

FRASER VALLEY REGIONAL DISTRICT



ELECTORAL AREA SERVICES COMMITTEE

OPEN MEETING AGENDA

Tuesday, June 11, 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 June 11, 2019 be approved;

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

3. DELEGATIONS AND PRESENTATIONS

3.1 **Hemlock Valley Home Owners**

Concerns regarding Emergency Response in Hemlock Valley.

4. MINUTES/MATTERS ARISING

4.1 **Minutes of the Electoral Area Services Committee Meeting - May 8, 2019**

7 - 18

MOTION FOR CONSIDERATION

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

4.2 **Draft Cultus Lake Advisory Planning Commission - May 15, 2019**

19 - 23

FOR INFORMATION ONLY

5. CORPORATE ADMINISTRATION

No Items.

6. FINANCE

FOR INFORMATION ONLY

- Corporate report dated June 11, 2019 from Mike Veenbaas, Director of Financial Services

6.2 Grant-In-Aid Request – Spuzzum First Nation, Electoral Area “B”

27 - 29

- Corporate report dated June 11, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application - Spuzzum First Nation

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$1,500 to Spuzzum First Nation, funded from the 2019 Electoral Area “B” grant-in-aid budget, to help fund the outfitting of their Elders shelter with benches and tables to help bring the community together.

6.3 Grant-In-Aid Request – Sunshine Valley Ratepayers Association, Electoral Area “B”

30 - 35

- Corporate report dated June 11, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application
- SVRA AGM Financials
- 2019 GIA Budget

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$11,200 to the Sunshine Valley Ratepayers Association, funded from the 2019 Electoral Area “B” grant-in-aid budget, to help offset the costs of equipment rental for river cleanup, community garden beds, a community composter, hosting a Canada Day celebration, website migration, and hosting Heritage Day.

7. ENGINEERING & UTILITIES7.1 FVRD Hatzic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019, Electoral Area “F”

36 - 40

- Corporate report dated June 11, 2019 from Katarina Duke, Engineering and Community Services Technologist
- Draft Bylaw No. 1519, 2019

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board consider giving first, second and third readings to the bylaw cited as *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019*.

8. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

8.1 Application for Development Variance Permit 2019-07 to vary the size of an accessory building for a detached garage at 10180 Royalwood Boulevard, Electoral Area "D" 41 - 63

- Corporate report dated June 11, 2019 from Andrea Antifaeff, Planner I
- Draft DVP 2019-07
- DVP Application

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-07 to increase the size of an accessory building from the maximum permitted area of 45 square metres to 64 square metres, to facilitate the construction of a detached garage at 10180 Royalwood Boulevard, Area "D", subject to the consideration of any comments or concerns raised by the public.

8.2 Application for Development Variance Permit 2019-13 to reduce the setback from a well for an aquaculture building at 124443 Stave Lake Road, Electoral Area "F" 64 - 109

- Corporate report dated June 11, 2019 from Julie Mundy, Planning Technician
- Draft DVP 2019-13
- DVP Application

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-13 to vary the minimum setback requirement of aquaculture structures to existing wells at 12443 Stave Lake Road from 30.0m metres to 0.0 metres 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 advising future property owners that the agricultural and domestic water supply intake is within 30.0 metres of aquaculture structures and that the management of the water supply must be consistent with the Standard Operating Procedure prepared by the applicant as well as with the recommendations of the Hydrogeological Report, and to include regular tests of the water to provide warning of possible contamination.

8.3	<u>Application for Development Variance Permit 2019-14 to vary the maximum height and size requirements for an accessory building at 10394 Parkwood Drive, Electoral Area "D"</u>	110 - 139
	<ul style="list-style-type: none"> • Corporate report dated June 11, 2019 from Julie Mundy, Planning Technician • Draft DVP 2019-14 • DVP Application 	
	<p><u>MOTION FOR CONSIDERATION</u></p> <p>THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-14 to increase the maximum permitted area of an accessory building from 45 square metres to 107 square metres and to increase the maximum permitted height of an accessory building from 5.0 metres to 7.5 metres, subject to consideration of any comments or concerns raised by the public.</p>	
8.4	<u>Application for Development Variance Permit 2019-15 to reduce the front lot line setback at 58161 Fancher Road, Electoral Area "B"</u>	140 - 155
	<ul style="list-style-type: none"> • Corporate report dated June 11, 2019 from Julie Mundy, Planning Technician • Draft DVP 2019-15 • DVP Application 	
	<p><u>MOTION FOR CONSIDERATION</u></p> <p>THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-15 for 58161 Fancher Road, Electoral Area B to reduce the front lot line setback from 25 feet (7.6 metres) to 10 feet (3.05 metres), clear to sky, to facilitate the construction of a residence and a residential accessory building, subject to consideration of any comments or concerns raised by the public.</p>	
8.5	<u>Application for Development Variance Permit 2019-16 to reduce the interior side lot line setback for the construction of a wheelchair ramp at #78-14550 Morris Valley Road, Electoral Area "C" (River Reach Estates)</u>	156 - 171
	<ul style="list-style-type: none"> • Corporate report dated June 11, 2019 from Andrea Antifaeff, Planner I • Draft DVP 2019-16 • DVP Application 	
	<p><u>MOTION FOR CONSIDERATION</u></p> <p>THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-16 to reduce the setback from the interior side lot line from 2.1 metres to 1.0 metres, clear to sky to facilitate the construction of a wheelchair ramp at #78-14550 Morris Valley Road, Area "C", subject to the consideration of any comments or concerns raised by the public.</p>	

- Presentation by Staff
- Corporate report dated June 11, 2019 from Katelyn Hipwell, Planner I
- Appendix A - Secondary Dwellings in the Electoral Areas Policy
- Appendix B - Secondary Dwellings Presentation (*provided at May 2019 EASC*)

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board adopt the policy titled *Secondary Dwellings in the Electoral Areas*.

9. ELECTORAL AREA EMERGENCY SERVICES

No Items.

10. OTHER MATTERS**10.1 Electoral Areas Animal Control Regulation Amendment Bylaw No. 1531, 2019**

195 - 201

- Corporate report dated June 11, 2019 from Stacey Barker, Director of Regional Services
- Draft Bylaw No. 1531, 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 Electoral Areas Dangerous and Aggressive Dog Regulation Amendment Bylaw No. 1531, 2019*.

10.2 Proposed UBCM Resolution - Provincial Response to Homeless Camps on Crown lands

202 - 205

- Corporate report dated June 11, 2019 from Alison Stewart, Manager of Strategic Planning

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board forward a resolution on the need for a provincial strategy to address rural homelessness and encampments on Crown land to the Union of BC Municipalities for consideration at its September 2019 convention;

AND THAT the resolution shall be as follows:

RURAL HOMELESSNESS: CROWN LAND ENCAMPMENTS

WHEREAS Homelessness is a challenge facing both urban and rural communities;

AND WHEREAS electoral areas have the least ability to address homelessness, in that they are by their very nature remote from health, social, police and other services and the minimal tax bases cannot support the hard and soft infrastructure required to address homelessness;

AND WHEREAS the province's response to homeless encampments on Crown land has been inconsistent or ad-hoc in nature, sometimes relocating encampments without taking into account impacts on rural communities and regional district resources;

THEREFORE IT BE RESOLVED that the province of British Columbia through its newly established Office of Homelessness Coordination within the Ministry of Poverty Reduction and Social Development develop a rural homelessness strategy to address what is clearly a gap in the province's response to homelessness.

11. **ADDENDA ITEMS/LATE ITEMS**
12. **REPORTS BY STAFF**
13. **REPORTS BY ELECTORAL AREA DIRECTORS**
14. **PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA**
15. **ADJOURNMENT**

MOTION FOR CONSIDERATION

THAT the Electoral Area Services Committee Open Meeting of June 11, 2019 be adjourned.

FRASER VALLEY REGIONAL DISTRICT

ELECTORAL AREA SERVICES COMMITTEE

OPEN MEETING MINUTES

Wednesday, May 8, 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 Orion Engar, Electoral Area E
Director Al Stobbart, Electoral Area G
Director Taryn Dixon, Electoral Area H
Alternate Director Walter Kassian, Electoral Area B
Alternate Director Diane Rodrigue, Electoral Area C
Alternate Director Beata Kunze, Electoral Area F

Regrets: Director Dennis Adamson, Electoral Area B
Director Wendy Bales, Electoral Area C
Director Hugh Davidson, Electoral Area F

Staff Present: Jennifer Kinneman, Acting Chief Administrative Officer
Mike Veenbaas, Director of Financial Services
Tareq Islam, Director of Engineering & Community Services
Margaret-Ann Thornton, Director of Planning & Development
Milly Marshall, Director of EA Special Projects
Graham Daneluz, Deputy Director of Planning & Development
Jaime Reilly, Manager of Corporate Administration
Reg Dyck, Manager of Electoral Area Emergency Services
Alison Stewart, Manager of Strategic Planning
Janice Mikuska, Human Resources Manager
Kristy Hodson, Manager of Financial Operations
Louise Hinton, Bylaw Compliance and Enforcement Officer
Katelyn Hipwell, Planner I
Andrea Antifaeff, Planner I
Julie Mundy, Planning Technician
Christine Cookson, Building and Bylaw Clerk
Melissa Geddert, Planning Technician
Tyler Davies, Network Analyst I
Gavin Luymes, Student (EA Planning)

Anton Metalnikov, Student (Strategic Planning)
Tina Mooney, Executive Assistant to CAO and Board
Chris Lee, Executive Assistant (Recording Secretary)

Also Present: Ian Dawkins, BC Micro License Association (*as per item 4.1*)

There were 8 members of the public present at the meeting.

1. CALL TO ORDER

Chair Dickey called the meeting to order at 1:30 p.m. and acknowledged the presence of Alternate Directors Kassian, Rodrigue and Kunze.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By RAYMOND

Seconded By DIXON

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.

CARRIED

3. SHOW CAUSE HEARING(S)

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)

Louise Hinton provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 49200 Trans Canada Highway, Electoral Area A, and the efforts of staff to encourage voluntary compliance by the property owners.

No comments were offered from the public.

Moved By RAYMOND

Seconded By KASSIAN

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).

CARRIED

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)

Louise Hinton provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 13085 Degraff Road, Electoral Area F, and the efforts of staff to encourage voluntary compliance by the property owner.

No comments were offered from the public.

Moved By KUNZE
Seconded By STOBART

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code*, at 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).

CARRIED

Staff was commended for their work on outstanding bylaw enforcement files.

4. DELEGATIONS AND PRESENTATIONS

4.1. Ian Dawkins, BC Micro License Association

Ian Dawkins, Board member of BC Micro License Association reported that the Association is a non-profit society for small scale cannabis producers, involved in information and education related to the new federal regulatory framework for cannabis and advocacy and engagement at the municipal, provincial and federal

level for “micro” friendly policies. He also spoke to issues pertaining to zoning bylaws and ALR non-farm use applications and how micro licensed activities will help to contribute to economic development.

Questions were raised from the Committee regarding regulation of local small cannabis producers in residential areas and zoning requirements.

5. MINUTES/MATTERS ARISING

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

Moved By STOBART
Seconded By RODRIGUE

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

CARRIED

6. CORPORATE ADMINISTRATION

No Items.

7. FINANCE

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

Moved By RAYMOND
Seconded By KASSIAN

THAT the Fraser Valley Regional District Board approve \$45,000 for FVRL Yale Branch and \$58,000 for FVRL Boston Bar Branch for additional improvements being requested at the Boston Bar Branch.

CARRIED

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

Moved By ENGAR
Seconded By KASSIAN

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.

CARRIED

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

Moved By STOBART

Seconded By KUNZE

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.

CARRIED

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

Moved By DIXON

Seconded By ENGAR

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.

CARRIED

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

Moved By DIXON

Seconded By RAYMOND

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.

CARRIED

8. ENGINEERING & UTILITIES

No items.

9. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

9.1 Secondary Dwellings Study - Policy Development Update

Katelyn Hipwell, Planner I gave a presentation on '*Secondary Dwellings Study - Policy Development Update*'. She provided information on the project background, noting that the intent of the study was to explore changes to existing policies and to gauge community support. Highlights on the project timeline and policy framework were also provided. It was reported that the purpose of the policy is to provide a guide for FVRD initiated zoning amendments and consideration of individual zoning amendment applications.

Questions were raised by the Committee and Ms. Hipwell reported that staff will be meeting with EA Directors to get their feedback and that a draft policy will be brought forward to EASC for consideration.

9.2 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"

In response to a question regarding site specific text amendment, staff reported that they are in the process of consolidating the nine zoning bylaws and this will provide an opportunity to address deficiency within the PRD-1 zone which currently does not provide any setbacks for sheds. It is anticipated that the consolidated zoning bylaw will be finalized by the end of the year and there will be a public engagement process and the bylaw will be brought forward to the EASC for consideration.

Moved By RODRIGUE
Seconded By STOBART

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.

CARRIED

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"

Moved By KUNZE

Seconded By KASSIAN

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.

CARRIED

9.4 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"

Moved By STOBART

Seconded By RAYMOND

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.

CARRIED

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"

Moved By KASSIAN
Seconded By ENGAR

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.

CARRIED

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"

Moved By DIXON
Seconded By RAYMOND

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

CARRIED

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"

Moved By STOBART
Seconded By RAYMOND

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*.

CARRIED

9.8 Agricultural Land Commission Application – Proposed Two (2) Lot Subdivision at 1385 Frost Road, Electoral Area “H”

Moved By DIXON
Seconded By RODRIGUE

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 with the following comments from the FVRD Board:

The subject property under the ownership of the applicant over the past few years has lost the appearance of a viable farming operation and the lands appear to be degraded. The property also no longer has farm status. If the Agricultural Land Commission is considering the approval of the two lot subdivision as proposed, the FVRD Board recommends that the ALC holds the property owner accountable to invest in the property to resume viable farming operations;

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

CARRIED

Staff was thanked for their work on this file.

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

Graham Daneluz, Deputy Director of Planning and Development provided a presentation with respect to the Draft Policy on '*Non-Farm Use Applications for Cannabis Production Facilities in the ALR*', noting that the intent of the policy is to assist Board in evaluating Non-farm Use applications and also help applicants make better applications.

Concerns were raised regarding the loss of farm land, future use of these facilities on agricultural land when cannabis production has ceased and any potential for liquid pollution from these facilities.

Moved By STOBART
Seconded By RODRIGUE

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

CARRIED

10. ELECTORAL AREA EMERGENCY SERVICES

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

Moved By RAYMOND
Seconded By STOBART

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*.

CARRIED

11. OTHER MATTERS

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

The report dated May 8, 2019 from the Planning Technician pertaining to *Bill 18 - 2018 Local Government Statutes Amendment Act, 2018 - Housing Needs Reports* was provided for information.

12. ADDENDA ITEMS/LATE ITEMS

None

13. REPORTS BY STAFF

Jennifer Kinneman, Acting Chief Administrative Officer introduced summer students Gavin Luymes (EA Planning) and Anton Metalnikov (Strategic Planning).

14. REPORTS BY ELECTORAL AREA DIRECTORS

Director Engar reported on the upcoming Open House this weekend at the Chilliwack River Valley Firehall on Emergency Preparedness and the Provincial Indigenous Ministry Liaison coming out to Chilliwack River Valley on May 16 to discuss land claims.

Director Dixon reported on the OCP review for Area H on housekeeping issues, a community meeting taking place on June 8 and community events in June at Cultus Lake.

Director Kassian reported that a long hot summer is expected and reiterated the importance of addressing fire hazards.

Director Raymond thanked staff for the work done up in Area "A".

Director Dickey thanked staff for hosting the Open House for Area 'D' OCP which was well received.

15. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

None.

16. ADJOURNMENT

Moved By STOBART
Seconded By ENGAR

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

CARRIED

The Electoral Area Services Committee Meeting adjourned at 3:05 p.m.

MINUTES CERTIFIED CORRECT:

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Director Bill Dickey, Chair

CULTUS LAKE ADVISORY PLANNING COMMISSION

OPEN MEETING MINUTES

Wednesday, May 15, 2019
12:00 pm
Meeting Room 224, 2nd Floor, FVRD
45950 Cheam Avenue, Chilliwack, BC

Members Present:

Darcy Bauer, Chair
Larry Payeur
Joe Lamb
Taryn Dixon, Director, Electoral Area H
David Renwick (*arrived at 12:04pm*)

Regrets:

Casey Smit

Staff Present:

Graham Daneluz, Deputy Director of Planning and Development
Jaime Reilly, Manager of Corporate Administration
Kristin Webb, Planning Assistant
Tracey Heron, Planning Assistant

Also Present:

Bonny Bryant, Director of Parks Operations, Cultus Lake Park Board
Kurt Houlden with respect to Item 6.3.
Four members of the public.

1. CALL TO ORDER by Staff

Ms. Reilly called the meeting to order at 12:02 p.m.

2. ELECTION OF CULTUS LAKE ADVISORY PLANNING COMMISSION CHAIR by Staff

Ms. Reilly called for nominations for the position of Advisory Planning Commission Chair.

Mr. Lamb nominated Mr. Bauer.

Mr. Bauer accepted the nomination.

Ms. Reilly called for nominations for the position of Advisory Planning Commission Chair a second and third time.

There being no further nominations, Ms. Reilly declared Mr. Bauer acclaimed as the APC Chair.

3. ELECTION OF CULTUS LAKE ADVISORY PLANNING COMMISSION VICE CHAIR by Staff

Ms. Reilly called for nominations for the position of Advisory Planning Commission Vice Chair.

Mr. Lamb nominated Mr. Payeur.

Mr. Payeur accepted the nomination.

Ms. Reilly called for nominations for the position of Advisory Planning Commission Vice Chair a second and third time.

There being no further nominations, Ms. Reilly declared Mr. Payeur acclaimed as the APC Vice Chair.

4. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Noted that the order of the Agenda would be varied so that Item 6.3 was discussed prior to 6.1 to accommodate Mr. Holden's schedule.

PAYEUR/LAMB

THAT the Agenda, Addenda and Late Items for the Cultus Lake Advisory Planning Commission Meeting of May 15, 2019 be approved;

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

Carried

5. **MINUTES/MATTERS ARISING**

5.1 **Cultus Lake Advisory Planning Commission - September 19, 2018**

PAYEUR/LAMB

THAT the Minutes of the Cultus Lake Advisory Planning Commission of September 19, 2018 be adopted.

Carried

6. **NEW BUSINESS**

Item 6.3 was heard at this time.

6.3 **Update of Cultus Lake South Policies: Area E/H OCP**

Director Dixon introduced Kurt Houlden, Principal at KDH Management Consultants, who is currently working on the Official Community Plan for Area "H."

Mr. Houlden then gave an update on the draft OCP, noting that the edits to the document were minor and included: the removal of multi-family dwellings from the South Cultus area and the desired re-designation of the commercial lot. It was noted that a community open house is scheduled for June 8, 2019, and that the projected completion date was estimated for the end of September 2019.

6.1 **Residential Parking Policy**

Discussion ensued surrounding the requirements for two parking spaces per lease lot. Concerns were raised around waterfront lots and lots which do not have access on both sides of the property.

It was noted that two upcoming development variance permit applications are recommended to proceed while issues around residential parking are addressed.

RENWICK/PAYEUR

THAT staff be requested to prepare a report outlining mapping of residential lots affected by the zoning bylaw requirements for two parking spaces per lease lot;

AND THAT the report outline options on how to best address the challenges with the residential parking spaces.

Carried

6.2 Issues Arising from Imperial to Metric Conversion

Discussion ensued regarding the rounding of decimals from three places to two and the impacts to square footage on small lots. Presentation by Mr. Daneluz compared the existing zoning bylaw with the new draft bylaw highlighting the differences in requirements for setbacks and height.

PAYEUR/RENWICK

THAT staff be requested to prepare a report outlining options on how to best address rounding issues arising from imperial to metric conversion issues.

Carried

7. OTHER MATTERS

Discussion ensued regarding the possibility of using electronic signatures to sign APC Minutes in the future in order for Minutes to be published in a timely manner.

A question was raised by a member of the public regarding evacuation routes and traffic issues in Area "H". Director Dixon highlighted work currently being undertaken by the FVRD with respect to emergency routes. It was also noted by staff that there is a traffic study to better understand traffic congestion in the Cultus Lake area over the summer period.

Comments were offered regarding the importance of community fire awareness.

A question was raised about Plan Cultus, approval of minutes and imposed fees.

8. ADJOURNMENT

RENEWICK/LAMB

THAT the Cultus Lake Advisory Planning Commission Meeting of May 15, 2019 be adjourned.

Carried

The Cultus Lake Advisory Planning Commission Open Meeting adjourned at 1:11pm

MINUTES CERTIFIED CORRECT:

.....

Darcy Bauer, Chair

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

Date: 2019-06-11
File No: 1880-20

Subject: 2018 Electoral Area Annual Development Cost Charge Report

INTENT

This report is intended to advise the Committee of information pertaining to the annual Development Cost Charge report. Staff is not looking for a recommendation and has forwarded this information per the requirements of the Local Government Act.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

BACKGROUND

Section 569 of the Local Government Act requires that before June 30th in each year the Regional District must prepare and consider a report on Development Cost Charges (DCCs). The report must include a) the amount of DCCs received, b) the expenditures from DCC reserves, c) balances in DCC reserve funds at the start and end of the year, and d) any waivers and reductions in DCCs.

DISCUSSION

Schedule "A" is the official report on Development Cost Charges as required under Section 569.

As at December 31, 2018 the Regional District had two (2) DCC Bylaws that require annual reporting to the Board. These DCC Bylaws are:

Bylaw 1074, 1992
Bylaw 1096, 2011

West Popkum Storm Drainage
Electoral Area D Integrated Water System

COST

There are no costs associated with this report.

CONCLUSION

The report summarizes the DCC activities for the Regional District in 2018 and meets the requirements of Section 569 of the Local Government Act.

