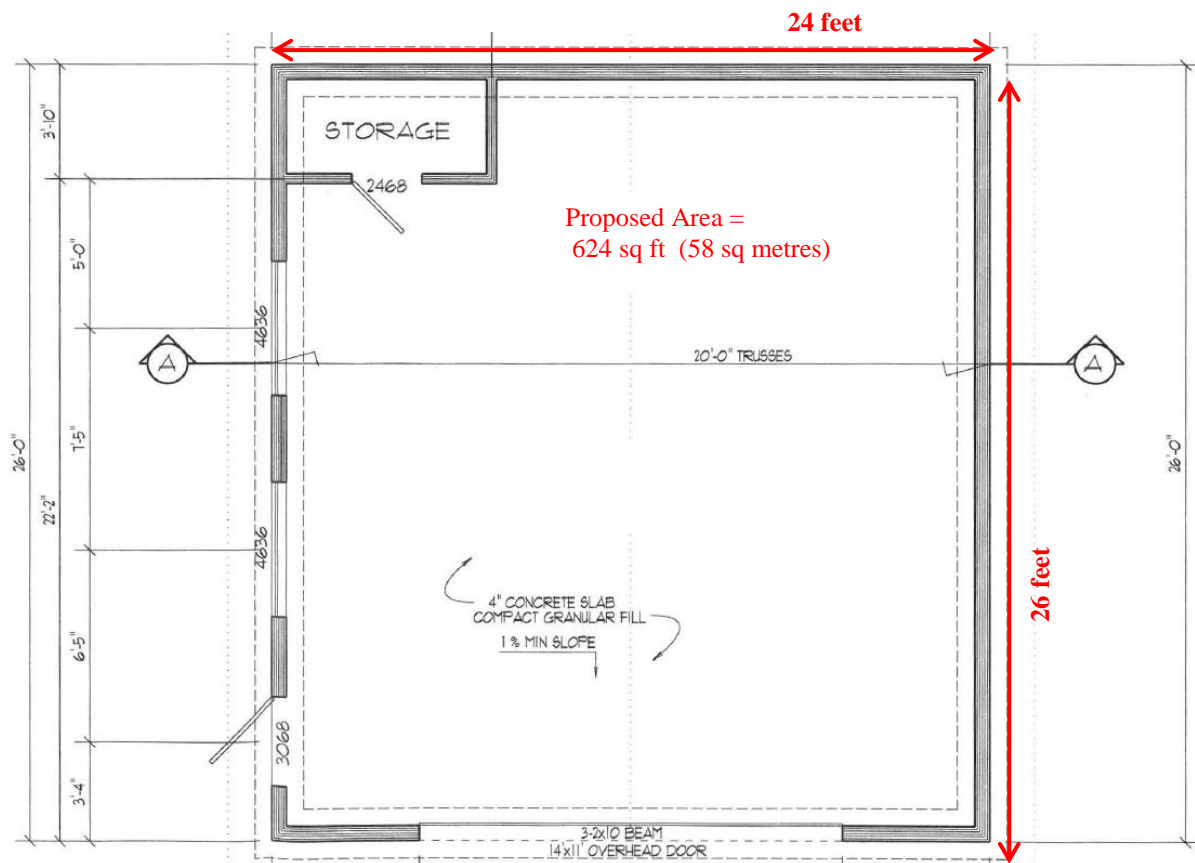
DEVELOPMENT VARIANCE PERMIT 2019-10
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2019-10
SCHEDULE "B"
Site Plan



DEVELOPMENT VARIANCE PERMIT 2019-10
SCHEDULE "C"
Shop Floor Plan



To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-12

Subject: Application for Development Variance Permit 2019-12 to vary the maximum height and size requirements for an accessory building at 10163 Royalwood Blvd, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-12 to increase the maximum permitted area of an accessory building from 45 square metres to 76 square metres and to increase the maximum permitted height of an accessory building from 5.0 metres to 5.3 metres, subject to consideration of any comment or concerns raised by the public

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

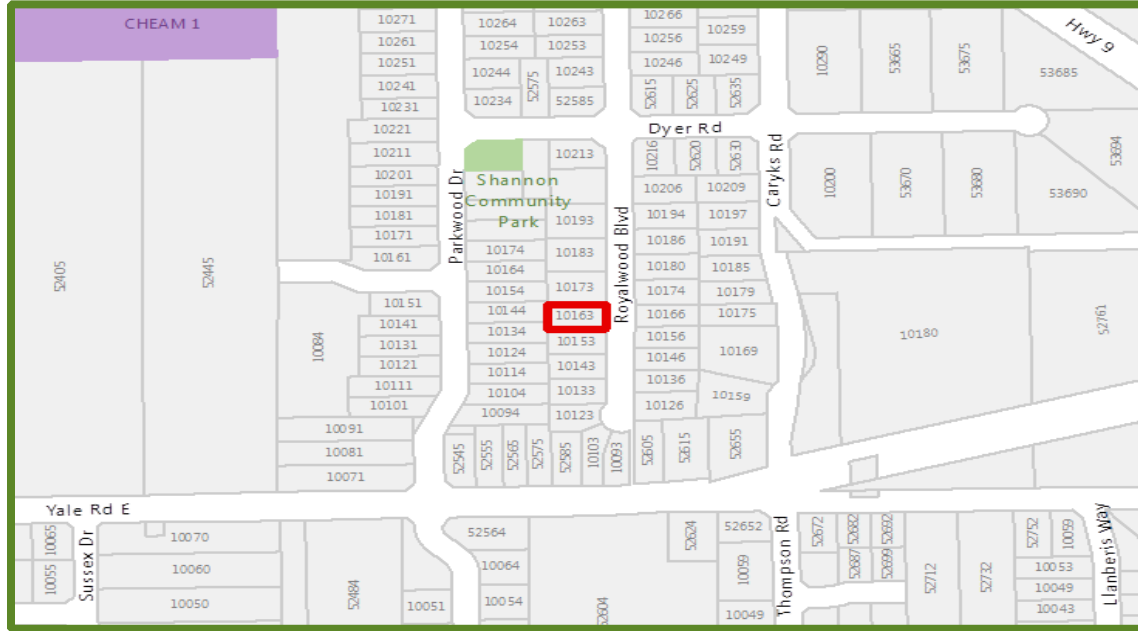
The property owners have made an application for a Development Variance Permit (DVP) to increase the maximum permitted area and height of an accessory building (garage) as outlined in *Zoning Bylaw for Electoral Area "D", 1976 of Regional District of the Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	D		
Address	10163 Royalwood Blvd		
PID	030-327-482		
Folio	733.06644.307		
Lot Size	0.252 acres		
Owner	Paul Murrin	Agent	
Current Zoning	Suburban Residential 3 (SBR-3)	Proposed Zoning	No change
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Accessory Residential
Development Permit Areas	DPA 6-D		
Hazards	-		
Agricultural Land Reserve	No		

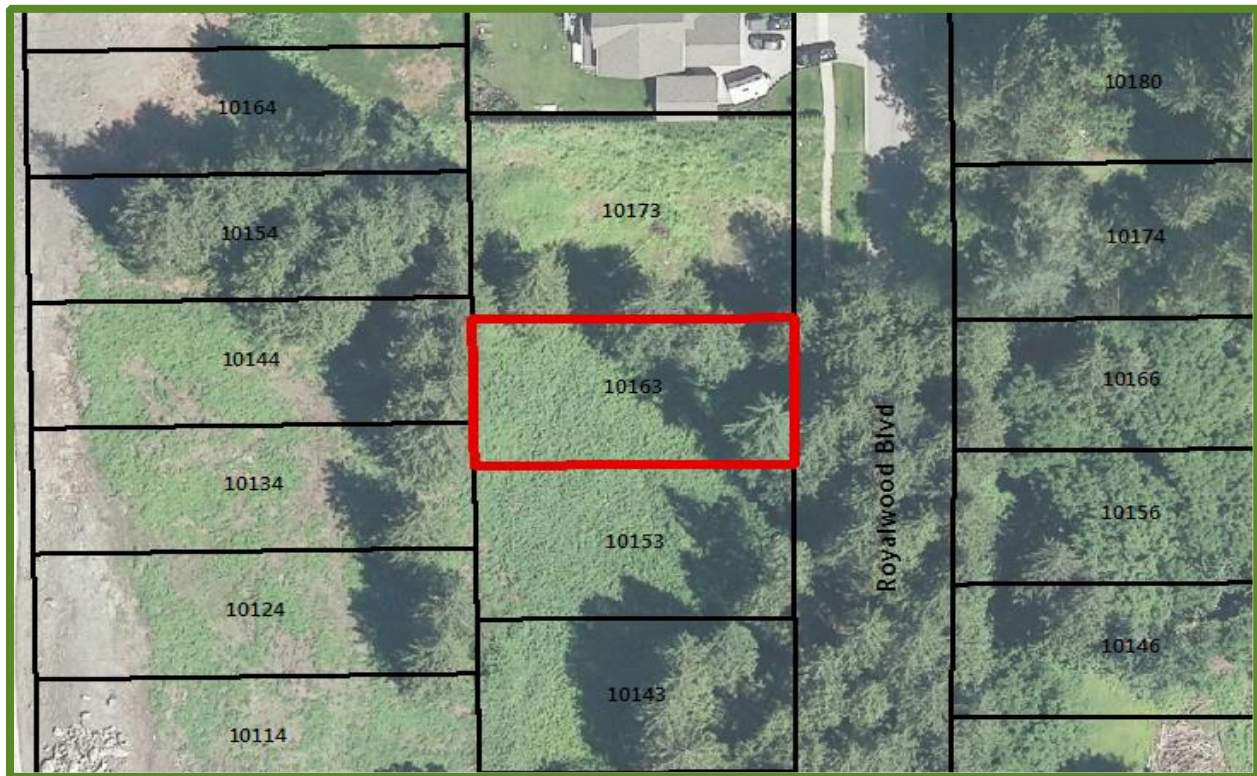
ADJACENT ZONING & LAND USES

North	^	Suburban Residential 2 (SBR-2), Single Family Dwelling
East	>	Suburban Residential 3 (SBR-3), Single Family Dwelling
West	<	Suburban Residential 2 (SBR-2), Single Family Dwelling
South	v	Suburban Residential 2 (SBR-2), Single Family Dwelling

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

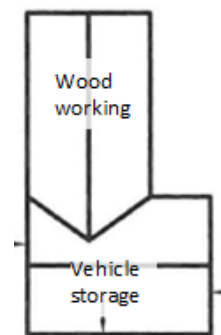
The applicant is proposing to construct a detached garage/shop which exceeds 1) the maximum allowable area and 2) the maximum allowable height for an accessory building under *Zoning Bylaw for Electoral Area "D", 1976 of Regional District of the Fraser Cheam*. There is currently a single family dwelling with an attached double garage on the property.

The proposed garage would be "L" shaped, with one section being used for the storage of a collector car and the other section being used for a woodworking shop. The applicant advises the reason for the variance is to enable the construction of a building with sufficient room to accommodate hobbies. The extras floor space will also provide an additional on-site parking space.

Height and Size Variance

The proposed garage will be 816 square feet (76 square meters) in size and 5.3m (17.4m in height).

The applicant is seeking a height variance of 0.3 metres (12 inches). The portion of the building used for vehicle storage will have an increased height (5.3m) while the portion of the building used for woodworking would comply with the permitted height of 5.0m (16.4 feet). The applicant advises the reason for the height variance is to create a space with a full garage door opening that can accommodate a 4-post car lift.



Height of Accessory Buildings	
Permitted (zoning)	5.0 metres (16.4 feet)
Proposed	5.3 metres (17.4 feet)
Requested Variance	0.3 metres (1 foot)

The proposed garage will have total area of 816 square feet (76 square meters). The applicant is seeking a size variance of 331.6 square feet (31 square meters) which is 68.5% larger than is permitted in the zoning bylaw.

Maximum Size of Accessory Buildings	
Permitted (zoning)	45.0 square metres (484 .4sq feet)
Proposed	76 square metres (816 sq feet feet)
Requested Variance	31 square metres (331.6 sq feet)

The garage will be located in the south-west corner of the property which is adjacent to two other shops on neighbouring properties. The properties to the west (10144 Royalwood Blvd and 10134 Royalwood Blvd) currently have trees at the rear of the property which will help to obscure the garage should the trees remain in place. The applicant advises the exterior of the building will be of the same fit and finish as the existing residence so the building blends in. The applicant states that the combination of these factors will minimize any impacts from the variance.

If the size variance is not granted, the applicant could construct a smaller structure that complies with the zoning regulation. If the height variance is not granted the applicant could build a structure which is 12 inches shorter than proposed.

Building Permit

The applicant has not yet submitted a building permit application for the accessory building. The Building Department will review construction plans upon receiving a building permit application to ensure BC Building Code requirements, including fire separation, are met. The proposed structure would meet the property line setbacks and site coverage requirements set out in the zoning bylaw.

Zoning Bylaw Review

There have been a number of DVP applications relating to the size of accessory sheds in Popkum. The maximum allowable area for an accessory building in the Popkum residential zones will be reviewed as part of the Electoral Areas Zoning Bylaw Consolidation project.

Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified by FVRD of the Development Variance Permit application and will 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 has been paid by the applicant.

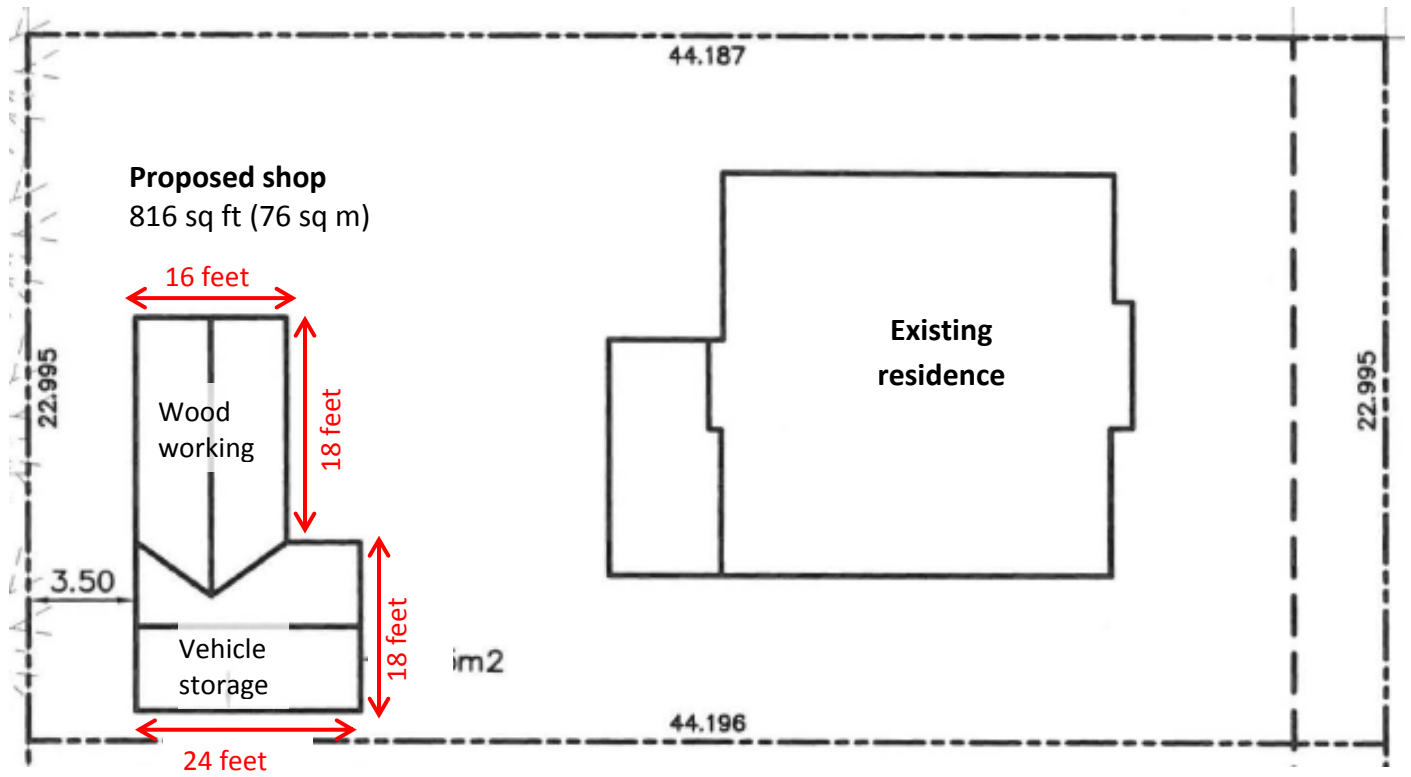
CONCLUSION

Staff recommend Development Variance Permit 2019-12 be issued by the Fraser Valley Regional District Board, subject to any comments or concerns raised by the public.

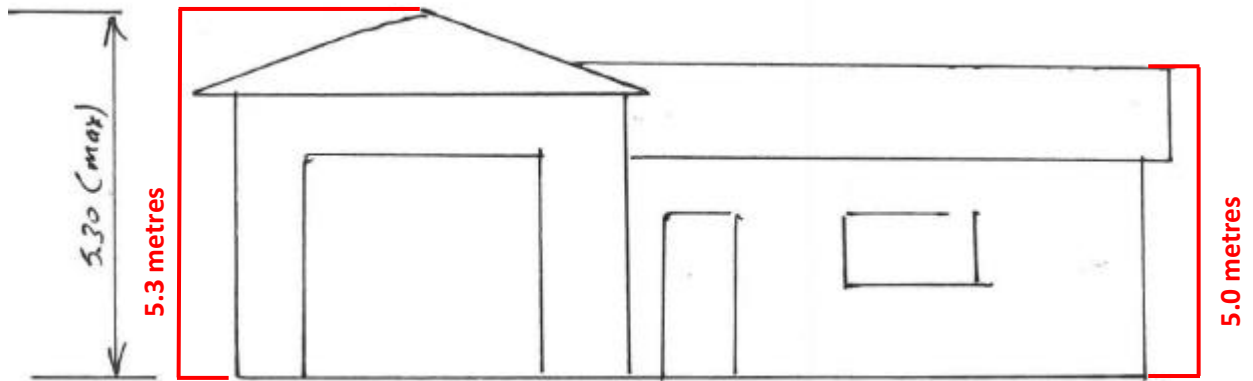
COMMENTS BY:

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.
Jennifer Kinneman, Acting Chief Administrative Officer:	Reviewed and supported.

Appendix A –
Site Plan



Appendix B –
Proposed Building Plans



Proposed building height 5.3m (17.4 feet)

Proposed Area = 816 sq ft (76 sq metres)



45950 Cheam Avenue
Chilliwack, BC V2P 1N6
604-702-5000 | 1-800-528-0061

Receipt

Date April 11, 2019

Received from _____

Description of Payment and GL Code _____

Development Variance Permit
10163 Royalwood Blvd.

For Office Use Only
Do not write in the space below

Fraser Valley Regional District

Receipt: 8403/2 Apr 11, 2019
Dated: Apr 11, 2019 02:47:01 PM
Station: EA SERVICE/CASH2

1 PLANNING DVP - 10163 ROYALWOOD 350.00

Total 350.00

INTERAC PAUL MURIN -350.00

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 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic

Address 10163 ROYALWOOD BLVD. PID 030-327-482

Legal
Description

Lot _____ 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) <u>PAUL MURKIN</u>	Signature of Owner <u>Paul</u>	Date <u>APRIL 11, 2019</u>
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information

Address		City
Email		Postal Code
Phone	Cell	Fax

Office Use Only	Date <u>April 11, 2019</u>	File No.
	Received By <u>JM</u>	Folio No.
	Receipt No. <u>840312</u>	Fees Paid: \$ <u>350</u>

Agent

I hereby give permission to PAUL MURKIN 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 <u>PAUL MURKIN</u>		Company <u>—</u>	
Address <u>46477 WOODLAND AVE.</u>		City <u>CHILLIWACK</u>	
Email <u>—</u>		Postal Code <u>V2P 2N8</u>	
Phone <u>—</u>	Cell <u>—</u>	Fax <u>—</u>	

is true and correct in all respects.

Date <u>APRIL 11, 2019</u>

Development Details

Property Size _____ Present Zoning SVR-3

Existing Use SINGLE FAMILY RESIDENTIAL

Proposed Development CONSTRUCTION OF ACCESSORY BUILDING FOR HOBBIES 1) COLLECTOR CAR 2) WOODWORKING

Proposed Variation / Supplement INCREASE AREA FROM 45 m² TO 75 m²

AND HEIGHT FROM 5.0 m TO 5.3 m - THIS WILL ALLOW VEHICLE STORAGE OF APPROX 18'x29' WHICH WILL ALLOW FULL DOOR OPENING AND 4-POST CAR LIFT @ 13' CEILING. IT WILL ALLOW 16'x29' WOODWORKING (SEE ATTACHED)

Reasons in Support of Application THE BUILDING WILL BE LOCATED IN SOUTH-WEST CORNER OF PROPERTY WHICH IS ADJACENT TO TWO OTHER ACCESSORY BUILDINGS ON PROPERTIES TO THE SOUTH & SOUTH WEST. THE PROPERTY TO THE WEST HAS A STAND OF 29" DIAMETER TREES WHICH WOULD OBSCURE THE PROPOSED BUILDING SHOULD THE TREES REMAIN. (SEE ATTACHED)

Page 2 of 4

PROPOSED VARIATION/SUPPLEMENT

(CON'T) SHOP WITH 10' CEILING. THE HEIGHT INCREASE OF 0.3 m (12") IS FOR THE VEHICLE PORTION OF BUILDING ONLY.

REASONS IN SUPPORT OF APPLICATION

(CON'T) AT 1016 m² THE LOT IS APPROXIMATELY 27% LARGER THAN THE MINIMUM ZONING REQUIREMENT. THE LOT COVERAGE (ALL BUILDINGS) INCLUDING THE 75 m² FOR THE ACCESSORY BUILDING IS APPROXIMATELY 250 m² WHICH IS ONLY 62% OF THE MAXIMUM ALLOWABLE. THE NET EFFECT IS THAT THE BUILDING AREA VARIANCE WILL NOT BE OBTRUSIVE.

EXTERIOR OF THE BUILDING WILL BE TO THE SAME FIT & FINISH AS RESIDENCE.

**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
☐

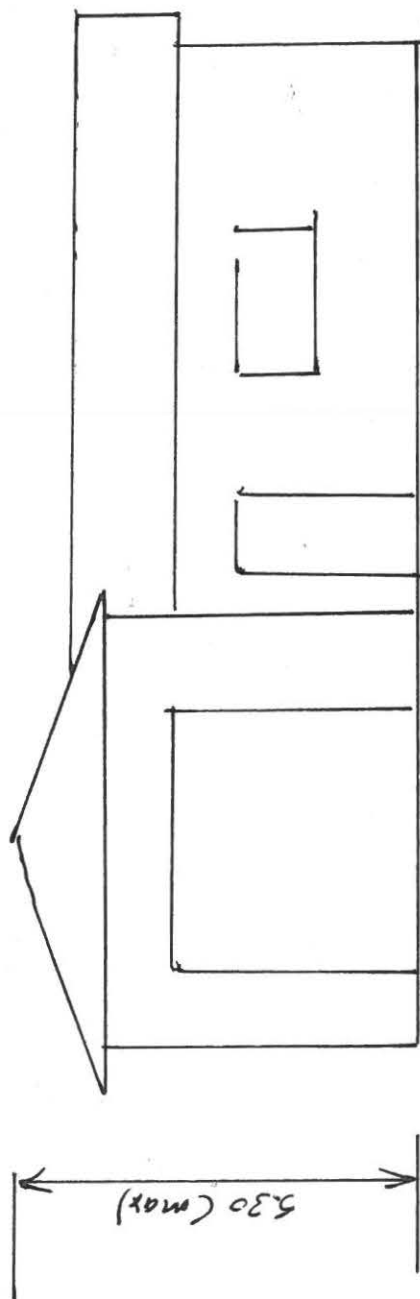
If you responded 'yes' or 'I don't know' you may be advised to contact the Archaeology Branch of the Ministry of Tourism, Sport and the Arts for further information.

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
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan			Reduced sets of metric plans
At a scale of:			North arrow and scale
1: _____			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:
Floor Plans			Uses of spaces & building dimensions
			Other:
Landscape Plan			Location, quantity, size & species of existing & proposed plants, trees & turf
Same scale as site plan			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:
Reports			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.



SITE NOTES:

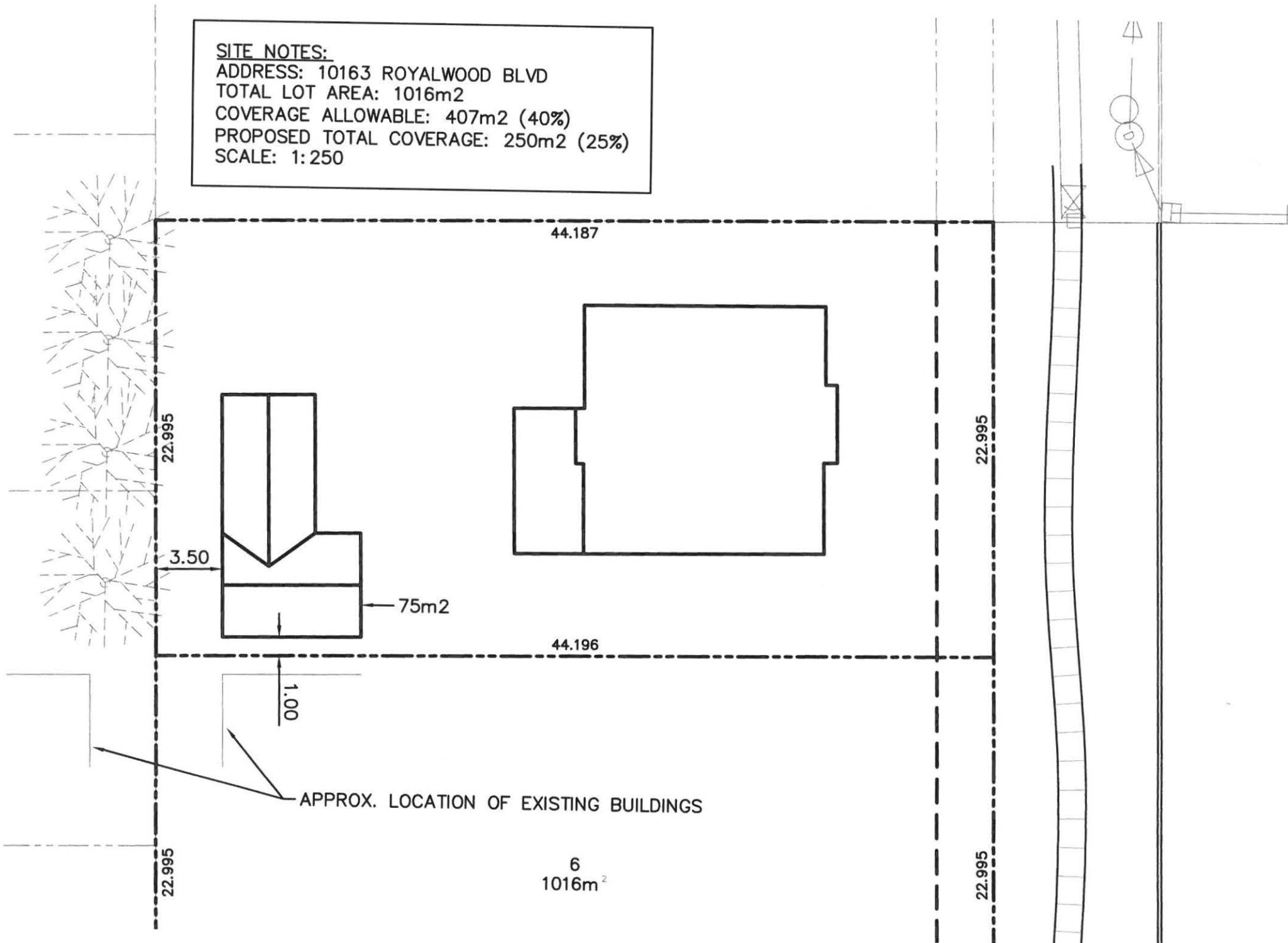
ADDRESS: 10163 ROYALWOOD BLVD

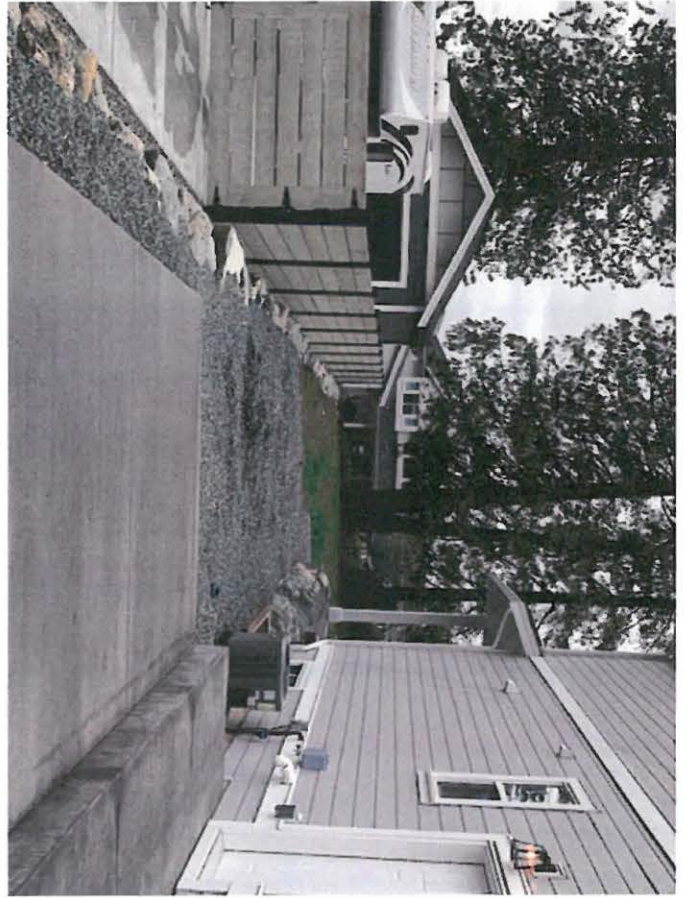
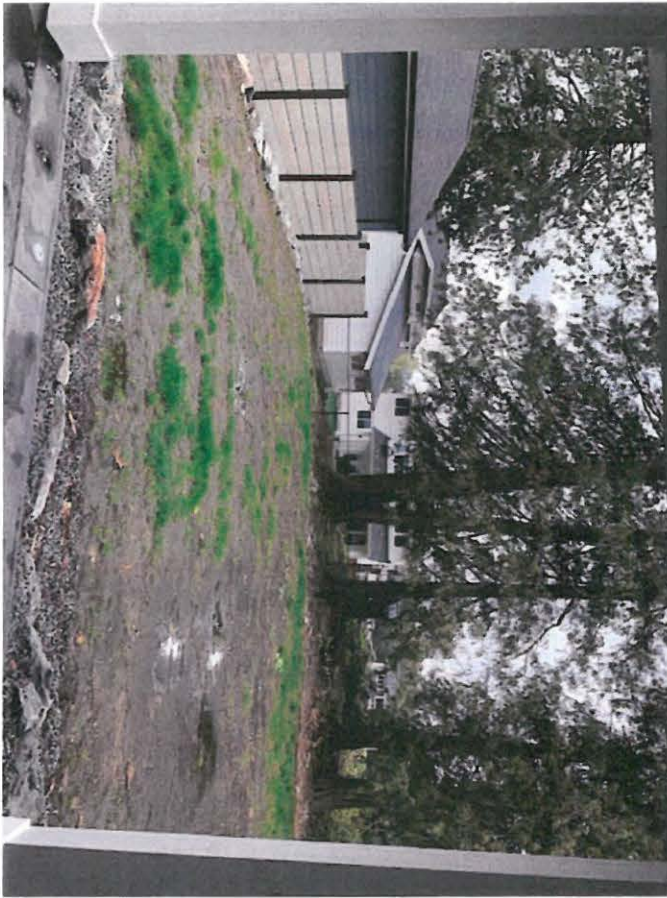
TOTAL LOT AREA: 1016m²

COVERAGE ALLOWABLE: 407m² (40%)

PROPOSED TOTAL COVERAGE: 250m² (25%)

SCALE: 1:250









FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-12 **Folio No.** 733.06644.307

Issued to: Paul Murrin

Address: 10163 Royalwood Blvd, Area D

Applicant: Paul Murrin

Site Address: 10163 Royalwood Blvd, 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 7 SECTION 1 TOWNSHIP 3 RANGE 29 WEST OF THE SIXTH MERIDIAN
NEW WESTMINSTER DISTRICT PLAN EPP69854
030-327-482

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan & Conceptual 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:

1. Division 23 Section 2302.3 (a) (ii): the maximum height of an accessory building is increased from 5.0m (16.4 ft) to 5.3 (17.4 ft).
 2. Division 23 Section 2302.3 (b): the maximum area of an accessory building is increased from 45 square metres (484 sq.ft) to 76 square metres (816 sq ft).
-

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 and Conceptual Plan attached hereto as Schedule "B".
4. A building permit shall be issued by the Fraser Valley Regional District prior to any construction on the property.