COMMENTS BY:

Jennifer Kinneman, Acting Chief Administrative Officer

Reviewed and supported.

Schedule "A"

Fraser Valley Regional District

2018 Development Cost Charge Report

In accordance with Division 19 Section 569 Annual Development Cost Charges Report, below is information regarding Development Cost Charges within Electoral Area D which includes the following; the amount of development cost charges received, expenditures from the development cost charge reserve funds, the balance in the development cost charge reserve funds at the beginning and at the end of 2018, as well as any waivers and reductions.

	Opening Balance	DCC Contributions	Investment Income	Expenses	Closing Balance
Bylaw 1074, Drainage	\$ 199,748	\$ 36,800	\$ 7,697	\$ -	\$ 244,245
Bylaw 1096, Area D Water	\$ 109,067	\$ 48,895	\$ 2,425	\$ 83,432	\$ 76,955

Waivers and reductions provided under Section 563 (2)

There were no waivers or reductions for the 2018 fiscal year.

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

Date: 2019-06-11
File No: 1850-20 / 003

Subject: Grant-In-Aid Request – Spuzzum First Nation, Electoral Area “B”

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$1,500 to Spuzzum First Nation, funded from the 2019 Electoral Area “B” grant-in-aid budget, to help fund the outfitting of their Elders shelter with benches and tables to help bring the community together.

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

Spuzzum First Nation is an Nlaka’pamux First Nations government located near Spuzzum within Electoral Area B.

Spuzzum First Nation is requesting a \$1,500 grant-in-aid to assist with the costs of outfitting the Elders shelter they are currently building. They are looking to add seating, tables and other amenities to help bring the community together. They are building this to allow the entire community to have outdoor events to help with community morale.

Director Adamson is in support of providing a grant-in-aid of \$1,500 to Spuzzum First Nation for this project.

COST

The \$1,500 cost will be funded from the Electoral Area “B” grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

A grant-in-aid application has been received from Spuzzum First Nation seeking funds to help outfit their Elders shelter with tables and seating areas for the community to gather.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported. Director Adamson has confirmed this shelter will be used by many in the community including events attended by the larger Area B community.

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: Spuzzum First Nation Crystal Hatzidimitriou
Mailing Address: 36500 Main Rd
Spuzzum BC V0K2S1
Email Address: housing@spuzzumnation.com

Contact:

Crystal Hatzidimitriou
Name

Telephone/Fax Number

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

APPLICATION SUMMARY:

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

Spuzzum FN is currently building an Elders Shelter and
looking for funds to help complete outfitting &
clered with seating, tables and other amenities to
help bring the community together.

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

SFN will purchase concrete picnic tables and
benches which will allow the community to
have outdoor events to help with community
moral.

Amount of Grant Requested: \$ 1500.00

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

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

CH
Administrative Assistant
Signature of Authorized Signatory and Title

Amount Approved: \$1500.00

Date: May 13 2019

Dennis Adlam
Signature of Electoral Area Director

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

Date: 2019-06-11
File No: 1850-20 / 003

Subject: Grant-In-Aid Request – Sunshine Valley Ratepayers Association, Electoral Area “B”

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$11,200 to the Sunshine Valley Ratepayers Association, funded from the 2019 Electoral Area “B” grant-in-aid budget, to help offset the costs of equipment rental for river cleanup, community garden beds, a community composter, hosting a Canada Day celebration, website migration, and hosting Heritage Day.

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”.

DISCUSSION

The Sunshine Valley Ratepayers Association is a non-profit organization representing citizens from the Sunshine Valley. They promote community education, sustainable public programs and community-based events for anyone to participate in.

The Sunshine Valley Ratepayers Association is requesting a \$9,200 grant-in-aid for six items:

- Community garden: lumber and equipment for installation of raised beds (\$1,000)
- Community composter: composter, signage, cement pad (\$3,500)
- Webpage: new site and location (\$500)
- Canada Day: bbq and entertainment (\$1,500)

- Heritage Day: entertainment, stage & equipment rentals (\$2,200)
- Entrance Garden Lighting & wheel chair accessibility: inclusion project for accessibility & nightscape viewing (\$2,000)
- Area "B" river cleanup: equipment rental for garbage cleanup (\$500)

A Grant-in-aid was issued in 2018 for \$9,200 to the Sunshine Valley Ratepayers Association, and FVRD has since contacted the Association in regards to our Financial Accountability & Reporting section in our Grant-In-Aid Policy which requires those who receive grants over \$1,000 to follow up with a letter to FVRD regarding usage of funds and their success, including pictures of the project/ event and any other supporting information. To date, we have not received any information on how the funds were used. Under the Eligibility section of our policy, one of the items is that an applicant may be excluded from applying due to not meeting the above reporting requirement for a previously awarded grant. FVRD staff is currently working with the Association to obtain the appropriate reporting for 2018.

Director Adamson is in support of providing a grant-in-aid of \$11,200 for these items.

COST

The \$11,200 cost will be funded from the Electoral Area "B" grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

A grant-in-aid application has been received from the Sunshine Valley Ratepayers Association seeking support for community composter, celebrations and projects.

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: Sunshine Valley Ratepayers Assoc.
Mailing Address: P.O. Box 2104
Hope BC.
Email Address: VOX 120

Contact:

Kate Zabeil

Name

Telephone/Fax Number

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

See attached - Society Certificate
- Financial Statement.
- Budget.

APPLICATION SUMMARY:

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

Expansion of composting area enhancing production of
food for families. Provide access for all community members
lightening for security. Remove barriers for improving
Food Waste reduction. Trails and active involvement for
river + clean up.

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

Our rural community is limited in public
meeting space - in 2019 we are hosting fire events +
activities to encourage new + long term residents to
meet, share + participate in the spirit of co-operation.
+ collaboration.

Amount of Grant Requested: \$ 11,200

**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, company or business undertaking.

Kate Zabeil
President / Chair SVRA.
Signature of Authorized Signatory and Title

Amount Approved:

Date:

Signature of Electoral Area Director

09/02/2018

Banking Summary5 - 2017:2
01/01/2017 through 31/12/2017 (in Canadian Dollars)

Page 1

Category Description	01/01/2017- 31/12/2017
INCOME	
Balance Forward	7,063.84
Cash Deposit	26.55
Credit Interest	6.75
Deposit	3,143.05
FVRD Fir Beetle & Community Funding	5,000.00
Membership 2017	315.00
Soup & Sandwiches Income	1,454.25
Trees Canada	5,349.15
TOTAL INCOME	22,358.59
EXPENSES	
150 Legacy Project	5,514.68
Administration	40.00
Administration 2017	323.49
Arts Of BCmembership 2017	55.00
Donation 2017	800.00
Enterance Garden 2017	722.86
Fir Beetle Exploration Ex 2017	1,594.00
Fund Raiser SVVFD	50.00
Honorarium	250.00
Insurance	
Other Insurance	800.00
TOTAL Insurance	800.00
Post Box Rental 2017	170.10
Sept, 16, 2017 Expences	2,432.15
Smi AGM	31.51
Soup & Sandwich Expence	910.62
Storage 2017	250.00
Void Cheque	0.00
TOTAL EXPENSES	13,944.41
OVERALL TOTAL	8,414.18 ✓

09/02/2018

Banking Summary - 2017
01/01/2017 through 31/12/2017 (in Canadian Dollars)

Page 1

Category Description	01/01/2017- 31/12/2017
INCOME	
Balance Forward	3,471.92
Credit Interest	3.76
Deposit	2,600.00
TOTAL INCOME	6,075.68
EXPENSES	
Uncategorized	0.00
Cheque Order	78.21
Community Garden	452.59
Craft Classes Xmas	300.00
TOTAL EXPENSES	830.80
OVERALL TOTAL	5,244.88

Banking account
Celebrate Canada - 372.13



Sunshine Valley Ratepayer's Assoc.

2019 Grant in Aid

	<i>Item</i>	<i>Description</i>	<i>\$ Cost</i>
1.	Community Garden	Lumber & equipment rental for installing six 6 accessible raised Square Foot Garden beds with gravel paths	1,000
2.	Community Composter	2 Mantis composter, signage and cement pad	3,500
3.	SVRA Webpage Upgrade 2	New site and location	500
4.	2019 Celebrate Canada Day BBQ	BBQ, Hula hoop Flash Dance, Pot Luck	1,500
5.	Heritage Day: Live	Entertainment, stage & equipment rental	2,200
6.	Entrance Garden Lighting & wheel chair accessibility	Inclusion project for accessibility & nightscape viewing	2000
7.	Equipment Rental	Area 'B' River Garbage Cleanup	500
		total	\$11,200

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Katarina Duke, Engineering & Community Services Technologist

File No: 3920-20

Subject: Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first, second and third readings to the bylaw cited as *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019*

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

DISCUSSION

Staff have received a validated petition from one property owner requesting that the boundaries of the Hatzic Prairie Water Supply and Distribution System Service Area System Service Area be amended and extended to include their property.

COST

No costs to the FVRD.

The property owner is to be responsible for the cost of installing a service connection to their property. Additionally the property owner must pay a one-time Capital Improvement Connection Fee of \$2,273.74 prior to connecting to the system. All costs have been paid in full by property owner.

COMMENTS BY:

Tareq Islam, Director of Engineering & Community Services Reviewed and supported.

Mike Veenbaas, Director of Financial Services Reviewed and supported.

Jennifer Kinneman, Acting Chief Administrative Officer

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1519, 2019

**A bylaw to amend the boundaries of the Hatzic Prairie Water
Supply and Distribution System Service Area**

WHEREAS the Fraser Valley Regional District Board of Directors ("the Board") has been petitioned to amend and extend the boundary of the Hatzic Prairie Water Supply and Distribution System Service Area established by Bylaw No. 0837, 2007;

THEREFORE the Board of Directors of the Fraser Valley Regional District enacts as follows:

1) CITATION

This bylaw may be cited as *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019*.

2) ENACTMENTS

- a) *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Service Area Establishment Bylaw No. 0837, 2007*, is hereby amended by extending the boundaries of the Service Area to include the property shown on Schedule 1519-A attached to and forming an integral part of this bylaw.
- b) Schedule A to Bylaw No. 0837, 2007 is hereby replaced by Schedule 1519-B, attached to and forming an integral part of this bylaw. The amended boundaries of the service area shall be those portions of Electoral Area F as shown on Schedule 1519-B.
- c) That the provisions of all bylaws that are now in effect with regard to the establishment and amendment of the Hatzic Prairie Water Supply and Distribution System Service Area shall henceforth apply to those lands outlined on Schedule 1519-B of this bylaw.

3) SEVERABILITY

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

4) READINGS AND ADOPTION

CERTIFICATION AS TO SUFFICIENCY
AND VALIDITY OF PETITIONS this

24th day of May, 2019

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

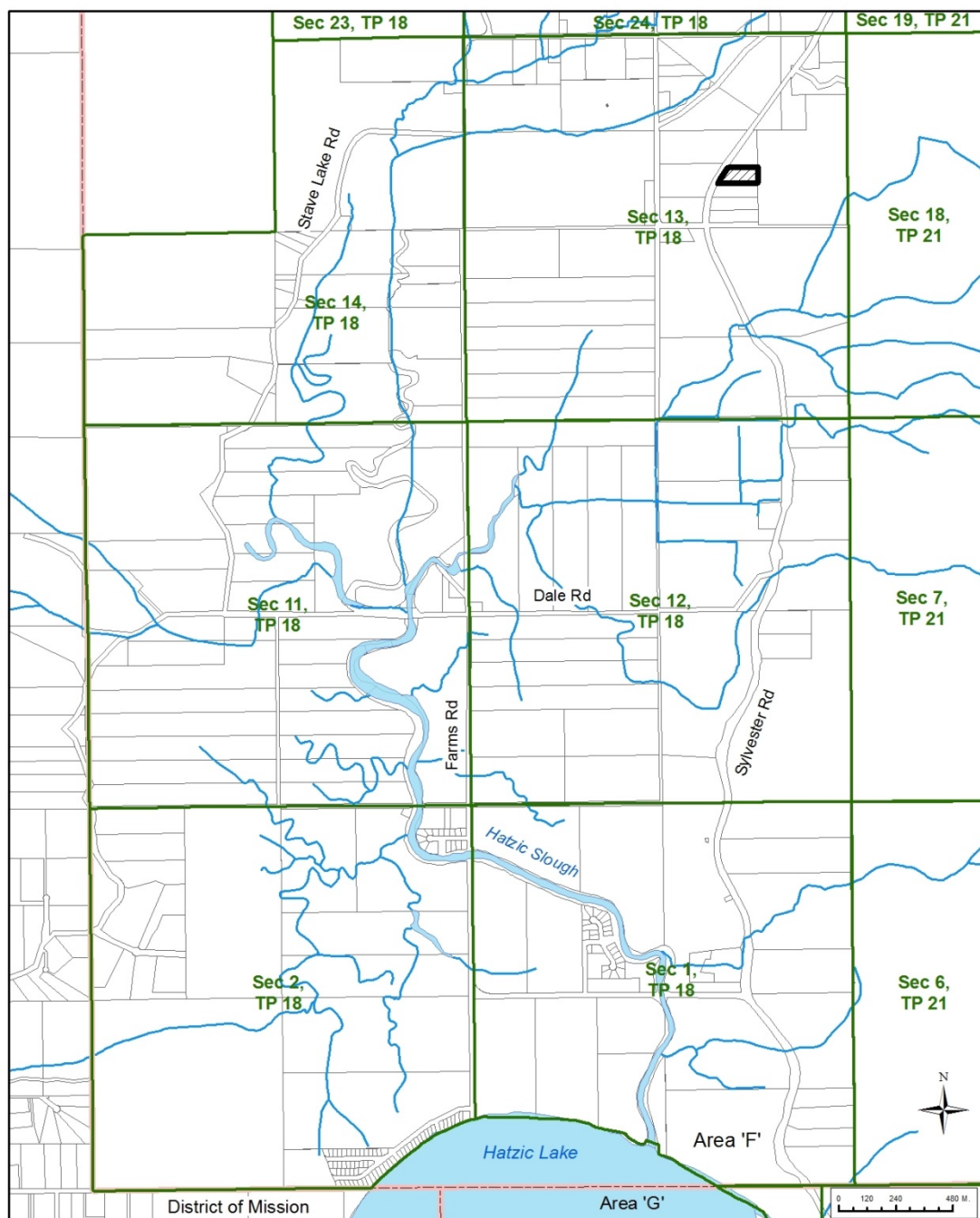
5) CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019* as adopted by the Fraser Valley Regional District Board on the

Dated at Chilliwack, BC this

Corporate Officer/Deputy

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1519, 2019
Schedule 1519-A



Map Reference: 92G019.4.3, 4.4 & 92G029.2.1, 2.2

March 28, 2019

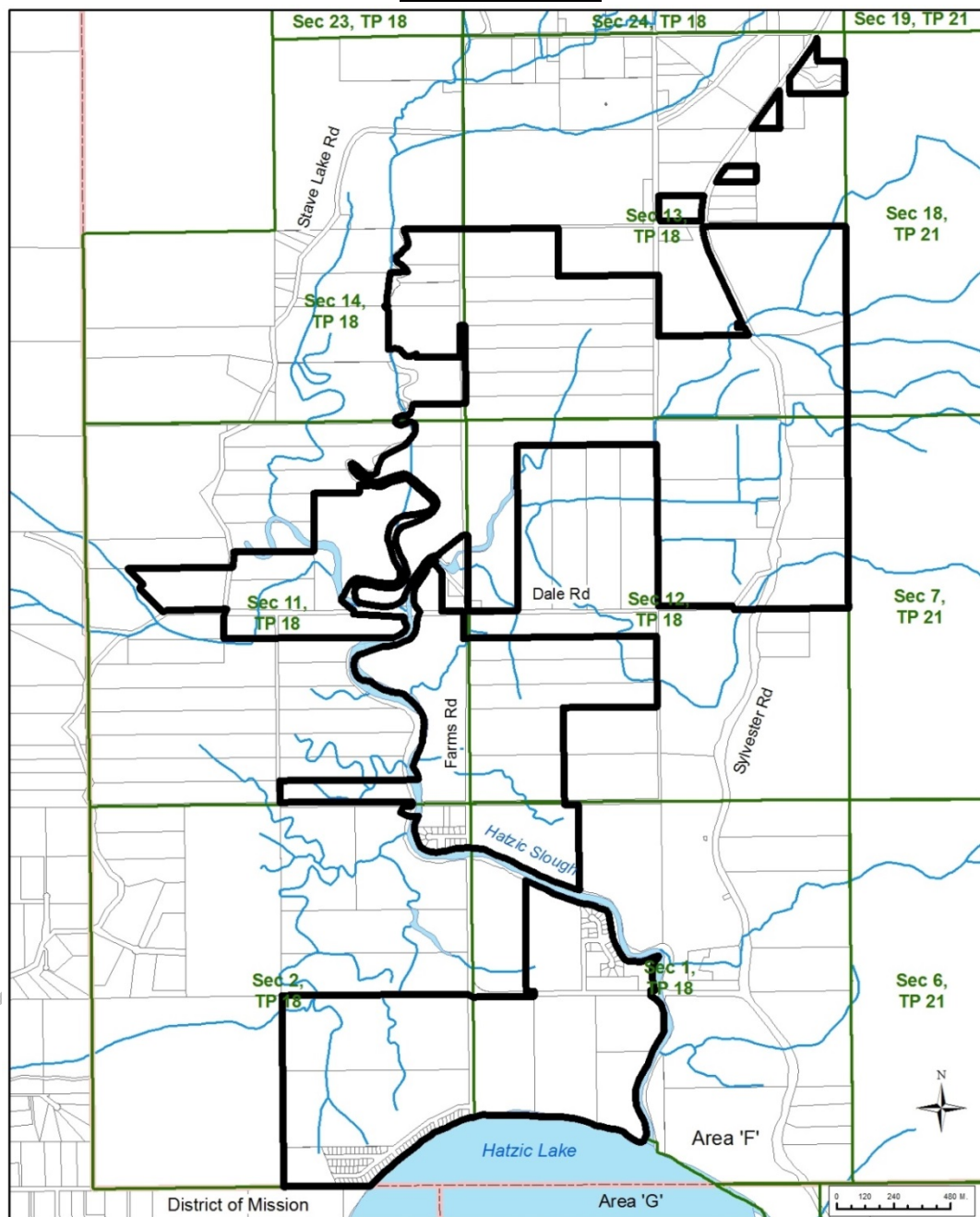
Land District: New Westminster District

Land title Office: New Westminster

LEGEND

Area to be added to the Fraser Valley Regional District Hatvic Prairie Water Supply and Distribution System Service Area.

This is map 1 of 1 constituting Schedule 1519-A attached to and forming part of *Fraser Valley Regional District Hatvic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019*.

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1519, 2019**Schedule 1519-B**

Map Reference: 92G019.4.3, 4.4 & 92G029.2.1, 2.2
 Land District: New Westminster District
 Land title Office: New Westminster

March 28, 2019

LEGEND

Boundaries of the Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Service Area as amended.

This is map 1 of 1 constituting Schedule 1519-B attached to and forming part of *Fraser Valley Regional District Hatzic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019*.

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Andrea Antifaeff, Planner I

File No: 3090-20-2019-07

Subject: Application for Development Variance Permit 2019-07 to vary the size of an accessory building for a detached garage at 10180 Royalwood Boulevard, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-07 to increase the size of an accessory building from the maximum permitted area of 45 square metres to 64 square metres, to facilitate the construction of a detached garage at 10180 Royalwood Boulevard, Area "D", subject to the 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 increase the size of an accessory building as outlined in *Zoning By-law for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam*.

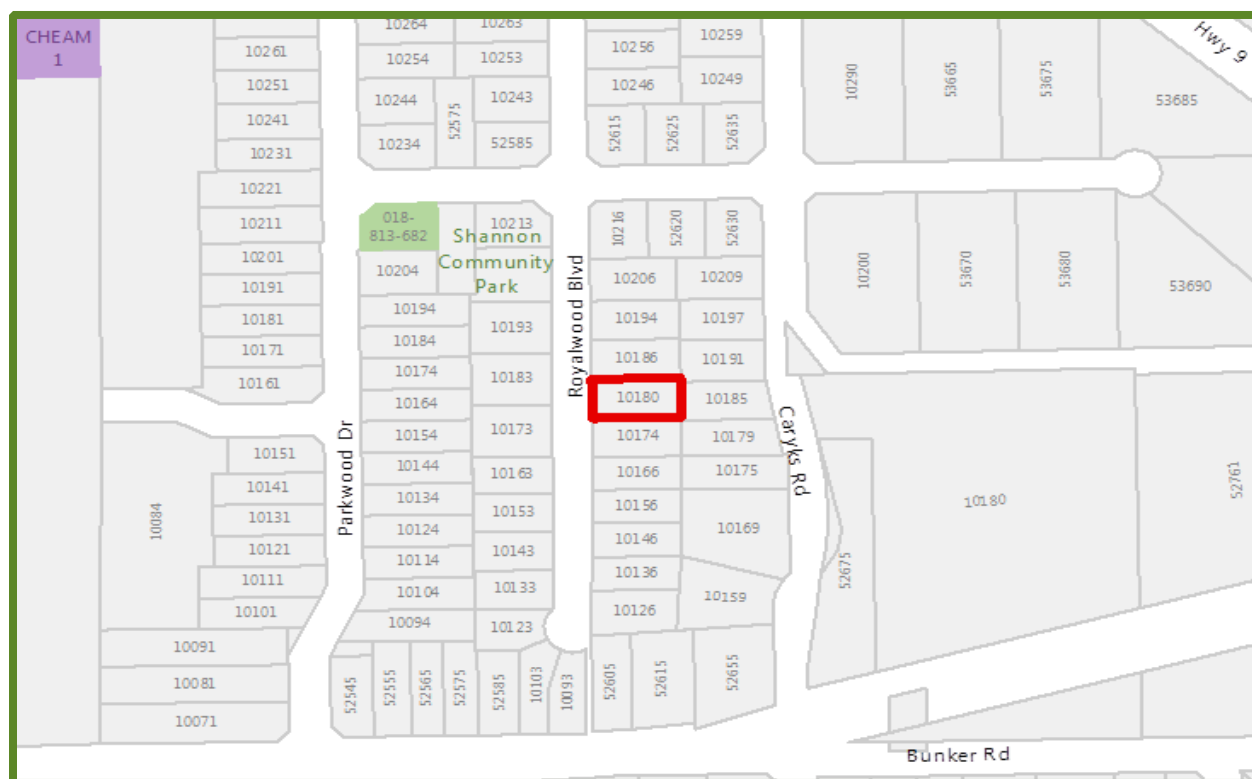
PROPERTY DETAILS			
Electoral Area	D		
Address	10180 Royalwood Boulevard		
PID	030-594-235		
Folio	733.06644.261		
Lot Size	0.27 acres		
Owner	Dekoff, Lorne & Lorrie	Agent	Les Daase (Platin Homes Ltd.)
Current Zoning	Suburban Residential 2 (SBR-2)	Proposed Zoning	(Active Rezoning: ZON0062 - SBR-3)
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Vacant land	Proposed Use	Residential & Accessory Residential

Development Permit Areas	6-D RAR (N/A)
Hazards	N/A
Agricultural Land Reserve	No

ADJACENT ZONING & LAND USES

North	^	Suburban Residential 2 (SBR-2), Single Family Homes
East	>	Country Residential (CR), Single Family Homes
West	<	Suburban Residential 2 (SBR-2), Single Family Homes
South	v	Suburban Residential 2 & 3, Single Family Homes

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The property owners are proposing to construct a single family dwelling and a detached garage at 10180 Royalwood Boulevard. The proposed detached garage exceeds the maximum permitted size of an accessory building.