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 2019-12. The notice shall take the form of Appendix I attached hereto.

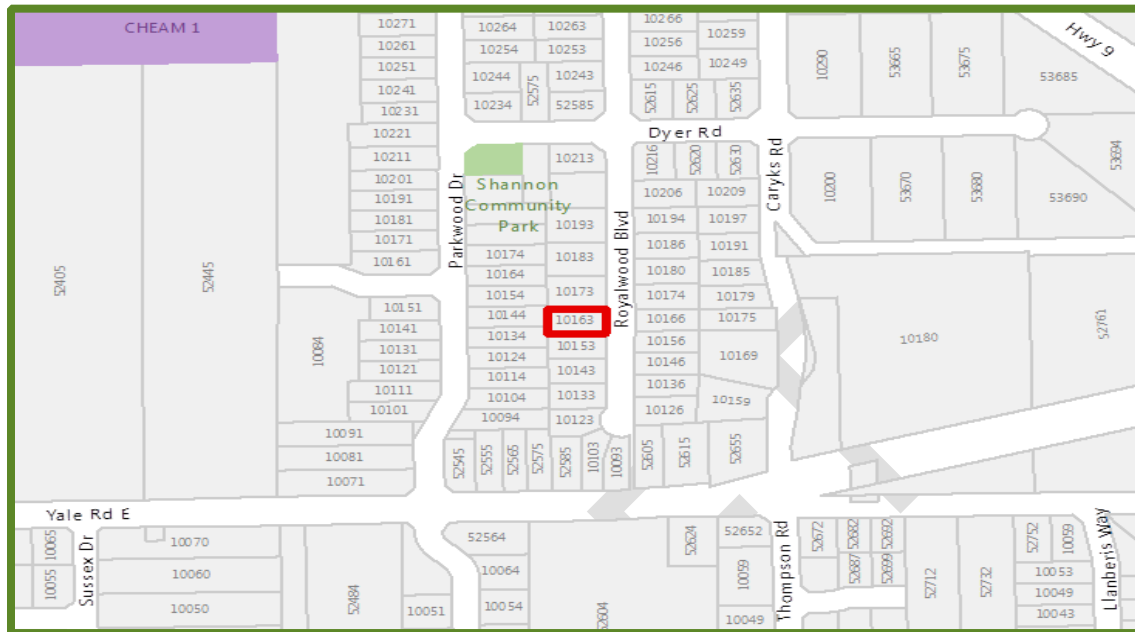
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY
REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, 2019

Chief Administrative Officer / Deputy

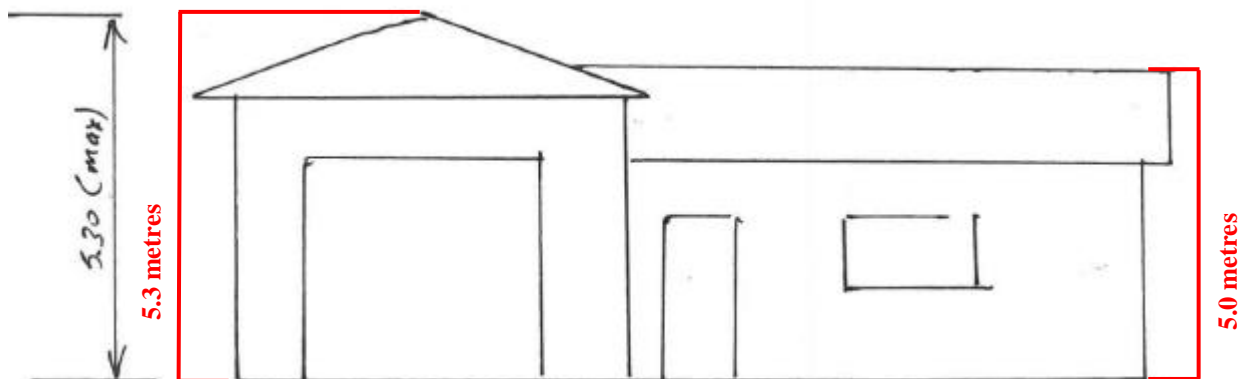
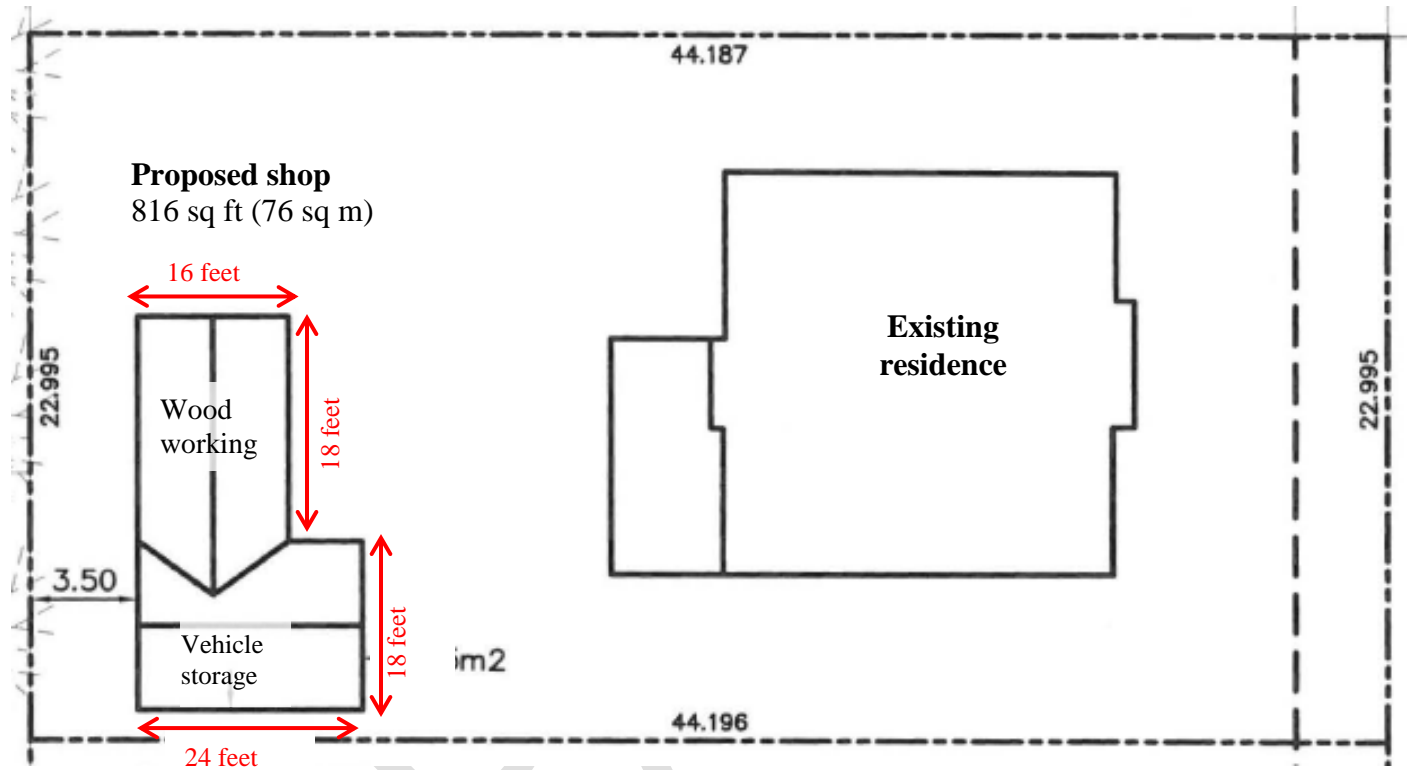
THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2019-12
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2019-12
SCHEDULE "B"
Site Plan & Conceptual Plan



Proposed building height 5.3m (17.4 feet)

Proposed Area = 816 sq ft (76 sq metres)

To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: David Bennett, Planner II

File No: 3060-20-2019-02

Subject: Aquadel Crossing Ltd. applied to amend an existing Development Permit (relating to form and character) to permit fencing across common strata property at the development known as Aquadel Crossing, 1885 Columbia Valley Road, Electoral Area "H".

RECOMMENDATION

THAT the Fraser Valley Regional District Board **refuse** Development Permit 2019-02.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

Proposal Description

Aquadel Crossing Ltd. applied to amend an existing Development Permit (relating to form and character) to permit fencing across common strata property.

Aquadel Crossing Ltd submitted a site plan (attached) showing the specific locations of the proposed fencing. Fences are proposed primarily at the rear of strata lots.

The existing Development Permit issued for this development does not address or expressly permit fencing across common strata property.

The purpose of this Development Permit amendment application is to identify the type of fencing material permitted and the locations where fencing may be installed. The developer submitted this Development Permit application to allow for the installation of fences and cedar hedging across common strata property. Common strata property surrounds this development and buffers this development from neighbouring single family properties

The fences and hedges shown in the images below were installed without FVRD approval and are contrary to the existing Development Permit. The developer is seeking to legalize the cross fencing and hedging by obtaining a new Development Permit from the FVRD. This Development Permit application requires a resolution by the FVRD Board.



The image above shows the design and material of fencing proposed and how the fences would cut across common strata land within the strata subdivision. The bulk mulched area with plantings is common strata property. The individual's strata lot ends where the grass ends. This common strata property acts as a buffer from neighbouring developments and it is a requirement of the zoning bylaw.

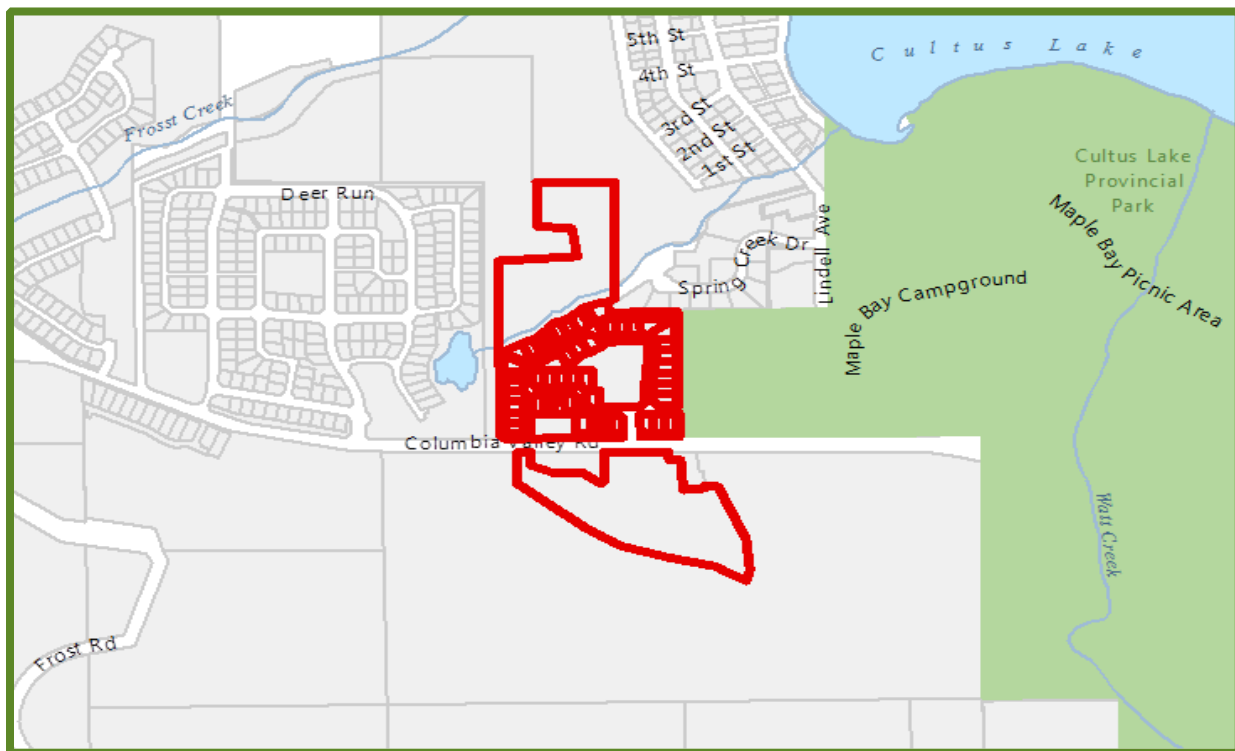


In other areas, the developer is proposing to install dense cedar hedging across the common strata areas as shown above. The bulk mulched area with plantings is common strata property and it forms the buffer between the Aquadel development and adjacent lands. The individual's strata lot ends where the grass ends.

PROPERTY DETAILS			
Electoral Area	H		
Address	1885 Columbia Valley Rd		
PID	030-179-122		
Folio	733-02970-122		
Lot Size	8.08 acres		
Owner	Aquadel Crossing Ltd (Cody Les)	Agent	-----
Current Zoning	Private Resort Residential Dev. 1 (PRD-1)	Proposed Zoning	No Change
Current OCP	Resort (RT)	Proposed OCP	No Change
Current Use	Residential	Proposed Use	Residential
Development Permit Areas	DPA 1-E Frost Creek; DPA 4-E Form and Character		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES			
North	^	Park Reserve (P2) & Campground- Holiday Park (CHP); Campground & Park	
East	>	Park Reserve (P2), Park (P1), Urban Residential (RS-1), Campground-Holiday Park (CHP); Park, Single Family Homes & Campground	
West	<	Campground-Holiday Park (CHP); Single-family homes & park	
South	v	Campground-Holiday Park (CHP); Park	

NEIGHBOURHOOD MAP



PROPERTY MAP



DEVELOPMENT PERMIT AREAS

This application applies to the bare-land strata subdivision development located at 1885 Columbia Valley Road known as Aquadel Crossing.

The Aquadel Crossing is located in four (4) development permit areas, as detailed below:

- Frosst Creek Development Permit Area 1-E
- Riparian Areas Development Permit Area 5-E
- Cultus Lake South Ground & Lake Water Quality Development Permit Area 7-E
- Cultus Lake Resort Form and Character Development Permit Area 4-E

A Comprehensive Development Permit was issued for this property as part of the overall subdivision and development approvals for the 103 lot resort residential subdivision, Permit 2017-01. Permit 2017-01 addressed geo-hazard, form and character, and environmental aspects of the project including riparian areas.

Frosst Creek Development Permit Area 1-E

During the rezoning process, the developer submitted Geo-hazard Reports to identify and mitigate hazards on the lands. Mitigation measures include minimum building elevations and slope setbacks. A covenant was also registered at the time of rezoning. A development permit was issued and is in effect for all of the development's phases. No amendments are proposed with this application.

Riparian Areas Regulation (RAR) Development Permit Area 5-E

The RAR report that accompanies Development permit 2017-01 included a condition for a clear-span bridge crossing of Spring Creek. A covenant was registered on title to identify Streamside Protection and Enhancement Areas (SPEA) boundaries. In the summer of 2017, the developer did not install a clear-span bridge as per the conditions of Permit 2017-01, but rather three culverts. The Province determined that the three culverts were not authorized and ordered their removal and ordered an alternative crossing design. A Box Culvert design was then submitted by the developer and accepted by the Province. A new development permit was issued to rectify the creek crossing (development permit 2018-06). No amendments are proposed with this application.

Cultus Lake South Ground & Lake Water Quality Development Permit Area 7-E

The development must be connected to a FVRD owned and operated Class A+ waste water treatment system as detailed in a covenant registered at the time of rezoning. Construction of the waste water treatment plant is under review with the FVRD engineering department and the FVRD Building Department. Registration of Phase II subdivision requires FVRD Engineering approval. No amendments are proposed with this application.

Cultus Lake Resort Form and Character Development Permit Area 4-E

This development is located in an area of high recreational and aesthetic amenities, including Cultus Lake, and this area experiences high intensity of visitation and recreational use. Development in this area is highly visible, and, in turn, relies on the natural beauty and recreational amenity of the area. Visual values and recreational amenity are integral to the economy and community of these areas. Accordingly, there is a need to ensure that resort development is of a form and character which does not detract from the aesthetic experience of the area or resort uses and visual values on adjacent parcels. Development should reflect, and enhance the natural landscape of the area in which it is located. In addition, the concentration of resort development in nodes such as Cultus Lake South requires that developments are carefully designed to coordinate and be compatible with adjacent developments to create a cohesive functional resort node. No amendments are proposed to the Form and Character of the structures in the development (form and character of houses or amenity buildings). This application is to amend the existing Form and Character Development Permit with a new landscaping and fencing plan.

NEIGHBOURHOOD CONSULTATION

Development Permits for Form and Character are considered by the Electoral Area Services Committee and are issued by the FVRD Board. Public Notice for form and character development permits is not required by the FVRD or the *Local Government Act*. However, the applicants were encouraged to communicate with the adjacent stratas and ratepayers association and encouraged to obtain neighbourhood approval prior to submitting an application.

Site Inspections, On-Site Meetings, Correspondence and a Public Information Meeting

In response to complaints about the fencing and landscaping of the required buffer areas, FVRD staff conducted a site inspection of Aquadel Crossing on August 16, 2018. At this time, the buffer area adjacent to Spring Creek was reviewed. No fencing was installed at this location and the landscaping was not completed.

FVRD staff were informed about installation of fences across common strata property adjacent to Spring Creek in September of 2018.

The FVRD wrote to the developer on September 26th, 2018 stating that the buffer area is to remain unfenced, except for the property lines and that cross fences are to be removed (letter attached).

FVRD staff conducted a site inspection on October 12th, 2018 and held a meeting on site. The meeting was attended by FVRD staff, the developer, a builder and area residents (meeting notes attached).

FVRD staff were invited to attend a second meeting at Aquadel Crossing on November 28th, 2018 where the developer met with area residents and confirmed their intention to submit a Development Permit application to address fencing.

Since September 2018, the FVRD received and responded to numerous telephone and email enquiries from area residents regarding the fencing issue.

This Development Permit application was made on January 22, 2019.

A Public Information Meeting was held by the FVRD on March 7, 2019 (minutes are attached).

DEVELOPMENT PERMIT GUIDELINES

To determine if a form and character development permit may be issued, staff review the application and supporting documents submitted by the applicant within the context of the development permit area guidelines. To issue this Development Permit, the FVRD Board must conclude that the proposed development meets the guidelines established for form and character.

Official Community Plan

The discussions and policies found within the Official Community Plan state that buffer spaces between developments are features that are important for resort residential developments. The Official Community Plan recommends that buffers are to be at least 7.5m wide. The zoning bylaw also requires the provision of a buffer around all Private Resort Residential Developments and Campgrounds and Holiday Parks.

During the rezoning process for this project, the developer proposed to buffer the development from adjacent land uses with varying buffer widths. A comprehensive development variance permit was issued by the FVRD Board in 2015 that established minimum buffer widths around the project. The buffer widths vary based on the adjacent uses. In general the development variance permit maintained a 7.5m buffer adjacent to neighbouring developments and reduced the buffer areas along logical pinch points and areas that are not near surrounding residences.

As stated in the Official Community Plan, the demand for resort residential continues. To ensure new developments, re-developments and new phases or expansion of existing developments achieve a high aesthetic value, unique developments and proper landscaping and buffering, a development permit area will be used to achieve these goals.

Official Community Plan Buffer Policies

14.4.12 Edges between the 'public' realm and private spaces shall be softened through variation of building heights and roof pitches along the road corridor, open space or vegetated buffers, landscaping or other means.

14.4.16 A landscaped, treed buffer of at least 7.5 metres shall be required to separate resort developments from land uses and developments on adjacent parcels.

BUFFER means any device arranged and maintained to screen or separate adjoining land uses or properties, and includes any combination of setbacks, existing vegetation, ditches, roads, landscaping, berming and fencing.

Zoning Bylaw Regulations

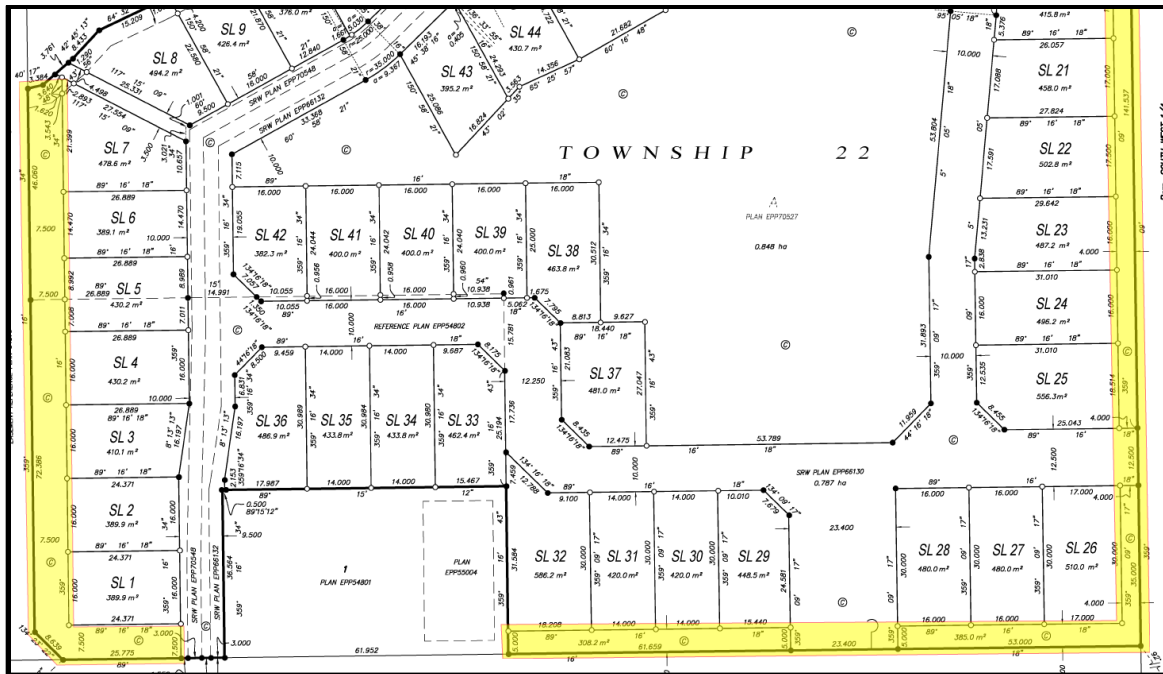
Within the Zoning Bylaw, it is required that no strata lot boundaries cross a buffer area. Section 2404.

OFFICIAL COMMUNITY PLAN DEVELOPMENT PERMIT AREA GUIDELINES REVIEW

This application proposes to install fences across required buffer areas (common strata property) and to install dense cedar hedges across required buffer areas.

The planting of cedars (specifically *Thuja occidentalis* 'Smaragd') within the Buffer is permitted as the species is native and was specifically approved in the original Development Permit as a permitted species. Although this plant material is permitted, the purpose of the planting of the cedars is to "visually continue the aesthetic of separation between lots" as stated in the April 1, 2019 letter prepared by Van der Zalm Associates (attached). The zoning bylaw prohibits the crossing of the buffer area by strata lots. The subdivision plan for this development delineates all of the buffer strips at the rear of each strata lot as 'common strata'. The planting of the cedars through the buffer spaces creates the impression that the common strata land behind the strata lot is for the personal and private use of the individual strata lot owner. Over time, the individual strata lot owners will treat this common strata property as private and the encroachment of residential uses will intrude into the buffer space and defeat its purpose. Site inspections have already confirmed that existing strata lot owners are treating this common strata property as private space as shown in the images in this report. Degradation of the vegetation has already occurred and private structures have been erected in the buffer spaces.

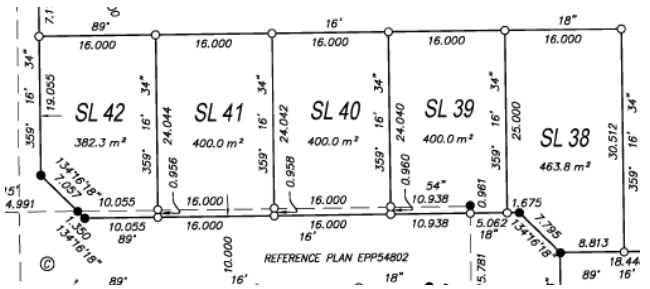
The same can be said for the installation of the cross fences. Although fences are permitted in the buffer areas, those fences are to be installed around the perimeter of the development not across the buffer spaces. Fences are permitted to the extent that they screen or separate adjoining land uses. The buffer areas are not intended to provide screening or separation between internal strata lots.



The image above highlights the location of the buffer areas around the perimeter of the development.

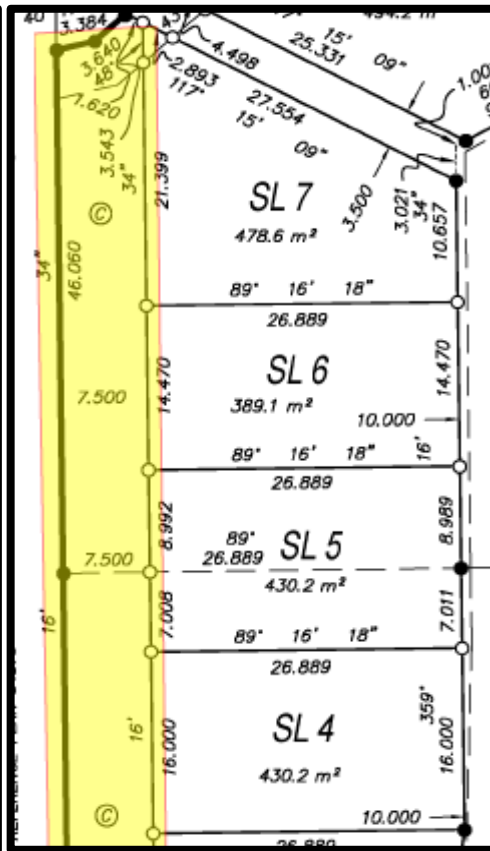


The image above is taken from Google Maps (retrieved April 26 2019) and shows the development progressing through the construction phase.



As shown in the Google Earth image above, fences installed around the perimeter of strata lots achieves the separation between individual units in the development. There is no concern with strata lot owners fencing along their own lot lines. Lots #38 to 42 are fenced along the boundary of the strata lots and do not extend the rear yards into the adjacent common strata lands. An extract of the subdivision plan is shown above.

The Google Earth image below shows buffer areas are not being maintained equally. In this image, the strata lot #4 increased the lawn area into the required buffer area. Strata lot #7 has installed fences to the north bumping out into a common strata walkway.



The installation of cross fencing has already shown that the landscaping is not maintained equally throughout this development. The cross fences impede access to the common strata lands which in turn does not allow the strata to inspect and maintain the vegetation. The common strata buffer spaces need to be open in order for the strata to perform inspections to ensure maintenance is undertaken properly. To ensure uniform compliance, the maintenance of the common strata lands should be the responsibility of the strata. The images above show that the common strata buffer spaces are not being maintained the same by all lot owners.

The installation of cross fencing is also not treated the same through the development. The lots that back onto internal strata common property, like lots #38 through 42 shown above, did not construct fences into the common strata property. Only the lots adjacent to the exterior of the development are expanded into common strata property.

Bare-land strata lots at an adjacent development (The Cottages) have buffers of continuous, unobstructed landscaped common strata land. As shown below, the common strata property is vegetated and maintained by the strata. This allows for a uniform treatment and maintenance of the common strata lands and ensures long-term compliance as there is no implied individual ownership of the common strata lands.



In conclusion, the proposal to install dense cedar hedging, and fences across the common strata buffer areas for lots abutting the exterior of the development is not consistent with the intent of the buffer areas as outlined in the Official Community Plan and the proposal is not consistent with the Form and Character guidelines references above and defeats the intent of the buffer as a separation between adjacent developments.

Staff therefor recommend that the FVRD Board refuse the issuance of this permit.

ENFORCEMENT AND COMPLIANCE BACKGROUND

A Comprehensive Development Permit (Permit 2017-01) was issued for this property as part of the overall subdivision and development approvals for a 103 lot resort residential subdivision known as Aquadel Crossing, Permit 2017-01. Permit 2017-01 addressed geo-hazards, form and character of homes and common strata amenity buildings (clubhouse), and environmental performance aspects of the project including protecting and enhancing riparian areas.

After the rezoning for this development was approved and the initial permits were issued, the project was sold to the current developer. Through the subdivision and construction process phases, the FVRD has been enforcing a number of infractions at Aquadel Crossing, which have shown a blatant disregard to FVRD permits and Provincial requirements, including fencing installed within a watercourse contrary to the FVRD Development Permit requirements and Provincial Environmental authorizations; a residential occupancy without potable water service; and lack of fencing with a filled swimming pool creating a public safety hazard as well, in the summer of 2017, the developer did not install a clear-span bridge as per the conditions of Permit 2017-01, but rather three culverts. The Province determined that the three culverts were not authorized and ordered their removal and ordered an alternative crossing design. A Box Culvert design was then submitted by the developer and accepted by the Province.



The three culverts resulted in the destabilization of the stream channel, loss of flow in Spring Creek and impacted fish passage.



The image above shows the installation of fencing within the Spring Creek Riparian Area (March 2019).

In an email from a registered professional to the FVRD it was determined that...*“the construction of the fence in its current location (See Figure 1) is inconsistent with the recommendations and/or requirements of the RAR Detailed Assessment referenced through the Development Permit...new permanent structures are not permitted in the SPEA including fencing. Fencing can be (and has been) installed along the boundary of the SPEA at the interface with the private lots (i.e., parallel to the stream)...the section of fence that crosses the stream as constructed will need to be removed* (email dated March 22, 2019).

NEXT STEPS

If this application is refused the following steps are anticipated:

- 1) Removal of all fencing material installed across the common strata buffer areas.
- 2) Removal of cedars installed to create a hedge line across the common strata buffer areas.
- 3) Removal of the fencing from within the protected Riparian Area and certification of compliance from the registered professional biologist.
- 4) Inspection of the buffer areas by a qualified professional to determine compliance with the original development permit.
- 5) After completion of all phases of the subdivision and confirmation that all of the buffer areas are in compliance with the conditions of the original development permit, security deposits may be returned. There will be no partial refund of security until all phases are completed.
- 6) Individual strata lot owners may install fences around the perimeter of their strata lots, but not on common strata property.

COST

Development permit application fee of \$350.00 paid by the applicant

CONCLUSION

Staff recommend that the FVRD refuse the issuance of development permit 2019-02 as outlined in the recommendation section of this report. The additional options that the FVRD Board may consider are:

OPTION 1 Issue DVP

THAT the Fraser Valley Regional District Board **issue** Development Permit 2019-02.

OPTION 2 Refer to Staff

THAT the Fraser Valley Regional District Board **refer** the application for Development Permit 2019-02 to FVRD staff.

COMMENT BY:

Graham Daneluz, Deputy Director of Planning & Development

Reviewed and Support.

At issue here is public confidence that developments will be built in a way that is consistent with; (1) the plans presented to the public at the public hearings and, (2) local and provincial regulations.

COMMENT BY:

Margaret Thornton, Director of Planning & Development

Reviewed and Support.

There has been lengthy consultation with the developer and neighbours who are adjacent to the buffer areas with the intent that a facilitated resolution between the developer and the neighbours would be able to address the neighbourhood's concerns. This did not occur. It is recommended that the landscaping and the buffer areas be developed in accordance with the original Development Permit conditions and plans.

COMMENT BY:

Mike Veenbaas, Director of Financial Services

No further financial comments.

COMMENT BY:

Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

March 12, 2019

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

Via Email

File no.: 166102
Assistant: Louise
E-mail: howard@linleywelwood.com

Dear Sirs:

Re: Aquadel Crossing Ltd. – Buffer Zones

We are the solicitors for Aquadel Crossing Ltd. Our client has asked that we provide our opinion as to the nature of the Buffer Zones that surround the bare land strata lots known as Aquadel Crossing (Strata Corporation EPS3838) located at 1885 Columbia Valley Road. The location of the said Buffer Zones is shown on the plan attached hereto as Appendix A. Our opinion is as follows:

1. Each of the Buffer Zones has been designated as general Common Property on the Phase 1 and Phase 2 Strata Plans that have been filed at the Lower Mainland Land Title Office. As such, each of these Buffer Zones are now owned and controlled by Strata Corporation EPS3838.
2. Given that all of the Buffer Zones are within Common Property areas, none of the Buffer Zones are “private amenities” as that term is defined within the Official Community Plan. No strata lot owner has the right to exclusively occupy or use any portion of the Buffer Zones. Instead, the Buffer Zones are “semi-private amenities” and their use and enjoyment is reserved for Strata Corporation EPS3838 as a whole.
3. It is our understanding that some cedar fencing and hedging has been installed across various areas of the Buffer Zones. The installation of these fences and hedges does not alter the legal nature of the Buffer Zones. They remain semi-private amenity spaces, and they remain within the legal control of the Strata Corporation, regardless of whether any kind of barrier has been installed.
4. Furthermore, the installation of the fences and hedges does not in any way diminish or limit the authority of the Fraser Valley Regional District (“FVRD”) in administering its’ policies and requirements previously granted to the FVRD by our client (as developer) or by the Strata Corporation.

In addition to the foregoing opinions, it is also our understanding that the owners of Strata Corporation EPS3838 are in favour of retaining the fences and hedges in place and

acknowledge that their rights and abilities to use the Buffer Zones are specifically limited by the limitations placed thereon by the FVRD.

We trust the foregoing is satisfactory.

Thank you.

Sincerely yours,

Linley Welwood^{LLP}

Per

A handwritten signature in black ink, appearing to be 'H. Wiens', written over a light blue horizontal line.

Howard Wiens
Barrister & Solicitor
HW/hkw
Enclosure

OF: LOT 178 SECTION 10 AND 15 TOWNSHIP 22 NEW WESTMINSTER
DISTRICT PLAN 54872 EXCEPT: PART SUBDIVIDED BY
PLAN 69519 AND PART IN PLAN EPP54801

SCALE 1 : 800

DIMENSIONS ARE SHOWN IN METRES.

THE INTENDED PLOT SIZE OF THIS PLAN IS 500mm IN WIDTH BY 200mm IN HEIGHT (D SITE) WHICH PLOTTED AT A SCALE OF 1:800

SCALE 1 : 800

DIMENSIONS ARE SHOWN IN METRES.

THE INTENDED PLOT SIZE OF THIS PLAN IS 500mm IN WIDTH BY 200mm IN HEIGHT (D SITE) WHICH PLOTTED AT A SCALE OF 1:800

SCALE 1 : 800

DIMENSIONS ARE SHOWN IN METRES.

THE INTENDED PLOT SIZE OF THIS PLAN IS 500mm IN WIDTH BY 200mm IN HEIGHT (D SITE) WHICH PLOTTED AT A SCALE OF 1:800

Part. SOUTH WEST 1/4
LEGAL SUBDIVISION 1

Rem.
130

PHASE 3
STRATA

LOT DIMENSIONS ARE DERIVED FROM A LEGAL SURVEY.
DWD BEARINGS ARE DERIVED FROM GNSS OBSERVATIONS
TO THE SMARTNET REFERENCE STATION NETWORK.
DWD SIGNATORY ACCEPTS NO RESPONSIBILITY FOR DAMAGES
ARISING OUT OF ANY UNAUTHORIZED USE OF THIS PLAN.

GEORGE W. BAERG, BCLS, AIS(Hel)
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.
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Box 2330 SARDIS ST. MARY
CHILLWACK B.C. V2R 1A9
PHONE: 804-850-8348
Email: gubbary@shaw.ca

1 April 2019

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

RE: AQUADEL CROSSING BUFFER ZONE

Genica Group has notified us of a concern from the Fraser Valley Regional District to the use of cedar hedges and fencing within the buffer areas, which are as defined in the Development Variance Permit.

As per David Bennett's comments on June 16, 2016 item 14.4.16 "A landscaped, treed buffer of at least 7.5 metres (in the case of Aquadel – buffer dimensions determined by DVP application) shall be required to separate resort developments from land uses and developments on adjacent parcels."

Our Development Permit drawings showcase the buffer planting areas to be installed with native or native cultivar species as per the planting list provided on the landscape architectural drawings. However, the use of native plants was at the discretion of the developer to compliment the natural surrounding landscape; not a requirement set forth by the DVP or the FVRD at time of DP approval. The developer has chosen to add Thuja occidentalis 'Smaragd' in the buffer zone between residential units where the lot separation fencing terminates. VDZ+A supports this added plant material as it still conforms to the requirement noted above by David Bennett and visually continues the aesthetic of separation between lots. This treatment occurs primarily in the buffer zone adjacent to Spring Creek Strata.

The DP landscape drawings were only inclusive of the public spaces within the development. However, VDZ+A supports the design and installation of a typical wood fence between lots and its extension to a perpendicular fence, which in this case is the back fence along the property line. The secure fencing of a lot also aids in site security both from outside the development in, and within the development itself, by protecting children and pets in the home. This treatment is typical of the rest of the development between lots and the property line.

If you have any questions, please don't hesitate to give me a call or send me an email.

Sincerely,

Jennifer Wall
Landscape Architect
604-546-0934
jennifer@vdz.ca

PUBLIC INFORMATION MEETING REPORT

TO: Regional Board of Directors

FROM: David Bennett, Planner II

MEETING DATE: March 7, 2019

RE: Public Information Meeting for Development Permit 2019-02 regarding proposed changes to an existing form and character Development Permit for Aquadel Crossing, 1885 Columbia Valley Road, Electoral Area "H".

Purpose	Public Information Meeting hosted by the FVRD to discuss the details of a Development Permit application for amendments to the form and character of the development known as Aquadel Crossing.
Date	Thursday, March 7, 2019 – 6:30-8:45pm
Location	Columbia Valley Hall 1202 Kosikar Road
Attendance – FVRD	Taryn Dixon, Director Electoral Area "H"
	David Bennett, Planner 2
	Margaret-Ann Thornton, Director Planning & Development
Attendance - Applicant	Cody Les, Genica Developments Ltd.
Attendance – General Public	Approximately 30 members of the public.

1. Welcome & Introduction:

- The meeting started at 6:40pm. Director Taryn Dixon welcomed and thanked everyone for attending. The purpose of this evening meeting is to obtain preliminary public comments on the Genica Developments application to amend the landscaping (fencing) for the Aquadel Crossing development. The agenda for the meeting included:
 - Overview of Application Proposal: David Bennett, Planner 2 FVRD
 - Comments from the Applicant: Cody Les, Genica Developments
 - Question & Answers from the Public

2. Overview of Application: FVRD

- David Bennett, Planner 2, FVRD provided a powerpoint overview of the application (Powerpoint is attached)

3. Overview of Application: Applicant

- Cody Les, Genica Developments provided an overview of the application. Display boards were provided.

4. Questions from the Public

The following is a general summary of the questions and comments from the public.

- Spring Creek resident identified that trees were removed with the approval of the FVRD. The proposed fencing or cedar hedging will deter from the purpose of the green buffer area. Any fencing should be located at the Aquadel strata lot lines. The original Development Permit did not include fencing. The provision of the fencing is a marketing ploy to extend the back yard areas.
- The buffer areas should be kept opened. The ambiance will be damaging if the fencing is to remain.
- Request for clarification on the buffer zone landscape plan and approved plants.
 - A copy of the FVRD approved landscape plan and application information will be provided on the FVRD website.
 - David Bennett provided an overview of the Aquadel Crossing zoning – PRD Zone. This zoning is consistent with other developments in the area, The Cottages and Spring Creek. The intent is to provide additional setbacks from the neighbouring properties.
- The fencing provides a false impression to the individual Aquadel Crossing lot owners that their individual lots are larger.
 - Cody Les, applicant advised that the Aquadel Strata regulations apply to common areas, including the buffer area. The new property owners at Aquadel Crossing are advised of the strata common areas.
- The fence should be moved back to the strata property lines and removed from the common area/landscape buffer.
- The previous Aquadel Crossing owner, Mr. Dick Whitlam spoke in support of the Development Permit amendment application. The intent of the buffer area is to provide additional setbacks and space with the adjoining residential developments. The landscaping will grow over time and provide additional screening.
- The fences will extend the individual backyards. Overtime there will not be any oversight from the FVRD or Aquadel Crossing strata, and the individual property owners will extend their backyards, remove landscaping, build sheds, etc.
- The Aquadel Crossing strata can change their Strata Bylaws over time.
- Former “Cottages” resident/owner now living at Aquadel Crossing. The surrounding developments do not own or have access to the Aquadel Crossing development. All common strata lands at Aquadel Crossing are for the use and enjoyment of the Aquadel Crossing residents. This is not

public park lands. Aquadel Crossing residents do not have access to the common amenities and lands at the Spring Creek strata or Cottages strata. The Cottages strata perimeter is fenced.

- Aquadel Crossing owner/resident that has a larger backyard and backs onto the Thousand Trails property. Aquadel Crossing is a great community. The landscaping and large yards are great for families. The “doll house” is on my property and it will be moved.
- The Cottages does not have fences between units. The community had spent a lot of time to provide input into the Aquadel Crossing development at the rezoning stage. What was presented at the Public Hearing was an open landscaped buffer area. There were to be no pedestrian trails in the landscape buffer. The Aquadel Crossing developer installed the fences that were not on the approved plans and is now asking for an amendment to the approved landscape plans.
- What is the definition of a buffer zone? Common area?
- A Columbia Valley resident since 1974 read a letter presented at the meeting. The environmental stewardship and fisheries values of Spring Creek were emphasized. (Letter is attached).
 - David Bennett outlined the Environmental Development Permit and Provincial Riparian Area Regulation (RAR) requirements.
- Owner of #5 – Aquadel Crossing noted the Aquadel Crossing strata common property is for Aquadel Crossing resident use. The fences help to contain dogs on individual properties. The intent of the buffer is to provide added setbacks.
- There is currently one “doll house” and one hot tub in the Aquadel Crossing common property/buffer area.
- Does the applicant have the support of the FVRD and is this a “done deal”?
 - M. Thornton, FVRD stated, no. An application has been submitted and the intent of this meeting is to hear comments from the public. The next steps include assembling all comments and submitting a report to the FVRD Board for consideration.
- What is a buffer zone?
 - David Bennett, FVRD explained that the buffer area provides additional setback for buildings and will be landscaped.
- A Spring Creek resident noted that the Aquadel Crossing directly abuts her property. Any fences should be to define the strata property lines and not installed within the common strata property.
- The developer of the Cottages stated that the proposed fencing is contrary to the Official Community Plan (OCP). The landscape buffer design was discussed at numerous community meetings for the Aquadel Crossing rezoning. The Official Community Plan Section 7 (Cultus Lake South Neighbourhood Plan) contains Amenity Policies (Section 7.2). The proposed application must be reviewed for compliance with these Official Community Plan guidelines to determine if privatizing common spaces will reduce the amount of required semi-private amenity open space. By fencing the common strata land, it effectively extends the private backyards of individual strata lots and excludes all Aquadel Crossing owners from accessing these areas. This is contrary to the minimum amenity space of 20% useable land. The proposed fences do not enhance the common amenity area. The originally approved Development Permit did not reference fencing. New fences

are currently being installed and all new fences should be halted until the proposed Development Permit amendment is approved by the FVRD.

- Cody Les, Genica stated that all new fences will be halted from construction.
- David Bennett stated that Official Community Plan policies and guidelines will be reviewed for the Board's consideration.
- Spring Creek resident discussed the Aquadel Crossing rezoning process and public process with the development of the OCP for South Cultus Lake. The original proposal at Aquadel Crossing was for apartments and townhouses. This was not supported, and south Cultus Lake is not intended to be developed like Garrison Crossing. The community concern is with the developer, Genica, and not the new residents at Aquadel Crossing. Abutting residents want privacy and the intent of the buffer upheld.
- There is garbage in Spring Creek from the developer and this needs to be cleaned up. A fence was installed in the middle of Spring Creek.
 - Cody Les, Genica stated that follow-up with the Environmental Consultant on the fence location and garbage clean-up will be undertaken.
- The garbage in Spring Creek was from the recent wind storms. The developer should just go pick it up. Other construction sites have staff that clean-up the garbage.
- It is hoped that the voice of concerned residents will be heard in this process.

5. Thank you and Next Steps

Director Dixon thanked everyone for attending the meeting this evening and providing their comments.

Next Steps:


- Attendees were requested to submit any further comments in writing to FVRD staff within 2-3 weeks.
- FVRD staff will assemble the approved landscape plan, application submitted, and relevant background information on the FVRD website www.fvrd.ca. A link to this information will be forward to the south Cultus Lake stratas/community groups: Spring Creek Strata; The Cottages Strata; and Lindell Beach Ratepayers (the groups who received the emailed meeting invitation).
- FVRD staff will prepare a written summary of this meeting's general comments.
- FVRD will prepare a report regarding the Development Permit Amendment application for consideration at an upcoming Electoral areas Services Committee (EASC) meeting.
- FVRD staff will follow-up on the construction of fencing within Spring Creek and cleaning up garbage from Spring Creek.

Director Dixon concluded the meeting at 8:30.

The applicant and FVRD staff remained after the meeting to answer individual questions from the public.

We, the undersigned, certify these Public Hearing minutes as correct.

Respectfully submitted,

 Digitally signed by David
Bennett
Date: 2019.03.13 15:26:33
-07'00'

David Bennett, Recorder

Appendix "A": Written Comments Received Prior to the Public Information Meeting and 2-3 weeks after the meeting.

Rem. "B"
REFERENCE PLAN 13709

SITE PLAN OF PROPOSED SUBDIVISION

OF: LOT 178 SECTION 10 AND 15 TOWNSHIP 22 NEW WESTMINSTER
DISTRICT PLAN 54872 EXCEPT: PART SUBDIVIDED BY
PLAN 69519 AND PART IN PLAN EPP54801

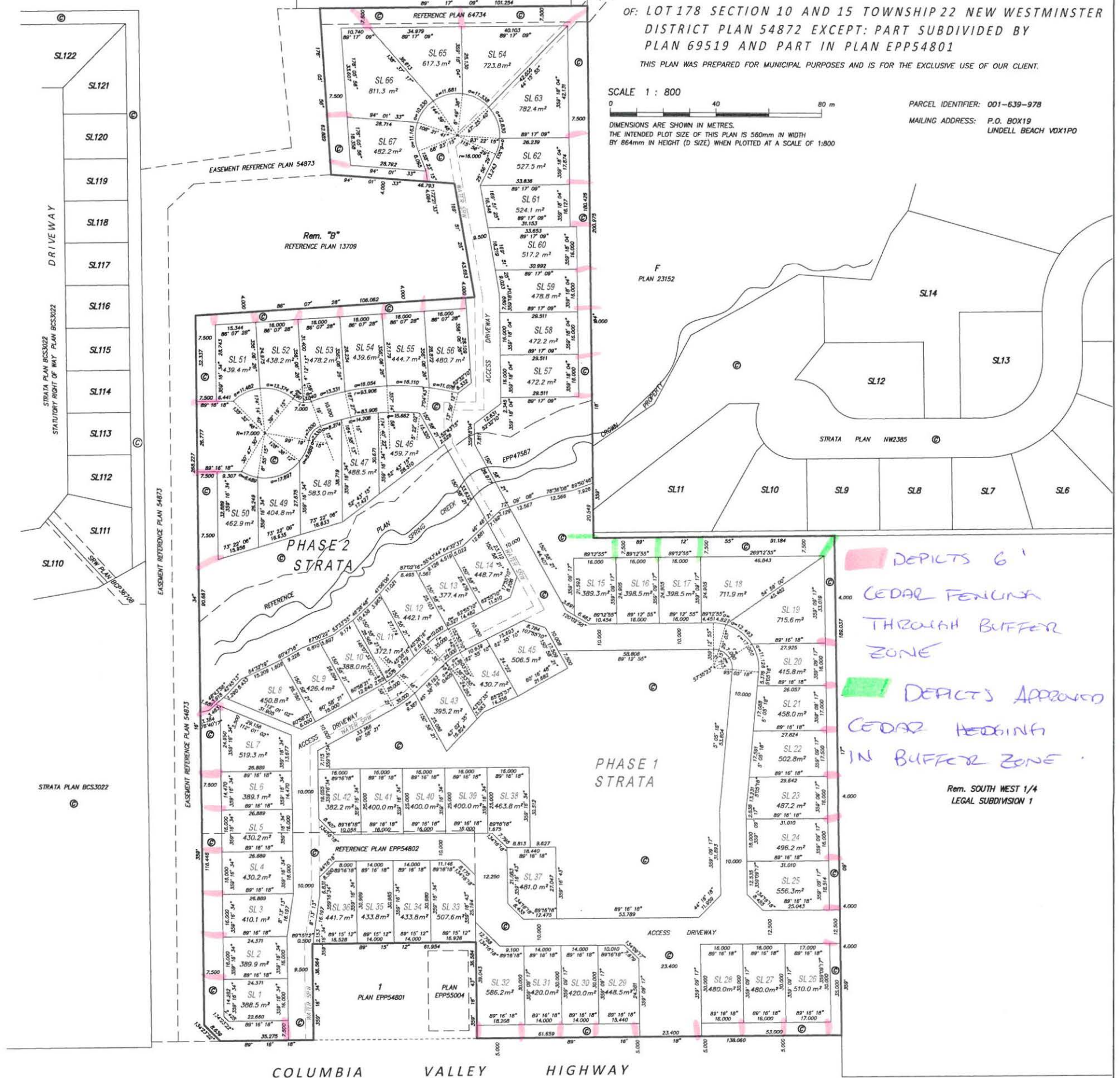
THIS PLAN WAS PREPARED FOR MUNICIPAL PURPOSES AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.

SCALE 1 : 800

DIMENSIONS ARE SHOWN IN METRES.
THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH
BY 864mm IN HEIGHT (D SIZE) WHEN PLOTTED AT A SCALE OF 1:800

PARCEL IDENTIFIER: 001-639-978

MAILING ADDRESS: P.O. BOX 19
LINDELL BEACH V0X1P0



DEPILTS 6'
CEDAR FENCING
THROUGH BUFFER
ZONE

DEPILTS APPROVED
CEDAR HEDGING
IN BUFFER ZONE

Rem. SOUTH WEST 1/4
LEGAL SUBDIVISION 1

LIST OF DOCUMENT NUMBERS OF ANY DOCUMENTS REGISTERED ON TITLE WHICH MAY AFFECT THE LOCATION OF IMPROVEMENTS THAT HAVE NOT BEEN DEFINED BY SURVEY OR DESCRIPTION	
171129C	CA4241560
Y71510	CA4241561
BF217421	CA4241562
BJ356211	CA4241563
BK322682	CA4672666
CA4241555	CA4672667
CA4241557	CA4672669
CA4241558	CA4672670
CA4241559	U66812

LOT DIMENSIONS ARE DERIVED FROM A LEGAL SURVEY.
GRID BEARINGS ARE DERIVED FROM GNSS OBSERVATIONS TO
THE SMARTNET REFERENCE STATION NETWORK.
THE SIGNATORY ACCEPTS NO RESPONSIBILITY FOR DAMAGES
ARISING OUT OF ANY UNAUTHORIZED USE OF THIS PLAN.

DATED THIS 29TH DAY OF NOVEMBER, 2016

GEORGE W. BAERG, BCLS, A(S)(Ret)
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.
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BAERG LAND SURVEYING LTD.
BOX 2500 SARDIS STN MAIN
CHILLIWACK, B.C. V2R 1A8
PHONE: 604-858-6349
Email: gwb@baergsurveying.ca

FILE: 16210_1_R1



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 \$ 250 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 1885 Columbia Valley Rd PID 001-639-978

Legal Description Lot 178 Block _____ Section 10/15 Township 22 Range _____ Plan 54872

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) Aquadel Crossing JV	Signature of Owner Cody Les	Date 1/21/19
Name of Owner (print) Aquadel Crossing Strata Corp	Signature of Owner David Roy	Date 1/21/19

Owner's
Contact
Information

Address PO Box 2267	City Chilliwack
	Postal Code V2R-1A6
	Fax

Office Use Only	Date	File No.
	Received By	Folio No.
	Receipt No.	Fees Paid: \$

Agent

I hereby give permission to _____ 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 103 Present Zoning PRD-11

Existing Use Residential Development

Proposed Development 103 Residential single family detached homes

Proposed Variation / Supplement Variation to Landscape DP as shown in Appendix A

Variance to geotechnical setback as shown in Appendix B

(use separate sheet if necessary)

Reasons in Support of Application To clarify authorized buffer zone materials and placement, and to allow for homes to be constructed in Phase 3 given geohazard assesment.

**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
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan 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:
Floor Plans			Uses of spaces & building dimensions
			Other:
Landscape Plan Same scale as site plan	X	X	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:
Reports			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.

Paul R Huesken
701 Blatchford Road
Lindell Beach, B.C.
V2R 4X7

March 5, 2019

To Whom It May Concern:

My name is Paul Huesken. For 28 years, from 1983 to 2011, I was a teacher in the Chilliwack School District. For eight of those years, from 1988 to 1996, I taught Grades 6 and 7 at Cultus Lake Community School. While teaching at Cultus Lake, I was approached by David Barnes, a technician at DFO's research facility on Sweltzer Creek at Cultus Lake. Mr. Barnes made me an offer that I couldn't refuse: that the school partner with DFO to help students gain a greater awareness of salmon by rearing coho in some unused troughs at the facility. David's idea resonated with me, so beginning in the fall of 1990, the rearing of coho as an educational enterprise began. Students learned the life-cycle of salmon, the components of healthy habitats, as well as data collection and record-keeping of ATUs (Accumulated Thermal Units) as a way of predicting stages of development.

After one year, the decision was made to expand this partnership by inviting DFO's community liaison officer to get involved. At this point, DFO identified Spring Creek as being an excellent candidate for stream rehabilitation, as it likely had been salmon-bearing in the past, and was currently also hosting cutthroat trout seasonally. In collaboration with DFO, the "Spring Creek Stream Team" was initiated in 1991.