The proposed size variance is unlikely to affect neighbouring properties as the siting of the detached garage is proposed for the rear of the property. The single storey detached garage conforms to all setbacks of the SBR-3 zone and is not to be used for residential use (Appendix A – Site Plan).

Zoning Amendment

The property owners have also requested to rezone the property 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). The rezoning is required as the lot coverage is a density provision that can only be increased by rezoning, and not a variance. The proposed rezoning will accommodate the total area of both the residence and detached garage. If the zoning amendment is adopted then the property owners will be able to proceed with the proposed construction of the detached garage.

Variance Requested – DVP 2019-07

Application Rationale

The applicant advises that reasons for the variance are: 1. the proposed detached garage is located in the northeast corner of the property not directly visible from Royalwood Boulevard; and, 2. the proposed detached garage will be meeting all required setbacks.

Size of Accessory Building Variance

The owners have requested an increase in the maximum size of the accessory building of 19 square metres (204.5 square feet). This would increase the maximum permitted size of an accessory building from 45 square metres (484.4 square feet) to 64 square metres (689 square feet), a 42% increase.

Maximum Size of Accessory Buildings	
Permitted (Zoning)	45 square metres (484.4 square feet)
Proposed	64 square metres (689 square feet)
Requested Variance	19 square metres (204.5 square feet)

If the variance is not granted the applicant could construct a smaller detached garage which complies with zoning regulations.

DVP Summary for Electoral Area D for Accessory Structure Size

The variance is consistent with DVP's which have been issued in the past. The table below summarizes past DVP applications in Electoral Area D (SBR-2 and SBR-3 zones) to increase the allowable size of accessory residential buildings.

Civic Address	Permit Number	Conditions of Permit	Approved/ Denied
10-10200 Gray Road	DVP 1995-10	Increase size to 98 m ² (117% increase)	Approved
6-10200 Gray Road	DVP 1996-05	Increase size to 66.9 m ² (48.6% increase)	Approved
18-10200 Gray Road	DVP 1998-04	Increase size to 76.2 m ² (69% increase)	Approved
11-10200 Gray Road	DVP 2002-01	Increase size to 80.27 m ² (72% increase)	Approved
4-10200 Gray Road	DVP 2002-04	Increase size to 125.4 m ² (179% increase)	Approved
3-10200 Gray Road	DVP 2003-06	Increase size to 74.3 m ² (65% increase)	Approved
10211 Parkwood Drive	DVP 2012-02	Increase size to 50m ² (11% increase)	Approved

10391 Parkwood Drive	DVP 2013-05	Increase size to 60m ² (33% increase)	Approved
9974 Llanberis Way	DVP 2013-13	Increase size to 111m ² (147% increase)	Approved
16-10200 Gray Road	DVP 2014-17	Increase size to 89.2 m ² (98% increase)	Approved
52672 Parkrose Wynd	DVP 2016-13	Increase size to 116.129 m ² (158% increase)	Denied
52672 Parkrose Wynd	DVP 2016-15	Increase size to 81.941 m ² (82 % increase)	Denied
10094 Parkwood Drive	DVP 2017-01	Increase size to 53.14m ² (18% increase)	Approved
52671 Parkrose Wynd	DVP 2017-09	Increase size to 76 m ² (69% increase)	Approved
10338 Wildrose Drive	DVP 2017-19	Increase size to 56.4m ² (25% increase)	Approved
52725 Parkrose Wynd	DVP 2017-20	Increase size to 53.1m ² (18% increase)	Approved
10191 Caryk's Road	DVP 2019-05	Increase size to 53.5m ² (19% increase)	Approved
10395 Wildrose Drive	DVP 2019-10	Increase size to 58 m ² (29% increase)	Approved
10163 Royalwood Blvd	DVP 2019-12	Increase size to 76m ² (69% increase)	Approved

Zoning Bylaw Review

A comprehensive review of all zoning bylaws in the Electoral Areas is currently underway. This review includes analysis of recent development variance permits to determine if revised zoning bylaw provisions, including the maximum size of accessory building is warranted.

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 an 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 seven (7) letters of support have been submitted (Appendix C).

COST

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

CONCLUSION

Staff recommend that the FVRD Board issue the Development Variance Permit to increase the size of an accessory building at 10180 Royalwood Boulevard.

The proposed size variance is unlikely to affect neighbouring properties as the siting of the detached garage is proposed for the rear of the property. The single storey detached garage conforms to all setbacks of the SBR-3 zone and is not to be used for residential use (Appendix A – Site Plan).

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-07 to increase the size of an accessory building from the maximum permitted area of 45 square metres to 64 square metres, to facilitate the construction of a detached garage at 10180 Royalwood Boulevard, Area "D", subject to the consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-07 for the property located at 10180 Royalwood Boulevard, Electoral Area D.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-07 for the property located at 10180 Royalwood Boulevard, Electoral Area D to FVRD Staff.

COMMENTS BY:

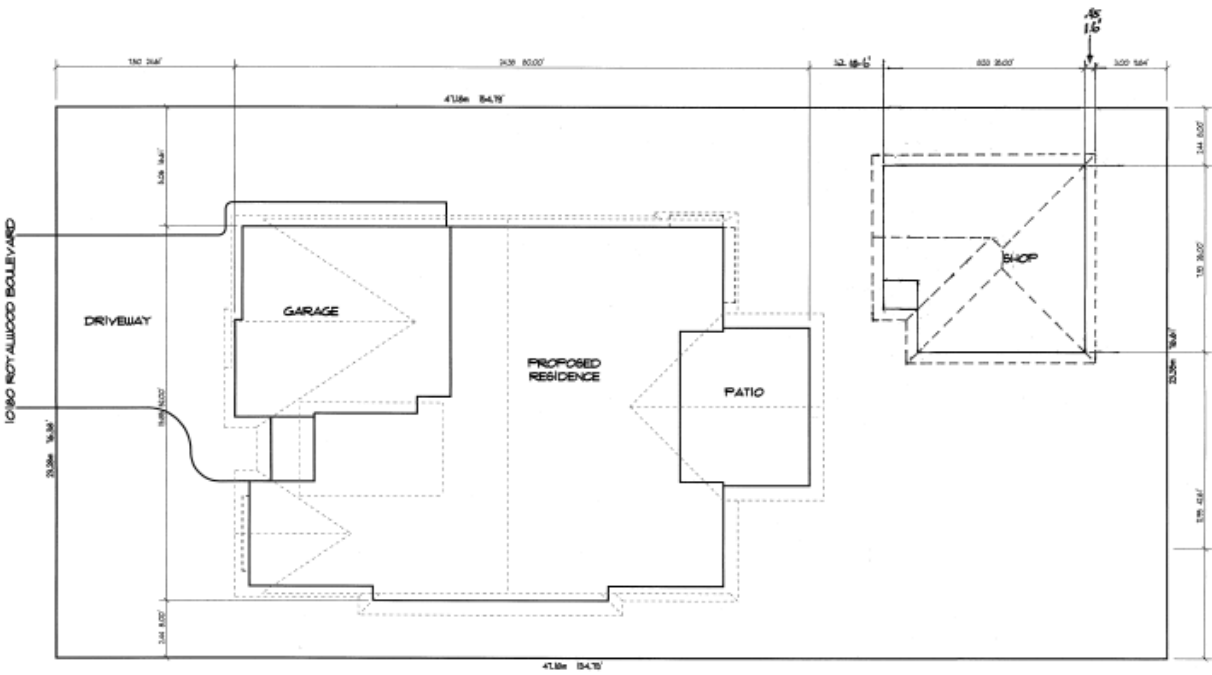
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported.

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

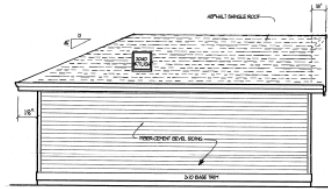
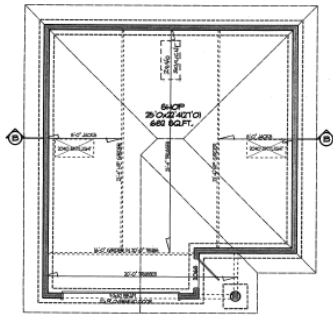
Mike Veenbaas, Director of Financial Services: No further financial comment.

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

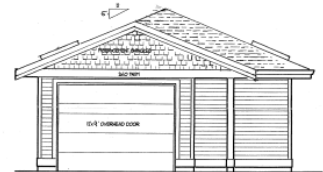
Appendix A
Site Plan



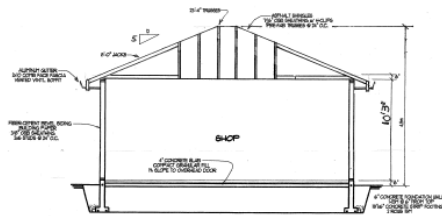
Appendix B Construction Drawings



LEFT ELEVATION



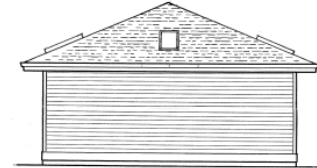
FRONT ELEVATION



CROSS SECTION B-B



RIGHT ELEVATION



REAR ELEVATION

Appendix C
Letters of Support

Support Letter

Date: MARCH 14 / 2019

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: DEREVLÉAM ROMEO

Address:

Signature: _____



Support letter can be emailed to:
arrange pickup

to

Thank you

Megan

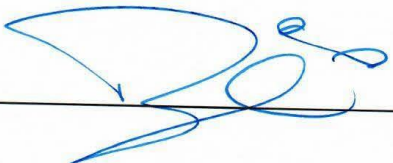
Support Letter

Date: March 14/19

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: Derek Colmelle

Address: _

Signature: 

Support letter can be emailed to:
arrange pickup

to

Thank you

Megan

Support Letter

Date: March 15/19

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: Brad Klaassen

Address:

Signature: 

Support letter can be emailed to:
arrange pickup

to

Thank you

Megan

Support Letter

Date: MARCH 18 / 2019.

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: ROGER Y GAIL SIEMENS

Address:

Signature: 

Support letter can be emailed to:
arrange pickup

to

Thank you

Megan

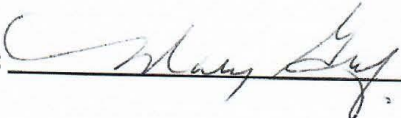
Support Letter

Date: MARCH 22, 2019.

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: MARY GRAF

Address:

Signature: 

Support letter can be emailed to:
arrange pickup

to

Thank you

Megan

Support Letter

Date: 3/14/2019

We are in support of the property located at 10180 Royalwood Blvd, rezoning to SBR-3 and being granted a Development Variance Permit to vary the size of an Accessory Building from 45 square meters to 64 square meters.

Name: Tyson Kennedy

Address: _

-

-

-

Signature: Tyson Kennedy

Digitally signed by Tyson Kennedy
DN: cn=Tyson Kennedy, o=Safetek
Emergency Vehicles Ltd., ou,
email=tkennedy@firetrucks.ca, c=CA
Date: 2019.03.14 11:21:51 -07'00'

Support letter can be emailed to: |
arrange pickup

to

Thank you

Megan

**T & N Unity
PO Box 355
Agassiz, BC V0M 1A0**

February 26, 2019

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

Re: Lot 2 – Variance Permit

Dear Mr. David Bennett,

We are in support of Lorne Dekhoff's application for a Variance Permit for his accessory building proposed on Lot 2 – 10180 Royalwood Blvd.

Yours truly,



Natalie teBrinke



Trevor teBrinke



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 201907

Folio No. 733.06644.261

Issued to: Lorne & Lorrie Dekoff

Address:

Applicant: Lorne & Lorrie Dekoff

Site Address: 10180 Royalwood Boulevard, Electoral Area D

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

LOT 2 SECTION 1 TOWNSHIP 3 RANGE 29 WEST OF THE SIXTH MERIDIAN NEW WESTMINSTER
DISTRICT PLAN EPP72713
030-594-235

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

AUTHORITY TO ISSUE

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

BYLAWS SUPPLEMENTED OR VARIED

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

Division 26 Section 2602.2 Building Dimensions (b) Size of Accessory Buildings (Maximum)

The maximum area of an accessory building is increased from 45 square metres (484.4 square feet) to 64 square metres (689 square feet).

SPECIAL TERMS AND CONDITIONS

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

GENERAL TERMS AND CONDITIONS

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

SECURITY DEPOSIT

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

Should the holder of this permit:

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

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

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

Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2019-07. The notice shall take the form of Appendix I attached hereto.

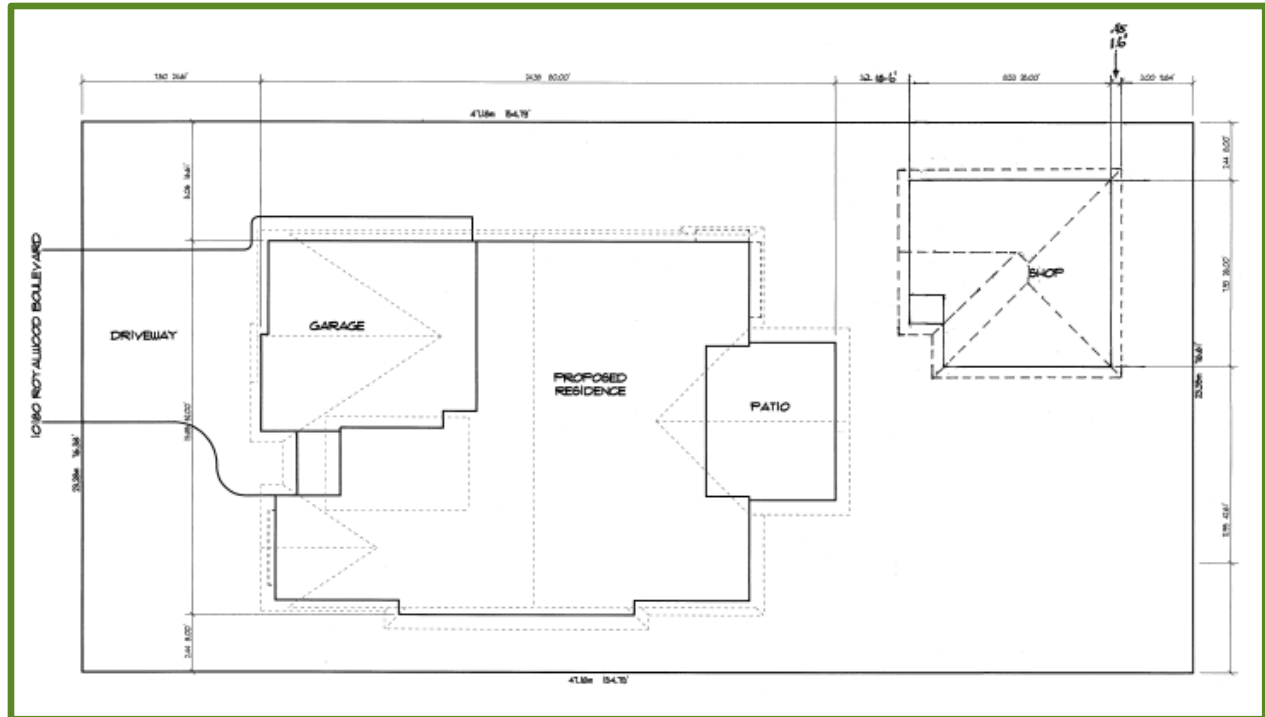
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, <YEAR>

Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2019-07
SCHEDULE "B"
Site Plan



SCHEDULE A-4

Permit Application

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

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

Civic Address 10180 Royalwood Blvd PID 030-594-235

Legal Description Lot 2 Block _____ Section 1 Township 3 Range 29 Plan EPP72713

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

Owner's
Declaration

Name of Owner (print) Lorne Dekoff	Signature of Owner 	Date Feb 18, 2019
Name of Owner (print) Lorrie Dekoff	Signature of Owner 	Date Feb 18, 2019

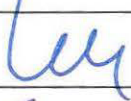
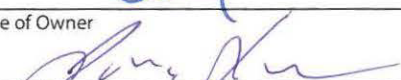
Owner's
Contact
Information

Office Use Only	Date <u>Feb 20 2019</u>	File No.
	Received By <u>Andrea</u>	Folio No. <u>733. 06644. 261</u>
	Receipt No. <u>8016/4</u>	Fees Paid: \$ <u>350.00</u>

Agent

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

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

Signature of Owner 	Date Feb 18, 2019
Signature of Owner 	Date Feb 18, 2019

Agent's contact information and declaration

Name of Agent Les Daase		Company Platin Homes Ltd
Address PO Box 2569. Stn Sardis Main		City Chilliwack
Email les@platinhomes.ca		Postal Code V2R 1A8
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 Feb 18, 2019
--	-----------------------------

Development Details

Property Size .110 Present Zoning SBR2

Existing Use Vacant lot, proposing to build residence

Proposed Development Detached (Accessory) Building

Proposed Variation / Supplement Increase the allowable size from 45 m2 to 63.36 m2

(use separate sheet if necessary)

Reasons in Support of Application Detached (accessory) building is in the Northeast corner of the property, not directly visible from Royalwood Blvd. The accessory building is located 2.44 m set back from the side lot line and 3.00 m set back from the rear lot line.

The accessory building, backs up to the rear property line of the adjacent Building Lots off of Caryks Rd. and therefore primarily visible only from the rear of any adjoining properties

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.

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Julie Mundy, Planning Technician

File No: 3090-20 - 2019-13

Subject: Application for Development Variance Permit 2019-13 to reduce the setback from a well for an aquaculture building at 124443 Stave Lake Road, Electoral Area "F"

RECOMMENDATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-13 to vary the minimum setback requirement of aquaculture structures to existing wells at 12443 Stave Lake Road from 30.0m metres to 0.0 metres 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 advising future property owners that the agricultural and domestic water supply intake is within 30.0 metres of aquaculture structures and that the management of the water supply must be consistent with the Standard Operating Procedure prepared by the applicant as well as with the recommendations of the Hydrogeological Report, and to include regular tests of the water to provide warning of possible contamination.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship
Provide Responsive & Effective Public Services

PRIORITIES

Priority #2 Air & Water Quality

BACKGROUND

Miracle Springs Inc. has made an application for a variance to *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992* in order to reduce the required setback from proposed aquaculture structures to already existing wells on the property at 12443 Stave Lake Road.

The applicant was previously issued a Development Variance Permit to reduce the setback requirements aquaculture buildings to a well, which has subsequently expired. The applicant wishes to proceed with the original aquaculture construction plans, and has re-applied for the same variance. The applicant is currently operating an existing fish farm that has been in operation for a number of years on the subject property.