The proximity of Spring Creek to the school made it possible for students to be involved hands-on in the stewardship of the creek. A government grant enabled the deepening of the creek and the purchase of suitable gravel for spawning beds. Additionally, during field trips, students planted native species of bushes and trees nearby, so that the creek could receive more shade while also enhancing habitat for various insects as food sources for salmon. One of the obvious purposes for the vegetation was to reduce the temperature in the creek, since oxygen levels are increased with lower temperatures. For five years, from 1991 to 1996 approximately 12 000 coho fry were released annually into the creek.

It became apparent in the 1990s, that the biggest challenge in maintaining Spring Creek's viability for sustaining coho was the water temperature issue. I suspect that this is still the reality today. In order for this creek to be viable it is essential that water flow be unimpeded by structures and/or obstacles. Secondly, it is vital that there be a multi-layered canopy of native plants and trees to shade the creek from the point where it crosses Columbia Valley Highway to where it enters Cultus Lake.

It is my hope that whatever development has taken place or will take place in the future on the banks of Spring Creek will embrace principles of stewardship of a shared resource, as well as honour the efforts of the community and the local students who have made an investment of time and hope for the creek. Additionally, it seems to me that all residents of Lindell Beach, both newcomers and longtime would embrace the idea of having a restored and optimized salmon-bearing gem right outside their doorsteps.

Sincerely,

Paul Huesken

From: Richard Whitlam
Sent: March-13-19 1:42 PM
To: David Bennett; Margaret Thornton; Taryn Dixon
Subject: Revised letter regarding Aquadel fences

To The FVRD board,

Thank you for the opportunity to submit my views on fencing within buffer areas at Aquadel Crossings. I live adjacent to five homes at Aquadel Crossings. The homes are architecturally very pleasing and they are nicely landscaped. Only one of the homes has a buffer area and does have a side yard fence that continues through the buffer area to the perimeter fence.

I have talked to my Aquadel neighbors and they are all (100% of them)in favor of these side fences that continue through the buffer. The fences allow them privacy from their neighbors and allows them to keep their pets and/or small children in a secure enviroment. Aquadel Crossings has mostly year round residents that want this type of back yard.

I realize this is considered the strata's common area and I believe those people who belong to the Aquadel Crossings strata should certainly have their views considered before anyone else.

I have a rule that I try and live by.....I don't complain about things that do no affect me.

I can not see, smell or hear these fences, so why would I complain. The fences are important to the people who live at Aquadel Crossings and they are the only ones affected by them.

I did attend the public meeting and felt that the concerns by some of "the neighbors" were completely out of line. Out of the 30 or so people in attendance only one couple lived close enough to even see the perimeter fence. I doubt they could even see a side yard fence from their home. The impact on them or anyone else and myself is zero.

For these reasons I support the strata and the developer in their interpretation of the bylaw and believe the wooden fences should be allowed within the buffer.

Thank you for your consideration.

Respectfully,

Richard Whitlam

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-----Original Message-----

From: Scott

Sent: March-12-19 8:58 PM

To: Margaret Thornton

Subject: Genica public meeting

I write this email in personal opposition to the proposed cross fencing of the buffer zone at Aquadell Gardens. Before this project was approved the South Cultus community spent countless hours and funds with consultants to make sure it would fit into this beautiful setting abutting our communities. To make sure there would be separation for privacy and noise control the 7.5m common area buffer zone was agreed to by the developer and our communities. It seems that now the developer is incorporating the buffer zone into homeowners private property for their exclusive use. This was not its intended use. As we all know once this happens sheds; play structures and lawn encroachment tends to occur. This defeats the purpose of the buffer zone. In talking to some of the residents they explained that they were not informed by the developer or builders of its intended use and restrictions. They felt blindsided. The developer suggested that the neighbouring communities were informed of the fencing and was given our approval. This is a completely false

statement. These conversations never took place. Fences were placed in riparian areas with posts placed in the middle of spring creek. They show the placement off cedar hedges as cross fencing to try and appease the neighbours but it is still a fence and blocks access to common property by the rest of the strata members. If residents want to fence their yards for whatever reason they can fence along their property lines leaving the buffer zone for its intended use. The developer has already cross fenced many properties and it seems their policy is to put the fences in and then beg for forgiveness when they are taken to task. They are not living up to the terms of their development permit and OCP and it seems that there is no oversight and enforcement by the FVRD to stop this from happening. As there are more developments proposed for this area we want to make sure that this doesn't happen again.

Yours truly Scott MacKay Lindell Beach Vp LBRA

Sent from my iPad

From: Richard Whitlam
Sent: March-07-19 10:06 PM
To: David Bennett; Taryn Dixon; Margaret Thornton
Subject: fences at Aquadel

Hi Taryn, Margaret and David,

I'm sorry I had to leave the meeting early without being able to say hi.
I see the neighborhood has not changed. I'm amazed at the strong opinions some neighbors express when they are not affected and/or do not live anywhere near the area under discussion. Some of the speakers at

that meeting actually live miles away and ,in fact only a few from Spring creek actually border the development. None of the neighbors can actually see the cross fences because of the boundary fence. My own opinion is that the cross fences benefit the Aquadel residents, giving them a nicer back yard and better privacy. I also believe that absolutely no one outside the Aquadel community is adversely affected by fencing within the buffer.

I would hope that the fvrd will not be swayed by the Lindell Beach habitual complainers. The LBRA diectors are convinced that they are the keepers of the lands around them. It is an extremely poorly run organization with a god complex.

I believe the hedging through the buffer areas was a good solution next to Spring Creek (even though the Spring Creek residents cant really see the hedges). I also believe the fencing in the other areas of the buffer will have no effect on what few neighbors there are and should be allowed

Thanks for hearing my views and I hope all is well

Respectfully,

Richard Whitlam

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From:

Sent: March-08-19 10:59 AM

To: Margaret Thornton

Cc: Gord Spencer; 'Scott Mackay'

Subject: Aquadell fence proposal

Having attended the Public Meeting last night at the Columbia Valley Community Hall, regarding the Aquadell “fence proposal”, I offer the following observations:

- the ambiguity and imprecision of the term “buffer” offers land developers, present and apparently future, extreme flexibility in the interpretation of this term and how such an area is to be established or maintained.

- the extension of the side fences to the Aquadell boundary can afford a homeowner, virtual jurisdiction over unauthorized, self serving, quasi ownership.
- it was made clear by one Aquadell homeowner, that he intended control over his “expropriated” buffer area, through the turning loose of his crazed dogs, (his expression, not mine). This attitude, and some milder ones, could convince one that the commonality of the Aquadell buffer, will disappear.
- an Aquadell home owner can commander additional, unpaid for property, by extending, over time, his lawn through the judicious application of grass seed coupled with the “mowing” of all other plants growing in his buffer area. This procedure, plus side fences, completes the process.
- it appears that the loss of the use of some of the common (to the strata) area by internal (non external border properties) Aquadell home owners, is not of concern to the Regional Board. What is the gain for the developers interpretation of buffer for these internal homeowners who have no similar opportunity for such a land grab?
- a great deal more scrutiny must be employed by those assessing developer’s proposals, and indeed the O.C.P. , as the word buffer, and many other descriptions of intentions, must now be vetted with a view to the potential for manipulation.
- In conclusion, there are not enough exclamation marks in the universe to express the extremity of my recoil from that reality impaired expression – buffer.

Thank you for your consideration, Angus P. Allison, Lindell Beach

-----Original Message-----

From:

Sent: March-08-19 7:53 AM

To: Margaret Thornton

Subject: Aquadel crossing

Good morning,thank you for giving us the opportunity to express our concerns last night.

I neglected to address the point that Genica is creating a negative issue in their Strata before the Dev. is even completed.By allowing the buffer area to be included in the individual lots the owners on the inside development are questioning Strata fees.Why should their Strata fees be the same as the homes on the outer perimeter when they don't have the luxury of utilizing the buffer area and furthermore they don't have access to the common area because it is fenced.

You invited us to contact you if we have additional concerns and would appreciate your thoughts on this because some of the residents in Aquadel are not happy.

Thanks.

Helen.

-----Original Message-----

From:

Sent: March-09-19 10:09 AM

To: Margaret Thornton

Subject: Aquadel Crossing Development Permit 3060-20-2017-01,1885 Columbia Valley Rd,Area "H"

We,Doug and Helen VanWyck, owners of strata lot#9,1735 Spring Creek Dr.,Lindell Beach object to granting a revised permit which changes the landscaping plan of the above permit for the following reasons:

- 1.The original plan has been violated by cross fencing of the buffer area,which was to provide a green belt for keeping noise levels down at the same time keeping the area esthetically pleasing.
- 2.The buffer area is part of the common area however is not accessible to all Aquadel Residents because it is enclosed in individual lots.

- 3.The developer has violated the riparian area,which the OCP addressed to protect spawning salmon and Cultus Lake by allowing construction debris to accumulate in the creek and fence posts erected in the creek.
- 4.By allowing cross fencing it appears as an addition to perimeter lots and owners perceive it as part of their lot allowing them to utilize the space for their own purpose.e.g. hot tubs,dog run,storage sheds,etc.,etc.

We are requesting FVRD to enforce the original bylaw by holding this Developer accountable.
Thank you.

-----Original Message-----

From: Tony Bradley

Sent: March-11-19 1:12 PM

To: Margaret Thornton

Cc: 5 George & Linda Vandergugten; 2 Don & Bonnie Simpson; 9 Doug & Helen Van Wyck

Subject: Aquadel Crossing

To the attention of Mary-Ann Thornton,
Director of planning and development
Fraser Valley Regional District.

Hello Mary-Ann, I am writing this on behalf of Spring Creek Estates (Strata Corporation N.W. 2385).

I am sure that you are aware of the details of the disagreement involving the so called "buffer zone" between several new homes at Aquadel Crossing and the some properties at Spring Creek.

The purpose of this email is to ensure that the developer is made to comply with the original building permit which stipulated that the buffer zone clearly separated the the new development from the Spring Creek houses and provide some degree of privacy to the residents affected by the new construction.

Cross fencing simply extends the size of the Aquadel properties and breaks up the buffer zone an defeats the purpose of that area.

This is rather a silly issue that can be settled by insisting the the developer abide by the original plan and the buffer zone be created as originally agreed to and not broken up by lateral fencing or cedar trees. The buffer zone should be just that, an unbroken landscaped area between both Aquadel and Spring Creek properties.

We took a poll on all 14 homes in Spring Creek on whether they support our position or not and received 11 support 1 abstain and 2 no reply.

Thank you.

George Vandergugten (Chairman)

Don Simpson (Vice Chairman)

Tony Bradley (Secretary Treasurer)

Sent from my iPad

Sent from my iPad

-----Original Message-----

From:

Sent: March-08-19 8:19 AM

To: Margaret Thornton; Planning Info

Subject: Aquadel

A short email to confirm my opposition to the requests by Genica to alter the buffer zone and cross fences.
Thanks Don Simpson. Spring creek estates

Sent from my iPhone

From: Mike Palmer
Sent: March-05-19 12:37 PM
To: David Bennett
Cc: Strataforce; Gord Spencer; Steven Van Geel
Subject: Public Information Meeting

David, thank you for giving me a heads up on the meeting. I am presently away from the Cottages and not planning to be back until mid April. I would like to have my comments noted in the minutes of the meeting.

To start; I object to the Aquadel proposal. Although this proposal is presented as an overall benefit of the community, it appears that the true benefactors are only some of the owners in the strata development.

Aquadel Development is using this ruse of provide better information for the materials and plants used on the buffer zone, in fact these materials are to provide exclusivity to the lot owners for the common property that is adjoining their property. The purpose of the buffer zone was to provide distance and privacy, this appears to be no longer the purpose.

I would like to note that by cordoning off the common property for the benefit of the individual lot owners stops all strata owners from enjoying this property. The common property is no longer deemed common property. I quote from the BC Strata Act.

Limited Common Property (LCP)

Limited common property (LCP) is common property that has been designated on the strata plan or on a sketch plan filed at the Land Title Office for the exclusive use of one or more strata lots. For example balconies and parking spaces may be designated as limited common property.

In a strata corporation with sections, LCP can be designated for the exclusive use of all strata lots in that section. In this case, the maintenance and repair of the LCP is a common expense of the section. Learn more about section within a strata corporation.

Limited common property is often designated on the strata plan as "LCP" with the strata lot number after it. The legend on the strata plan explains how the limited common property is noted. For example the legend on the sample strata plan below shows that the limited common property is designated as: "P" with the strata lot number after it for patios "PR" with the strata lot number after it for porches "W" with the strata lot number after it for bay windows

I would like to point out that not all of the strata lots are going to have the benefit of additional land. This is a fundamental discrimination if the developer's plan is to "give" common property to many but not all of the owners.

Early in the process, it was talked about making the buffer areas walking trails for the enjoyment of all lot owners. This appears to no longer be the case. Additionally, there was to be trees planted in the buffer

zone paralleling the buffer zone to provide privacy and noise barriers for the benefit of all. Again, the developer is attempting to change the design plan that was approved at the Public Meeting years ago.

I am not in favor of this change to the plan.

Mike Palmer

the Cottages
1800 Painted Willow
Lindell Beach, BC

From:

Date: March 8, 2019 at 10:58:53 AM PST

To:

Cc: "Gord Spencer"

"Scott Mackay"

Subject: Aquadell fence proposal

Having attended the Public Meeting last night at the Columbia Valley Community Hall, regarding the Aquadell “fence proposal”, I offer the following observations:

- the ambiguity and imprecision of the term “buffer” offers land developers, present and apparently future, extreme flexibility in the interpretation of this term and how such an area is to be established or maintained.
- the extension of the side fences to the Aquadell boundary can afford a homeowner, virtual jurisdiction over unauthorized, self serving, quasi ownership.
- it was made clear by one Aquadell homeowner, that he intended control over his “expropriated” buffer area, through the turning loose of his crazed dogs, (his expression, not mine). This attitude, and some milder ones, could convince one that the commonality of the Aquadell buffer, will disappear.
- an Aquadell home owner can commander additional, unpaid for property, by extending, over time, his lawn through the judicious application of grass seed coupled with the “mowing” of all other plants growing in his buffer area. This procedure, plus side fences, completes the process.
- it appears that the loss of the use of some of the common (to the strata) area by internal (non external border properties) Aquadell home owners, is not of concern to the Regional Board. What is the gain for the developers interpretation of buffer for these internal homeowners who have no similar opportunity for such a land grab?
- a great deal more scrutiny must be employed by those assessing developer’s proposals, and indeed the O.C.P. , as the word buffer, and many other descriptions of intentions, must now be vetted with a view to the potential for manipulation.
- In conclusion, there are not enough exclamation marks in the universe to express the extremity of my recoil from that reality impaired expression – buffer.

Thank you for your consideration, Angus P. Allison, Lindell Beach

>>> Hi David,

>>> Attached are pics of fencing within the Aquadel development. All yards are fenced off from the central common area facilities. Even coming out to road edges. This is in addition to all of the perpendicular fencing that dissected the perimeter common area buffer zones of the development. All sense of community is lost here as 5 to 6 ft solid fencing surrounds every residence, and is now referenced as the "subdivision of fence".

>>

>>> I did not see any details of fencing in the development permit plans but it should be a part of. I would not consider it landscaping.

>>> The buffer zones were intended as landscaped Common areas, buffering to adjacent developments, with native materials and is part of the DP.

>>

>>> Using hedging shrubs as landscaping when its intended use is a barrier from access to common property, is not the answer. I am strongly opposed to this application. I do not believe it is in keeping with 7.2, 7.2.5 and 7.3 of the lindell beach neighborhood concept plan.

>>>

>>> The existing cottage development as well as creekside does not permit exclusive use of buffer zones as private yards. Both the cottages and creekside have no internal solid barrier fencing anywhere which is in keeping with the neighbourhood plan. This is a unique feature for this area as it promotes the recreational and casual look to the neighborhood. Aquadel is growing into an urban jungle with no sense of community.

>>> Quite frankly, I do not know of any private development, where gated community also fences off all individual units from common area.

>>> A total disconnect.

>>> Aquadel has even removed common area access trail between lots 7 and 8 which was promoted as pedestrian linkage over the existing creek between phase 1 and 2, and fenced off as private yard space.

>>> Unfortunately the developer is not the builder of the community, and is just selling land and seems to have little interest in adopting what was approved or adding additional esthetic requirements to its project.

>>

>> I recall that Aquadel requested the same reduced building setbacks that Creekside adopted, but did not adopt a non fencing requirement due to the fact that properties were backing onto common area. As a consequence 6 ft. Rear yard Fencing is 2 meters from the dwelling units.

>>> On a side note, were street trees part of the plan or DP. I noticed they do not have any installed.

>>> This is a typical requirement in most municipalities, and has been adopted at the cottages and creekside.

>>> If the developer has not, trees are an icon to the local area and would be a great enhancement to the development and give it a more rural atmosphere.

>> I will try to send you some pics of the cottages fencing next.

>>> You can me if you wish to discuss.

>>> Thanks
>>> Jon Van Geel
>>> Vice-President
>>>
>>> Cultus Country Investments Ltd.
>>> Frosst Creek Developments Ltd.













From:

Date: March 9, 2019 at 10:09:24 AM PST

To: Margaret Thornton

Subject: Aquadel Crossing Development Permit 3060-20-2017-01,1885 Columbia Valley Rd,Area "H"

We,Doug and Helen VanWyck, owners of strata lot#9,1735 Spring Creek Dr.,Lindell Beach object to granting a revised permit which changes the landscaping plan of the above permit for the following reasons:

- 1.The original plan has been violated by cross fencing of the buffer area,which was to provide a green belt for keeping noise levels down at the same time keeping the area esthetically pleasing.
- 2.The buffer area is part of the common area however is not accessible to all Aquadel Residents because it is enclosed in individual lots.
- 3.The developer has violated the riparian area,which the OCP addressed to protect spawning salmon and Cultus Lake by allowing construction debris to accumulate in the creek and fence posts erected in the creek.
- 4.By allowing cross fencing it appears as an addition to perimeter lots and owners perceive it as part of their lot allowing them to utilize the space for their own purpose.e.g. hot tubs,dog run,storage sheds,etc.,etc.

We are requesting FVRD to enforce the original bylaw by holding this Developer accountable. Thank you.

Subject: March 7 meeting

Hello Taryn,

Thank-you so much for giving us a chance to attend the meeting last night to discuss the buffer zone at Aquadel Crossing. I live in house 4 and spoke last night about how the yard size behind my lot is very important to me. I also wanted to thank-you and your colleagues for being so kind and professional. As a teacher, I love my job, but its the controversial situations that make life much harder for me, as is the case for you and your team I am sure.

I did not touch on the issue of soil erosion last night, I didn't want to add any unnecessary fuel to the fire, but I should quickly mention the issues I've encountered with the buffer zone. When we moved in, our lot was 1/3 grass and 2/3 mud. The 2/3 mud was the buffer zone. It was about 4-6 inches of water and muddy soil. The rain was washing all the soil away because our yards have a slight slope. The soil is not desirable; it is rocky and very dry, it does not maintain moisture well. As a result we had a river of water and soil flowing through our "yard space" that we were expected to look after and use. With two very young children, this absolutely was not going to work. We planted grass, and the erosion issue has been solved. There is still a buffer, and we have maintained the "native-species" plants at our own cost. It does not make sense for the entire space behind my property to be left without permanent grass (not all the way to the fence) or better landscaping. The "landscaping" that was left for us was sitting in the 4-6 inches of water and mud, and a large collection of ferns were planted in full-sun. This "buffer" was dead within weeks. Again, at our own cost we cleaned the space, and we continue to clean and maintain the space. I am happy to maintain the buffer, but I want to uphold the proposed quality of green space. I grew-up on a 3 acre organic farm, I fish for salmon, and I moved to this area for its natural landscape, I want to improve this space. Is it possible to have the proposed list of plant species and the planned design for the buffer zone? Is it possible to be given the contact for the environmentalists involved? I am curious about the health of the creek that was mentioned last night too. Perhaps I could be a person within our strata to uphold the regulations and quality of the creek/landscape.

Lastly, I would like to suggest that a compromise might be feasible in regards to the buffer zone near Spring Creek. What if the fenced off perimeter ran through half of the buffer zone. Half the buffer could be on the Spring Creek side of the fence, and that is where proper landscaping could be such as large trees and more native shrubs etc. I have not seen an exact map of our development with dimensions, but, I know from my side of Aquadel, there is more than enough room on the outer side of our perimeter fence for a proposed trail and better landscaping. The developer does need to be held accountable for better landscaping and landscape design. There is so much potential in our neighbourhood.

Thanks again for allowing us to be heard at the community meeting. I really appreciate it. Please forward my email along to the appropriate people involved, or alternately could you give me the names and contacts of people to speak to.

Niki Drouillard (house 4, aka the "doll house" lot)

From: brad mcpherson
Sent: April-03-19 5:21 AM
To: David Bennett
Subject: Vegetation zone aquadell

Dear MR Bennett

It had come to our attention that the developer is trying to sneakily amend the official OCP that was approved and agreed upon originally. It is not up for discussion to lose the 7.5 metre buffer zone of vegetation that is clearly marked on the plan . Lindell beach did not want the new development right against our property for fire,noise,and for access to our private community. My advise is that they cease installing fences with out approval and go through the correct measures and apply if they think they want to remove the buffer zone /or alter.this would allow a open and transparent application that would require all affected parties be involved in the amendment, not just the party that benefits . Please keep my email on file and keep me informed in the progress regarding this issue

Brad McPherson
43870 1st ave. Lindell beach

Sent from my iPhone

MEMO

Date: March 13, 2019

To: Margaret-Ann Thornton, Director of Planning and Development, FVRD
David Bennett, Planner II

Subject Aquadel Crossing – Permit Amendment

Good Morning Margaret,

I am writing on behalf of the Lindell Beach Residents Association (LBRA). The LBRA represents 149 homeowners in Lindell Beach. The LBRA is **opposed** to the development permit amendment proposed by the Aquadel Crossing developer. We will explain our reasons for this decision.

In the notice of amendment application, the developer gives 2 reasons:

1. To clarify the material to be used in the authorized landscaped buffer zone
2. To clarify the geotechnical setback and required mitigation measures to allow homes to be constructed in phase 3 of the development

There was little discussion on item 2 at the public hearing, so we will limit our comments to item #1.

It is interesting to note that item #1 makes no reference to cross fencing in the buffer area. It appears from the way the invitation to the meeting was written the developer has assumed, rightly or wrongly, that the FVRD has allowed the cross-fencing of the buffer zone, and the only thing in question is the materials to be used. It is not until one looks at the attached diagram that the true intent of the developer comes out. The diagram attached to the invitation clearly shows the buffer zone being incorporated in individual yards through the use of cedar fences or cedar hedges.

In the early planning stages for the Aquadel Crossing development, one of the assertions made by Regional District staff to the community was that all developments would be separated by well-defined buffer areas. At no point was it envisioned individual lot owners or a developer would be allowed to place fences or hedges across the buffer to enlarge their private space and negate the separation a buffer area provides. This amendment application is in clear contravention of Sec. 14.4.16 of the Official Community Plan.

There are 2 sections of the Official Community Plan that we find relevant to this application, Sec. 1.5 and Sec. 14.4.16.

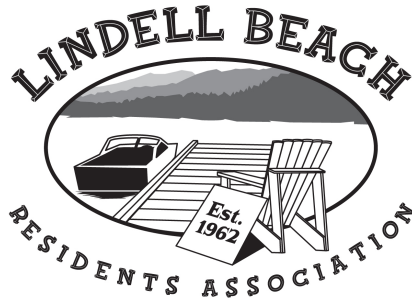
Section 1.5 of the OCP states in part:

“Particular attention should be given to the wording of the Regional Board policies contained in the Plan: **“shall”** describes an imperative course of action which is within the scope of the Regional Board’s powers to provide, enact, regulate or enforce.

Section 14.4.16 states:

“A landscaped, treed buffer of at least 7.5 metres **shall be required** to separate resort developments from land uses and developments on adjacent properties.”

It is apparent the intent of Sec. 14.4.16 is to separate developments, We believe it is incumbent on the FVRD to ensure the intent of that section is adhered to by developers.



LBRA Directors have met with FVRD on a number of occasions to bring up issues with this developer and the Aquadel Crossing project.

- We have notified FVRD staff on at least 3 occasions where the developer has cross fenced the buffer area. One incident resulted in a site visit, after which the developer was told to stop all cross fencing activity. That did not happen. On every occasion, we understand the developer agreed to stop work – yet the cross fencing continued. The latest incident occurred on March 19th, and before the work stopped this time the entire east side of the development had been cross-fenced.
- This developer seems to have little regard for fish bearing watercourses. In addition to all the cross-fencing through the buffer area, the developer has built a fence right through a small creek on the boundary of their property.
- On earlier occasions the developer was cited for working in the creek and allowing it to become fouled with muddy water that spread into Cultus Lake. They were also cited for installing culverts instead of a bridge that would allow fish to pass through. These are just some of the examples of the problems our community has encountered with this developer.

The developer clearly understands the role of a buffer zone. In the property plan at the entrance to the development, the buffer area is clearly outlined – without any cross fencing. One would also assume that when the developer submitted the development plan, they were aware of the buffer area requirement. They would certainly be aware of it when FVRD staff confronted them and told them to stop the work.

We would like to add that FVRD staff have been very responsive to the community, making site visits when we have brought the actions to their attention, and advising the developer to stop construction. It appears as if the developer has carried on work in violation of staff directives in a hope that the FVRD Board would approve the amendment because the work has progressed too far and removing the existing cross fencing would be too disruptive. This application is clearly in contravention of Sec. 14.4.16 of the Official Community Plan and we ask the FVRD Board of Directors to turn down the amendment application.

The Board of Directors
Lindell Beach Residents Association

From: brad ackerman
Sent: April-03-19 9:08 AM
To: David Bennett
Subject: Hello sir.

I am a resident of Lindell beach BC. I am aware that the Aquadell developers have breached the OCP by infringing on the green space or common area buffer.

The OCP needs to be relied on and not disregarded by developers.

I oppose any change or amendments to the established OCP.

Thankyou

Brad Ackerman

1985 Lindell ave

Lindell beach BC

V2r4w7

Sent from my Samsung Galaxy smartphone.

Sent: April-26-19 11:10 AM
Subject: FW: Aqua Del buffer zones.

From: Don Yargeau
Date: April 24, 2019 at 8:34:12 AM PDT
To:
Subject: Aqua Del buffer zones.

Regarding portion of fencing and hedging in buffer zone around my lot, we have lived here for a year now and purchased our residence with these in place. I believe to remove them would only degrade the look and security in Aquadel as well as weaken the fencing around the perimeter. As per the letter from solicitors representing developers dated March 12,2019 we ask that the fencing be left intact.

Tx, Don and Kath
Unit 26

From: Ken Elmer
Sent: April-03-19 1:06 PM
To: David Bennett
Subject: fencing on buffer zone of previous Aquadell golfcourse

Dear Sir,

As a 35 year resident of Lindell Beach my family strongly believe the existing and to be built fencing on the buffer zone should be stopped or removed.

Please follow the bylaws.

thank you

Ken Elmer

Janet Neufeld

Jonathan Elmer

Shannon Elmer

Keith Elmer

Shirley Elmer

Sent from my LG Mobile

From: Chris Foxon
Sent: April-22-19 10:12 AM
To: David Bennett
Cc:
Subject: Buffer Zone Aquadel Development

Dear Sir;

This email is to register our objection to the infringement of the buffer zone from the houses of the Aquadel Crossing Development. We live in Lindell Beach and have seen for ourselves the fence that have literally increased the size of the houses back yard at the expense of the buffer zone. We object to this infringement.

Yours

Chris Foxon
43815 6th St.
Lindell Beach

From: LORRAINE AND CHRIS
Sent: April-23-19 10:40 PM
To: David Bennett
Subject: Buffer Zone and Fencing on Aquadel Crossing Development

Dear Sir;

This email is to register my objection to the infringement of the buffer zone from the houses of the Aquadel Crossing Development. We live in Lindell Beach and have seen for ourselves the fence that has dramatically increased the size of the back yard of these houses at the expense of the buffer zone. We object to this infringement and would appreciate your help in remedying this.

Thank you.

Lorraine Alston
43815 6th Street
Lindell Beach, B.C.

From: Don & Sheila Durward
Sent: April-03-19 3:00 PM
To: David Bennett
Subject: Aquadel Crossing Development

David

As residents of Lindell Beach who have been actively following the OCP process, we are extremely opposed to the developer of Aquadel Crossing playing fast & loose with variations to the OCP.

They must follow the OCP which reflects the desire of all the communities & not be allowed to interpret rules as benefit Aquadel Crossing.

Sincerely

Sheila & Don Durward

Sent from [Mail](#) for Windows 10

From: Sweeney, Greg
Sent: April-03-19 10:55 AM
To: David Bennett
Cc: Sandy Sweeney ;
Subject: Aquadel Crossing Development Permit Application

Mr. Bennett,

Our family is a member of the Lindell Beach Residents Association, and as such are in close communication with the Board of Directors of the LBRA.

We were recently made aware of an ongoing situation at the Aquadel Crossing Development at Cultus Lake. It appears that the Developer of Aquadel Crossing is disregarding the OCP by constructing cross fencing around the buffer zone, thereby making those areas an extension of the private property.

We were extremely disappointed to hear that the developer has purposely disregarded the OCP, and has flagrantly continued work when they know the work being done is in contradiction to the OCP.

It is our hope that the FVRD will uphold the OCP and require that the Aquadel Crossing Developer be required to remove any fencing previously installed, and no additional fencing be constructed in accordance with the OCP.

Regards,
Greg Sweeney

From: Mike Zorn
Sent: April-03-19 9:25 AM
To: David Bennett
Subject: Aquadel Crossing - Against Change

David,

When the request to re-develop Aquadel was discussed I was in favor of the proposal. As the process was developed there was give and take as we came to a good solution for everyone.

The buffer zone was really important part of that agreement as it allows space between individual owners on our area. This space is a critical buffer for noise and other issues that individuals choose to do on their own property. There is also a significant risk of the individual owners dumping stuff over the fence and creating a fire hazard by this illegal disposal.

I am strongly against this proposed change. Allowing major last minute changes adversely impacts neighbors and destroys the credibility of the entire project approval process.

Michael and Diane Zorn
1995 Lindell Ave

buffer zone that included indigenous vegetation was enthusiastically supported by many neighboring residents that attended public meetings and wrote letters. Section 14.4. 16 of the OCP states: "A landscaped, treed buffer of at least 7.5 metres shall be required to separate resort developments from land uses and developments on adjacent properties." * Please see approved original site plan for Aquadel Crossing which is attached. You will see there is no cross fencing going through the buffer zone right up to the fence borders between neighboring resorts.

This e-mail and any attachments may be confidential or legally privileged. If you received this message in error or are not the intended recipient, you should destroy the e-mail message and any attachments or copies, and you are prohibited from retaining, distributing, disclosing, or using any information contained herein. Please inform us of the erroneous delivery by return e-mail. Thank you for your cooperation.

Ce courriel et toute pièce jointe peuvent contenir des renseignements confidentiels, privilégiés ou légaux. Si cet envoi ne s'adresse pas à vous ou si vous l'avez reçu par erreur, vous devez le supprimer. Il est interdit de conserver, distribuer, communiquer ou utiliser les renseignements qu'il contient. Nous vous prions de nous signaler toute erreur par courriel. Merci de votre collaboration.

-----Original Message-----

From: Vicki Thomas

Sent: March-16-19 2:00 PM

To: Margaret Thornton; Taryn Dixon; Cody Les; Steven Van Geel

Subject: Aquadel X development

My husband and I attended the meeting on March 7th at the CVH re Aquadel X.

The reaction to Genica's application to change the original permit plan concerning the buffer/ common area seemed to us to be a slippery slope!

The cross fencing gives the owners of each affected property a false appearance of ownership.

Genica should stop its shenanigans!

The buffer/common area needs to be an open area allowing Aquadel Xing residents and the neighbouring communities a true buffer zone. Genica should be aware that allowing for happy neighbourhoods will have benefits!

Spring Creek is an environmental gem that has not been taken care of sufficiently and needs attention by the developers, fisheries and oceans and FVRD.

It is a salmon bearing stream and AquadelX could take much pride in its ongoing stewardship!

We will keep interest in the upcoming decisions.

Sincerely, Victoria Thomas and David Guenette

Sent from my iPad

-----Original Message-----

From:

Sent: March-20-19 5:24 PM

To: Margaret Thornton

Cc: David Bennett

Subject: Aquadel Crossing Development Permit 3060-20-2017-01,1885 Columbia Valley Rd,Area "H"

Hello Margaret-Ann, can we please have an update on the above.

At the meeting in Columbia Valley Hall, Cody Les of Genica was told to stop building fences across the buffer area until FVRD was able to resolve the matter of the Landscape issue regarding the above permit. The fencing continues, the fence post is still in the creek.

Landscaping of the buffer area on lot 18 is completed and once again the Developer has not honored the agreement. You approved removal of a large cedar tree along with 2 other mature trees including a Cornus Kousa dogwood to accommodate construction of the home and requested 4 replacement trees be planted. The replacement

trees were to include 3 Western Red Cedars 3m tall and 1 Kousa Dogwood with a 5cm caliper, again that did not happen. It is time the FVRD utilizes the security to complete the agreement.

I look forward to your response.

Helen Van Wyck.

> On Mar 16, 2019, at 1:59 PM, Vicki Thomas wrote:

>

> My husband and I attended the meeting on March 7th at the CVH re Aquadel X.

> The reaction to Genica's application to change the original permit plan concerning the buffer/ common area seemed to us to be a slippery slope!

> The cross fencing gives the owners of each affected property a false appearance of ownership.

> Genica should stop its shenanigans!

> The buffer/common area needs to be an open area allowing Aquadel Xing residents and the neighbouring communities a true buffer zone. Genica should be aware that allowing for happy neighbourhoods will have benefits!

> Spring Creek is an environmental gem that has not been taken care of sufficiently and needs attention by the developers, fisheries and oceans and FVRD.

> It is a salmon bearing stream and AquadelX could take much pride in its ongoing stewardship!

> We will keep interest in the upcoming decisions.

> Sincerely, Victoria Thomas and David Guenette Sent from my iPad

From: Cody Les
Sent: March-18-19 12:53 PM
To: Davin Roy
Cc: Margaret Thornton; Taryn Dixon; David Bennett; Larry Les
Subject: Aquadel Crossing Fencing

Davin,

Per recent communications with the FVRD today, please cease all fencing construction at Aquadel Crossing, including all perimeter fencing, side yard fencing, and buffer zone fencing, until they have rendered a decisions on our recent DP application.

I will be sending the same communication to all of the builders at Aquadel Crossing regarding their specific lots.

Please feel free to reach out to me anytime should you have any questions.

Kind Regards,

--

Cody Les
Genica Group Of Companies
5986 Hunter Creek Crescent, Chilliwack, BC
Mailing Address: PO. Box 2267, Chilliwack BC V2R 1A6

To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: David Bennett, Planner II

File No: 3360-23-2019-02

Subject: The purpose of Bylaw 1525, 2019 is to amend the Comprehensive Development 1 (CD-1) zone to permit the construction of Enclosed Decks in the Bridal Falls RV Resort located at 53480 Bridal Falls Road, Electoral Area "D".

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. 1525, 2019* to permit the construction of Enclosed Decks in the Bridal Falls RV Resort;

THAT the *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* be forwarded to Public Hearing;

THAT the Fraser Valley Regional District Board delegate the holding of the Public Hearing with respect to the proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 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 *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 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 *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* in accordance with the Local Government Act;

AND FURTHER THAT in the absence of Director Dickey, or his alternate in his/her absence at the time of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 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 *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

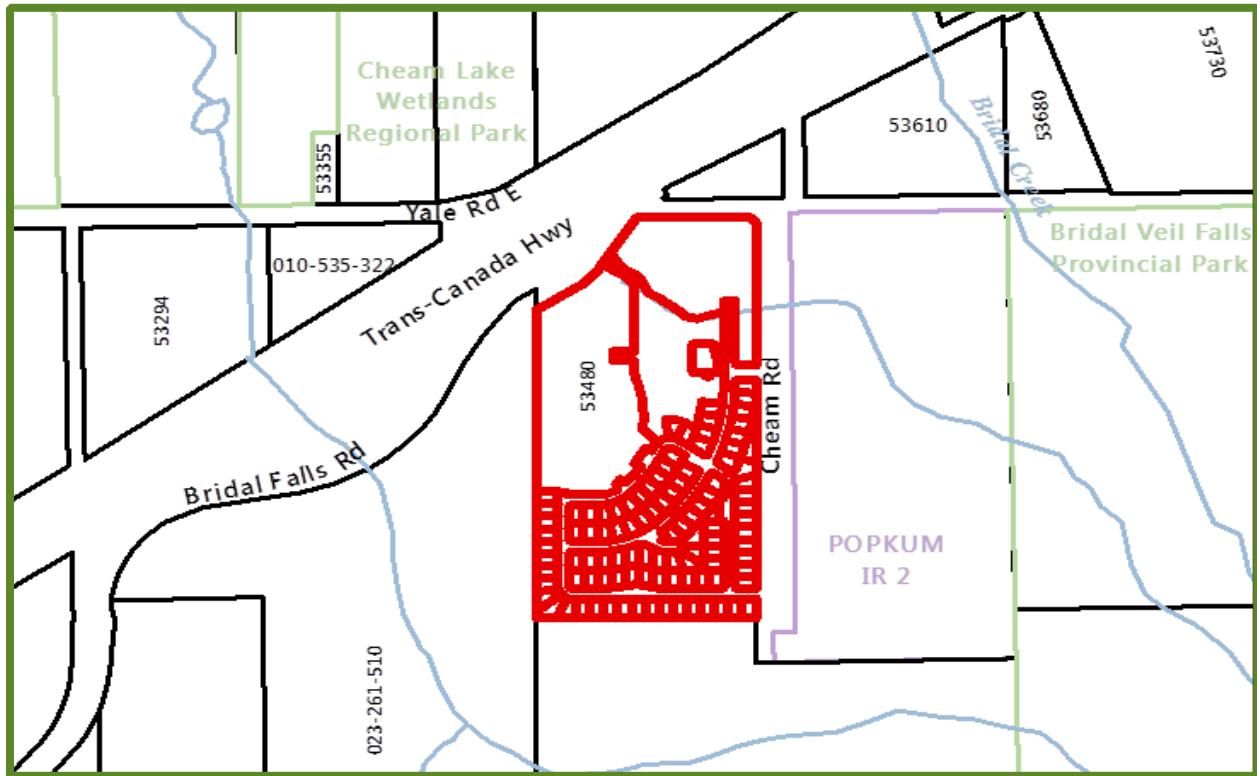
BACKGROUND

Proposal Description

The purpose of Bylaw 1525, 2019 is to amend the Comprehensive Development 1 (CD-1) zone to permit the construction of Enclosed Decks in the Bridal Falls RV Resort. Enclosed Decks are only intended to provide for weather and wind protection and may only be constructed of safety glass panels that are mounted on hardware allowing for the panels to be opened. Enclosed Decks must not increase habitable space (cannot be a bedroom or washroom). A Building Permit would also be required for each Enclosed Deck.

PROPERTY DETAILS			
Electoral Area		D	
Address		53480 Bridal Falls Road	
PID		029-454-387	
Folio		733.06403.060	
Lot Size		7.834 acres	
Owner	Bridal Falls RV Park	Agent	n/a
Current Zoning	Comprehensive Development (CD-1)	Proposed Zoning	No change: text amendment
Current OCP	Highway Tourist Recreation Commercial (HTRC)	Proposed OCP	No change
Current Use	Holiday Park	Proposed Use	No change
Development Permit Areas		DPA 1-D and DPA 3-D	
Hazards		Alluvial Fan	
Agricultural Land Reserve		No	
ADJACENT ZONING & LAND USES			
North	^	Local Tourist Commercial (C-4), Gas Station	
East	>	Rural (R), Popkum IR 2	
West	<	Rural (R), Crown Land	
South	v	Rural (R), Crown Land	

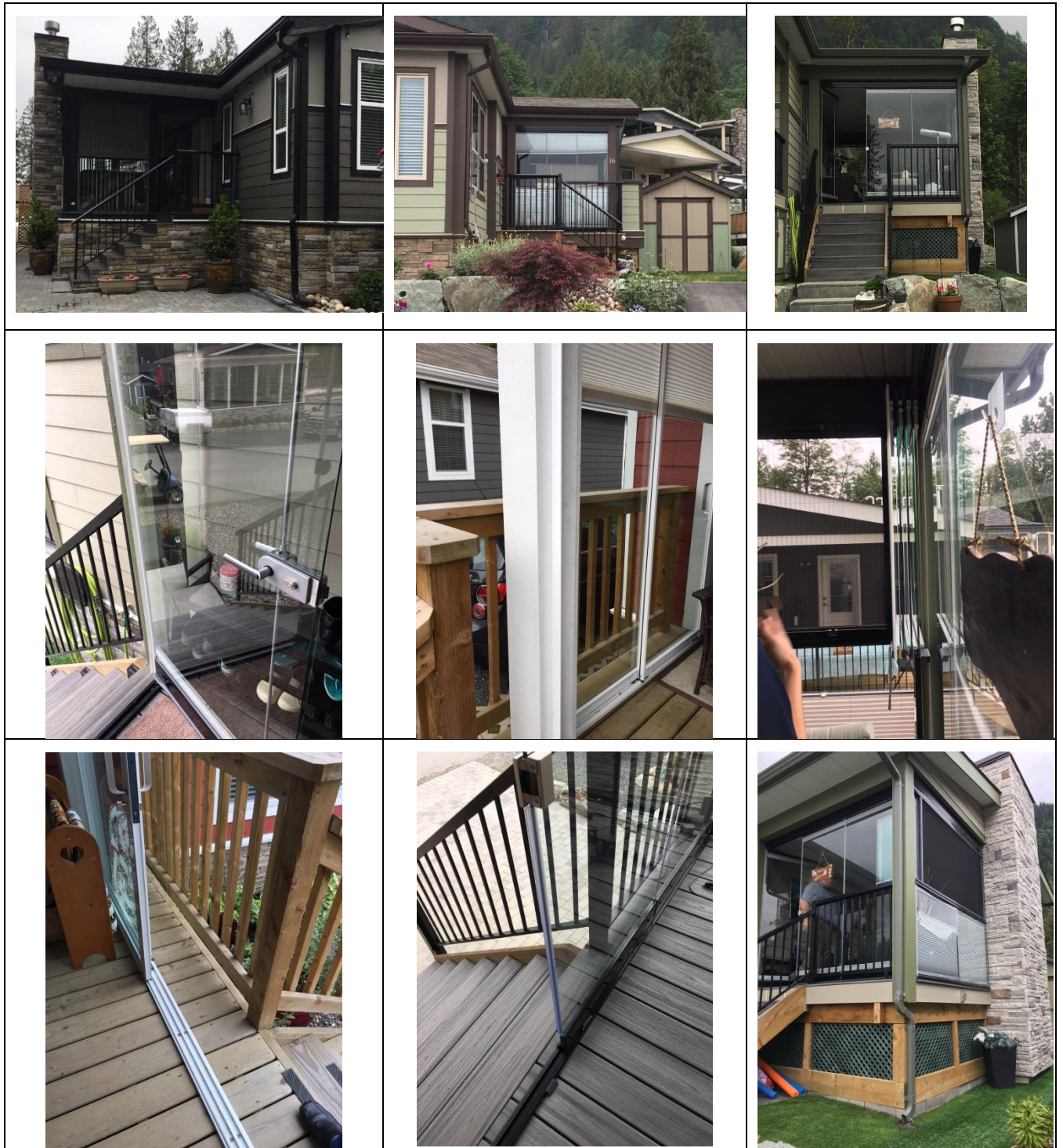
NEIGHBOURHOOD MAP



PROPERTY MAP



ENCLOSED DECKS at the Bridal Falls RV Resort 53480 Bridal Falls Road, Electoral Area "D".



Examples of enclosed decks already installed in the development contrary to current FVRD bylaws.

DISCUSSION

Bridal Falls RV Resort is zoned Comprehensive Development 1 (CD-1). The CD-1 zone expressly prohibits strata lot owners from constructing enclosed decks on their strata lots. Only open decks are permitted. The regulations regarding open decks is highlighted in the table below, Bylaw Section 2702

2700 CONDITIONS OF USE

Type of Use and Structures	Minimum Strata Lot Size Required for Types of Uses and Structures.	
	130m ²	222m ²
One (1) Recreational Vehicle	Permitted	Permitted
One (1) Holiday Cottage	NOT permitted	Permitted
One (1) Shed - Maximum Size 9.3m ² (100 sq ft)	Permitted	Permitted
One (1) Open Deck	NOT permitted	Permitted
One (1) Ramada	Permitted	Permitted in combination with the siting of a recreational vehicle,
		Not permitted in combination with the siting of a Holiday Cottage.
Enclosed Deck (e.g. Arizona room/sunroom)	NOT Permitted	NOT Permitted
Any structure that is attached to a Recreational Vehicle or a Holiday Cottage	NOT Permitted	NOT Permitted
The use of a bunk house, shed or similar structures for sleeping accommodation.	NOT Permitted	NOT Permitted

In December 2017, the FVRD received complaints about deficiencies within the development. The initial concerns were related to the way that certain fire hydrants had been incorrectly installed. The FVRD instructed the developer to correct the fire hydrant installation issues.

In March 2018, the FVRD received complaints about other aspects of the development relating to construction on individual strata lots. FVRD staff conducted a site inspection and at this time it was determined that the issues raised were unlikely to represent imminent health or safety hazards.

On May 17th, 2018 the FVRD conducted a second site inspection to review construction complaints.

On July 10th, 2018 the FVRD met with the developer on site to review the complaints and to conduct a site tour with the developer. A number of concerns were identified and the FVRD's letter dated July 24,

2018 provides further background on the deficiencies in the development that require the developer to address.

The FVRD's response to the developer regarding enclosed decks was as follows:

"Enclosed Decks (e.g. Arizona room/sunroom) are expressly prohibited on any lot within the development under the Comprehensive Development 1 (CD-1) Zone. The enclosed decks inspected all included floor to ceiling glass sliding panels on tracks that could be opened. Some of the glass panels included blinds. You clarified that all glass enclosures were approved by Bridal Falls RV Park and are all installed to your standards using a Lumon Retractable Frameless Glass Windbreak standard.

The rationale for the Comprehensive Development 1 (CD-1) Zone excluding "Enclosed Deck (e.g. Arizona room/sunroom) and specifically referencing "One (1) Open Deck", was based upon the desire to allow for construction of Open Decks under 215 sq ft without Building Permits. This is in keeping with the allowance to place Holiday Cottages without Building Permits and for placement of sheds under 100 sq ft. without Building Permits. During the rezoning review, decks were expressly considered as Open Decks and not habitable space because the sanitary sewer capacity is calculated based on seasonal occupancy of sites and maximums of 1-2 bedrooms. Enclosing open decks may lead to additional occupancy and sewage flows and may require further review.

The "Recreational Vehicles" and "Holiday Cottages" are defined in the Comprehensive Development 1 (CD-1) Zone to not require the issuance of a Building Permit. Open decks that are less than 20 m² (215 sq.ft) do not require issuance of a building permit. Enclosed decks require issuance of a building permit. The CD zone was specifically written to exclude enclosed decks/sunrooms/Arizona rooms so that site users would not have to obtain building permits if they constructed open decks under 20 m². Changes to the CD zone to allow enclosed decks will require an application for a zoning amendment."

On March 5, 2019, the developer made this rezoning application to address enclosed decks. The developer has expressly requested that this bylaw amendment be written so that only very specific materials are permitted to be used for enclosed decks. The developer does not wish to have strata owners install any other type of enclosed deck in order to achieve uniformity in the development and to maintain a certain aesthetic.

NEXT STEPS

Staff recommend that the FVRD Board give first reading to the proposed bylaw in order to proceed to a public hearing. The public hearing will be the opportunity for the residents of the development to express their opinions on the proposal to permit enclosed decks.

After consideration of First Reading and prior to Public Hearing, the developer will have to work with the FVRD Building Department to develop standard Building Permit drawings and specifications for enclosed decks, to streamline the Building Permit process for each individual strata lot owner. Input from the FVRD' emergency services department will also be incorporated into the development of a standard building permit.

Prior to consideration of adoption, the developer will be required to address all of the deficiencies identified in the FVRD's July 24 2018 letter.

First Nations

In accordance with the FVRD Policy "*First Nations Engagement on FVRD Land Use Bylaws and Other Matters With Statutory Requirement to Engage*", a notice and referral of the bylaw to potentially affected First Nations is considered appropriate. The bylaw will be referred to the neighbouring First Nations as part of the neighbourhood notification process.

COST

Zoning Amendment fee of \$2500 paid by the applicant.

CONCLUSION

It is recommended that Bylaw 1525, 2019 be given first reading and forwarded to public hearing.

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.

Jennifer Kinneman, Acting Chief Administrative Officer; Reviewed and supported

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: CD - no enclosures (current zone)

To: CD - with enclosures (proposed zone)

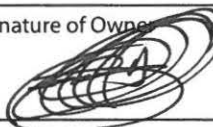
An Application Fee in the amount of \$2,500^{DB} as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 53480 Bridal Falls Rd., Rosedale, BC V0X-1X1 PID 029-454-387

Legal Description Lot A Block _____ Section 5 Township 3 Range 28 Plan EPP31491

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) <u>Bridal Falls RV Park Inc. BC 0865655</u>	Signature of Owner  <u>President</u>	Date <u>Feb 19th, 2019</u>
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information

Address <u>53480 Bridal Falls Rd,</u>	City <u>Rosedale, BC</u>
Email	Postal Code <u>V0X-1X1</u>
	Fax

Office Use Only	Date <u>5 MARCH 2019</u>	File No. <u>3360-23 2019-02</u>
	Received By	Folio No. <u>733.06403.060</u>
	Receipt No. <u>810813</u>	Fees Paid: \$ <u>2500.00</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 approx 18 acres (m² or ha)

Existing Use _____

Proposed Development / Text Amendment Allow for weather/wind protected decks enclosed in glass on rails or slide. Glass must be safety glass when acting as a railing. Must not increase habitable space (no bedrooms, no bathrooms). Glass must be single pane safety glass on a frame structure.

Justification and Support _____

(use separate sheet if necessary)

Anticipated Start Date: _____

Services

Services	Currently Existing		Readily Available *	
	Yes	No	Yes	No
Road Access	✓			
Water Supply	✓			
Sewage Disposal	✓			
Hydro	✓			
Telephone	✓			
School Bus Service				

* 'Readily Available' means existing services can be easily extended to the subject property.

Proposed

Water Supply

FVRD

Proposed

Sewage Disposal

Treatment Plant

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.

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 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.

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
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan 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:
Floor Plans			Uses of spaces & building dimensions
			Other:
Landscape Plan 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:
Reports			Geotechnical Report
			Environmental Assessment
			Archaeological Assessment
			Other:

* Sign company will be Gidney Signs.

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.

FRASER VALLEY REGIONAL DISTRICT

Bylaw No. 1525, 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. 1525, 2019*.

2) **TEXT AMENDMENT**

a) *That Zoning Bylaw [No. 75] for Electoral Area D, 1976 of the Regional District of Fraser Cheam, be amended:*

- i. In Section 2702 CONDITIONS OF USE by deleting the table, in its entirety and replacing it with the following:

Type of Use and Structures	Minimum Strata Lot Size Required for Types of Uses and Structures.	
	130m ²	222m ²
One (1) Recreational Vehicle	Permitted	Permitted
One (1) Holiday Cottage	NOT permitted	Permitted
One (1) Shed - Maximum Size 9.3m ² (100 sq ft)	Permitted	Permitted
One (1) Open Deck	NOT permitted	Permitted
One (1) Ramada	Permitted	Permitted only on strata lots with a recreational vehicle.
		Not permitted on any strata lot with a Holiday Cottage.
Enclosed Deck (e.g. Arizona room/sunroom)	NOT Permitted	Permitted subject to further regulations of this Bylaw.
Any structure that is attached to a Recreational Vehicle or a Holiday Cottage	NOT Permitted	NOT Permitted
The use of a bunk house, shed or similar structures for sleeping accommodation.	NOT Permitted	NOT Permitted

- ii. In Section 2704 LOT COVERAGE by deleting "The maximum lot coverage of all structures on a strata lot shall not exceed 50% of the gross strata lot area. For the purpose of calculating lot coverage, structures include; Recreational Vehicles, Holiday Cottages, Sheds, Open Decks, Ramadas and similar structures." and replacing it with: "The maximum lot coverage of all structures on a strata lot shall not exceed 50% of the gross strata lot area. For the purpose of calculating lot coverage, structures include; Recreational Vehicles, Holiday Cottages, Sheds, Open Decks, Enclosed Decks, Ramadas and similar structures."
- iii. In Section 2707 BUILDING REGULATIONS by adding:
 - "3. Enclosed Decks shall be permitted provided that:
 - i. The Enclosed Deck is constructed on a strata lot where a Holiday Cottage has been placed;
 - ii. The Enclosed Decks shall not be constructed on any strata lot where a Recreational Vehicle is placed;
 - iii. The Enclosed Deck may only be constructed of single pane safety glass panels mounted on a railing system that allows for the glass panels to be opened to provide ventilation; and
 - iv. The Enclosed Deck must not be used as habitable space. "
- iv. In Section 2078 SITING REGULATIONS by inserting the following row at the bottom of the table:

"

Enclosed Deck	2.5m	1.5m	1.5m	4.5m
---------------	------	------	------	------

"

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. 1525, 2019* as read a third time/adopted by the Board of Directors of the Fraser Valley Regional District on the

Dated at Chilliwack, B.C. this

Corporate Officer/ Deputy

To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: Andrea Antifaeff, Planner I

File No: 3015-20 2019-05

Subject: Agricultural Land Commission Application – Proposed Two (2) Lot Subdivision at 1385 Frost Road, Electoral Area “H”

RECOMMENDATION

THAT the application for a two (2) lot subdivision within the Agricultural Land Reserve for the property located at 1385 Frost Road, Electoral Area “H” be forwarded to the Agricultural Land Commission for consideration;

AND FURTHER THAT the Agricultural Land Commission consider the staff report dated May 8, 2019 under file number 3015-20 2019-05.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Foster a Strong & Diverse Economy

Support Environmental Stewardship

BACKGROUND

The Fraser Valley Regional District (FVRD) has received an application for a two (2) lot subdivision in the Agricultural Land Reserve by the owner of the property at 1385 Frost Road, Electoral Area “H”.