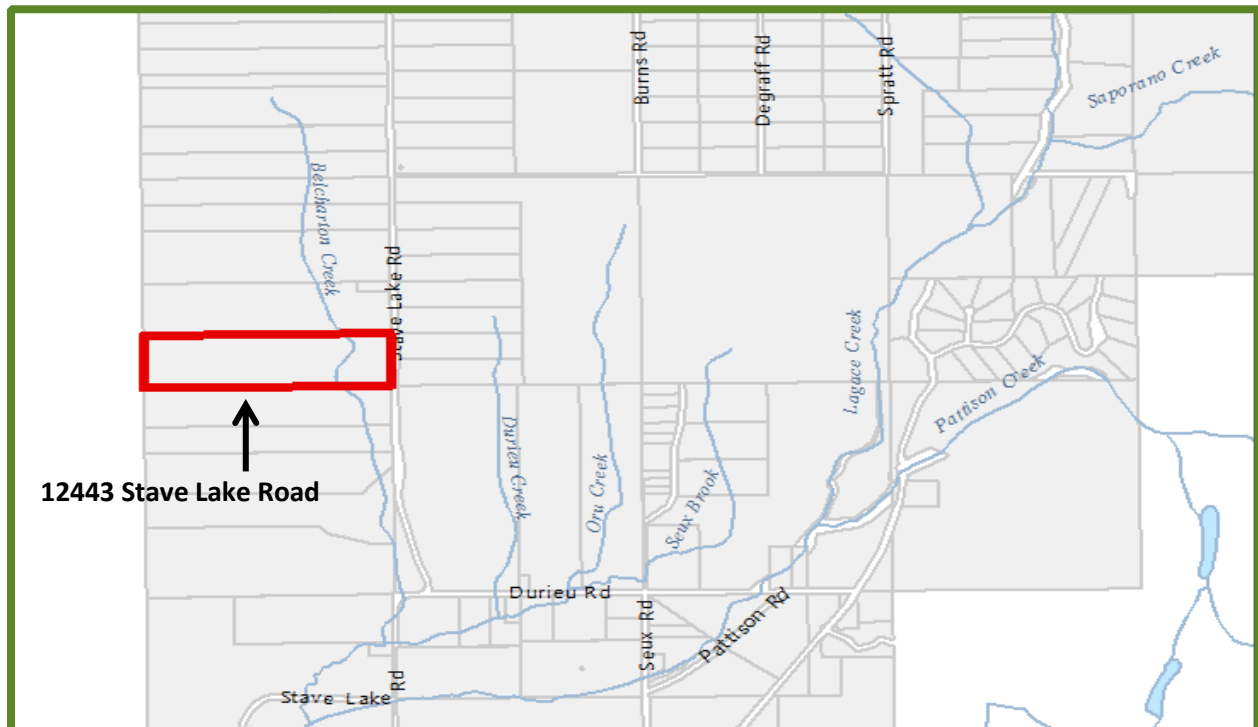
PROPERTY DETAILS

Electoral Area	F
Address	12443 Stave Lake Road
PID	013-394-291
Folio	775.02288.000
Lot Size	40 acres (16.18 ha)
Owner	Miracle Springs Inc. (D. Sampson / M. Cuning)
Current Zoning	Rural 3 (R-3). Aquaculture Use = Permitted
Current OCP	Limited Use (LU)
Current Use	Residential
Development Permit Areas	DPA 1-F and DPA 2-F
Hazards	High Hazard (HH) and Potential Hazard (PH) for Dff (Mb). Known Debris Hazard Occurrences.
Agricultural Land Reserve	N

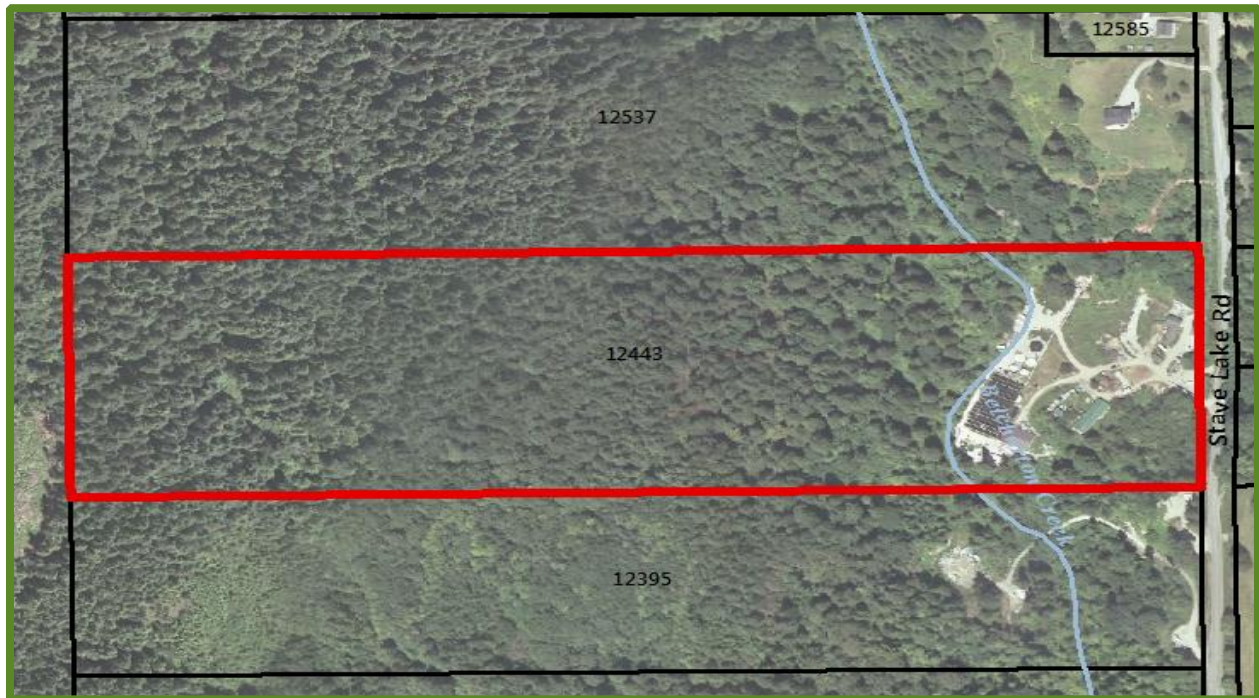
ADJACENT ZONING & LAND USES

North	^	Rural 3 (R-3), Single-Family Homes
East	>	Upland Agriculture (A-1) / ALR, Single-Family Homes
West	<	Rural 3 (R-3), Crown Land
South	v	Rural 3 (R-3), Single-Family Home

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Development Variance Permit 2016-04

Miracle Springs Inc. was issued a Development Variance Permit (DVP 2016-04) in November 2016 to reduce the setback from an aquaculture building to an existing well from 30.0 metres to 0.0 metres. The variance expired in 2018 due to inactivity, and the applicants have re-applied for the same variance in order to proceed with their original plans to construct several aquaculture buildings.

Construction Proposal

The applicant identified two separate phases of construction which will see the construction of three separate structures on the property as part of the fish farm expansion.

Phase 1

Mechanical Building:

- Footprint area of approximately 55m²
- Enclosure over Well #2

Juvenile System:

- Footprint area of approximately 725m²
- Containing fish tanks

Phase 2

Grow Out System (Addition)

- Footprint area of approximately 1,780m²
- Enclosure of Well #1
- Containing Fish Tanks

There are two existing wells on the property that will be enclosed within the proposed structures (refer to site plan, Appendix A).

Zoning Requirements

Section 412 (8) of the *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992* states that any building or structure to be used for the keeping of cattle, other livestock, and manure pits must be sited at least 30.0 metres from any lot line, well, sandpoint, watercourse, or dwelling unit. The proposal involves the construction of an aquaculture building and mechanical building which will enclose the existing wells located on the property, thereby reducing the setback to 0.0 metres. A variance of the zoning bylaw is required to authorize the proposed construction.

The applicant has provided a Standard Operating Procedure (SOP) outlining biosecurity measures and required maintenance for the on-site wells to ensure that the water sources are not contaminated and to ensure the safety and health of the water for domestic and agricultural purposes.

Provincial Regulations Pertaining to Wells and Domestic Water Supply Intakes

The *Health Hazards Regulation* of the *Public Health Act* requires that a person who controls a well installed after July 20, 1917 must ensure that the well is located at least 30 metres from any probable source of contamination. While the *Regulation* does not define “probable source of contamination”, Fraser Health staff have confirmed that typically, a “probable source of contamination” refers to septic system effluent, manure piles or anything else that could contaminate drinking water if exposed to the drinking water source”.

The Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992 is consistent with the *Health Hazards Regulation*.

Comments from Provincial Agencies

Marc Zubel, Regional Manager of the Drinking Water Program, Fraser Health, provided the following comments:

- The SOP covers the main concern of preventing contamination of the water supply.
- In this particular case, it appears that the wells are secured and properly sealed, and the SOP for well management is reasonable - water quality in the well should be adequately protected
- Bacteriological water quality testing on a regular basis (at least once per month) is advisable to ensure that water quality conditions remain good and water is potable for domestic use.

In light of these comments, staff determined that further confirmation was required by a certified professional in order to conclusively determine that the SOP is adequate to ensure the proposal is compliant with the *Health Hazards Regulation* and that the reduced setback does not create a probable source of contamination to the water source.

Certified Professional Review and Analysis

The applicant engaged Hemerra Envirochem Inc. to perform an assessment of the SOP and to provide an opinion on the potential risks to the groundwater resource aquifer based on proximity to the

proposed agricultural structures and uses. FVRD received a Hydrogeological Report dated September 28, 2016 from Gerry Papini, P. Geo and Senior Hydrogeologist, of Hemmera Envirochem Inc. (attached in full, Appendix "B"). A summary of the comments provided in the report are below:

- The well's construction, the depth of the screened aquifer, and the presence of substantial clay layer overlying the screened aquifer indicate that the contamination of the screened aquifer from potential contamination sources at ground surface is improbable.
- The 30 metre setback of a well from an agricultural activity (per the Zoning Bylaw) is not considered to provide any incremental protection to the groundwater resource respecting the construction and proposed use of well #1 and Well #2.
- [The applicant] has developed a Standard Operating Procedure (SOP) for well management incorporating access control, water sampling and routine monitoring to facilitate protection of the groundwater resource.
- It is Hemmera's opinion that the 30 metre setback be waived for the proposed use of Well #1 and Well #2, and that the enclosure and use of the wells according to the proposed design does not present a hazard to the groundwater resource at this property.

Considering the comments provided from Fraser Health in addition to the professional review of the proposal and SOP prepared by the applicant, staff recommend the operator take the following steps to protect the groundwater resource at the property:

- Ensure biosecurity measures are taken and maintained around all wells on the subject property, in accordance with the Standard Operating Procedure (SOP).
- Ensure the supply wells are operated and maintained in accordance with the *Groundwater Protection Regulation*.
- Conduct regular (quarterly) bacteriological testing of the well water to provide a warning of possible contamination, in accordance with the SOP.

Restrictive Covenant

A restrictive covenant was offered by the property owner at the time of the previously issued DVP to advise future property owners that the agricultural and domestic water supply intake is within 30.0 metres of aquaculture structures and that the management of the water supply must be consistent with the Standard Operating Procedure prepared by the applicant as well as with the recommendations of the Hydrogeological Report, and to include regular tests of the water to provide warning of possible contamination. The primary benefit of the covenant is to situate responsibility for protecting the well with the property owners and the registered professional. If the current variance request is approved, the covenant will require minor amendments.

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 Regional 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 comments have been received.

COST

The application fee of \$350 has been paid by the applicant.

CONCLUSION

Siting agricultural/aquaculture buildings a specified distance from a well is meant to reduce the risk of potential contamination to a water source. The setback distance is generalized to be applicable in wide range of scenarios, and does not consider the specific type of activity taking place, nor the potential risk of contamination from a specific activity. The applicant engaged an environmental consultant (Hemmera) to assess potential risks to the groundwater aquifer based on the proximity of the proposed aquaculture activities. Hemmera provided the professional opinion that contamination to the ground water is improbable based on existing site conditions, and that the 30 metre setback will not provide incremental protection to the groundwater resource. A third-party regulatory body (Fraser Health Authority) has reviewed and accepted the Hemmera report which includes a Standard Operating Procedure for on-site well management and maintenance.

Staff are satisfied with the outcome of the environmental review for the proposed works and recommend that Development Variance Permit 2019-13 be issued by the Fraser Valley Regional District Board, subject to any comments or concerns from the public.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-13 to reduce the setback from an aquaculture structure to an existing well from 30.0 metres to 0.0 metres at 12443 Stave Lake Road, Electoral Area "F", subject to the consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-13 for the property at 12443 Stave Lake Road, Electoral Area F.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-13 for the property at 12443, Electoral Area F to FVRD Staff.

COMMENTS BY:

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

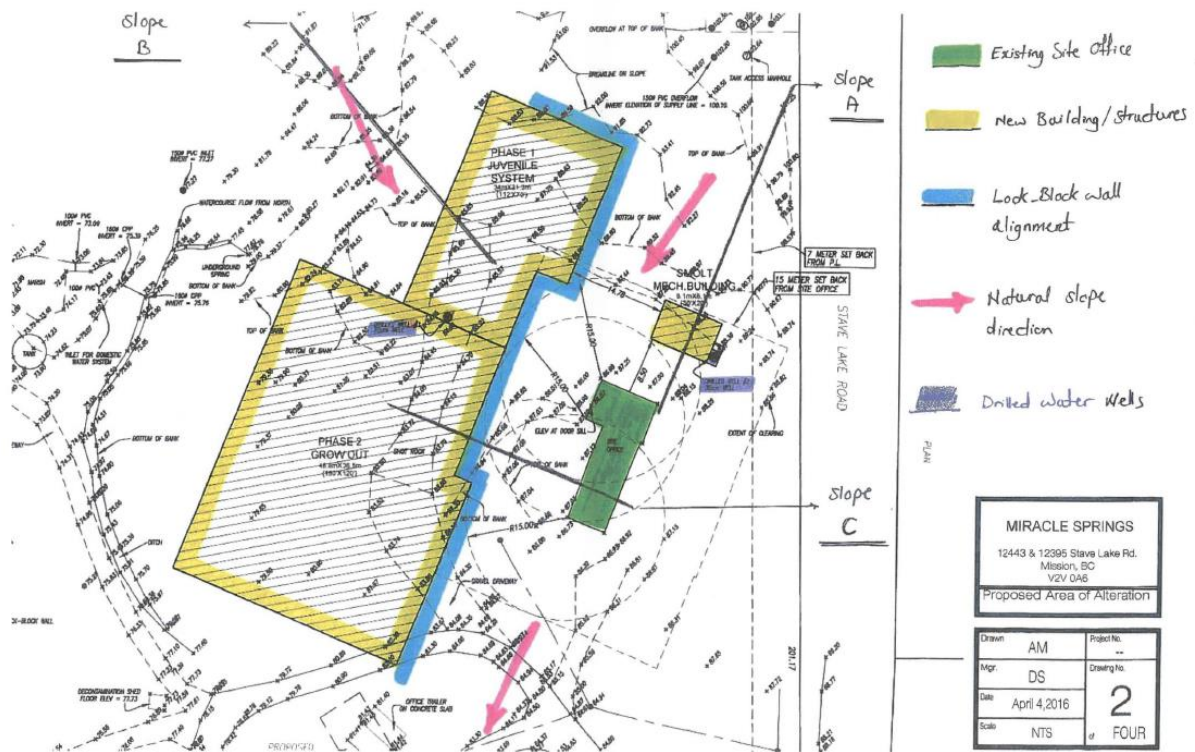
Margaret Thornton, Director of Planning & Development: reviewed and supported

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

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

Appendix A

Site Plan



Appendix B
Hydrogeological Report
Prepared by: Gerry Papini, Hemmera Envirochem Inc, September 26, 2016

FVRD
CCT 04 2016
FARMING DEPT.



Hemmera Envirochem Inc.
18th Floor, 4730 Kingsway
Burnaby, BC V5H 0C6
T: 604.669.0424
F: 604.669.0430
hemmera.com

September 28, 2016
File: 2030-001.01

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

Attn: Katelyn Hipwell

Dear Katelyn,

Re: Groundwater Protection: Miracle Springs, Mission, BC

Further to our conversation regarding use of groundwater supply wells to supply the expansion of the fish farm facilities at the Miracle Springs property (12443 & 12395 Stave Lake Road), Hemmera Envirochem Inc. (Hemmera) is pleased to provide an opinion on potential risks to the groundwater resource aquifer based on proximity to the proposed farming activities. The purpose of this letter is to provide assurance to the Fraser Valley Regional District (FVRD) and Fraser Health Authority that the use of two production wells for the proposed expansion at the Miracle Springs will not present a contamination risk for the groundwater resource.

Use of the groundwater resource must comply with the Groundwater Protection Regulation (B.C. Reg. 152/2016, June 10, 2016), the Health Hazards Regulation (B.C. Reg. 41/2016, February 29, 2016), (HHR) and the FVRD Bylaw No. 559, Area "G" Part 400: 8b. Fish farming is considered agricultural land use. Section 8(1)a of the HHR requires that a groundwater well be located "30 m from any probable source of contamination". For the purposes of this letter, we assume that agricultural activities are a potential source of contamination. The Groundwater Protection Regulation (GPR) provides requirements for well construction, operation, maintenance and deactivation / decommissioning.

1.0 EXISTING INFORMATION

Hemmera was provided with background information regarding the proposed fish farm expansion, the production well construction, and use of supply wells. We summarize the background information from the proponent and drilling contractor as follows:

- Two buildings are planned northeast of the existing fish pens and west of the Stave Lake Road. Phase 1 is a 34 m x 21.3 m slab-on-grade construction (Attachment 1 Drawing No. 2 Proposed Area of Alteration) with nearby 9.1 m x 6.1 m slab-on-grade mechanical building (Smolt Mech. Building – see Drawing No. 2).

- Water from two existing groundwater supply wells: Well #1 – Well ID 41521 and Well #2 – Well ID 41522 (see Drawing No. 2) will be used to provide the additional facilities with water (and Well #2 will continue to provide potable water to two dwellings).
- Well # 1 is 12-inch (30 cm) diameter, 156-foot (48 m) deep with casing installed to 136 feet (42 m) and a 20 foot (6 m), (100 slot) screen installed to the bottom of the hole. The well screen is set in sand and gravel (the screened aquifer). Thin surficial sand is underlain by approximately 30 feet (9 m) of clay. The static water level is 7 feet (2 m) from surface. The drilling contractor rated the well production at >500 GPM (>32 L/s), but this rate has not been verified by pump testing (Attachment 2);
- Well #2 is an 8-inch diameter, 198-foot (60 m) deep well with casing installed to 171 feet (52 m) and 80-slot screen to the bottom of the borehole. The well screen is set in sand and gravel (the screened aquifer). Surficial sand, clay and gravel is underlain by approximately 60-foot (18 m) thick of clay. The water level was reportedly artesian at the time of drilling. The drilling contractor rated the well production at >200 GPM (> 13 L/s) but this rate has not been verified by pump testing (Attachment 2).
- Both wells will be enclosed within the building limits (see Drawing No. 2). Access to Well # 1 will be restricted by provision of a chain-link cage (2.5 m x 2.5 m x 6 m) and encapsulating concrete wall (see Attachment 3 – Standard Operating Procedure, Rev 1).
- We understand that the well casings are currently above ground and that there are no plans to construct a well pit in the future.

2.0 GROUNDWATER PROTECTION

The intent of the HHR is to protect the groundwater resource from potential contamination. At Miracle Springs, the groundwater resource is protected from potential contamination by the following barriers or conditions:

1. The buildings are slab-on-grade design such that any spillage of chemicals or other hazardous material would be contained within the facility and unlikely to infiltrate the ground;
2. The wells will be enclosed within a dedicated building or locked enclosure safe-guarding them from accidental damage or tampering;
3. The wells are constructed according to the GPR with grouted-in steel casing extending above ground surface and to a depth below a clay layer (aquitard);
4. The screened aquifer is confined at depth with artesian (flowing) conditions reported, implying that groundwater is discharging to surface in the area. Contamination of the screened aquifer is implausible in this setting.

3.0 CONCLUSIONS

The well's construction, the depth of the screened aquifer, and the presence of a substantial clay layer overlying the screened aquifer indicate that contamination of the screened aquifer from potential contamination sources at ground surface is improbable. The 30 m setback of a well from an agricultural

activity (Fraser Valley Regional District Bylaw No. 559, Area "G" Part 400: 8b) is not considered to provide any incremental protection to the groundwater resource respecting the construction and proposed use of Well #1 and Well #2.

Miracle Springs has developed a Standard Operating Procedure (SOP) for well management incorporating access control, water sampling and routine monitoring to facilitate protection of the groundwater resource. In addition to the SOP, the supply wells will need to be operated and maintained in accordance with the GPR.

It is Hemmera's opinion that the 30 m setback be waived for the proposed use of Well #1 and Well #2, and that enclosure and use of the wells according to the proposed design does not present a hazard to the groundwater resource at this property.

Prepared by:
Hemmera Envirochem Inc.

Reviewed by:
Hemmera Envirochem Inc.



A handwritten signature in black ink, appearing to read "G. Papini".

Gerry Papini, P.Geo.
Senior Hydrogeologist
604.669.0424 (176)
gpapini@hemmera.com

A handwritten signature in black ink, appearing to read "Gabriel Viehweger".