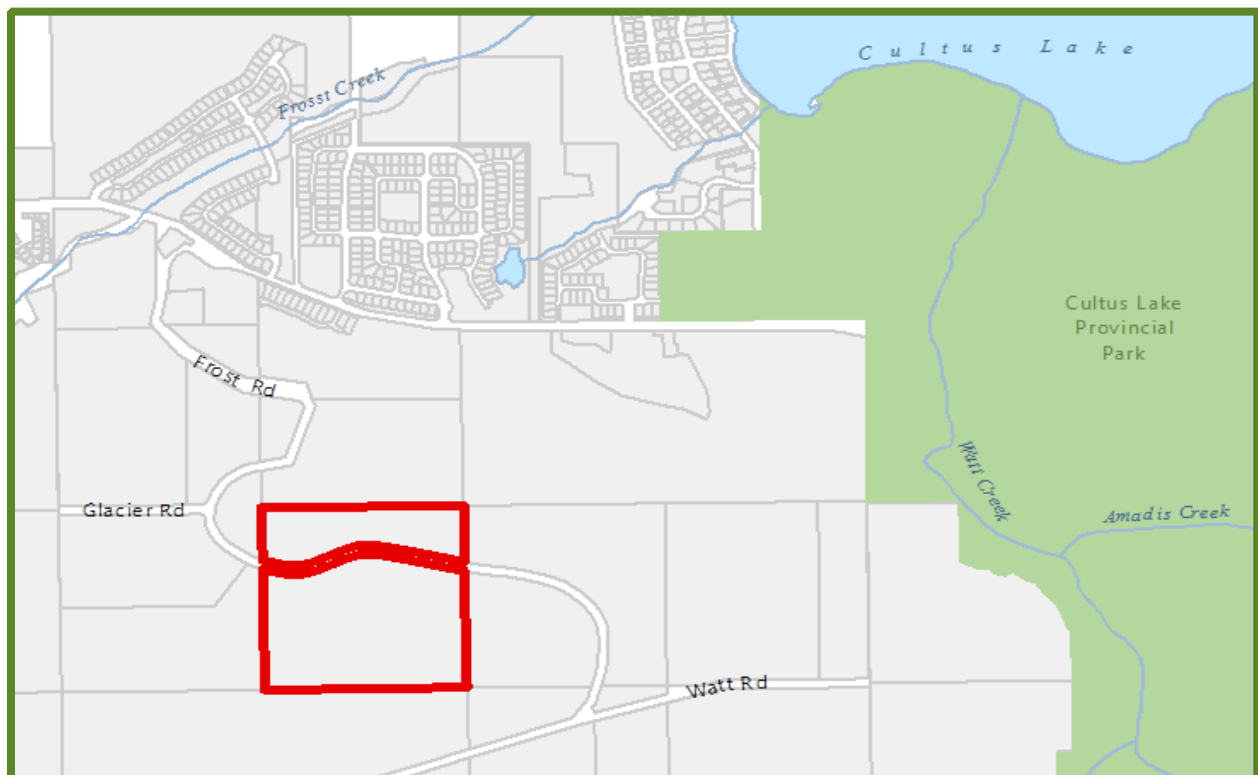
The property owner is proposing to subdivide the 40 acre parcel into two (2) lots along the dedication of a currently undedicated travelled road (Frost Road) that transects the property. The proposed lot sizes are as follows (see Appendix “B”):

- Lot 1: 10.8 acres (north of Frost Road)
- Road Dedication: 2.1 acres
- Remainder (LS 11): 27.3 acres (south of Frost Road)

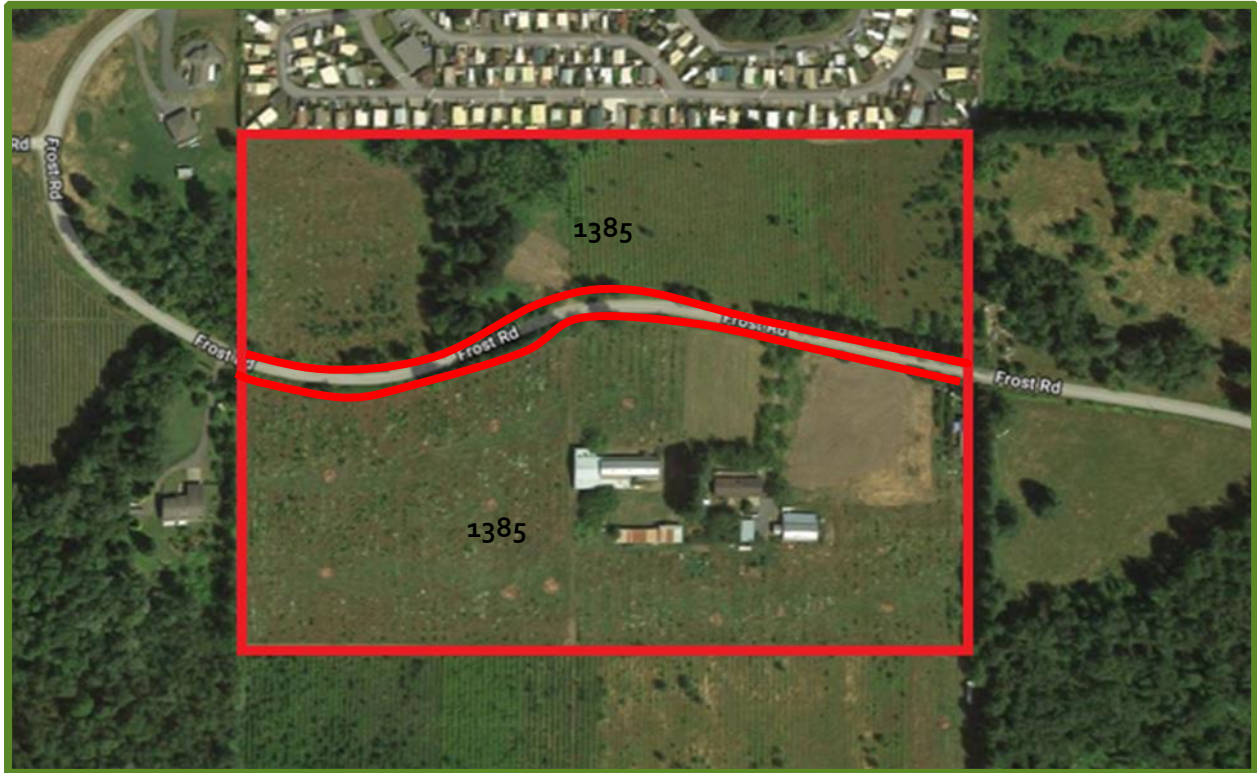
PROPERTY DETAILS			
Electoral Area	H		
Address	1385 Frost Road		
PID	004-583-523		
Folio	733.02959.000		
Lot Size	40 acres		
Owner	Vasilica Nemtanu	Agent	Florin Dumitru
Current Zoning	Rural Agriculture (R-Ag)	Proposed Zoning	No change
Current OCP	Agricultural (AG)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Agricultural
Development Permit Areas	DPA 5-E (RAR)		
Agricultural Land Reserve	Yes		

ADJACENT ZONING & LAND USES		
North	^	Campground-Holiday Park (CHP)/Campground & RV Park
East	>	Rural Agriculture (R-Ag), Residential/Farm
West	<	Rural Agriculture (R-Ag), Residential/Farm
South	v	Rural Agriculture (R-Ag), Residential/Farm

NEIGHBOURHOOD MAP



PROPERTY MAP - 2019 Google Imagery



DISCUSSION

Property Description and Subdivision Proposal

Current Use

In 2019, the property is classified as two (2) acres or more (Single Family Dwelling, Duplex) by BC Assessment. It does not currently have farm status and the property is not currently being used for agricultural purposes. There is a single family dwelling, mobile home, hazelnut processing facility, winery building, greenhouse, and three storage shelters located on the portion of the property south of Frost Road. The portion of the property located north of Frost Road does not contain any buildings.

Past Land Use

Before being shut down, there were previously two farm operations on the property - a winery and a hazelnut processing facility. The area north of Frost Road was planted with hazelnuts, grapes, blueberries, and raspberries. The area south of Frost was planted with hazelnuts and various fruit bearing vines and shrubs. The past property uses are shown on Appendix "D".

Current Land Use

The applicant advises that all of the hazelnut trees that were planted on the property have died and the property has been cleared, leaving fifteen (15) acres of land empty. The applicant advises that the winery and hazelnut processing facility are not in use and the property is no longer being used for agricultural production. BC Assessment data shows that the property did not have farm status in 2019, though it did have farm status from 2009-2018.

Future Land Use

The applicant is proposing to subdivide the subject property into two (2) lots of approximately 10.8 acres and 27.3 acres. The owner proposes to build a new house on the proposed lot located north of Frost Road and plant the remainder of the property with grapes. These grapes will be used to re-open the winery facility located on the proposed lot south of Frost Road. The property south of Frost Road is proposed to be sold to the owner's children who will then resume farm operations on that parcel. The owner proposes to plant blueberries on the proposed lot south of Frost Road and re-open the winery facility. The proposed future land uses for the property are shown in Appendix "C".

Mobile Home

In addition to the single family dwelling, there is a mobile home situated on the portion of the property south of Frost Road. The building permit application for the mobile home was initiated by a previous owner and has been closed as "incomplete" (Building Permit No. 98048).

A Section 219 covenant was registered on title (BM124796) to ensure the mobile home, as an "additional one-family dwelling" on the property, would only be occupied by a bona-fide farm hand and the mobile home is to be demolished or removed if the lands ceases to be classified as a farm by BC Assessment or the mobile home ceases to be occupied by a bona-fide farm hand. As Building Permit No. 98048 was closed and filed as incomplete, no certificate of occupancy was provided for the mobile home. As a condition of subdivision approval this mobile home would need to be removed from the property in accordance with the covenant or appropriately permitted by the ALC and FVRD.

Rationale for Subdivision

The application states that the property is transected by Frost Road, creating issues detrimental to farming operations. The property owner also states the following reasons in support of their application:

- The property does not currently have 'farm status' from BC Assessment;
- Their family is now financially able to revamp farm operations;
- Subdivision is supported by FVRD Zoning Bylaw regulations;
- The process would involve a new survey being completed for the property; and,

- Almost 15 acres of the hazelnuts trees have been decimated by the Eastern Filbert Blight causing removal of the trees and shutting down all farming operations related to the hazelnuts five years ago. The winery on the property was also closed, as the best-selling products were based on hazelnut syrups. The subdivision would allow for both parcels to begin new farming operations.

Surrounding Land Uses and Parcel Sizes

The subject parcel is bordered to the West, East and South by other properties within the ALR. To the North there is a holiday park that is not within the ALR.

	Uses	Zoning	OCP	ALR	Size (acres)
North	Seasonal Resort (Cultus Lake Holiday Park)	Campground Holiday Park	RT	No	20
South	Farm – Tree Fruits	Rural Agriculture	Agricultural	Yes	153.5
East	Single Family Dwelling	Rural Agriculture	Agricultural	Yes	40
West	Single Family Dwelling	Rural Agriculture	Agricultural	Yes	3.2 & 19.7

Previous Agricultural Land Commission (ALC) Applications

A previous subdivision application, submitted by the same owner of the subject property, was considered by the ALC in 2014 and a similar application was submitted to the ALC by a different owner in 1980.

The application for subdivision in 2014 was refused by the Agricultural Land Commission, with the following reasons provided in a written notification:

- The Commission considered a similar application to subdivide the subject property as divided by Frost Road in 1980. By Resolution #176/1980 the Commission refused the proposed subdivision on the grounds that Frost Road was not a major obstacle to the agricultural use of both sides of the subject property;
- The Commission believed that the previous decision was sound and that Frost Road was still not an impediment to farming the subject property as a single agricultural parcel;
- The Commission also believed that maintaining lot sizes as large as possible is beneficial to the preservation of agricultural land and is consistent with how the Commission has approached many previous applications in this particular area; and,
- The proposed subdivision would not be in keeping with the objectives of the Agricultural Land Commission Act to preserve agricultural land and encourage agriculture.

Soil Capability Classification for Agriculture

Lands within the Agricultural Land Reserve are assigned an agricultural capability classification. Generally the soils are classified on a scale ranging from 1 through 7; with Class 1 being applied to lands that have the ideal climate and soil to allow growth of the widest range of crops and Class 7 is applied to land that is considered non-arable, with no potential for soil bound agriculture. Classifications also consider the aridity, moisture content and topography of the soils. Capability classes are designated as unimproved and improved. Unimproved ratings are based on soil characteristics without physical improvements whereas improved ratings are based on assumptions that improvements are made to enhance the agricultural potential of the soil.

The subject property has an improved soil capability classification of two different agricultural capability classes (Class 3 and 4). The Agricultural Land Commission is the most appropriate agency to decide and comment on matters such as soil capability for agriculture. However for the Committee's benefit we provide the following summary of the agricultural capability:

- Class 3: Land in this class has limitations that require moderately intensive management practises or moderately restrict the range of crops, or both.
- Class 4: Land in this class has limitations that require special management practises or severely restrict the range of crops, or both.

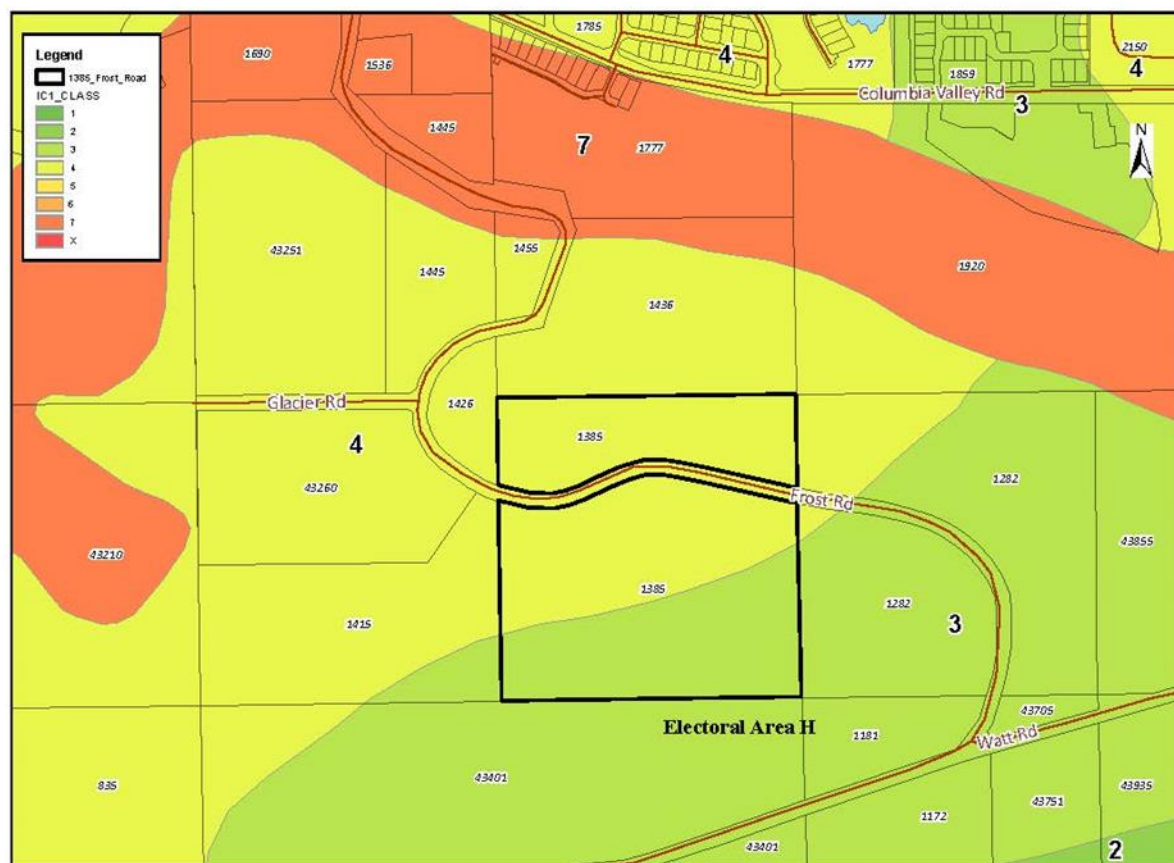


Image 1: Soil capability classification for the property located at 1385 Frost Road, Electoral Area “H”.

FVRD Policies and Regulations

Official Community Plan

The subject property is designated Agricultural (AG) per *Fraser Valley Regional District Official Community Plan for Electoral Area E Bylaw No. 1115, 2011*. The proposed subdivision meets the minimum parcel size of 4 hectares (10 acres) for lands outside of a floodplain.

The proposal shows consistency with the goals of the Official Community Plan subdivision policies, specifically:

Policy 5.1.20 New parcels created by subdivision within the AGRICULTURAL areas shall be configured to maximize agricultural sustainability and minimize potential conflicts between farm and non-farm uses.

Policy 5.1.21 The Regional Board will support applications for subdivision in the AGRICULTURAL areas, including subdivision of parcels split by a road in the Columbia Valley where:

- a. lot lines would follow roads and topographic barriers; or,*
 - b. the proposed subdivision will not result in conflicts with agriculture or diminish agricultural potential;*
- provided that the new configuration of parcels does not impede the use of agricultural machinery.*

Policy 5.1.22 Land in the AGRICULTURAL areas shall be subdivided only in accordance with the standards of the Responsible Authorities, except that the parcel size shall be:

- b. not less than four (4) hectares for lands outside of a floodplain.*

Zoning

The subject property is zoned Rural-Agriculture (R-Ag) under “Zoning Bylaw for Electoral Area “E”, 1976 of the Regional District of Fraser-Cheam”. The minimum parcel size for new lots to be created by subdivision in the R-Ag zone is 4 hectares (10 acres). The proposed subdivision meets the minimum lot size requirements and the proposed farm uses are permitted uses in the zone.

Subdivision Requirements

Should the applicant received approval for the proposed subdivision from the Agricultural Land Commission, a subsequent subdivision application to the Ministry of Transportation and Infrastructure (MOTI) is required. This application will be reviewed by the FVRD to ensure that the proposal meets the FVRD’s policies and regulations, including all necessary servicing requirements.

COST

The application fee of \$1,500.00 has been received by the applicant. A remittance of \$1,200.00 will be forwarded to the Agricultural Land Commission.

CONCLUSION

Subject to the FVRD subdivision approval and review process, the proposed subdivision may be approvable. It is recommended that the application be forwarded to the Agricultural Land Commission for consideration for the following reasons:

- The proposal meets the minimum parcel size requirements in the Zoning Bylaw;
- The Official Community Plan supports subdivision for parcels split by the road provided that the subdivision doesn't conflict with agricultural potential or fragment agricultural land;
- The Agricultural Land Commission is the best position to decide on the agricultural impact of the subdivision; and,
- The application should be forwarded to the Agricultural Land Commission for a decision on the basis of agricultural merit.

OPTIONS

Option 1 Forward to the ALC with support

THAT the Fraser Valley Regional District Board forward the application for ALR subdivision to the Agricultural Land Commission with support.

Option 2 Forward to the ALC

THAT the Fraser Valley Regional District Board forward the application for ALR subdivision to the Agricultural Land Commission for consideration.

Option 3 Refuse

THAT the Fraser Valley Regional District Board refuse the application for ALR subdivision and not forward the application to the Agricultural Land Commission.

COMMENTS BY:

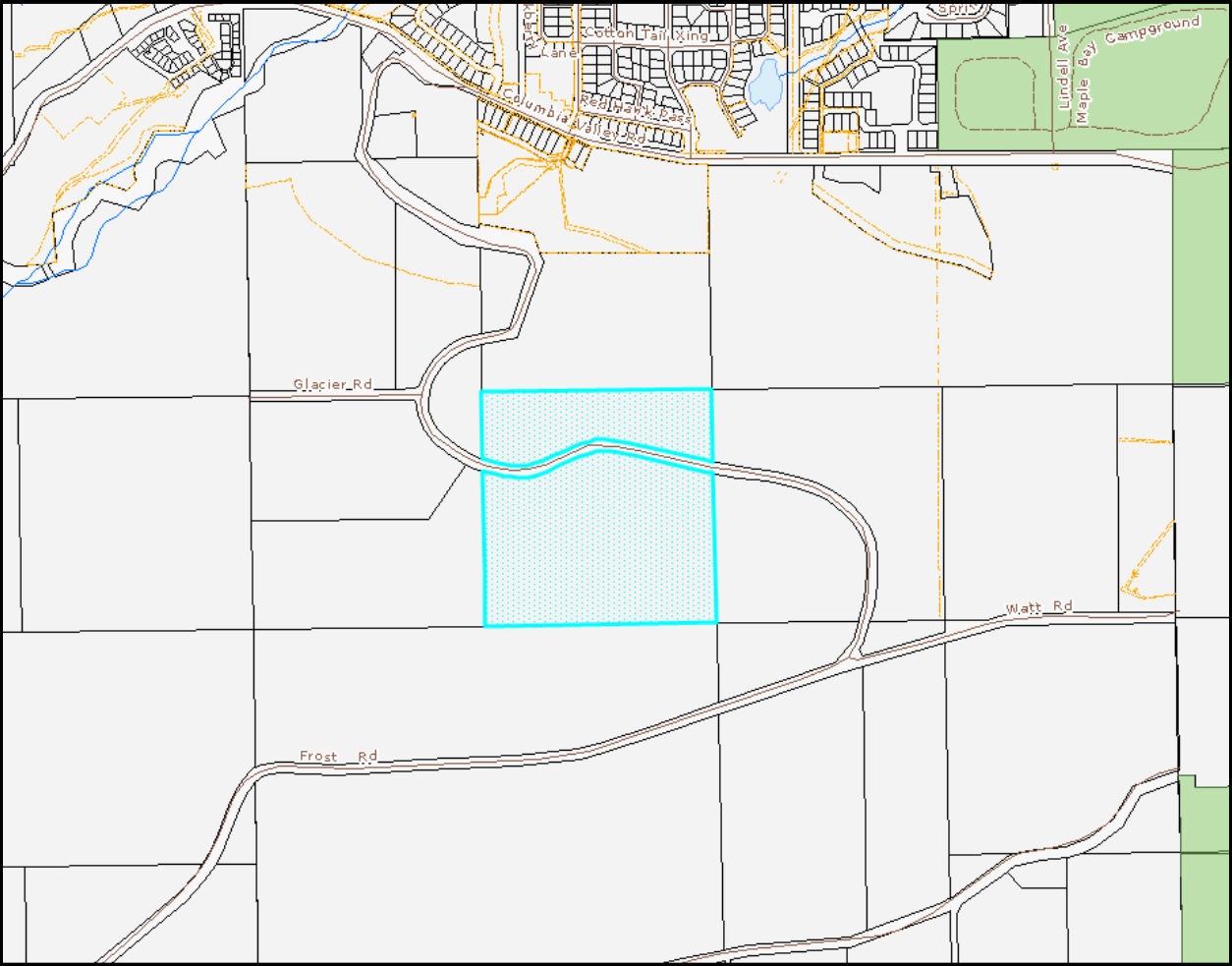
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported.

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

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

Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

Appendix "A"
Location Map



Appendix "B" Proposed Subdivision Layout



Appendix "C"

Proposed Farming Layout



Appendix "D" Past Land Uses Layout





Provincial Agricultural Land Commission - Applicant Submission

Application ID: 58778

Application Status: Under LG Review

Applicant: Vasilica Nemtanu

Agent: Florin Dumitru

Local Government: Fraser Valley Regional District

Local Government Date of Receipt: 03/07/2019

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: Described on attached Document and Plans.

Also provided as hard-copies to the planning department.

Agent Information

Agent: Florin Dumitru

Mailing Address:

1385 Frost Road

Lindell Beach, BC

V2R 4X8

Canada

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 004-583-523

Legal Description: Legal Subdivision 11 Section 10 Township 22 New Westminster District

Parcel Area: 15.4 ha

Civic Address: 1385 Frost Road

Date of Purchase: 06/26/2004

Farm Classification: No

Owners

1. **Name:** Vasilica Nemtanu

Address:

1385 Frost Road

Lindell Beach, BC

V2R 4X8

Canada

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Described on attached Document and Plans.

Also provided as hard-copies to the planning department.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Described on attached Document and Plans.

Also provided as hard-copies to the planning department.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Described on attached Document and Plans.

Also provided as hard-copies to the planning department.

Adjacent Land Uses

North

Land Use Type: Recreational

Specify Activity: Trailer Park

East

Land Use Type: Agricultural/Farm

Specify Activity: Unused

South

Land Use Type: Agricultural/Farm

Specify Activity: Unused

West

Land Use Type: Agricultural/Farm

Specify Activity: Unused

Proposal

1. Enter the total number of lots proposed for your property.

4.4 ha

11 ha

2. What is the purpose of the proposal?

Described on attached Document and Plans.

Also provided as hard-copies to the planning department.

3. Why do you believe this parcel is suitable for subdivision?

Described on attached Document and Plans.

Also provided as hard-copies to the planning department.

4. Does the proposal support agriculture in the short or long term? Please explain.

Described on attached Document and Plans.

Also provided as hard-copies to the planning department.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Agent Agreement - Florin Dumitru
- Proposal Sketch - 58778
- Other correspondence or file information - Plan 10021_B
- Professional Report - Document/Proposal
- Other correspondence or file information - Plan 10021_A
- Certificate of Title - 004-583-523

ALC Attachments

None.

Decisions

None.

Ms. Vasilica Nemtanu
1385 Frost Road
Lindell Beach, B.C.
V2R 4X8

February 23rd, 2019

Fraser Valley Regional District
45950 Cheam Avenue, Chilliwack, B.C., V2P 1N6

Agricultural Land Commission
133-4940 Canada Way, Burnaby, B.C., V5G 4K6


Dear Sir/Madam:

Re: Land use(s) applications and/or Building Permit(s)

This letter is to advise that Mr. Florin Dumitru has been authorized by the undersigned to act as my agent with respect to applications for land use approvals and/or building permit(s) for our properties at 1385 Frost Road Lindell Beach, BC.

If you require clarification on any particular aspect, please contact Mr. Florin Dumitru directly at

Yours truly,



Vasilica Nemtanu

To: Agricultural Land Commission

Date: February 23, 2019

Subject: Application for subdivision in the agricultural land reserve (ALR) to provide residence for a relative under section 514 of the local government ACT.

Applicant: Vasilica Nemtanu

Site Location: 1385 Frost Road, Lindell Beach, B.C, V2R 4X8, Electoral Area "E"

Legal Description: Legal Subdivision 11, Section 10, Township 22

P.I.D.: 004-583-523

Proposal:

Given following considerations about the lands:

1. They presently have "no farm use" according to BC assessment (see attached notice);
2. The property is physically divided (As indicated on attached drawings by the constructed road – Frost Road);
3. Our family has grown, and four of our children are adults now and willing to transform the property from lying fallow into a highly productive farm, as it used to be a decade ago;
4. The following issues are related to the current agricultural layout configuration of the property that needs resolving;
5. Almost 15 acres of the hazelnut trees were decimated slowly by the Eastern Filbert Blight causing massive removal of the trees and shutting down all operations 5 years ago. The winery closed, since its best-selling products were based on hazelnuts syrups;
6. Our family is now financially able to revamp the farm operations;

7. This land has never been surveyed. (There is no survey plan registered in the land title system showing the extent and location of the lands). This process would be a good opportunity to re-establish the boundaries around LS 11 as part of this subdivision process, if approved;
8. The subject parcel is zoned as R-Ag zoning as per “Zoning Bylaw” for electoral area “E”, 1976 of the Regional District of Fraser-Cheam; R-Ag zoning provides a 4 Hectare (10 Acre) minimum parcel size for new lots created and in our subdivision application we propose parcel sizes bigger than the minimum parcel size requirement;
9. Both parcels created by the subdivision if approved, will maintain R-Ag zoning, and they will stay within the agricultural land reserve. They will be brought back to farm use immediately.

Past use:

As indicated on drawing “10021_A” and “10021_B” created in 2013, there were two farm operations before shutting down operations, One was the winery and the other one was the hazelnut processing.

The area north of the road was planted with hazelnuts see area denoted (A), grapes (C), blueberries (D) & raspberries (E).

The area south of the road contains a winery, a hazelnut processing facility, a residence and outbuildings.

It was planned with hazelnuts (F), (G), (I) & (W), and various fruit bearing vines and shrubs (k) through (V). All hazelnut trees have died, and they were cleaned from the property leaving 15 acres of the land empty.

Current use:

Since the Blight invasion and closing farm operations 5 years ago, there has been no agricultural activity on the property. Crops are now gone, or in degrading conditions since there was no agricultural activity on the property therefore it is not a viable farm in its current state. It lost its farm status according to BC Assessment.

Proposed future use and subdivision benefits:

Four of our children are now adults and willing to help us bring the property back to farm status, re-open the winery and use the old hazelnut processing facility for producing syrups, jams and other fruit products. Our family reached an agreement that the older folks should re-vitalize the north side of the property planting new grapes in the areas (A), (C), (D) and (E) as shown on plan (10021_B), or areas (A) and (X) plan (10021_G). The north side of the road there is approximately 10.8 Acres. The road would be dedicated as public road at 66 feet width and it would be approximately 2.1 Acres. This is merely updating the property survey because the Road was built years ago, and by virtue of the Highway Act it is not part of the property.

The younger members of the family would like to revamp the winery and the fruit processing facility since our old very well-known winemaker is willing to come back if we re-open. The south side of the property (south of the road), approximately 27.3 Acres will be all covered by blueberry plants. The proposed operations layout as shown on drawing "10021_G".

By agreement between us and our children all grapes harvested on the north side of the road will be processed and turned into wine at the winery on the south side by our young family members.

It is proposed to separate the two operations by a legal subdivision into two parcels using the road as divider. On the North side we will build a new house and move in. The south side will be owned by our 2 sons and 3 daughters, all with equal ownership, 20% each.

Their demand for ownership was made so they can invest their savings and time into this agricultural enterprise. Ownership represents a guarantee for them that after investing and working on the land they will be able in the end to collect their rewards.

Conclusions:

We request that the Agricultural Land Commission consider very carefully these factors since what we are proposing is to basically preserve this agricultural land by allowing our young children to become farmers and work with their own financial possibilities and willingness to perform.

As a fact, the most important reason why Canada's economy is one of the strongest in the world is due to its perfected Title System that guarantees owners legal protection and access to financing to succeed in their land improvements or agricultural projects.

This subdivision will not physically diminish the agricultural land size, since the split line is represented by the road itself.

The footprint of the new house on the North side does not take away from crop area since area "B" is not suitable for crops because it is covered by trees and is too steep for farming (sloping down approximately 45° towards the West end of it).

If this subdivision is approved, it will help revamp an old dysfunctional farm that has a huge potential.

As another fact, this winery located on the property used to be the second largest winery in western BC. We are now willing, because we have help from our entire family, to bring our farm back on its feet.

We do strongly believe that maintaining lot sizes as large as possible is beneficial to the preservation of agricultural land, but sometimes it makes sense to subdivide considering that old farmers are getting older and

unable to work a large parcel and their children that are now adults, demand property rights in order to secure their future. They need a title because they need guarantees.

We are willing to sustain them in their request and we ask you kindly to perform a vigorous analysis of our situation even though it might be out of your comfort zone to approve land subdivision.

All owner-parties resulted from this subdivision if it gets approved, will be involved in active farming uses.

As presented earlier, this subdivision will not fragment the holding from an agricultural point of view but just from a title view (since the Road already splits it).

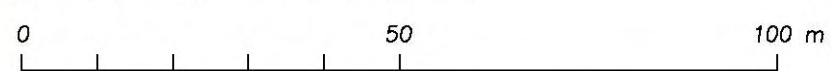
The house footprint will be located on rugged terrain unsuitable for crops. This subdivision will help re-vitalize mainly our wine production and that will be a great achievement for the local community as well.

If our request is granted and we are successful at regaining this farm to operational viable status, our farm will then be the only operational one within 3 km radius.



PROPOSAL PLAN FOR SUBDIVISION

SCALE 1 : 1000



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
EXCEPT OTHERWISE INDICATED

OF: **LEGAL SUBDIVISION 11 SECTION 10 TOWNSHIP 22**

CIVIC ADDRESS: **1385 FROST ROAD, LINDELL BEACH, B.C.**

P.I.D.: **004 - 583 - 523**

JANUARY 08TH, 2013

PREPARED FOR SUBDIVISION APPLICATION PURPOSES ONLY

FILE NUMBER: **10021_A**

To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: Graham Daneluz, Deputy Director of Planning & Dev't

File No: 3015-20

Subject: Policy – Non-Farm Use Applications for Cannabis Production Facilities in the ALR

RECOMMENDATION

THAT the Fraser Valley Regional District Board adopt the policy titled *Non-Farm Use Application for Cannabis Production Facilities in the ALR*.

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
Priority #2 Air & Water Quality

BACKGROUND

With recent changes to the Agricultural Land Reserve Regulation, cannabis production is a farm use permitted outright within the ALR only if it is grown in the soil, in a structure with a soil base, or in a structure built for the growing of crops before July 13, 2018. This means that many new cannabis production facilities (CPFs) in the ALR will require Non-farm Use approvals.

Non-farm Use applications are submitted by the applicant to the ALC Application Portal and the application is sent directly to FVRD. The FVRD Board may either:

1. forward the application - with 'support' or any other comments it deems appropriate - to the ALC so that the Commission may make a decision on it; or,
2. do not forward the application to the ALC in which case the application will not proceed.

To date, FVRD has received four Non-Farm Use applications for CPFs and more are anticipated.

DISCUSSION

A draft policy to assist the Board in evaluating Non-Farm Use application is attached for consideration by Electoral Area Directors. The policy takes into account direction provided at the December 2018 and April 2019 EASC meetings. A staff presentation from December 2018 is attached for reference.

COMMENTS BY:

Margaret Thornton, Director of Planning & Development

Reviewed and supported

Mike Veenbaas, Director of Financial Services

Not available for comment

Jennifer Kinneman, Acting Chief Administrative Officer

Reviewed and supported



FRASER VALLEY REGIONAL DISTRICT
POLICY AND PROCEDURES

SUBJECT: Non-Farm Use Applications for Cannabis Production Facilities in the ALR

EFFECTIVE DATE:

REVISION DATE:

1.0 BACKGROUND

Cannabis production facilities involve the lawful production of cannabis or marihuana and products derived from cannabis or marihuana.

Under the Agricultural Land Commission Act, land within the Agricultural Land Reserve (ALR) must not be used for a non-farm use unless it has been permitted by the Agricultural Land Commission. Before July 13, 2018, the production of cannabis was classified as a farm use in the ALR.

On July 13, 2018, the Agricultural Land Commission made changes to the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (ALR Regulation) to make the lawful production of cannabis a farm use only if it is produced¹:

1. outdoors in a field; or,
2. inside a structure that:
 - i. has a base consisting entirely of soil (no concrete footing or floor), or
 - ii. was under construction, or was constructed, before July 13/18 for the purpose of growing crops inside it.

Cannabis production not as described in section 2(2.5) of the ALR Regulation is not a farm use and may not be undertaken without a successful Non-Farm Use application to the Agricultural Land Commission.

The procedure for Non-Farm Use applications is set out in the Agricultural Land Commission Act. Before applications are considered by the Agricultural Land Commission, they are first reviewed by the Regional District. If the application: 1) applies to land that is zoned to permit agricultural or farm use; or, 2) requires an amendment to an official community plan or a zoning bylaw, the application may not proceed to the Commission for a decision unless it is authorized to do so by a resolution of the Regional District Board.

2.0 PURPOSE

The purpose of this policy is to:

- assist the FVRD Board in reviewing Non-Farm Use applications for cannabis production facilities;
- identify some of the potential considerations of the FVRD Board when reviewing applications;

¹ See Section 2(2.5) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg 171-2002).

- assist applicants in preparing applications that address the interests and concerns of the FVRD Board;
- minimize the impact of cannabis production facilities on neighbours and the surrounding community; and,
- support the successful integration of cannabis production facilities into agricultural and rural communities where it is appropriate to do so.

This policy does not address the growing of up to four cannabis plants per dwelling as provided for under the federal Cannabis Act and the provincial Cannabis Control and Licensing Act.

3.0 POLICIES

General Considerations

- 3.1 The FVRD Board may support non-farm use applications for cannabis production facilities where: a) they are in accordance with federal licenses or as authorized under the Cannabis Act and the provincial Cannabis Control and Licensing Act; and, they are permitted by the applicable zoning bylaw or a temporary use permit.
- 3.2 Where an application: a) applies to land that is zoned to permit agricultural or farm use; or, b) requires an amendment to an official community plan or a zoning bylaw, the FVRD Board may decline to forward the application to the Agricultural Land Commission.
- 3.3 The FVRD Board may: a) require that applicants hold a public information meeting; or, b) direct FVRD staff to hold a public information meeting; to present details of the proposed cannabis production facility and receive input from the community.
- 3.4 The FVRD Board may wish to consider the number and scale of existing and proposed cannabis production facilities within the community and the cumulative affect they may have on water resources, waste streams and community life.

Siting & Location of Cannabis Production Facilities

- 3.5 Buildings and structures for the production of cannabis should be setback:
 - a) 30 metres from all lot lines;
 - b) 60 metres from all lot lines adjacent to non-ALR residential uses; and,
 - c) 150 metres from any lot line of a parcel that contains a park or school.
- 3.6 Cannabis production facilities should not be located within any building or structure that also contains, or is attached, to a building containing a residential use.

Design of Cannabis Production Facilities

- 3.7 Cannabis production facilities requiring Non-Farm Use approvals should take place within buildings with Group F major occupancy classification as defined in the BC Building Code.

- 3.8 Where an industrial-style building is proposed and the FVRD Board is concerned that the form/character of the building may be incompatible with the rural or agricultural character of the area, the Board may request a submission prepared by an Architect (AIBC) which demonstrates how the proposed building and landscaping will fit with character of the community.
- 3.9 Exterior lighting should be intentionally designed to: a) avoid `light trespass` onto adjacent properties; and, b) maintain `dark skies` by using fully shielded luminaires that project light below the horizontal plane of the fixture.
- 3.10 The cannabis production facility, or the part of the facility where cannabis is produced, packaged, labelled or stored, should be equipped with a system designed by a qualified professional that filters air to prevent the escape of odours.
- 3.11 Health Canada licensing rules require that the perimeter of cannabis cultivation sites be monitored at all times by visual recording devices. The use of security cameras and recording devices should conform to the *Guidelines for Overt Video Surveillance in the Private Sector* by the Office of the Privacy Commissioner of Canada. Security Cameras and recording devices should be positioned to avoid intruding on the privacy of occupants of adjacent private properties.
- 3.12 Cannabis production facilities should minimize: a) the use of water resources; b) the discharge of wastewater to the environment; and, c) the consumption of energy.

Use of Buildings

- 3.13 Large industrial-style buildings are conducive to a wide range of uses not permitted by the zoning bylaw or the *ALR Regulation*. This could result in difficult enforcement challenges if cannabis production ceases and is replaced with non-conforming uses. Where this is a concern: a) the use of the building should be restricted to cannabis production facility and farm uses that accord with both the relevant FVRD zoning bylaw and the Agricultural Land Commission Act; and, b) a mechanism should be identified for the recovery costs associated with any enforcement activities related to non-permitted use of the building.

Implementation

- 3.14 This policy will be implemented through covenants, liaison with provincial and federal agencies, the provision of assurances and other means as appropriate.
- 3.15 This policy does not in any way limit or fetter the Board in its consideration of Non-Farm Use applications related to cannabis production facilities.
- 3.16 This policy should be reviewed periodically, particularly when bylaws are changed to address cannabis production facilities.

End



NON-FARM USE CANNABIS PRODUCTION FACILITIES IN THE ALR

Is a Policy Needed?

CPF

- CPF = cannabis production facility
 - › growing, rearing, harvesting, storing, processing, testing, shipping, R&D

OUTLINE

- Non-farm Use application for CPFs
- Types of Buildings Being Proposed
- Opportunity for Policy
- Is a Policy Needed?
- Potential Policy Choices
 - › choose your own adventure

BIG PICTURE: RESPONDING TO LEGALIZATION

- **Non-Farm Use in ALR** ——— **today**
- Retail Sales Policy ——— next year
- Zoning Amendments ——— next year
 - › medical marihuana → cannabis
 - › clarify retail sales
 - › improved zoning regulations

ALR REGULATION

❑ Changed July 13, 2018

❑ Before

- › Marihuana production was a Farm Use in ALR
- › Permitted without restriction on ALR land
- › Local gov't could not prohibit & had limited ability to regulate in ALR

❑ Now

- › Cannabis production in ALR a Farm Use only if grown in:
 - Soil
 - Structure with soil base
 - Crop growing structure built or started before July 13/18

ALR REGULATION

❑ Under the new ALR Reg...

- › CPFs in new buildings will be Non-Farm Uses in the ALR
 - require Non-Farm Use application to Local Gov't & ALC
 - Local Gov't can deny Non-Farm use applications
- › Local gov't has broader authority to prohibit and regulate CPFs within ALR

TYPES OF CPF BUILDINGS PROPOSED

- 3 current Non-Farm Use application
 - › Farms Road, Area F
 - › Seux Road, Area F
 - › Dent Road, Area B
- CPFs in the works outside ALR
 - › e.g. Bell Rd(G) → not the subject here

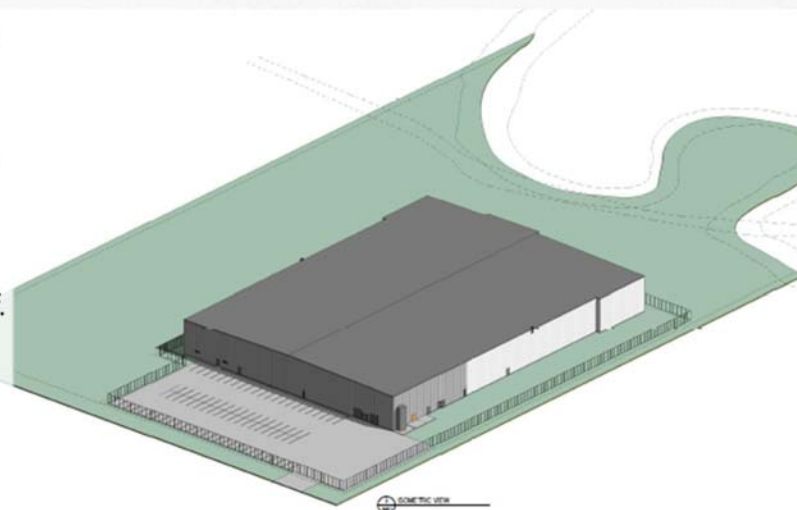
PacWest Canopy

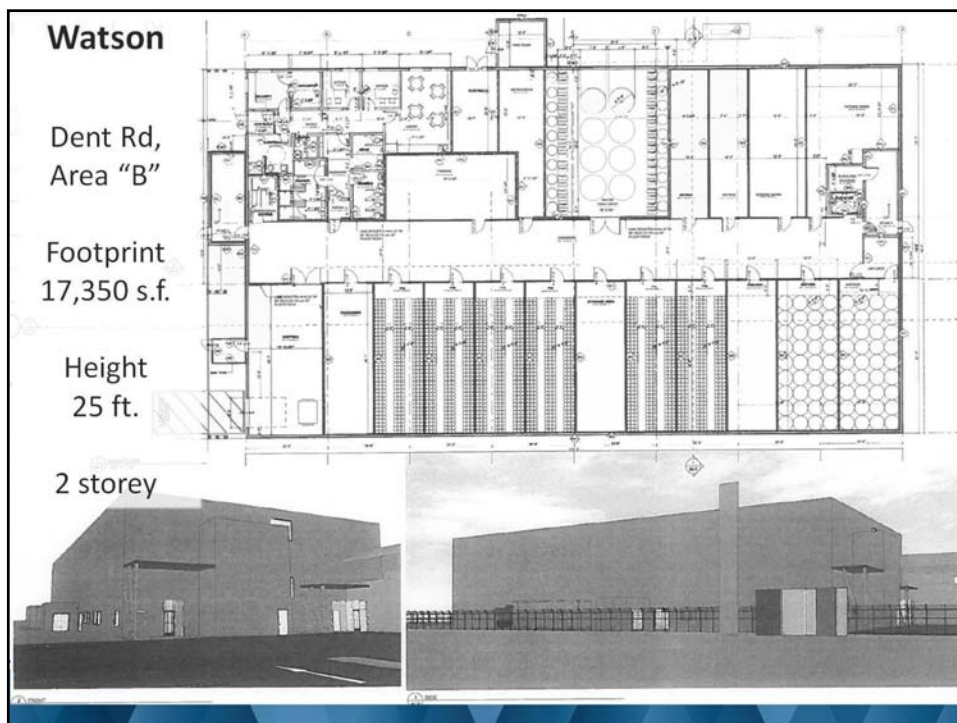
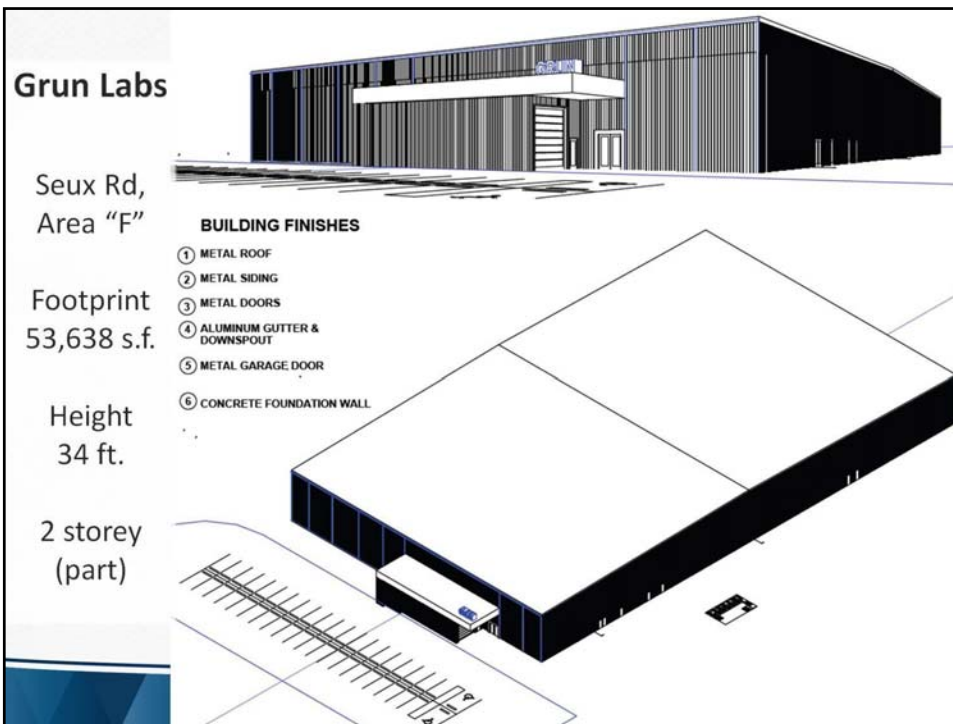
Farms Rd,
Area "F"

Footprint
100,344 s.f.

Height
40 ft.

2 storey





BUILDING ELEMENTS

- ❑ Security fencing
 - › 3 m
 - › breach detection
 - ❑ Exterior lighting
 - ❑ Cameras & security
 - ❑ Ventilation
- Health
Canada
licencing
requirements

OPPORTUNITY FOR POLICY

- ❑ Decisions on Non-Farm Use applications are discretionary
 - › ALC will not consider application unless it is forwarded by resolution of the Board
- ❑ Policy could...
 - › reduce impacts to community
 - › provide industry with greater certainty
 - › stop gap until improved zoning regs are in place

IS A POLICY NEEDED?

- Consideration:
 - › Large, industrial-style buildings in rural agricultural landscapes
 - › Community concerns (Area F) with:
 - light spill
 - odour
 - aesthetics
 - › Policy can help with these

IS A POLICY NEEDED?

- Consideration:
 - › Growing in buildings (non-farm use) may have less impact than growing in soil or greenhouses (farm use)
 - buildings offer greater emissions control & security
 - don't want to disincentivize the option with less impacts

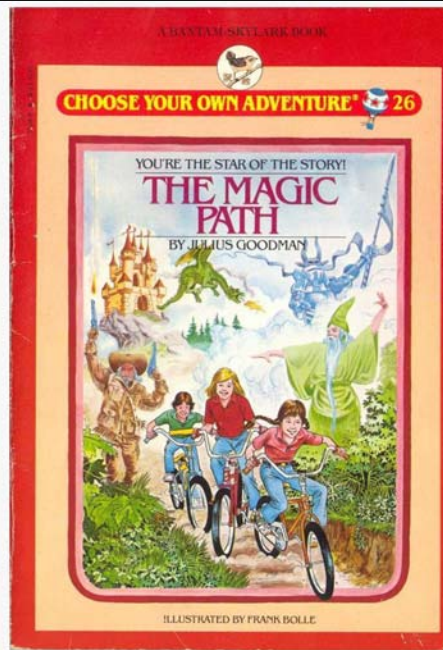
IS A POLICY NEEDED?

- Consideration:
 - › Policy won't affect CPFs outside ALR
 - onerous policy may create an uneven playing field

IS A POLICY NEEDED?

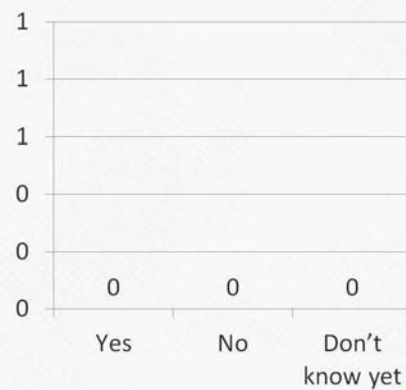
- Consideration:
 - › It's a permitted use
 - FVRD zoning allows Medical Marihuana Grow Operation in agricultural zones
 - but... zoning regs are basic
 - standard setbacks for agricultural buildings
 - developed before changes to ALR Regulation
 - don't address light, odour and other issues

PLEASE RAISE
YOUR HAND
TO INDICATE
YOUR
ANSWER TO
THE
QUESTIONS
ON THE
FOLLOWING
SLIDES...



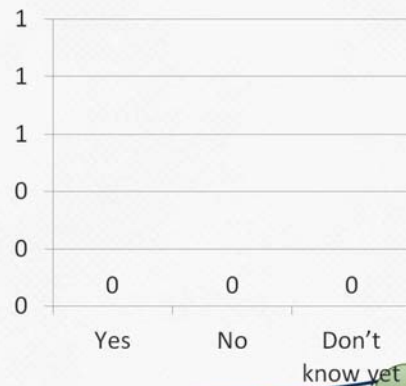
Is a policy needed to guide Non-Farm Use applications for CPFs in the ALR?

1. Yes
2. No
3. Don't know yet



Should the policy require a public info meeting,
where the Board deems it appropriate?

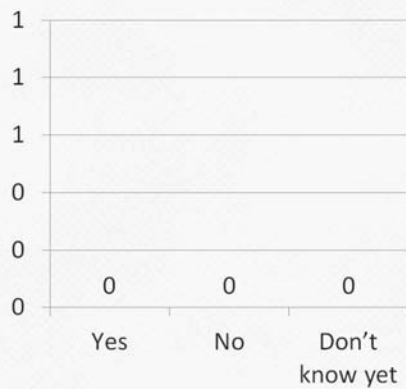
1. Yes
2. No
3. Don't know yet



10

Should the policy address light spill to sky
and/or neighbours?

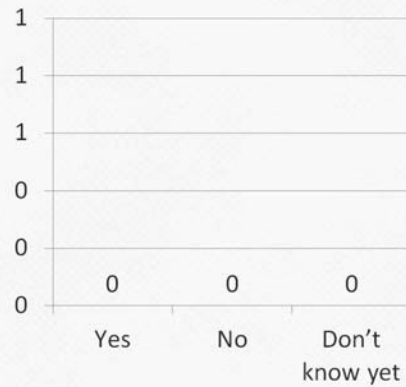
1. Yes
2. No
3. Don't know yet



10

Should the policy require professional design of an odour control system for the building?

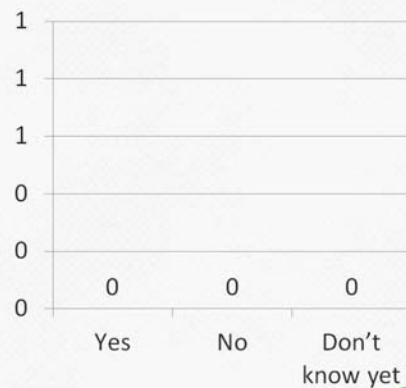
1. Yes
2. No
3. Don't know yet



10

Should the policy address setback distances from lot lines, residential zones, schools, parks and other CPFs?

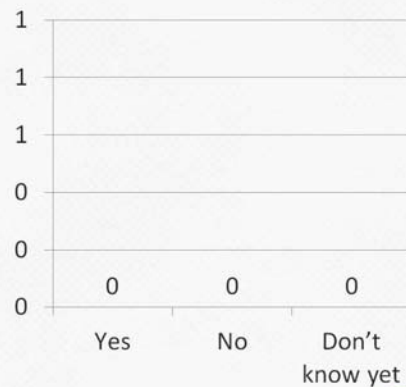
1. Yes
2. No
3. Don't know yet



10

Should the policy support a covenant limiting the use of buildings to CPF and permitted Farm Uses?

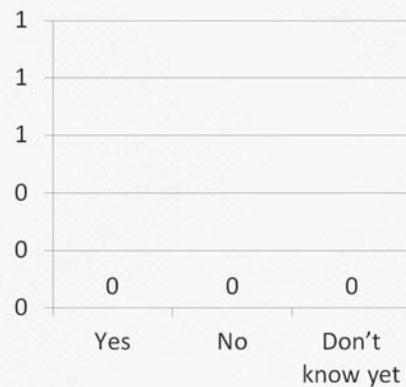
1. Yes
2. No
3. Don't know yet



10

Should the policy require architectural design for screening and 'fit' with community?

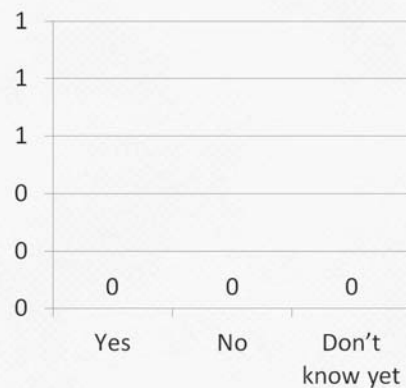
1. Yes
2. No
3. Don't know yet



10

Just confirming... is a policy needed?

1. Yes
2. No
3. Don't know yet



10

THANK YOU!

- If you chose a policy...
 - › draft policy based on input for your consideration in January
 - › applications will be brought forward in conjunction with a policy
- If you chose no policy...
 - › we appreciate your time and guidance
 - › applications will brought forward independently

To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: Reg Dyck, Manager of Electoral Area Emergency Services
And Jaime Reilly, Manager of Corporate Administration

File No: 3920-20-1526, 2019

Subject: Fraser Valley Regional District Emergency Program Regulations Establishment Bylaw No. 1526, 2019

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as *Fraser Valley Regional District Emergency Program Regulations Establishment Bylaw No. 1526, 2019*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services
Support Healthy & Sustainable Community

PRIORITIES

Priority #3 Flood Protection & Management

BACKGROUND

In 1997, the Fraser Valley Regional District Emergency Measures Regulatory Bylaw No. 0127, 1997 was adopted in order to regulate and manage the FVRD's Emergency Management Program.

DISCUSSION

As many years have since passed since the establishment of the FVRD's Emergency Management Program, an updated and modernized bylaw that is reflective of the current practices and legislation is being brought forward for the Board's consideration. The proposed bylaw has been drafted in consultation with the requirements of the *Emergency Program Act*, associated Regulations and the British Columbia Emergency Management System.

Under the *Emergency Program Act*, a Board must establish an Emergency Program which is charged with the development and implementation of emergency plans and other preparedness, response and recovery measures for emergencies and disasters. The Emergency Program is implemented, structured and maintained according to the FVRD Emergency Management Response and Recovery Plan. The proposed bylaw sets out the responsibilities and powers of the Board, the Electoral Area Services

Committee (EASC), the Emergency Program Coordinator, as well as the Emergency Operations Centre Director. These responsibilities and powers are established in legislation.

The Manager of Electoral Area Emergency Services, as the appointed Emergency Coordinator will work with EASC to provide the strategic direction and oversight to the Emergency Program, to prepare annual budgets and to approve the FVRD Emergency Management Response and Recovery Plan.

COST

There are no costs associated with this proposed bylaw

CONCLUSION

The Fraser Valley Regional District Emergency Program Regulations Establishment Bylaw No. 1526, 2019 is being brought forward to the Board for consideration of three readings and adoption.

COMMENTS BY:

Tareq Islam, Director of Engineering & Community Services

Reviewed and supported.

Mike Veenbaas, Director of Financial Services

No further financial comments.

Jennifer Kinneman, Acting Chief Administrative Officer

Reviewed and supported.

**FRASER VALLEY REGIONAL DISTRICT
BYLAW NO. 1526, 2019**

A bylaw to regulate the Emergency Management Program

WHEREAS the Board of Directors of the Fraser Valley Regional District ("the Board") has, by *Fraser Valley Regional District Emergency Management Program Extended Service Area Establishment Bylaw No. 0136, 1997* established emergency program services for all Electoral Areas:

AND WHEREAS the Board wishes to provide a comprehensive management program to prepare for, respond to and recover from emergencies and disasters;

THEREFORE the Board enacts as follows:

1) CITATION

This bylaw shall be cited as *Fraser Valley Regional District Emergency Program Regulations Establishment Bylaw No. 1526, 2019*.

2) DEFINITIONS

In this bylaw:

"Act" means the Emergency Program Act and associated Regulations. Unless otherwise specifically stated, the words used in this bylaw shall have the same meaning as words have in the Act;

"Board" means the Fraser Valley Regional District Board of Directors;

"Chair" means that person elected by the Board as Chair, or in the absence of the Chair, the person elected as Vice-Chair;

"Emergency Coordinator" means that person appointed by the Board, under Section 6.1, as head of the emergency management program.

"Emergency Program" means the emergency management organization responsible for the development and implementation of emergency plans and other preparedness, response and recovery measures for emergencies and disasters within the Fraser Valley Regional District (FVRD) Electoral Areas;

"Emergency Operations Centre Director" means that person responsible for the overall management of the Emergency Operations Centre as described in the FVRD Emergency Plan.

"Emergency Plan" means the overall FVRD plan which provides a comprehensive emergency management framework to develop, coordinate and manage emergency planning, preparedness, response and recovery within FVRD Electoral Areas.

3. EMERGENCY PROGRAM

- 3.1 In accordance with the provisions of the Act, an Emergency Program is hereby established and charged with the development and implementation of emergency plans and other preparedness, response and recovery measures for emergencies and disasters. The Emergency Program will be implemented, structured and maintained according to the FVRD Emergency Plan.

4. THE BOARD

- 4.1 The Board is responsible for:
- a) the declaration of a state of local emergency under the Act;
 - b) delegating powers available under the Act, as required, and to monitor the use of such powers;
 - c) approving any emergency policies necessary to facilitate the response to an emergency or disaster;
 - d) ensuring that sufficient budget, staff and resources are provided to maintain an essential level of emergency program preparedness.
- 4.2 Despite Section 4.1, the Chair may carry out the responsibilities specified in Sections 4.1 a) and b) where, because of circumstances of an emergency or disaster, it is not possible to assemble a quorum of the Board, and provided the Chair has made every effort to obtain the consent of the other members of the Board. The Chair must, as soon as practicable after making such declaration, convene a meeting of the Board to assist in directing the response to the emergency.

5. ELECTORAL AREA SERVICES COMMITTEE ("EASC")

- 5.1 The Electoral Area Services Committee must:
- a) provide strategic direction and oversight to the Emergency Program;
 - b) finalize the annual strategic plan and budgets for presentation to the Board;
 - c) approve emergency plans developed by the Emergency Program.

6. EMERGENCY PROGRAM COORDINATOR

- 6.1 The Manager of Electoral Area Emergency Services is hereby appointed as the Emergency Coordinator and as head of the Emergency Program.
- 6.2 The Coordinator is responsible for:
- a) preparing and developing emergency plans respecting preparation for, response to and recovery from emergencies and disasters;
 - b) providing leadership to and administration of the Emergency Program;
 - c) coordinating and/or supervising any sub-committees or work groups;
 - d) developing a strategic plan, action plans and budgets;

- e) maintaining all emergency plans and documentation;
- f) maintaining and coordinating a training and exercise program;
- g) coordinating with other governments, non-government agencies, First Nations and the private sector;
- h) establishing and maintaining an Emergency Operations Centre ("EOC");
- i) establishing, coordinating and supporting volunteer programs;
- j) on-going assessment of hazards, risks and vulnerability;
- k) day to day management of the Emergency Program;

7. EMERGENCY OPERATIONS CENTRE DIRECTOR ("EOC DIRECTOR")

7.1 After a declaration of a state of emergency has been made, the EOC Director may do all acts and implement all procedures the EOC Director considers necessary to prevent, respond to or alleviate the effects of an emergency or a disaster, including any or all of the following:

- a) acquiring or using any land or personal property considered necessary;
- b) authorizing or requiring any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required;
- c) controlling or prohibiting travel to or from any area;
- d) providing for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services;
- e) causing the evacuation of persons and the removal of livestock, animals and personal property from any area that is or may be affected by an emergency or disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and personal property;
- f) authorizing the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program or if otherwise considered necessary;
- g) causing the demolition or removal of any tress, structures or crops if considered necessary or appropriate;
- h) constructing works considered to be necessary or appropriate;
- i) procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources or equipment for the duration of the state of emergency;
- j) authorize, in writing, any persons involved in the operation of the Emergency Plan or Emergency Program to exercise any power available in this section;
- k) immediately after the termination of a declaration of state of local emergency, causing the details of the termination to be published by a means of communication that the Coordinator considers most likely to make the contents of the termination known to the majority of the population of the affected area.