Gabriel Viehweger, P.Geo.
Senior Hydrogeologist
604.669.0424 (232)
gviehweger@hemmera.com

Cc: Dan Sampson
Upcountry Properties Group
380 – 233 W 1st Street, North Vancouver, BC V7M 1B3

ATTACHMENT 1
Drawing No. 2 Proposed Area of Alteration



ATTACHMENT 2
Water Well Records

Phone: (604)857-2266
Toll free: 1-866-857-2266
Fax: (604)857-2267

WATER WELL RECORD

OWNER: MIRACLE SPRINGS	DATE: OCTOBER 15, 2015
ADDRESS: BOX 500 – 233 WEST 1ST	SITE ADDRESS: STAVE LAKE ROAD
NORTH VANCOUVER, BC V7M 1B3	MISSION, BC
PHONE: 604-209-2373	

Date Begun:	SEPTEMBER 22, 2015	
Date Completed:	OCTOBER 5, 2015	
Hole Diameter:	12	Inch
Surface casing:		
Dia: 20"	39	Feet
Drive shoe:	YES	
MEASUREMENTS	FROM	
GROUND LEVEL:		
Stick-Up:	4	Feet
Bottom of Casing:	136'6"	Feet
Hole Depth:	156	Feet
Open Hole: From:		Feet
To:		Feet
SCREENS:		
Number of Screens:	1	
Slot Size:		
Slot 100	Slot	
Slot	Slot	
Screen Length:	20	Feet
	11	Inch
Top at: 135 Feet	1	Inch
Bottom At: 156 Feet		Inch
K. Packer: YES	Riser:	NO
B. Bottom: YES		
WELL		
COMPLETION:		
Rate:	500+	GPM
Pump Setting:	130	Feet
Static Water Level:	7	Feet
Develop:	11 ½	Hours

[illegible]

SITE LEGAL DESCRIPTION:

WELL I.D.
41521

Rig No:	11	Rotary:	YES
		Cable:	
Driller:		GEORGE PATERSON	
Helper:		CHAD ROBERTSON	
		MATT DAVIS	

NAME: MIRACLE SPRINGS

NUMBER: 5269-11

SHOULD BE PUMP TESTED FOR EXACT GPM

Phone: (604)857-2266
Toll free: 1-866-857-2266
Fax: (604)857-2267

WATER WELL RECORD

OWNER: UPCOUNTRY LEASEHOLDS LTD	DATE: NOVEMBER 4, 2015
ADDRESS: BOX 500 – 233 WEST 1ST	SITE ADDRESS: 12395 STAVE LAKE ROAD
NORTH VANCOUVER, BC	MISSION, BC
PHONE: 604-987-1230 EXT 222	

Date Begun:	OCTOBER 28, 2015		FROM	TO	WELL LOG DESCRIPTION
Date Completed:	NOVEMBER 3, 2015		0	1	GRAVEL
Hole Diameter:	8	Inch	1	15	BROWN STICKY SILT CLAY & SANDS, ODD STONE
Surface casing:			15	33	GRAY SILTY GRAVELS
Dia: 12" + 10"	19' + 41'	Feet	33	41	HARD GRAY CLAY
Drive shoe:	YES		41	62	HARDER GRAY CLAY
MEASUREMENTS FROM			62	88	SOFTER GRAY CLAY
GROUND LEVEL:			88	95	SOFT GRAY CLAY, ODD STONE
Stick-Up:	2	Feet	95	118	FINE SILTY SAND, SOME GRAVEL
Bottom of Casing:	171'11"	Feet	118	185	W.B. SANDS & GRAVEL
Hole Depth:	182'11"	Feet	185	198	FINER GRAY SANDS
Open Hole: From:		Feet			
To:		Feet			
SCREENS:					
Number of Screens:	2				
Slot Size:					
Slot 80	Slot	80			
Slot	Slot				
Screen Length:	12	Feet			
	11	Inch			
Top at: 170 Feet		Inch			
Bottom At: 182 Feet	11	Inch			
K. Packer: YES	Riser:	2FT			
B. Bottom: YES					
WELL					
COMPLETION:					
Rate:	200+	GPM			
Pump Setting:	165	Feet			
Static Water Level:	0+-	Feet			
Develop:	4	Hours			

Rig No: 11	Rotary: YES
	Cable:
Driller:	GEORGE PATERSON
Helper:	CHRIS PATON

SITE LEGAL DESCRIPTION:

WELL I.D.
41522

NAME: MIRACLE SPRINGS
NUMBER: 5300-11
SHOULD BE PUMP TESTED FOR EXACT GPM

ATTACHMENT 3
Standard Operating Procedure – Well Management

	MIRACLE SPRINGS INC. <i>Standard Operating Procedure</i>	Page: 1 of 3 Revision: 1
TITLE: Well Management		
ISSUE DATE: May 12, 2016		
APPROVED BY: Miracle Springs Management		

WELL MANAGEMENT

1. Rationale

Biosecurity procedures must be maintained around all wells to ensure that the water sources are not contaminated. This is to ensure the safety and health of the water for domestic and agricultural purposes. This Standard Operating Procedure ensures that Miracle Springs Inc. adheres to guidelines specified by the Canadian Food Inspection Agency Animal Health Compartmentalization Program for the introduction and release of water of a known health status.

2. Scope

This procedure applies to all employees, visitors, suppliers and contractors accessing the Miracle Springs Inc. site. It is intended for all well water sources on site.

3. Definitions

4. Responsibilities

Miracle Springs Inc. General Manager is responsible for:

- Review and approval of Miracle Springs Standard Operating Procedures (Wendy Vandersteen, Mike Cuning, Dan Sampson);
- Ensuring that personnel are aware of and understand the procedure;
- Taking action if procedures are not followed.

Miracle Springs Inc. Operations Manager is responsible for:

- Ensuring that the procedure is being followed on a daily basis.

All Miracle Springs Inc. Personnel that work with fish are responsible for:

- Familiarizing themselves with this procedure;
- Obtaining training for this procedure prior to conducting it unsupervised.

5. Equipment and Supplies

- Water sampling bottles

6. Safety Concerns

No safety concerns.

	MIRACLE SPRINGS INC. <i>Standard Operating Procedure</i>	Page: 2 of 3 Revision: 1
TITLE: Well Management		
ISSUE DATE: May 12, 2016		
APPROVED BY: Miracle Springs Management		

7. Approved Procedure

- There are three wells on site (Well #1 - 41880, Well #2 - 41521, and Well #3 - 41522), all drilled by the same contractor (Field Drilling Contractors Ltd.), a driller licensed by the British Columbia Ground Water Association (the well reports are kept on file).
- Well #1 will be located within the new aquaculture system building, Well #2 is between the staff house and road, and Well #3 is on the adjacent property.

7.1 Routine water sampling

- Water is sampled from each well at least quarterly, and sent to Exova for analysis (complete drinking water analysis). Refer to Water Quality Monitoring SOP in Miracle Springs Inc. Biosecurity Manual.

7.2 Restricted Access

- Each well is securely sealed to prevent any access.
- There will be a cage built around Well #1 within the building. This cage will be 2.5m x 2.5m x 6m high and constructed from chain link.
- A 0.6m concrete wall will surround the well to restrict ingress of any water around the well casing from the surrounding aquaculture system.
- The cage will remain locked at all times. Only the Operations Manager and the General Manager will have key access to this enclosure.
- Any service contractors will be supervised by the Operations Manager or the General Manager will working on or near the wells.

7.3 Routine Monitoring

- Each well will be inspected weekly to check the integrity of the seals around the well head. Inspections will check for signs of cracks, water leaks, or other indications of compromised biosecurity. Visual inspections will be recorded on the Well Inspection Record Sheet.
- Well #1 in the enclosed cage will be visually inspected two times per day to ensure that the enclosure remains securely locked. This will be noted on the relevant Daily Husbandry Sheet for the recirculating aquaculture system.

	MIRACLE SPRINGS INC. <i>Standard Operating Procedure</i>	Page: 3 of 3 Revision: 1
TITLE: Well Management		
ISSUE DATE: May 12, 2016		
APPROVED BY: Miracle Springs Management		

8. Contingency Plan

If compromised biosecurity is detected, a water sample will be collected immediately and sent for complete drinking water analysis.

9. Non-conformances

Any staff determined to be improperly following this procedure will be reported to the General Manager. Staff will first receive a warning and subsequently may require retraining or dismissal.

10. Forms and Record Keeping

Records to be completed or filed include:

- Well Inspection Records
- Well Maintenance Records
- Daily Husbandry Records

When records have been updated, please file them appropriately. At the end of each day, the records are stored in the Staff Room at the Record Station in the Daily Record Collection file. The manager will collect the records on a weekly basis and they will be digitally entered into a spreadsheet for further analysis. The original records will be stored for a minimum of two years.

11. References

REVISION LOG

Revision Date	Authority	Reviser	Revision Details



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-13 **Folio No.** 775.02288.000

Issued to: Miracle Springs Inc. No. BC0066304

Address: 380-233 West 1st Street, North Vancouver

Applicant: Dan Sampson

Site Address: 12443 Stave Lake Road, 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:

SOUTH HALF OF THE SOUTH HALF OF THE NORTH EAST QUARTER SECTION 23 TOWNSHIP 18
NEW WESTMINSTER DISTRICT

PID: 013-394-291

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

Schedule "C": Hydrogeological Report, prepared by Gerry Papini of Hemmera Envirochem Inc., and dated September 28, 2016

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:

Section 412 (8) is varied by reducing the setback from a building keeping livestock, to a sandpoint or well from 30.0 metres to 0.0 metres.

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. A building permit shall be issued by the Fraser Valley Regional District prior to any construction on the property.
 5. Management of the on-site water supply must be in accordance with the recommendations of the Hydrogeological Report dated September 28, 2016 and the Standard Operating Procedure developed by Miracle Springs., including
 - Access control
 - Regular water sampling
 - Routine monitoring
 6. The water supply wells must be operated and maintained in accordance with the Provincial Acts and Regulations, including the *Health Hazards Regulation*, and the *Ground Water Protection Regulation*.
-

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> .

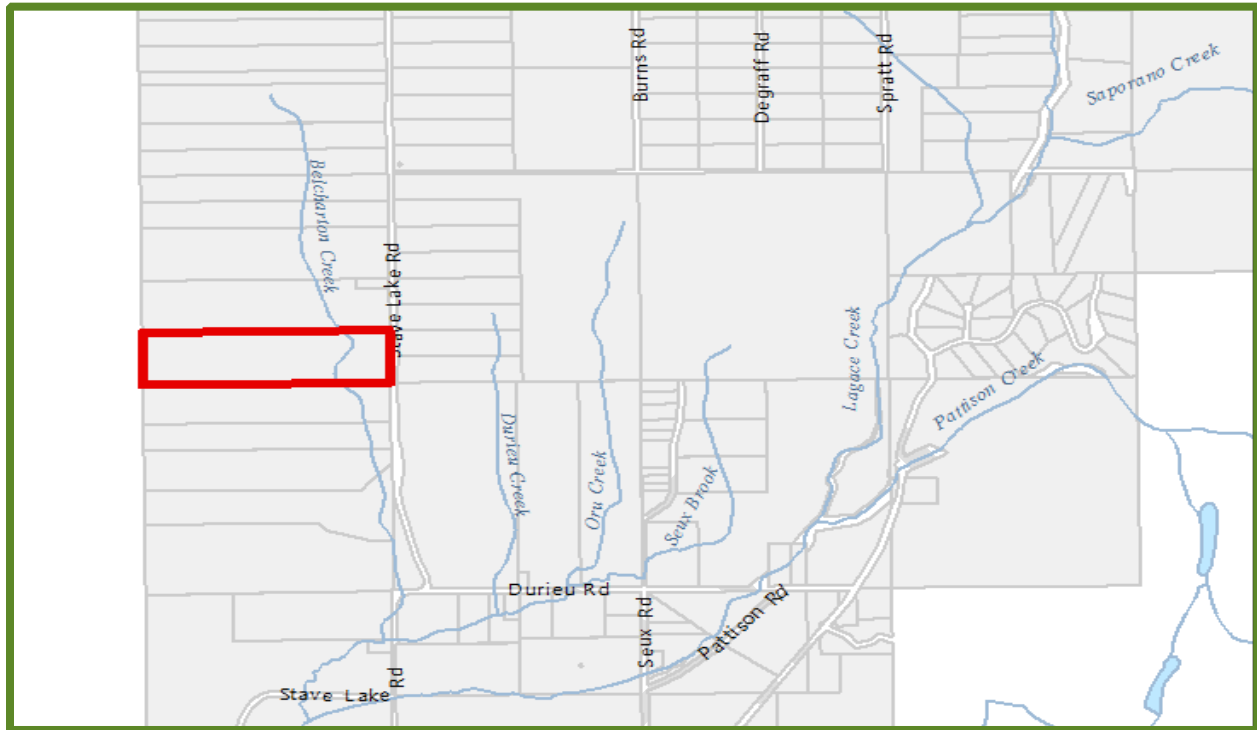
Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2019-13. The notice shall take the form of Appendix I attached hereto.

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

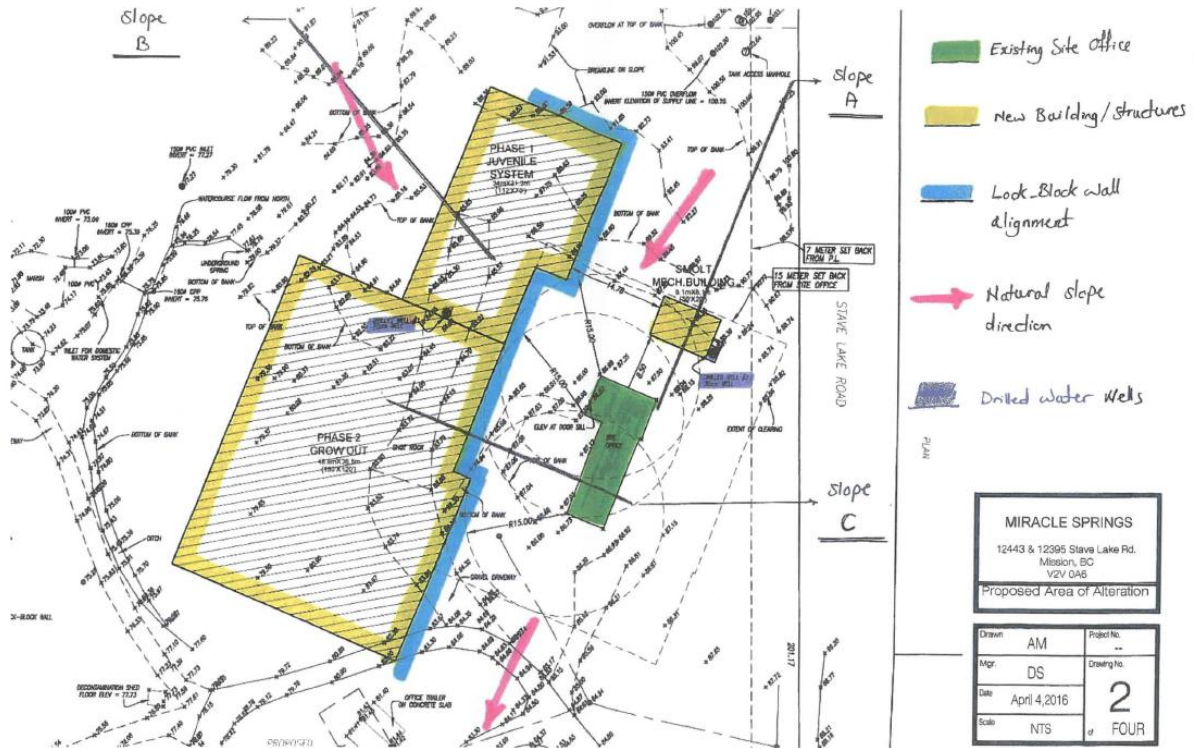
Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

DEVELOPMENT VARIANCE PERMIT 2019-13
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2019-13 SCHEDULE "B" Site Plan



DEVELOPMENT VARIANCE PERMIT 2019-13 SCHEDULE "C"

Hydrogeological Report

Prepared by: Gerry Papini, Hemmera Envirochem Inc, September 26, 2016

FVRD
CCT 04 2016
Permitting Dept.



Hemmera Envirochem Inc.
18th Floor, 4730 Kingsway
Burnaby, BC V5H 0C6
T: 604.669.0424
F: 604.669.0430
hemmera.com

September 28, 2016
File: 2030-001.01

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

Attn: Katelyn Hipwell

Dear Katelyn,

Re: Groundwater Protection: Miracle Springs, Mission, BC

Further to our conversation regarding use of groundwater supply wells to supply the expansion of the fish farm facilities at the Miracle Springs property (12443 & 12395 Stave Lake Road), Hemmera Envirochem Inc. (Hemmera) is pleased to provide an opinion on potential risks to the groundwater resource aquifer based on proximity to the proposed farming activities. The purpose of this letter is to provide assurance to the Fraser Valley Regional District (FVRD) and Fraser Health Authority that the use of two production wells for the proposed expansion at the Miracle Springs will not present a contamination risk for the groundwater resource.

Use of the groundwater resource must comply with the Groundwater Protection Regulation (B.C. Reg. 152/2016, June 10, 2016), the Health Hazards Regulation (B.C. Reg. 41/2016, February 29, 2016), (HHR) and the FVRD Bylaw No. 559, Area "G" Part 400: 8b. Fish farming is considered agricultural land use. Section 8(1)a of the HHR requires that a groundwater well be located "30 m from any probable source of contamination". For the purposes of this letter, we assume that agricultural activities are a potential source of contamination. The Groundwater Protection Regulation (GPR) provides requirements for well construction, operation, maintenance and deactivation / decommissioning.

1.0 EXISTING INFORMATION

Hemmera was provided with background information regarding the proposed fish farm expansion, the production well construction, and use of supply wells. We summarize the background information from the proponent and drilling contractor as follows:

- Two buildings are planned northeast of the existing fish pens and west of the Stave Lake Road. Phase 1 is a 34 m x 21.3 m slab-on-grade construction (Attachment 1 Drawing No. 2 Proposed Area of Alteration) with nearby 9.1 m x 6.1 m slab-on-grade mechanical building (Smolt Mech. Building – see Drawing No. 2).

- Water from two existing groundwater supply wells: Well #1 – Well ID 41521 and Well #2 – Well ID 41522 (see Drawing No. 2) will be used to provide the additional facilities with water (and Well #2 will continue to provide potable water to two dwellings).
- Well # 1 is 12-inch (30 cm) diameter, 156-foot (48 m) deep with casing installed to 136 feet (42 m) and a 20 foot (6 m), (100 slot) screen installed to the bottom of the hole. The well screen is set in sand and gravel (the screened aquifer). Thin surficial sand is underlain by approximately 30 feet (9 m) of clay. The static water level is 7 feet (2 m) from surface. The drilling contractor rated the well production at >500 GPM (>32 L/s), but this rate has not been verified by pump testing (Attachment 2);
- Well #2 is an 8-inch diameter, 198-foot (60 m) deep well with casing installed to 171 feet (52 m) and 80-slot screen to the bottom of the borehole. The well screen is set in sand and gravel (the screened aquifer). Surficial sand, clay and gravel is underlain by approximately 60-foot (18 m) thick of clay. The water level was reportedly artesian at the time of drilling. The drilling contractor rated the well production at >200 GPM (> 13 L/s) but this rate has not been verified by pump testing (Attachment 2).
- Both wells will be enclosed within the building limits (see Drawing No. 2). Access to Well # 1 will be restricted by provision of a chain-link cage (2.5 m x 2.5 m x 6 m) and encapsulating concrete wall (see Attachment 3 – Standard Operating Procedure, Rev 1).
- We understand that the well casings are currently above ground and that there are no plans to construct a well pit in the future.

2.0 GROUNDWATER PROTECTION

The intent of the HHR is to protect the groundwater resource from potential contamination. At Miracle Springs, the groundwater resource is protected from potential contamination by the following barriers or conditions:

1. The buildings are slab-on-grade design such that any spillage of chemicals or other hazardous material would be contained within the facility and unlikely to infiltrate the ground;
2. The wells will be enclosed within a dedicated building or locked enclosure safe-guarding them from accidental damage or tampering;
3. The wells are constructed according to the GPR with grouted-in steel casing extending above ground surface and to a depth below a clay layer (aquitard);
4. The screened aquifer is confined at depth with artesian (flowing) conditions reported, implying that groundwater is discharging to surface in the area. Contamination of the screened aquifer is implausible in this setting.

3.0 CONCLUSIONS

The well's construction, the depth of the screened aquifer, and the presence of a substantial clay layer overlying the screened aquifer indicate that contamination of the screened aquifer from potential contamination sources at ground surface is improbable. The 30 m setback of a well from an agricultural

Upcountry Properties Group.
Miracle Springs – Groundwater Protection Assessment

- 3 -

Hemmera
September 2016

activity (Fraser Valley Regional District Bylaw No. 559, Area "G" Part 400: 8b) is not considered to provide any incremental protection to the groundwater resource respecting the construction and proposed use of Well #1 and Well #2.

Miracle Springs has developed a Standard Operating Procedure (SOP) for well management incorporating access control, water sampling and routine monitoring to facilitate protection of the groundwater resource. In addition to the SOP, the supply wells will need to be operated and maintained in accordance with the GPR.

It is Hemmera's opinion that the 30 m setback be waived for the proposed use of Well #1 and Well #2, and that enclosure and use of the wells according to the proposed design does not present a hazard to the groundwater resource at this property.

Prepared by:
Hemmera Envirochem Inc.

Reviewed by:
Hemmera Envirochem Inc.



Handwritten signature of Gerry Papini.

Gerry Papini, P.Geo.
Senior Hydrogeologist
604.669.0424 (176)
gpapini@hemmera.com

Handwritten signature of Gabriel Viehweger.

Gabriel Viehweger, P.Geo.
Senior Hydrogeologist
604.669.0424 (232)
gviehweger@hemmera.com

Cc: Dan Sampson
Upcountry Properties Group
380 – 233 W 1st Street, North Vancouver, BC V7M 1B3

ATTACHMENT 1
Drawing No. 2 Proposed Area of Alteration

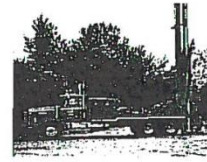


ATTACHMENT 2
Water Well Records

FIELD DRILLING CONTRACTORS LTD

**P. O. Box 841
25320 Fraser Highway
Aldergrove, BC V4W 2V1**

Phone: (604)857-2266
Toll free: 1-866-857-2266
Fax: (604)857-2267



WATER WELL RECORD

OWNER: UPCOUNTRY LEASEHOLDS LTD	DATE: NOVEMBER 4, 2015
ADDRESS: BOX 500 – 233 WEST 1 ST	SITE ADDRESS: 12395 STAVE LAKE ROAD
NORTH VANCOUVER, BC	MISSION, BC
PHONE: 604-987-1230 EXT 222	

Date Begun:	OCTOBER 28, 2015		FROM	TO	WELL LOG DESCRIPTION
Date Completed:	NOVEMBER 3, 2015		0	1	GRAVEL
Hole Diameter:	8	Inch	1	15	BROWN STICKY SILT CLAY & SANDS, ODD STONE
Surface casing:			15	33	GRAY SILTY GRAVELS
Dia: 12" + 10"	19' + 41'	Feet	33	41	HARD GRAY CLAY
Drive shoe:	YES		41	62	HARDER GRAY CLAY
MEASUREMENTS	FROM		62	88	SOFTER GRAY CLAY
GROUND LEVEL:			88	95	SOFT GRAY CLAY, ODD STONE
Stick-Up:	2	Feet	95	118	FINE SILTY SAND, SOME GRAVEL
Bottom of Casing:	171'11"	Feet	118	185	W.B. SANDS & GRAVEL
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To:		Feet			
SCREENS:					
Number of Screens:	2				
Slot Size:					
Slot 80	Slot	80			
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Develop:	4	Hours			

Rig No: 11 Rotary: YES
Cable:
Driller: GEORGE PATERSON
Helper: CHRIS PATON

SITE LEGAL DESCRIPTION:

WELL I.D.
41522

NAME: MIRACLE SPRINGS
NUMBER: 5300-11
SHOULD BE PUMP TESTED FOR EXACT GPM

ATTACHMENT 3
Standard Operating Procedure – Well Management

	MIRACLE SPRINGS INC. <i>Standard Operating Procedure</i>	Page: 1 of 3 Revision: 1
TITLE: Well Management		
ISSUE DATE: May 12, 2016		
APPROVED BY: Miracle Springs Management		

WELL MANAGEMENT

1. Rationale

Biosecurity procedures must be maintained around all wells to ensure that the water sources are not contaminated. This is to ensure the safety and health of the water for domestic and agricultural purposes. This Standard Operating Procedure ensures that Miracle Springs Inc. adheres to guidelines specified by the Canadian Food Inspection Agency Animal Health Compartmentalization Program for the introduction and release of water of a known health status.

2. Scope

This procedure applies to all employees, visitors, suppliers and contractors accessing the Miracle Springs Inc. site. It is intended for all well water sources on site.

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4. Responsibilities

Miracle Springs Inc. General Manager is responsible for:

- Review and approval of Miracle Springs Standard Operating Procedures (Wendy Vandersteen, Mike Cuning, Dan Sampson);
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- Obtaining training for this procedure prior to conducting it unsupervised.

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- Water sampling bottles

6. Safety Concerns

No safety concerns.

	MIRACLE SPRINGS INC. <i>Standard Operating Procedure</i>	Page: 2 of 3 Revision: 1
TITLE: Well Management		
ISSUE DATE: May 12, 2016		
APPROVED BY: Miracle Springs Management		

7. Approved Procedure

- There are three wells on site (Well #1 - 41880, Well #2 - 41521, and Well #3 - 41522), all drilled by the same contractor (Field Drilling Contractors Ltd.), a driller licensed by the British Columbia Ground Water Association (the well reports are kept on file).
- Well #1 will be located within the new aquaculture system building, Well #2 is between the staff house and road, and Well #3 is on the adjacent property.

7.1 Routine water sampling

- Water is sampled from each well at least quarterly, and sent to Exova for analysis (complete drinking water analysis). Refer to Water Quality Monitoring SOP in Miracle Springs Inc. Biosecurity Manual.

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- Each well is securely sealed to prevent any access.
- There will be a cage built around Well #1 within the building. This cage will be 2.5m x 2.5m x 6m high and constructed from chain link.
- A 0.6m concrete wall will surround the well to restrict ingress of any water around the well casing from the surrounding aquaculture system.
- The cage will remain locked at all times. Only the Operations Manager and the General Manager will have key access to this enclosure.
- Any service contractors will be supervised by the Operations Manager or the General Manager will working on or near the wells.

7.3 Routine Monitoring

- Each well will be inspected weekly to check the integrity of the seals around the well head. Inspections will check for signs of cracks, water leaks, or other indications of compromised biosecurity. Visual inspections will be recorded on the Well Inspection Record Sheet.
- Well #1 in the enclosed cage will be visually inspected two times per day to ensure that the enclosure remains securely locked. This will be noted on the relevant Daily Husbandry Sheet for the recirculating aquaculture system.

	MIRACLE SPRINGS INC. <i>Standard Operating Procedure</i>	Page: 3 of 3 Revision: 1
TITLE: Well Management		
ISSUE DATE: May 12, 2016		
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8. Contingency Plan

If compromised biosecurity is detected, a water sample will be collected immediately and sent for complete drinking water analysis.

9. Non-conformances

Any staff determined to be improperly following this procedure will be reported to the General Manager. Staff will first receive a warning and subsequently may require retraining or dismissal.

10. Forms and Record Keeping

Records to be completed or filed include:

- Well Inspection Records
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When records have been updated, please file them appropriately. At the end of each day, the records are stored in the Staff Room at the Record Station in the Daily Record Collection file. The manager will collect the records on a weekly basis and they will be digitally entered into a spreadsheet for further analysis. The original records will be stored for a minimum of two years.

11. References

REVISION LOG

Revision Date	Authority	Reviser	Revision Details

SCHEDULE A-4

Permit Application

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

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

Civic Address 12443 Stave Lake Rd, Mission, BC V2V 0A6 PID 013-394-291

Legal Description Lot _____ Block _____ Section _____ Township _____ Range _____ Plan _____
18 Part S1/2 of S1/2 of NE1/4, Section 23, Township 18, NWLD

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) Dan Sampson	Signature of Owner 	Date 17-04-2019
Name of Owner (print) Mike Cuning	Signature of Owner 	Date 17-04-2019

Owner's
Contact
Information

Address 380 - 233 W 1st Street	City North Vancouver	Postal Code V7M 1B3
Cell _____	_____	_____

Office Use Only	Date April 30, 2019	File No. 775-02288-000
	Received By JM	Folio No. 3090-20 2019-13
	Receipt No. 8543/5	Fees Paid: \$ 350

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 40 ACRES Present Zoning R-3

Existing Use LAND BASED AQUACULTURE

Proposed Development EXPANSION OF TROUT FARM WITH CONSTRUCTION OF R.A.S. RECIRCULATING AQUACULTURE SYSTEM BUILD OUT

Proposed Variation / Supplement FISH FARM IS 100% DEPENDANT ON WATER.

WE WOULD LIKE TO BUILD RIGHT UP TO WELL HEAD

(use separate sheet if necessary)

Reasons in Support of Application WE BELIEVE CONSTRUCTION OF THE BUILDINGS WOULD HAVE MUCH LESS ENVIRONMENTAL IMPACT BUILT CLOSE TO THE WELLS, ON A FLAT AREA OF THE SITE RATHER THAN BUILD CLOSE TO BELCHARTON CREEK & PUMP WATER BOTH UP AND DOWN THE SLOPE.

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 16.18 hectares (40 acres) Present Zoning Rural 3 (R-3)

Existing Use Aquaculture Use

Proposed Development Construct a R.A.S. building to farm fish

Proposed Variation / Supplement On setback of well

(use separate sheet if necessary)

Reasons in Support of Application _____

**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.**

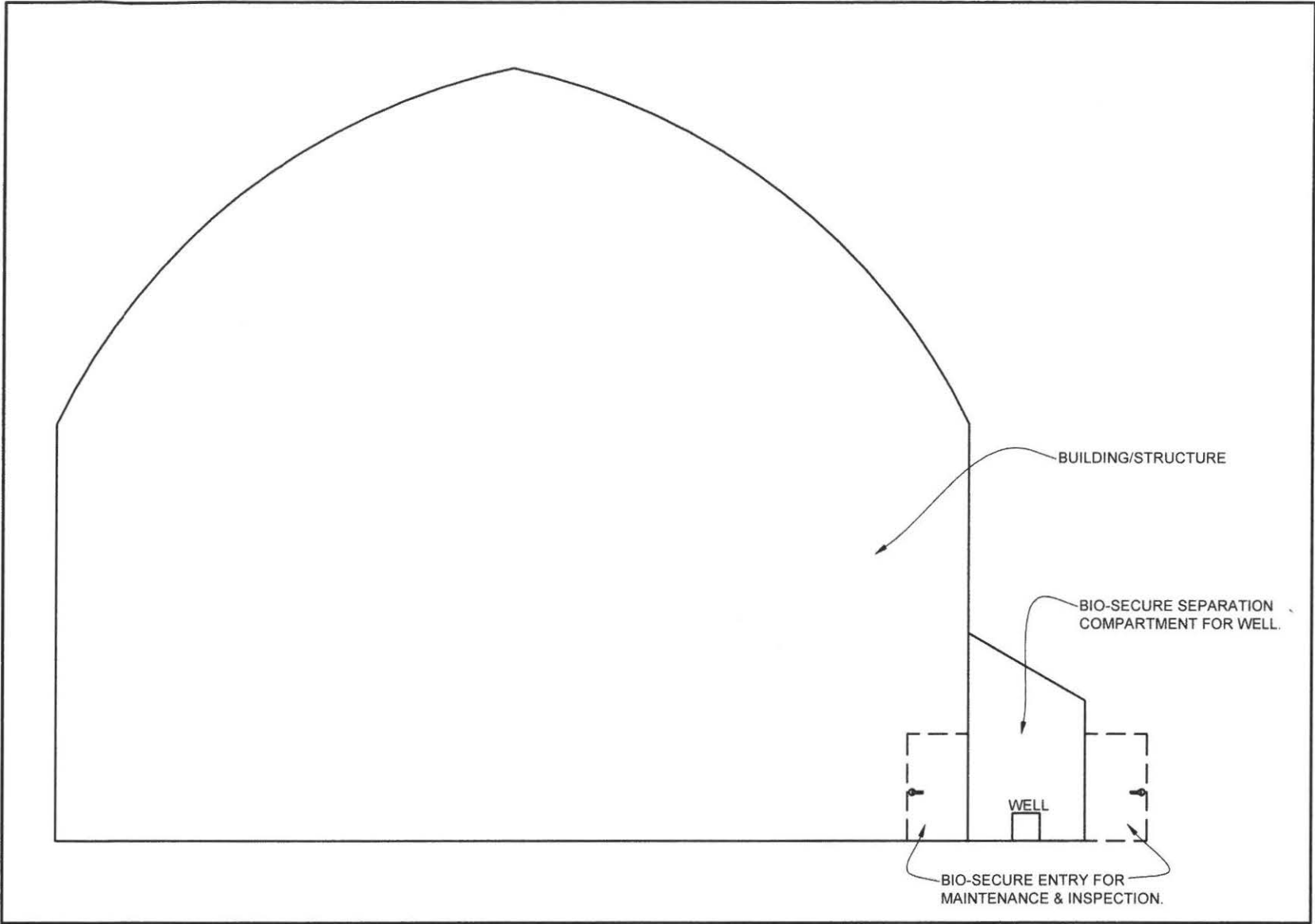
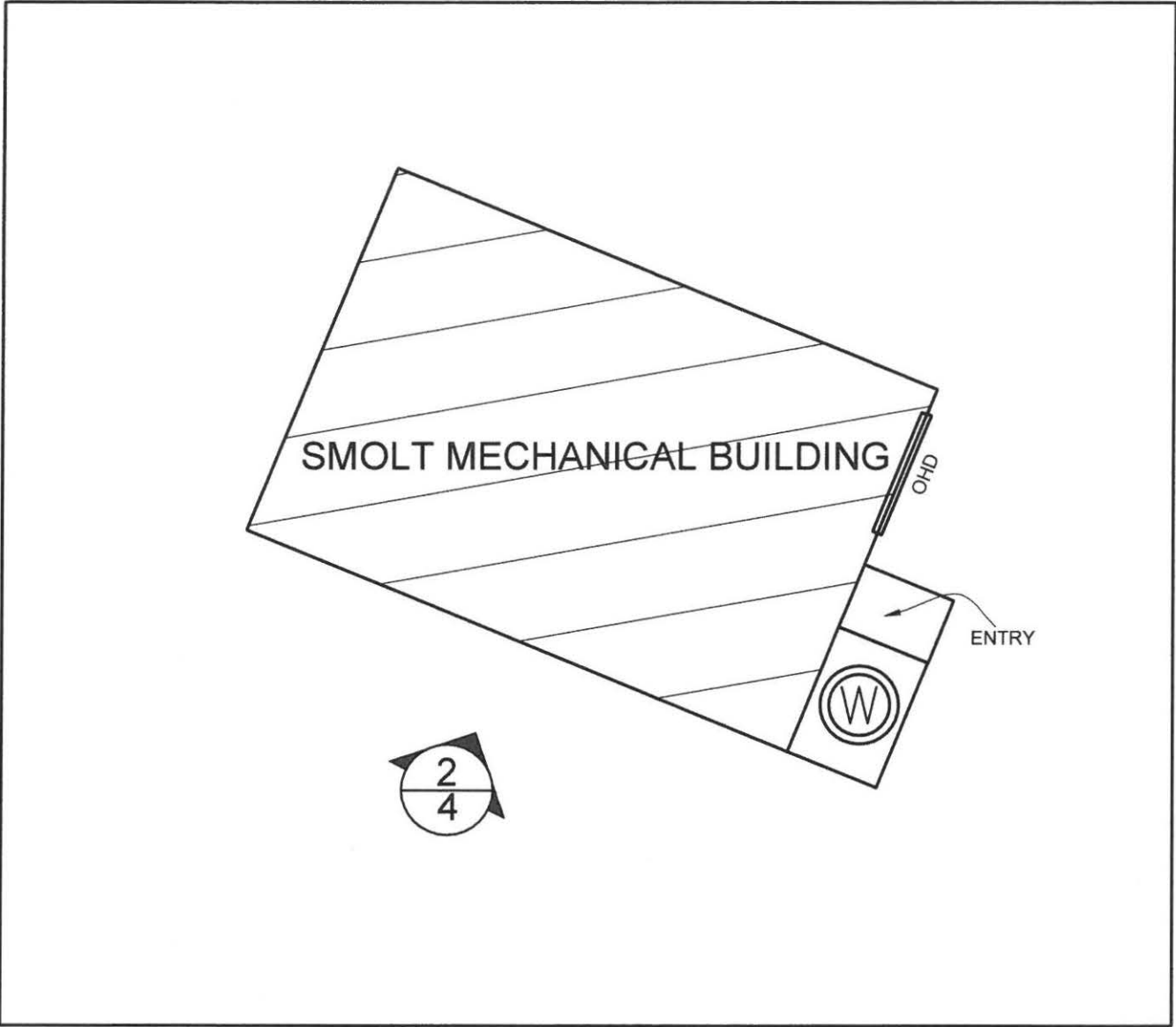
	Required	Received	Details
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan			Reduced sets of metric plans
			North arrow and scale
At a scale of:			Dimensions of property lines, rights-of-ways, easements
1: _____	X		Location and dimensions of existing buildings & setbacks to lot lines, rights-of-ways, easements
	X		Location and dimensions of proposed buildings & setbacks to lot lines, rights-of-ways, easements
	X		Location of all water features, including streams, wetlands, ponds, ditches, lakes on or adjacent to the property
	X		Location of all existing & proposed water lines, wells, septic fields, sanitary sewer & storm drain, including sizes
			Location, numbering & dimensions of all vehicle and bicycle parking, disabled persons' parking, vehicle stops & loading
	x		Natural & finished grades of site, at buildings & retaining walls
			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
			Contour information (_____ metre contour intervals)
Same scale as site plan			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@fvrld.ca.



Well Setbacks

Drawn	AM	Project No.	--
Mgr.	DS	Drawing No.	3
Date	April 4, 2016		
Scale	NTS	of	
			FOUR



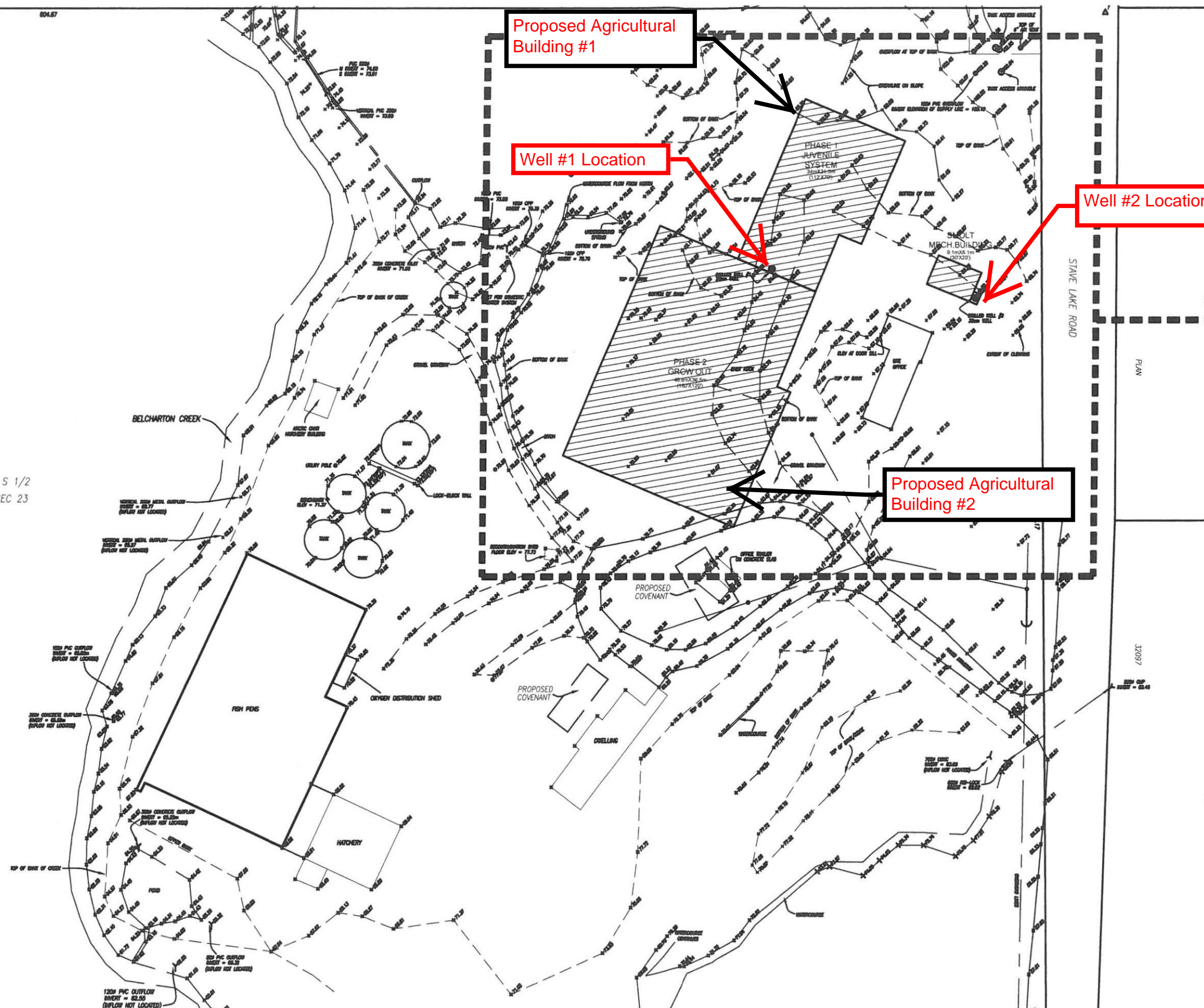
1
4 **BIO-SECURE SEPARATION COMPARTMENT**
Scale: NTS

2
4 **ELEVATION: BIO-SECURE SEPARATION COMPARTMENT**
Scale: NTS

MIRACLE SPRINGS
12443 & 12395 Stave Lake Rd.
Mission, BC
V2V 0A6

**BIO-SECURE SEPARATION
COMPARTMENT FOR WELL**

Drawn	AM	Project No.	--
Mgr.	DS	Drawing No.	4 of FOUR
Date	April 4, 2016		
Scale	NTS		



Well #1 Location

Well #2 Location

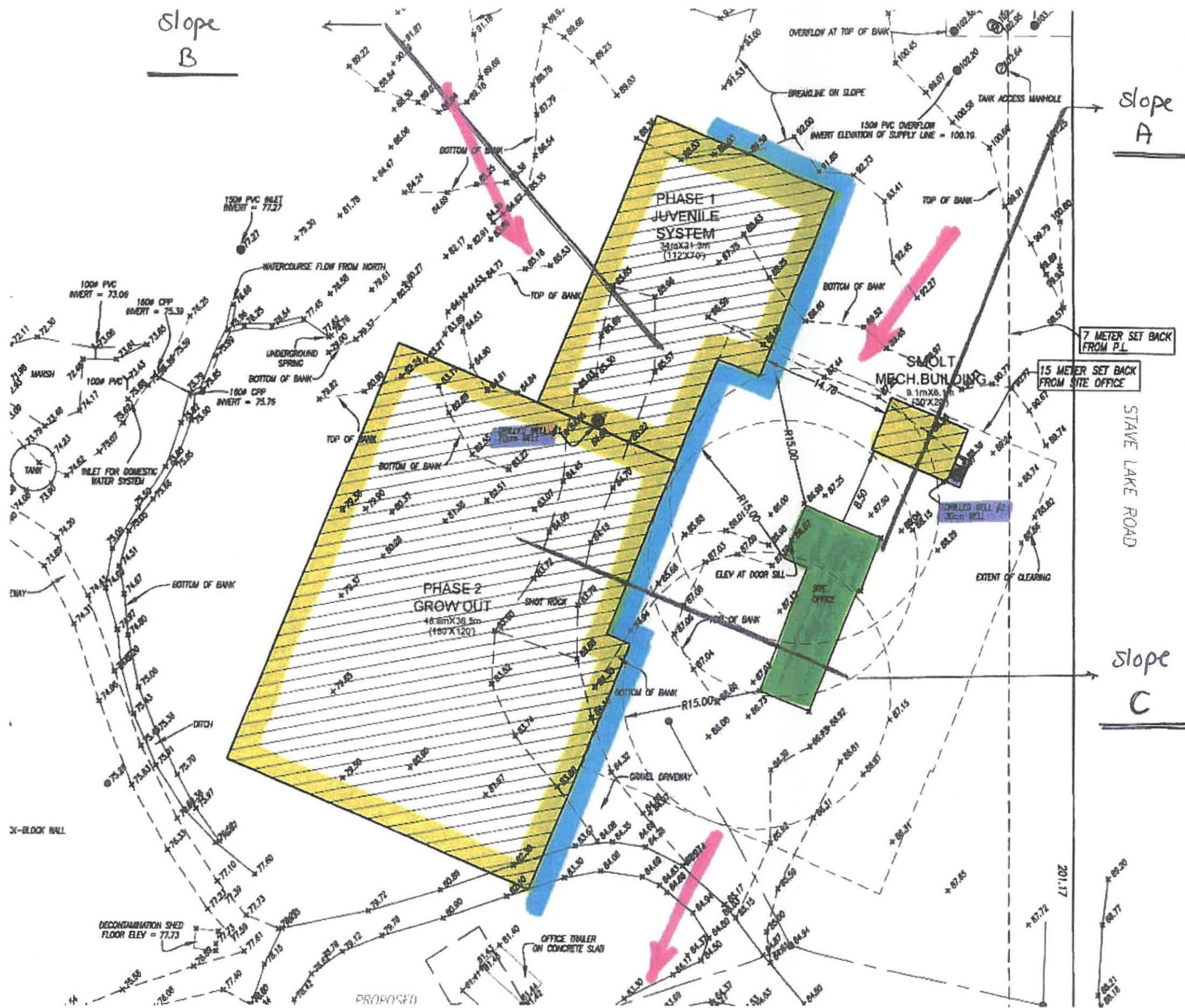
PROPOSED AREA OF ALTERATION

Proposed Agricultural
Building #2

12443 & 12395 Stave Lake Rd.
Mission, BC
V2V 0A6

Site Plan

Drawn	AM	Project No.	--
Mgr.	DS	Drawing No.	1
Date	April 4, 2016		
Scale	NTS	of	
			FOUR