8. 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.

9. REPEAL

Fraser Valley Regional District Emergency Measures Regulatory Bylaw No. 0127, 1997 and any amendments thereto are hereby repealed.

10. 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

11. CERTIFICATION

I hereby certify that this is a true and correct copy of *Fraser Valley Regional District Emergency Program Regulations Establishment Bylaw No. 1526, 2019* as adopted by the Board of Directors of the Fraser Valley Regional District on the

Dated at Chilliwack, BC this

Corporate Officer/Deputy

CORPORATE REPORT

To: CAO for the Electoral Area Services Committee
From: Melissa Geddert, Planning Technician

Date: 2019-05-08
File No: 6430-01-General

Subject: Bill 18 – 2018 Local Government Statutes Amendment Act, 2018 – Housing Needs Reports

INTENT

This report is intended to advise the Committee of information pertaining to the enactment of *Bill 18 – Local Government Statutes Amendment Act* requiring the preparation of Housing Needs Reports. Staff is not looking for a recommendation and has forwarded this information should members want more clarification to discuss the item further.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

BACKGROUND

In 2018 the Provincial Government introduced *Bill 18 - Local Government Statutes (Housing Needs Reports) Amendment Act, 2018*, amending the *Local Government Act*. The intent of the legislation is to provide local governments with tools to understand the need for more affordable and appropriate housing in British Columbia's tight real estate market.

As of April 16, 2019 Bill 18 has come into force. Bill 18 requires local governments to assess the housing needs of their communities and report on the findings. The reports will help local governments and the Province better understand and respond to long-term housing needs specific to their communities. Per the legislation, Housing Needs Reports must be considered when amending or creating Official Community Plans and Regional Growth Strategies.

DISCUSSION

Bill 18 - Local Government Statutes (Housing Needs Reports) Amendment Act, (attached as Appendix A) is now in effect. Under the requirements of the Act, the Fraser Valley Regional District (FVRD) and each municipality is required to produce a Housing Needs Report within the next three years (April 2022) and

every five years after that. Each municipality and regional district is required to collect data, analyze trends and present reports that describe current and anticipated housing needs.

Provincial Requirements

The legislation and regulations outline specific requirements for local governments to determine current and projected housing needs. Attached as Appendix B is a summary of the legislative and regulatory requirements for housing needs reports, which involves collecting and analyzing distinct types of data about:

- current and project population;
- household income;
- significant economic sectors; and
- currently available and anticipated housing units.

The data for the housing needs reports includes:

- **BC Assessment data** – evaluation of assessed values and sales prices of housing;
- **BC Housing data** – inventory of non-market housing and new homes registered;
- **BC Stats data** – projected population and household demographics from 2018 to 2028;
- **Canada Mortgage and Housing Corporation (CMHC) data** – assessment of primary rental market prices, primary rental vacancy rates and some secondary rental market data;
- **Statistics Canada Census data** – analysis of population and household demographics, labour force, household income, housing units and core housing need.

As part of the legislated requirement to monitor the Regional Growth Strategy, the FVRD holds a large amount of data required for the Housing Needs Report, but there are gaps. In addition to the FVRD's inventory, the province is preparing an accessible database that includes a large proportion of data the FVRD is required to collect. However, information gaps on rental data for the Electoral Areas and smaller communities may need to be addressed through collaboration with community partners.

Community Partnerships

Partnerships between local governments to undertake this work are permitted. If requested, the FVRD could consider coordinating the collection and reporting of housing needs information on behalf of a member municipality, provided that community specific information and reporting is provided for each individual electoral area and participating municipality.

Funding

To assist local governments with meeting the new requirements, the Province is providing a funding program administered by the Union of BC Municipalities. All local governments are eligible to apply. Applications are now being accepted for the 2019 program, the application deadlines are May 31, 2019 and November 29, 2019.

Funding maximums are based on the population of the planning area and are outlined in Table 1. Under the Housing Needs Reports program, eligible costs and activities must be cost-effective and include:

- Development of new or updated housing needs reports (as required by the Local Government Act), including:

- Project management and coordination;
- Data collection (from public agencies and/or other data costs), compilation and analysis, not including data made available via the Ministry of Municipal Affairs & Housing for the purpose of developing housing needs reports;
- Research specific to the development of housing needs reports;
- Community engagement, such as collaboration with neighbouring local governments and partner organizations, community surveys, and engagement activities;
- Publication of housing needs reports including editing, proofing, graphic design, etc.;
- Presentation of housing needs reports to Council, Board, or Local Trust Committee;
- Consultant costs;
- Incremental staff and administration costs;
- Public information costs; and
- Training and capacity building for local government staff specific to developing housing needs reports.

Funding requests for combined planning areas (municipalities, and/or electoral areas) may be submitted as a single application for eligible, collaborative projects. The total funding request for regional projects cannot exceed \$150,000. To qualify for funding, projects must be capable of completion within one year from the date of funding approval.

Table 1 - Planning Area Net Population Funding Maximum (Based on 2016 census of population)

Planning Area	Net Population	Funding Maximum
Fraser Valley A	405	\$15,000
Fraser Valley B	915	\$15,000
Fraser Valley C	1,023	\$15,000
Fraser Valley D	1,529	\$15,000
Fraser Valley E	1,540	\$15,000
Fraser Valley F	1,293	\$15,000
Fraser Valley G	1,776	\$15,000
Fraser Valley H	1,847	\$15,000
Abbotsford, City of	141,397	\$70,000
Chilliwack, City of	83,788	\$50,000
Harrison Hot Springs, Village of	1,468	\$15,000
Hope, District of	6,181	\$20,000
Kent, District of	6,067	\$20,000
Mission, District of	38,883	\$30,000

CONCLUSION

Housing needs reports are a means for the FVRD to better understand the region's current and future housing needs. The report will help identify existing and projected gaps in housing supply and is critical to developing a housing strategy or action plan.

COMMENTS BY:

Alison Stewart, Manager of Strategic Planning: Reviewed and Supported

Stacey Barker, Director of Regional Services: Reviewed and supported.

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

Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

2018 Legislative Session: 3rd Session, 41st Parliament
THIRD READING

The following electronic version is for informational purposes only.
The printed version remains the official version.

Certified correct as passed Third Reading on the 14th day of May, 2018
Craig James, Clerk of the House

HONOURABLE SELINA ROBINSON
MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

BILL 18 – 2018
LOCAL GOVERNMENT STATUTES
(HOUSING NEEDS REPORTS) AMENDMENT ACT, 2018

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

PART 1 – LOCAL GOVERNMENT

Local Government Act

1 Section 429 of the Local Government Act, S.B.C. 2015, c. 1, is amended by adding the following subsection:

(2.1) Unless a board is exempted, or is in a class of local governments exempted, under section 585.11 [*application of this Division*], the board must consider the most recent housing needs report the board received under section 585.31 [*when and how housing needs report must be received*], and the housing information on which the report is based,

- (a) when developing a regional growth strategy,
- (b) when amending a regional growth strategy in relation to actions proposed under subsection (2) (c) (i) of this section, or
- (c) when considering a regional growth strategy under section 452 (2).

2 Section 473 is amended by adding the following subsection:

(2.1) Unless a local government is exempted, or is in a class of local governments exempted, under section 585.11 [*application of this Division*], the local government must consider the most recent housing needs report the local government received under section 585.31 [*when and how housing needs report must be received*], and the housing information on which the report is based,

- (a) when developing an official community plan,
- (b) when amending an official community plan in relation to statements and map designations under subsection (1) (a) of this section, or
- (c) when amending an official community plan in relation to housing policies under subsection (2) of this section.

3 The following Division is added to Part 14:

Division 22 – Housing Needs Reports

Definitions for this Division

585.1 (1) In this Division:

"applicable area" means

- (a) in relation to a municipality, the area of the municipality,
- (b) in relation to a regional district, the electoral areas in the regional district other than an area within the trust area, and
- (c) in relation to the trust, the local trust areas;

"local government" includes a local trust committee.

(2) The definitions in section 1 of the *Islands Trust Act* apply for the purposes of this Division.

Application of this Division

585.11 This Division applies to a local government unless the local government

- (a) is exempted by regulation, or
- (b) is in a class of local governments that is exempted by regulation.

Housing needs reports

585.2 A local government must prepare housing needs reports in accordance with this Division.

Collection of housing information

585.21 (1) Subject to the regulations, a local government must collect information in relation to the demand for and supply of housing for the applicable area of the local government for the purpose of preparing a housing needs report.

(2) For the purpose of subsection (1), a local government must collect the following:

- (a) statistical information about current and projected population;
- (b) statistical information about household income;
- (c) information about significant economic sectors;
- (d) information about currently available housing units and housing units that are anticipated to be available, including information about types of housing units;
- (e) any other prescribed information.

Content of housing needs report

585.3 A housing needs report must

- (a) be in a format prescribed by regulation, if any,
- (b) be based on the information collected under section 585.21, and
- (c) include the following, subject to the regulations, in relation to the applicable area for the local government:
 - (i) for each type of housing unit, the number of housing units required to meet current housing needs;
 - (ii) for each type of housing unit, the number of housing units required to meet anticipated housing needs for at least the next 5 years;
 - (iii) any other prescribed information.

When and how housing needs report must be received

585.31 (1) A local government must, by resolution, receive housing needs reports in accordance with this section.

- (2) A local government must receive a housing needs report at a meeting that is open to the public.
- (3) A local government must receive
 - (a) the first housing needs report no later than 3 years after the date this section comes into force, and
 - (b) every subsequent housing needs report no later than 5 years after the date that the most recent housing needs report was received.

Publication of housing needs report

585 . 4 As soon as practicable after a local government receives a housing needs report, the local government must publish the housing needs report on an internet site that is

- (a) maintained by the local government or authorized by the local government to be used for publishing the report, and
- (b) publicly and freely accessible.

Regulation-making powers

585 . 41 (1) In relation to this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*, including regulations respecting any matter for which regulations are contemplated by this Division.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

- (a) for the purposes of section 585.11 [*application of this Division*], exempting a local government or a class of local governments from this Division;
- (b) respecting information that must be collected under section 585.21 [*collection of housing information*], including, without limitation, in relation to the nature, level of detail and type of information that must be collected and prescribing the periods of time for which the information must be collected;
- (c) providing that information collected under section 585.21 may be collected only for parts of an applicable area and specifying those parts;
- (d) prescribing types of housing units;

(e) providing that a housing needs report may include the matters described in section 585.3 (c) [*content of housing needs report*] only for parts of an applicable area and specifying those parts;

(f) prescribing the format of a housing needs report;

(g) prescribing when a housing needs report must be received by a local government if the local government was, but is no longer, exempt under section 585.11.

(3) In addition to any other variation authority that is specifically provided in this Act, a regulation that may be made by the Lieutenant Governor in Council under this section may

(a) establish different classes of local governments, parts of an applicable area, matters, circumstances or other things,

(b) make different provisions, including exceptions, for different classes referred to in paragraph (a), and

(c) make different provisions, including exceptions, for different local governments, parts of an applicable area, matters, circumstances or things.

4 Section 1 of the Schedule is amended by adding the following definitions:

"housing information" means the housing information collected under section 585.21 [*collection of housing information*];

"housing needs report" means a housing needs report within the meaning of Division 22 of Part 14; .

Vancouver Charter

5 Section 2. of the Vancouver Charter, S.B.C. 1953, c. 55, is amended by adding the following definitions:

"housing information" means the housing information collected under section 574.2 [*collection of housing information*];

"housing needs report" means a housing needs report within the meaning of Division (6) of Part XXVII; .

6 The following heading is added before section 559.:

Division (1) – Interpretation .

7 The following heading is added before section 560.:

Division (2) – Planning and Development .

8 Section 561. is amended by adding the following subsection:

(3.1) The Council must consider the most recent housing needs report received by the Council under section 574.4, and the housing information on which the report is based,

- (a) when developing a development plan, or
- (b) when amending a development plan in relation to housing policies under subsection (3).

9 The heading before section 565. is repealed and the following substituted:

Division (3) – Zoning .

10 The heading before section 572. is repealed and the following substituted:

Division (4) – Board of Variance .

11 The heading before section 574. is repealed and the following substituted:

Division (5) – Advisory Planning Commission .

12 The following Division is added:

Division (6) – Housing Needs Reports

Housing needs reports

574 . 1 The Council must prepare housing needs reports in accordance with this Division.

Collection of housing information

574 . 2 (1) Subject to the regulations, the Council must collect information in relation to the demand for and supply of housing for the city for the purpose of preparing a housing needs report.

- (2) For the purpose of subsection (1), the Council must collect
 - (a) statistical information about current and projected population;
 - (b) statistical information about household income;

- (c) information about significant economic sectors;
- (d) information about currently available housing units and housing units that are anticipated to be available, including information about types of housing units;
- (e) any other prescribed information.

Content of housing needs report

574.3 A housing needs report must

- (a) be in a format prescribed by regulation, if any,
- (b) be based on the information collected under section 574.2, and
- (c) include the following, subject to the regulations, in relation to the city:
 - (i) for each type of housing unit, the number of housing units required to meet current housing needs;
 - (ii) for each type of housing unit, the number of housing units required to meet anticipated housing needs for at least the next 5 years;
 - (iii) any other prescribed information.

When and how housing needs report must be received

574.4 (1) The Council must, by resolution, receive housing needs reports in accordance with this section.

(2) The Council must receive a housing needs report at a meeting that is open to the public.

(3) The Council must receive

- (a) the first housing needs report, subject to subsection (4), no later than 3 years after the date this section comes into force, and
- (b) every subsequent housing needs report no later than 5 years after the date that the most recent housing needs report was received.

(4) If,

(a) within one year after this section comes into force, the Council

- (i) submits a report to the minister that includes the information described in section 574.3 (c), and

(ii) applies in writing to the minister for a determination whether the report under paragraph (a) (i) of this subsection is an acceptable report, and

(b) the minister notifies the Council that the minister considers that the report submitted under paragraph (a) (i) of this subsection is an acceptable report,

that report is the first housing needs report for the purposes of subsection (3) (a) of this section.

Publication of housing needs report

574 . 5 As soon as practicable after the Council receives a housing needs report, the Council must publish the housing needs report on an internet site that is publicly and freely accessible.

Regulations

574 . 6 (1) In relation to this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*, including regulations respecting any matter for which regulations are contemplated by this Division.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

(a) respecting information that must be collected under section 574.2, including, without limitation, in relation to the nature, level of detail and type of information that must be collected and prescribing the periods of time for which the information must be collected;

(b) prescribing types of housing units;

(c) prescribing the format of a housing needs report.

PART 2 – TRANSITIONAL PROVISION

Transition – local government housing needs reports

13 (1) In this section:

"applicable area" means an applicable area as defined in section 585.1, added to the *Local Government Act* by this Act;

"housing needs report" means a housing needs report as defined in section 1 of the Schedule to the *Local Government Act* as amended by this Act;

"interim housing needs report" means a report that sets out the following for an applicable area:

- (a) for each type of housing unit, the number of housing units required to meet current housing needs;
- (b) for each type of housing unit, the number of housing units required to meet anticipated housing needs for the next 5 years;
- (c) any other prescribed information;

"local government" includes a local trust committee as defined in section 1 of the *Islands Trust Act*;

"publish" means publish on an internet site that is

- (a) maintained by the local government or authorized by the local government to be used for this purpose, and
- (b) publicly and freely accessible.

(2) Section 585.31 (3) (a) [*when and how housing needs report must be received*], added to the *Local Government Act* by this Act, does not apply to a local government if one of the following applies:

- (a) on or after January 2, 2018 and before the date this section comes into force, the local government
 - (i) receives, by resolution, or adopts, by bylaw, at a meeting that is open to the public, an interim housing needs report, and
 - (ii) publishes the interim housing needs report;
- (b) the local government
 - (i) substantially starts an interim housing needs report before the date this section comes into force,
 - (ii) receives, by resolution, or adopts, by bylaw, at a meeting that is open to the public, the interim housing needs report no later than one year after the date this section comes into force, and
 - (ii) publishes the interim housing needs report no later than one year after the date this section comes into force;

- (c) within one year after this section comes into force, the local government
- (i) submits an interim housing needs report to the minister,
 - (ii) applies in writing to the minister for a determination whether the interim housing needs report is an accepted report, and
 - (iii) the minister notifies the local government that the minister considers that the interim housing needs report is an acceptable report.

(3) For purposes of section 585.31 (3) (a), added to the *Local Government Act* by this Act, an interim housing needs report of a local government in relation to which

- (a) the local government has taken the actions described in subsection (2) (a) or (b) of this section, or
- (b) the minister has provided notification under subsection (2) (c) of this section

is the first housing needs report.

(4) For the purposes of subsection (2) (b) of this section, the Lieutenant Governor in Council may prescribe criteria that a local government has to meet to establish that it has substantially started an interim report.

(5) The Lieutenant Governor in Council may make regulations for any matter for which regulations are contemplated by this section.

Commencement

14 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 5	By regulation of the Lieutenant Governor in Council
3	Section 8	By regulation of the Lieutenant Governor in Council
4	Sections 12 and 13	By regulation of the Lieutenant Governor in Council

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Guide to Requirements for Housing Needs Reports

Effective April 16, 2019 provincial requirements require all local governments to complete housing needs reports for their communities by April 2022 and every five years thereafter.

Together, the housing needs reports legislation and regulations specify requirements for:

- **Information Collection** - As a basis for determining current and projected housing needs, local governments are required to collect approximately 50 distinct kinds of data.
- **Report Content** - All housing needs reports are required to contain certain content, based on analysis of the information collected, and a standardized summary form.

This guide is an overview of the requirements in each of these areas.¹

The requirements related to housing needs reports are detailed in legislation and associated regulations:

- The *Local Government Act* (mainly Part 14) and Housing Needs Reports Regulation.
- *Vancouver Charter*, Section 27 and Vancouver Housing Needs Reports Regulation.

Links to the legislation and regulations, as well as implementation supports for local governments to meet the requirements, are available at:

<https://www2.gov.bc.ca/gov/content/housing-tenancy/local-governments-and-housing/policy-and-planning-tools-for-housing/housing-needs-reports>

Local governments who are already working on, or who have recently completed a housing needs report (before April 2019), may be considered to have met the legislated requirement for their first report. Please contact ministry staff about whether these transitional provisions could apply to your local government.

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¹ Note: In the event of discrepancy with this document, the meaning of the legislation and regulations prevails.

Required Information (Data Collection)

As a basis for determining current and projected housing needs, local governments are required to collect approximately 50 kinds of data about:

- current and projected population;
- household income;
- significant economic sectors; and
- currently available and anticipated housing units.

In the case of a regional district, this information is required for each electoral area to which the report applies (except for electoral areas with a population of less than 100). In the case of the Islands Trust, the information is required for each local trust area.

Most of the data that local governments are required to collect is provided at: <https://catalogue.data.gov.bc.ca/group/housing-needs-reports>

The tables below detail each of the required kinds of data, its source and the time frame for which it is required.

Understanding trends is an important part of data analysis. Consequently, local governments are required to collect information on previous as well as current years.

- For data that is available from Statistics Canada, the period for which data will be required will be the previous three Census reports. For other information, the required period will be comparable. Local governments may choose to look further back if information is available.
- Information projections will be required to look at least five years forward.

Population <i>Time Frame: previous 3 Census reports, except marked *</i>	Source of Data	Housing Needs Report Regulation
Total population	Statistics Canada Census	Section 3 (1) (a) (i)
Population growth [# and %]	Statistics Canada Census	Section 3 (1) (b)
Age - Average and median age	Statistics Canada Census	Section 3 (1) (a) (ii), (iii)
Age - Age group distribution (0-14, 15-19, 20-24, 25-64, 65-84, 85+) [# and %]	Statistics Canada Census	Section 3 (1) (a) (iv)
Mobility – number of non-movers, non-migrants, migrants	Statistics Canada Census	Section 3 (1) (a) (x)
Number of individuals experiencing homelessness* (if available)	Homeless Counts	Section 3 (1) (d)
Number of students enrolled in post-secondary institutions* (if applicable)	AEST	Section 3 (1) (c)

Households <i>Time Frame: previous 3 Census reports</i>	Source of Data	Housing Needs Report Regulation
Total number of households	Statistics Canada Census	Section 3 (1) (v)
Average household size	Statistics Canada Census	Section 3 (1) (vi)
Breakdown of households by size (1, 2, 3, 4, 5+ people) [# and %]	Statistics Canada Census	Section 3 (1) (vii)
Renter and owner households [# and %]	Statistics Canada Census	Section 3 (1) (viii)
Renter households in subsidized housing [# and %]	Statistics Canada Census	Section 3 (1) (ix)

Anticipated Population <i>Time Frame: next 5 years</i>	Source of Data	Housing Needs Report Regulation
Anticipated population	BC Stats	Section 3 (2) (a)
Anticipated population growth [# and %]	BC Stats	Section 3 (2) (b)
Anticipated age - Average and median age	BC Stats	Section 3 (2) (c), (d)
Anticipated age - Age group distribution (0-14, 15-19, 20-24, 25-64, 65-84, 85+) [# and %]	BC Stats	Section 3 (2) (e)

Anticipated Households <i>Time Frame: for next 5 years</i>	Source of Data	Housing Needs Report Regulation
Anticipated number of households	BC Stats	Section 3 (2) (f)
Anticipated average household size (# of people)	BC Stats	Section 3 (2) (g)

Household Income <i>Time Frame: previous 3 Census reports</i>	Source of Data	Housing Needs Report Regulation
Average and median household income (if available)	Statistics Canada Census	Section 4 (a), (b)
Households in specified income brackets (# and %) (if available)	Statistics Canada Census	Section 4 (c)
Renter household income – Average and median (if available)	Statistics Canada Census	Section 4 (f)
Renter households in specified income brackets (# and %) (if available)	Statistics Canada Census	Section 4 (d)
Owner household Income – Average and median (if available)	Statistics Canada Census	Section 4 (g)
Owner households in specified income brackets (# and %) (if available)	Statistics Canada Census	Section 4 (e)

Economic Sectors & Labour Force <i>Time Frame: previous 3 Census reports. Except for *</i>	Source of Data	Housing Needs Report Regulation
Total number of workers	Statistics Canada Census	Section 5 (a)
Number of workers by industry (North American Industry Classification System – NAICS)	Statistics Canada Census	Section 5 (b)
Unemployment rate and participation rate	Statistics Canada Census	Section 7 (b), (c)
Commuting destination* (within census subdivision; to different census subdivision; to different census division; to another Province/Territory)	Statistics Canada Census	Section 7 (d), (e), (f), (g)

Housing Units – Currently occupied/available	Source of Data	Housing Needs Report Regulation
Total number of housing units	Statistics Canada Census	Section 6 (1) (a)
Breakdown by structural type of units [# and %]	Statistics Canada Census	Section 6 (1) (b)
Breakdown by size – # of units with 0 bedrooms (bachelor); 1 bedroom; 2 bedrooms; 3+ bedrooms	Statistics Canada Census	Section 6 (1) (c)
Breakdown by date built (pre-1960; 1961-80; 1981-90; 1991-00; 2001-10; 2011-16; 2017) [# and %]	Statistics Canada Census	Section 6 (1) (d)
Number of housing units that are subsidized housing	BC Housing/ BCNPHA ²	Section 6 (1) (e)
Rental vacancy rate – overall and for each type of unit (if available)	CMHC	Section 6 (1) (i), (j)
Number of primary and secondary rental units (if available)	CMHC, Various	Section 6 (1) (k) (i), (ii)
Number of short-term rental units (if available)	Various	Section 6 (1) (k) (iii)
Number of units in cooperative housing (if applicable)	Coop Housing Federation of BC	Section 6 (1) (l)
Number of Post-secondary housing (number of beds) (if applicable)	AEST	Section 6 (1) (o)
Shelter beds and housing units for people experiencing or at risk of homelessness (if applicable)	BC Housing	Section 6 (1) (p)

² BCNPHA: BC Non-profit Housing Association

Housing Units – Change in housing stocks (past 10 years)	Source of Data	Housing Needs Report Regulation
Demolished - overall and breakdown for each structural type and by tenure (if available)	Local government	Section 6 (1) (m) (i), (ii), (iii), (iv)
Substantially completed - overall and breakdown for each structural type and by tenure (if available)	Local government	Section 6 (1) (n) (i), (ii), (iii), (iv)
Registered new homes - overall and breakdown for each structural type and for purpose-built rental	BC Housing	Section 6 (3) (a), (b), (c)

Housing Values <i>Time Frame: 2005 onward for first report; past 10 years for subsequent reports</i>	Source of Data	Housing Needs Report Regulation
Assessed values - Average and median for all units	BC Assessment	Section 6 (1) (f) (i)
Assessed values - Average and median by structural type (e.g. single detached, apartment, etc.)	BC Assessment	Section 6 (1) (f) (ii)
Assessed values - Average and median by unit size (0, 1, 2, 3+ bedrooms)	BC Assessment	Section 6 (1) (f) (iii)
Sale Prices – Average and median for all units and for each structural type	BC Assessment	Section 6 (1) (g) (i)
Sale Prices – Average and median by structural type (e.g. single detached, apartment, etc.)	BC Assessment	Section 6 (1) (g) (ii)
Sale Prices - Average and median by unit size (0, 1, 2, 3+ bedrooms)	BC Assessment	Section 6 (1) (g) (iii)
Rental Prices – Average and median for all units and for unit size (# of bedrooms) (if available)	CMHC	Section 6 (1) (h) (i)
Rental Prices - Average and median by unit size (0, 1, 2, 3+ bedrooms)	CMHC	Section 6 (1) (h) (ii)

Households in Core Housing Needs <i>Time Frame: previous 3 Census reports</i>	Source of Data	Housing Needs Report Regulation
Affordability – households spending 30%+ of income on shelter costs (overall # and % of households)	Statistics Canada Census	Section 7 (a) (i)
Affordability – households spending 30%+ of income on shelter costs (# and % of renter and owner households)	Statistics Canada Census	Section 7 (a) (ii)
Adequacy – households in dwellings requiring major repairs (overall # and % of households)	Statistics Canada Census	Section 7 (a) (iii)
Adequacy – households in dwellings requiring major repairs (# and % of renter and owner households)	Statistics Canada Census	Section 7 (a) (iv)
Suitability – households in overcrowded dwellings (overall # and % of households)	Statistics Canada Census	Section 7 (a) (v)
Suitability – households in overcrowded dwellings (# and % of renter and owner households)	Statistics Canada Census	Section 7 (a) (vi)

Required Content for Housing Needs Reports

All housing needs reports are required to contain the following content, based on analysis of the information collected. In the case of a regional district, this content is required for every electoral area to which the report applies. In the case of the Islands Trust, the content is required for each local trust area to which the report applies.

- The number of housing units required to meet current housing and anticipated housing needs for at least the next five years, by housing type.
- Statements about key areas of local need.
- The number and percentage of households in core housing need and extreme core housing need.
- A standardized summary form.

Note that a regional district *does not need* to include the following content for electoral areas with a population of less than 100.

Housing units required – Current and Anticipated (in 5 years)	Legislation
Number of units needed by “type” (unit size): 0 bedrooms (bachelor); 1 bedrooms; 2 bedrooms; and 3+ bedrooms	LGA: 585.3 (c) (i), (ii); VC: 574.3 (c) (i), (ii)

Households in core housing need <i>Time frame: previous 3 Census reports</i>	Housing Needs Reports Regulation
Core housing need, overall and breakdown by tenure [# and %]	Section 8 (1) (a) (i), (ii)
Extreme core housing need, overall and breakdown by tenure [# and %]	Section 8 (1) (a) (iii), (iv)

Statements about key areas of local need	Housing Needs Reports Regulation
<ul style="list-style-type: none"> • Affordable housing • Rental housing • Special needs housing • Housing for seniors • Housing for families • Shelters for individuals experiencing homelessness and housing for individuals at risk of homelessness 	Section 8 (1) (b) (i), (ii), (iii), (iv), (v), (vi)

Summary Form	Housing Needs Reports Regulation
<ul style="list-style-type: none"> • Key contextual information (e.g. location, population, median age, unemployment rate, etc.) • Summary of all the required content (tables above) • Summary of housing policies in OCPs and RGSs (if available) • Summary of community consultation, and consultation with First Nations, other local governments and agencies. • Other key housing issues or needs not identified in the required content. 	Section 8 (1) (c)

For more information, please contact ministry staff:

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