- Existing Site Office
- New Building/structures
- Lock-Block wall alignment
- Natural slope direction
- Drilled water wells

PLAN

MIRACLE SPRINGS

12443 & 12395 Stave Lake Rd.
Mission, BC
V2V 0A6

Proposed Area of Alteration

Drawn	AM	Project No.	--
Mgr.	DS	Drawing No.	2
Date	April 4, 2016		
Scale	NTS		of FOUR

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-14

Subject: Application for Development Variance Permit 2019-14 to vary the maximum height and size requirements for an accessory building at 10394 Parkwood Drive, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-14 to increase the maximum permitted area of an accessory building from 45 square metres to 107 square metres and to increase the maximum permitted height of an accessory building from 5.0 metres to 7.5 metres, 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 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	10394 Parkwood Drive		
PID	027-327-621		
Folio	733.06754.000		
Lot Size	0.272 acres (11,848 sq ft)		
Owner	Chris Murphy/Karla Haynes	Agent	
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 – Riparian areas		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Suburban Residential 2 (SBR-2), Single Family Dwelling
East	>	Country Residential (CR); Single Family Dwelling
West	<	Suburban Residential 2 (SBR-2), Single Family Dwelling
South	v	Suburban Residential 2 (SBR-2), Single Family Dwelling

The map displays a residential neighborhood with the following streets and house numbers:

- Old Yale Rd** (top left): 10421, 10411, 10401, 10391, 10381, 10371, 10361, 10351, 10341, 10331, 10321, 10311, 10301, 10291, 10281, 10271, 10261, 10251, 10241, 10231.
- W Vile** (top center): 10434, 10424, 10414, 10404, 10394 (highlighted), 10384, 10374, 10366, 10356.
- Rutley Rd** (center): 10435, 10425, 10346, 10336, 10326, 10316, 10306, 10296, 10286, 10276, 10266, 10256, 10246, 10235, 10225, 10215, 10205.
- Parkrose Wynd** (right): 52671, 52681, 52691, 52701, 52705, 52711, 52715, 52721, 52725, 52731, 52672, 52684, 52686, 52688, 52704.
- Carys Rd** (bottom right): 10840, 10830, 10320, 10304, 10200, 53665, 53675, 53685.
- Royalwood Blvd** (bottom center): 10883, 10863, 10333, 10304, 10303, 10294, 10298, 10284, 10283, 10274, 10273, 10264, 10263, 10254, 10253, 10244, 10243, 10234, 52575, 52585.

Other labels include 'CHEAM 1' on the left and 'Greenspace' on the right.

An aerial photograph of a residential neighborhood with property boundaries outlined in black. The property at address 10394 is highlighted with a red rectangular border. Other visible addresses include 10414, 10404, 10381, 10374, 10435, and 10425. A road labeled 'Parkway Dr' runs vertically on the left side of the image. To the right, 'Rutley Rd' and 'Hwy 9' are visible. The map shows various houses, lawns, and some commercial buildings in the background.

DISCUSSION

The property owners are proposing to construct a detached accessory building which exceeds 1) the maximum allowable size and 2) the maximum allowable height for an accessory building under the Zoning Bylaw for Electoral Area D. The property is approximately 11,800 square feet (0.27 acres) in size, and has a single family dwelling and a partially constructed accessory building on the property.

Height and Size Variance

The proposed building will be 36 x 32 feet with a total area of 1152 square feet (107 square metres). The owners are seeking a size variance of 667.6 square feet (62 square metres), which is 138% larger than is permitted in the zoning bylaw.

Maximum Size of Accessory Buildings	
Permitted (zoning)	45.0 square metres (484.4 sq feet)
Proposed	107 square metres (1152 sq feet)
Requested Variance	62 square metres (667.6 sq feet)

The proposed garage will have a total height of 7.5 metres (24.6 feet). The owners are seeking a height variance of 2.5 metres (8.2 feet), which is 50% taller than is permitted in the zoning bylaw.

Height of Accessory Buildings	
Permitted (zoning)	5.0 metres (16.4 feet)
Proposed	7.5 metres (24.6 feet)
Requested Variance	2.5 metres (8.2 feet)

Reasons for variance

The applicant advises the reason for the variance is to enable the construction of a building with sufficient room to accommodate hobbies. The property owners are car racing enthusiasts who have multiple vehicles (2 drag race cars, 2 classic cars, and 1 motorcycle) that require indoor storage. The building will enable the vehicles to be stored out of sight, and will accommodate an oversize hoist for working on the vehicles.

The garage will be located at the rear of the property which looks primarily onto an unconstructed Ministry of Transportation and Infrastructure right-of-way, and the raised side of Highway 9. The applicant states the building will help to provide greater privacy and to block noise from the highway.

If the size and height variance is not granted, the applicant could construct a smaller, shorter, structure that complies with the zoning regulation.

Bylaw Enforcement & Planning Requirements

Construction on the building (foundation and framing) was started without the benefit of a building permit. Consequently, the property is in bylaw contravention. The property owners are working with FVRD on this matter, and have advised they will submit a building permit application pending the outcome of the Development Variance Permit.

Commercial automotive repair is not a permitted use on the property. A condition of the development variance permit will be to prohibit commercial uses within the accessory building.

All access to the property will be from Parkwood Drive. There is to be no vehicular access to Highway 9 from the unconstructed road allowance. The proposed structure will meet both the property line setbacks for an accessory building and the 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 is being reviewed as part of the Electoral Areas Zoning Bylaw Consolidation project. Staff anticipate drafting a memo to the Electoral Area Services Committee about acceptable community standards for accessory buildings to help inform this work.

DVP Summary for Electoral Area D for the Size of Accessory Structures

Although, the size variance request is among the largest of all variance requests in Electoral Area D, several larger accessory buildings have been approved in the past. The height request is the largest variance request in Electoral Area D to date.

The following tables summarize past DVP applications in Electoral Area D (SBR-2 and SBR-3 zones) to increase the allowable size and the allowable height of an accessory residential building.

DVP for Size of Accessory Buildings			
Civic Address	Permit Number	Conditions of Permit	Approved/ Denied
10-10200 Gray Road	DVP 1995-10	Increase size to 98 m ² (117% increase)	Approved
6-10200 Gray Road	DVP 1996-05	Increase size to 66.9 m ² (48.6% increase)	Approved
18-10200 Gray Road	DVP 1998-04	Increase size to 76.2 m ² (69% increase)	Approved
11-10200 Gray Road	DVP 2002-01	Increase size to 80.27 m ² (72% increase)	Approved
4-10200 Gray Road	DVP 2002-04	Increase size to 125.4 m ² (179% increase)	Approved
3-10200 Gray Road	DVP 2003-06	Increase size to 74.3 m ² (65% increase)	Approved
10211 Parkwood Drive	DVP 2012-02	Increase size to 50m ² (11% increase)	Approved
10391 Parkwood Drive	DVP 2013-05	Increase size to 60m ² (33% increase)	Approved
9974 Llanberis Way	DVP 2013-13	Increase size to 111m ² (147% increase)	Approved
16-10200 Gray Road	DVP 2014-17	Increase size to 89.2 m ² (98% increase)	Approved
52672 Parkrose Wynd	DVP 2016-13	Increase size to 116.129 m ² (158% increase)	Denied
52672 Parkrose Wynd	DVP 2016-15	Increase size to 81.941 m ² (82 % increase)	Denied
10094 Parkwood Drive	DVP 2017-01	Increase size to 53.14m ² (18% increase)	Approved
52671 Parkrose Wynd	DVP 2017-09	Increase size to 76 m ² (69% increase)	Approved
10338 Wildrose Drive	DVP 2017-19	Increase size to 56.4m ² (25% increase)	Approved
52725 Parkrose Wynd	DVP 2017-20	Increase size to 53.1m ² (18% increase)	Approved
10191 Caryks Road	DVP 2019-05	Increase size to 53.5m ² (19% increase)	Approved
10395 Wildrose Drive	DVP 2019-10	Increase size to 58 m ² (29% increase)	Approved
10163 Royalwood Blvd	DVP 2019-12	Increase size to 76m ² (69% increase)	Approved

DVP for Height of Accessory Buildings			
Civic Address	Permit Number	Conditions of Permit	Approved/ Denied
10-10200 Gray Road	DVP 1995-10	Increase height to 5.8m (16% increase)	Approved
6-10200 Gray Road	DVP 1996-05	Increase height to 5.4 m (8% increase)	Approved
18-10200 Gray Road	DVP 1998-04	Increase height to 7.4m (48% increase)	Approved
11-10200 Gray Road	DVP 2002-01	Increase height to 5.3 m (7% increase)	Approved
4-10200 Gray Road	DVP 2002-04	Increase height to 5.8m (16% increase)	Approved
9949 Parkwood Drive	DVP 2004-05	Increase height to 5.28m (6% increase)	Approved
10391 Parkwood Drive	DVP 2013-05	Increase height to 5.8 m (16% increase)	Approved
9974 Llanberis Way	DVP 2013-13	Increase height to 7.0 m (40% increase)	Approved
52622 Woodgrove Place	DVP 2014-12	Increase height to 5.9 m (18% increase)	Approved
16-10200 Gray Road	DVP 2014-17	Increase height to 7.3 m (46% increase)	Approved
52672 Parkrose Wynd	DVP 2016-13	Increase height to 6.5 m (30% increase)	Denied
52672 Parkrose Wynd	DVP 2016-15	Increase height to 6.35 m (27% increase)	Denied
10104 Parkwood Drive	DVP 2016-19	Increase height to 6.0 m (20 % increase)	Approved
10161 Parkwood Drive	DVP 2017-05	Increase height to 6.1 m (22% increase)	Approved
10338 Wildrose Drive	DVP 2017-19	Increase height to 5.7 m (14% increase)	Approved
52725 Parkrose Wynd	DVP 2017-20	Increase height to 6 m (20% increase)	Approved
10191 Caryks Road	DVP 2019-05	Increase height to 7.3 m (46% increase)	Approved
10395 Wildrose Drive	DVP 2019-10	Increase height to 5.2 m (4% increase)	Approved
10163 Royalwood Blvd	DVP 2019-12	Increase height to 5.3 m (6% increase)	Approved

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 have encouraged the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification. To date, the applicant has submitted four (4) letters of support from adjacent property owners. The letters of support do not include details about the size and height of the proposed building, however, the size of the finished building is currently visible to the neighbours.

COST

The application fee of \$350 has been paid by the applicant.

CONCLUSION

Staff recommend Development Variance Permit 2019-14 be issued by the Fraser Valley Regional District Board, subject to any further comments or concerns raised by the public.

Several letters of support have been submitted with DVP application indicating there is neighbourhood acceptance of the proposed structure.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-14 to increase the size of an accessory building from the maximum permitted area of 45 square metres to 107 square metres, and to increase the height of an accessory building from 5.0 metres to 7.5 metres for a detached garage at 10394 Parkwood Drive, Electoral Area “D”, subject to the consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-14 for the property at 10394 Parkwood Drive, Electoral Area D.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-14 for the property at 10394 Parkwood Drive, Electoral Area D to FVRD Staff.

COMMENTS BY:

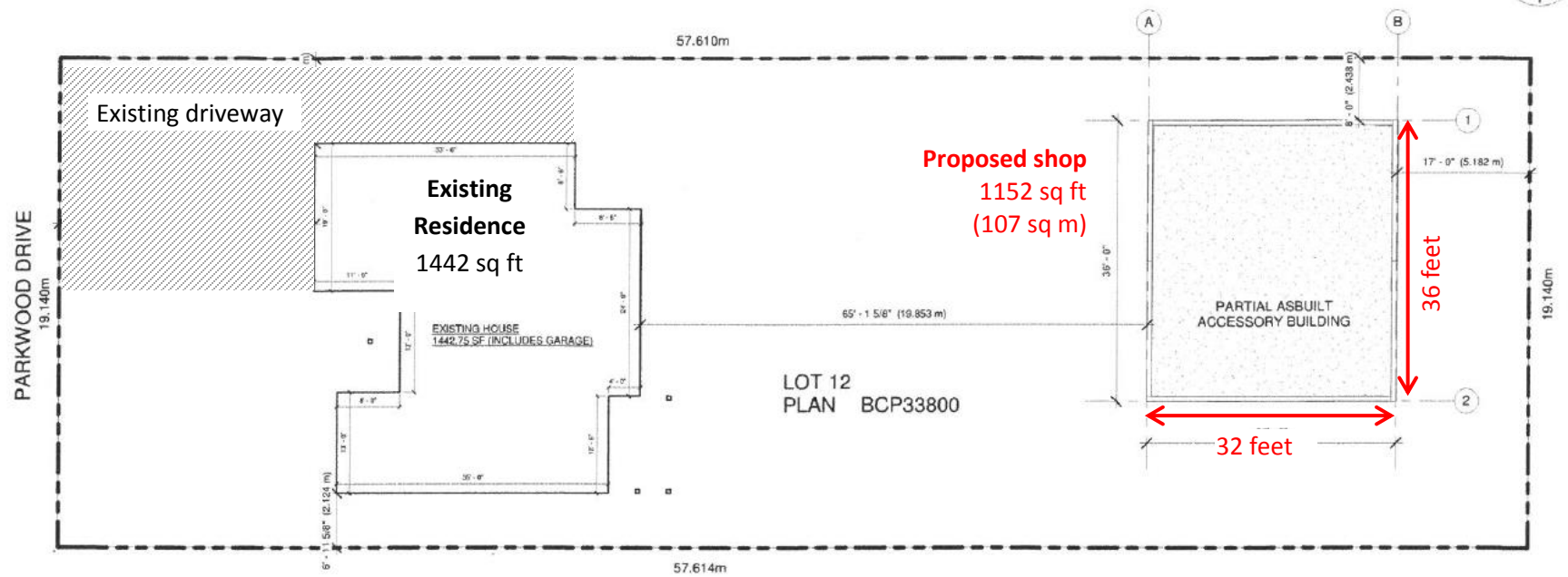
Graham Daneluz, Deputy Director of Planning & Development: Reviewed & supported

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

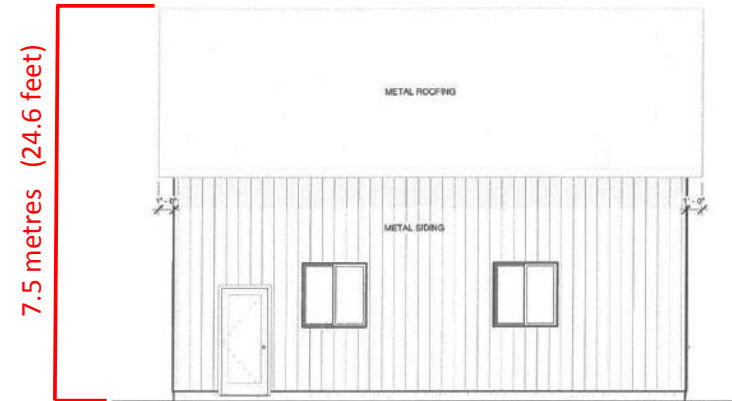
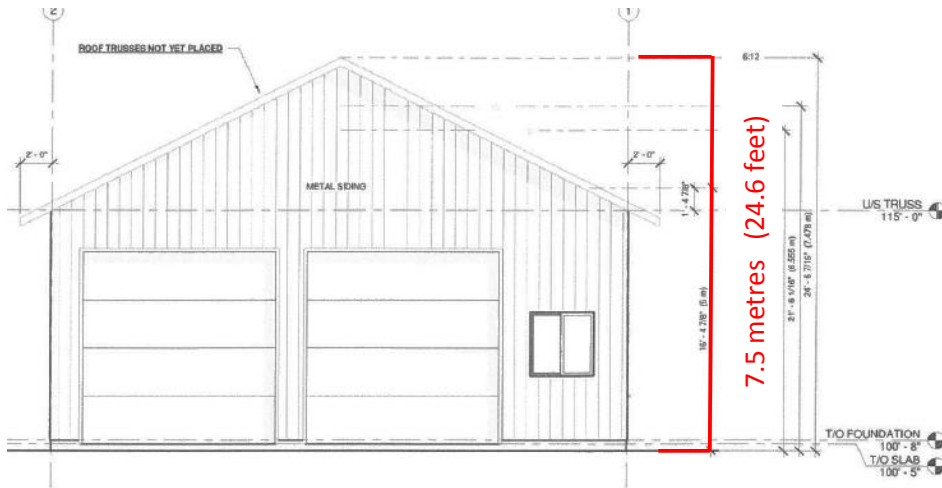
Mike Veenbaas, Director of Financial Services: No further financial comment.

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

Appendix A – Site Plan



Appendix B – Proposed Building Plans



**Appendix C –
Letters of Support**

To our neighbours of 10394 Parkwood Dr.

March 19, 2016 10:05 AM

Re: Intent to build a shop.

We have applied to the District to build a shop in our backyard. The shop will be used for hobbies and housing our race car and Jr dragster.

Due to the size of the shop we have been asked to notify our neighbours and get approval from you by signing this letter of our intent.

If you would please sign the letter and also list your address we would be grateful.

Thank-you for your consideration,

Karla Haynes & Chris Murphy

Mike Chamberlin

Printed Name

[Signature]

Signature

10391 Parkwood dr

Address

VOX 141

To our neighbours of 10394 Parkwood Dr.

March 19, 2016 10:05 AM

Re: Intent to build a shop.

We have applied to the District to build a shop in our backyard. The shop will be used for hobbies and housing our race car and Jr dragster.

Due to the size of the shop we have been asked to notify our neighbours and get approval from you by signing this letter of our intent.

If you would please sign the letter and also list your address we would be grateful.

Thank-you for your consideration,

Karla Haynes & Chris Murphy

Willem Jan Kersten

Printed Name

[Signature]

Signature

10435 Rutley RD

Address

Rosedale BC

V0X1X1

To our neighbours of 10394 Parkwood Dr.

March 19, 2016 10:05 AM

Re: Intent to build a shop.

We have applied to the District to build a shop in our backyard. The shop will be used for hobbies and housing our race car and Jr dragster.

Due to the size of the shop we have been asked to notify our neighbours and get approval from you by signing this letter of our intent.

If you would please sign the letter and also list your address we would be grateful.

Thank-you for your consideration,

Karla Haynes & Chris Murphy

John Giesbrecht

Printed Name

JG Giesbrecht

Signature

10401 Parkwood dr

Address

Box 286 Rosedale Bc

Vox - 1x0

To our neighbours of 10394 Parkwood Dr.

March 19, 2016 10:05 AM

Re: Intent to build a shop.

We have applied to the District to build a shop in our backyard. The shop will be used for hobbies and housing our race car and Jr dragster.

Due to the size of the shop we have been asked to notify our neighbours and get approval from you by signing this letter of our intent.

If you would please sign the letter and also list your address we would be grateful.

Thank-you for your consideration,

Karla Haynes & Chris Murphy

Maurizio + Christine Caselli

Printed Name

Chris Caselli M. Caselli

Signature

10404 Parkwood Dr

Address

Rosedale, BC

V0X1X1



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-14 **Folio No.** 733.06754.000

Issued to: Christopher Murphy & Karla Haynes

Address: 10394 Parkwood Drive, Electoral Area D

Applicant: same

Site Address: 10394 Parkwood Drive, Electoral Area D

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

LOT 12 SECTION 1 TOWNSHIP 3 RANGE 29 WEST OF THE 6TH MERIDIAN
NEW WESTMINSTER DISTRICT PLAN BCP33800
PID: 027-327-621

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan & Building Plans

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 7.5m (24.6 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 107 square metres (1152 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. A building permit shall be issued by the Fraser Valley Regional District prior to any construction on the property.
5. Commercial uses, including commercial automotive repair, shall not be permitted within any residential accessory building.

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 2019-14. The notice shall take the form of Appendix I attached hereto.

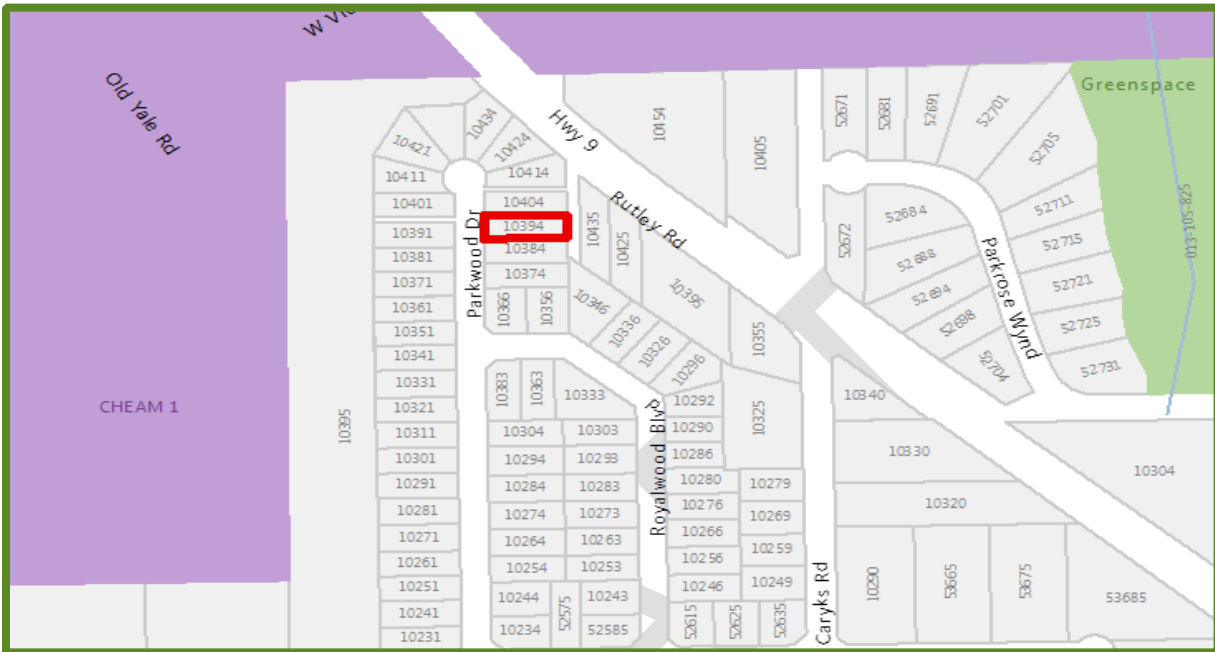
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, <YEAR>

Chief Administrative Officer / Deputy

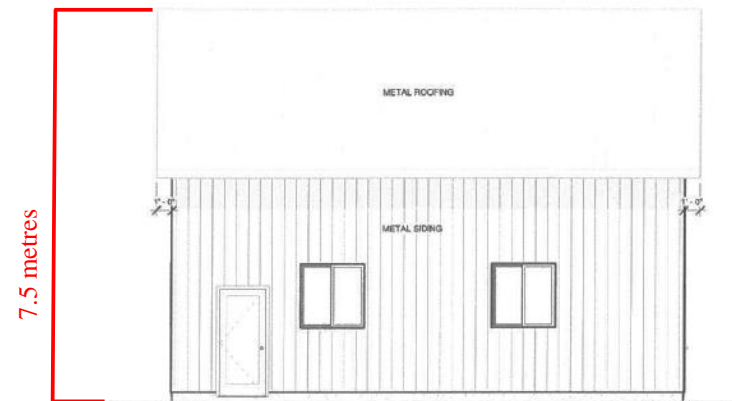
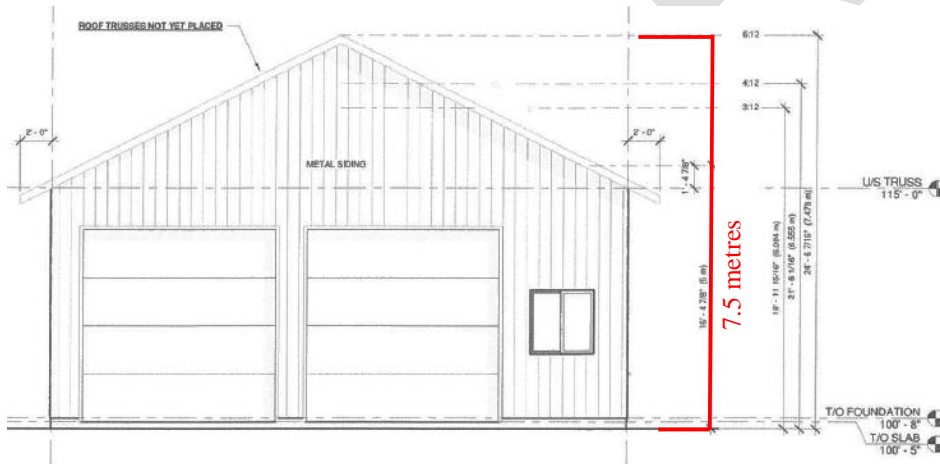
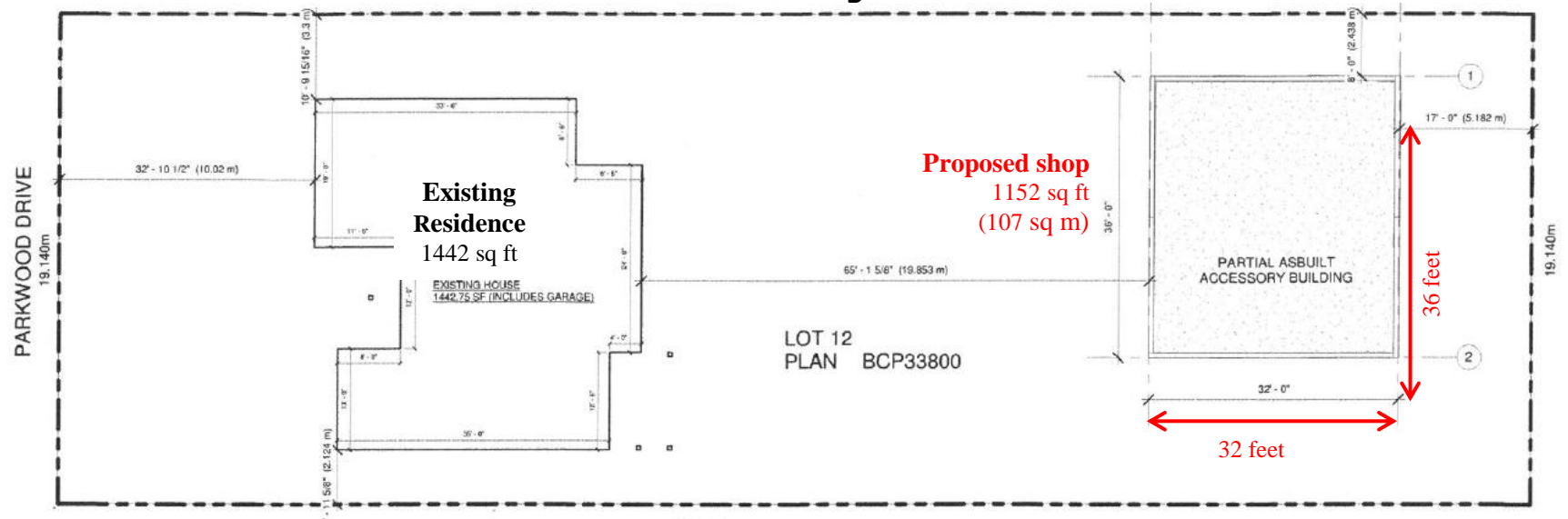
THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2019-14
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2019-14
SCHEDULE "B"
Site Plan & Building Plans



DRAFT



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

For Office Use Only
Do not write in the space below

Fraser Valley Regional District

Receipt: 8647/3 May 14, 2019
Dated: May 14, 2019 01:46:32 PM
Station: EA SERVICE/CASH2

1 PLANNING DVP - 10394 PARKWOOD 350.00

Total 350.00

CASH CHRIS MURPHY - 10394 P -350.00

Receipt

Date 2019.05.14

Received from Chris Murphy

Description of Payment and GL Code _____

DVP application

10394 Parkwood Drive.

GST #89221 4750 RT0001

White - Cashier | Yellow - Customer

SCHEDULE A-4

Permit Application

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

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

Civic
Address

10394 Parkwood Dr. PID 009-370-58

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>Chris Murphy</u>	Signature of Owner <u>[Signature]</u>	Date <u>05/14/2019</u>
Name of Owner (print) <u>Karla Haynes</u>	Signature of Owner <u>[Signature]</u>	Date <u>05/14/2019</u>

Owner's
Contact
Information

Address <u>10394 Parkwood Dr.</u>	City <u>Rosedale</u>
-----------------------------------	----------------------

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 _____ Present Zoning _____

Existing Use _____

Proposed Development Detached Garage -

Proposed Variation / Supplement To Vary The height of an accessory structure to 7.5 M

To Vary the size of the accessory structure to 107 M²

Reasons in Support of Application

I/We are CAR/Racing enthusiasts. We

have 2 Drag Race Cars, a motorcycle, and 2 classic cars. We cannot store them all or work on them currently since prohibited. They have been vandalized & broken into in the driveway/space. I have a hard to put in, that is the over height request.

Page 2 of 4

all at one location at home and Allow Space To work on them.
and Store parts in the Mezzanine Areas this is why I have asked
for over height and size Amendments, I have gone to All related
to the matter neighbors and chatted regarding this in full detail and all
overwhelmingly signed agreement sheet is provided. Additionally there
is A short totally undeveloped/overgrown/unusable Access Road
on the backside of the rear fence. Our entire backyard view is of,
the raised up AGASSIZ Hwy, A partially built Mobile home/house,
the entire Rear 1/3 of the yard is unusable due to the elevated
rocks and land it encompasses. It due to being taller would help block
out never ending semi's, cars, and trucks visually and their noise as
well. The proposed building is A very Nice Steel Frame colored.
NONCOMBUSTIBLE building. So In closing please grant us
variance of 3 metres setback from rear fence, over height and
over square footage. Thank you! Regards Chris Murphy

\$
Family

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
☐

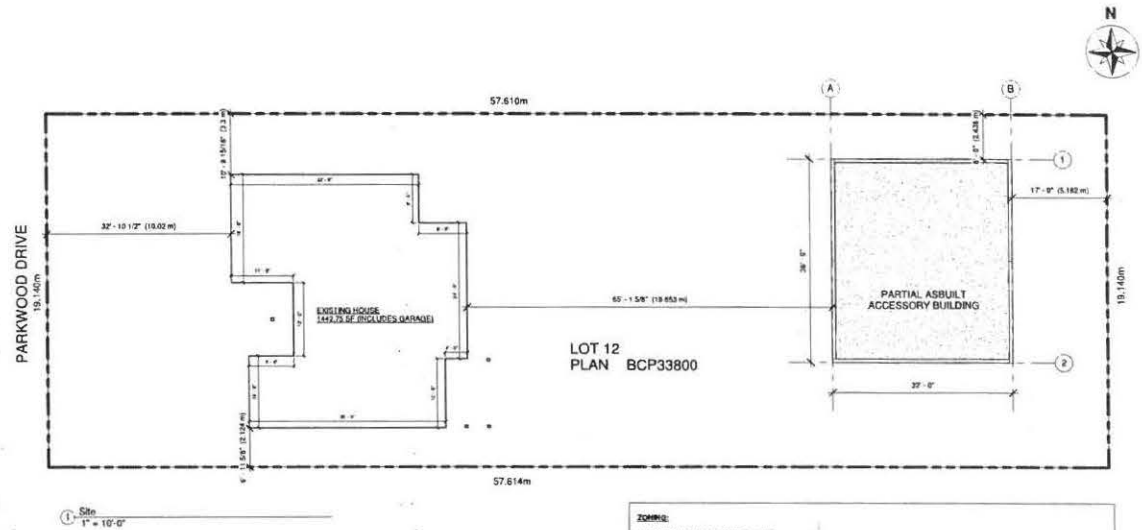
If you responded 'yes' or 'I don't know' you may be advised to contact the Archaeology Branch of the Ministry of Tourism, Sport and the Arts for further information.

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:

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.



ZONING:		
FRASER VALLEY REGIONAL DISTRICT		
CIVIC ADDRESS: 10394 PARKWOOD DRIVE, ROSEDALE BC		
ELECTIONAL AREA: 0		
ZONE: SRR 2 (SUBURBAN RESIDENTIAL)		
LOT SIZE: 0.272 ACRES		
LEGAL DESCRIPTION: LOT 12, PLAN BCP33800, SECTION 1, TOWNSHIP 3, RANGE 28, MERIDIAN 1W, NEW WESTMINSTER LAND DISTRICT		
ACCESSORY BUILDING		
SRM-2	PERMITTED	ASBUILT/PROPOSED
MAX LOT COVERAGE	25%	21.30% PRINCIPAL BLDG: 1443.75sf + ACCESSORY BLDG: 1152sf = 2594.75 sf
SIDE SETBACK	0.9m	2.43m
REAR SETBACK	3.0m	5.182m
BUILDING HEIGHT	5.0m	7.47m
SIZE OF ACCESSORY BLDG	45sf (414 sf)	107sf (1152 sf) SEE ELEVATION

MR. CHRIS MURPHY

PARTIAL ASBUILT ACCESSORY BUILDING

**CHEAM BUILDING
& DESIGN**

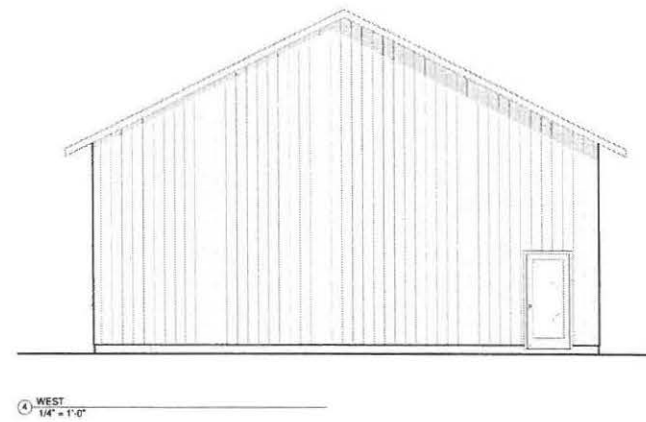
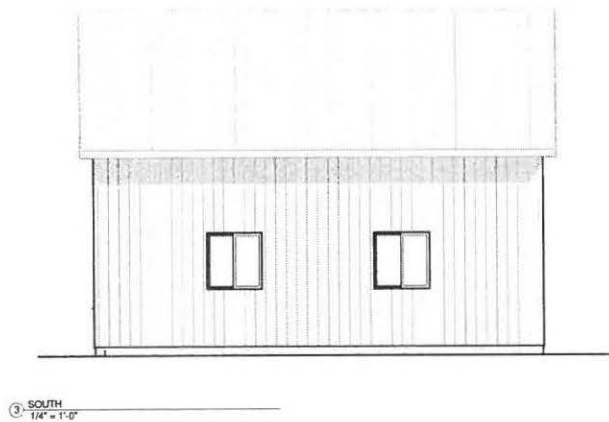
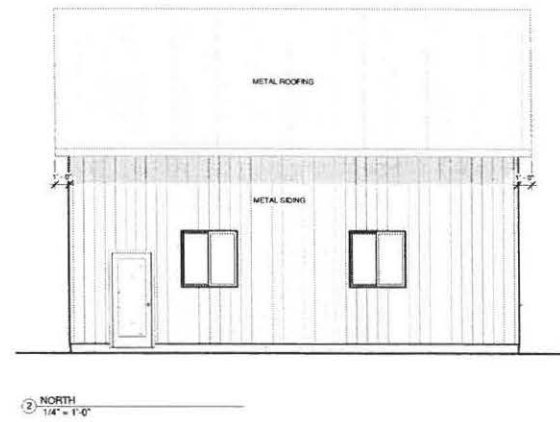
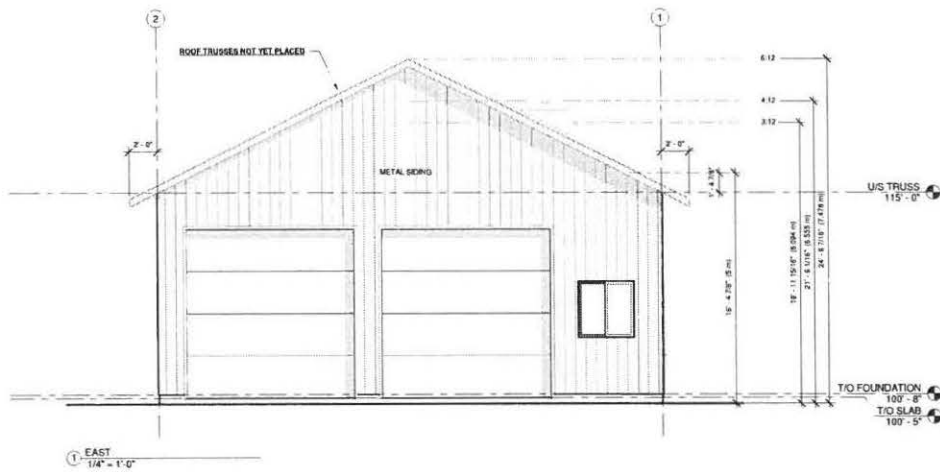
Bus: 604-798-8900
Email: cheamdbd@telus.net
6777 Walker Road, Agassiz, BC V0M 1A4

Date: 12/18/17
Scale: As indicated
Drawn By: DV
Checked By: RV

Date:	Issue/Revision
MAY 7, 2018	PARTIAL ASBUILT FOR PERMIT DRAWINGS

Site Plan
Mr. Chris Murphy
Partial Asbuilt Accessory Building
10394 Parkwood Drive, Rosedale BC

A1.0



**CHEAM BUILDING
& DESIGN**

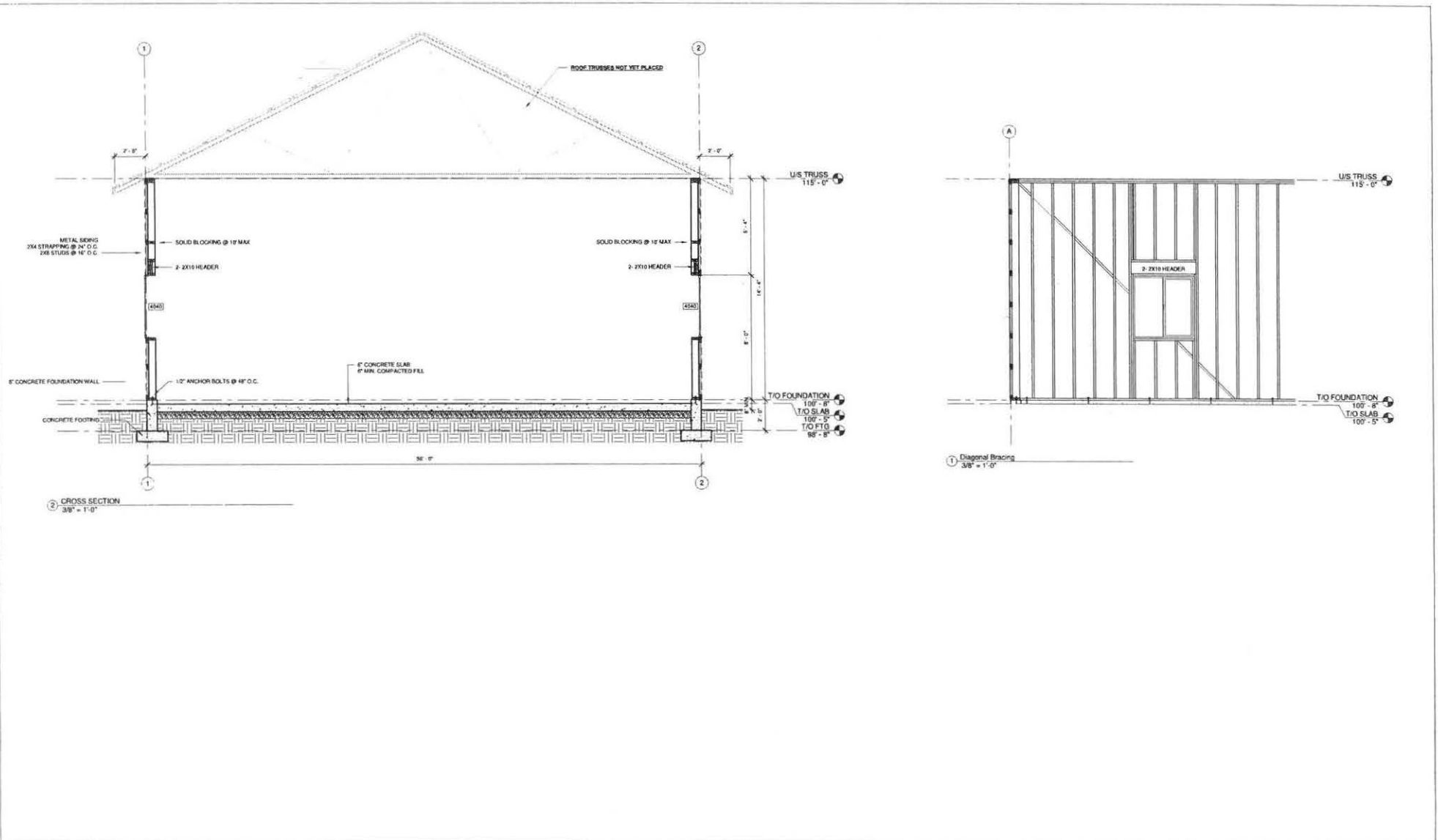
Bus: 604-798-8900
Email: cheamdbd@telus.net
6777 Walker Road, Agassiz, BC V0M 1A4

Date: 05/07/19
Scale: 1/4" = 1'-0"
Drawn By: DV
Checked By: RV

Date:	Issue/Revision
MAY 7, 2019	PARTIAL ASBUILT FOR PERMIT DRAWINGS

Elevations
Mr. Chris Murphy
Partial Asbuilt Accessory Building
10394 Parkwood Drive, Rosedale BC

A3.0



**CHEAM BUILDING
& DESIGN**

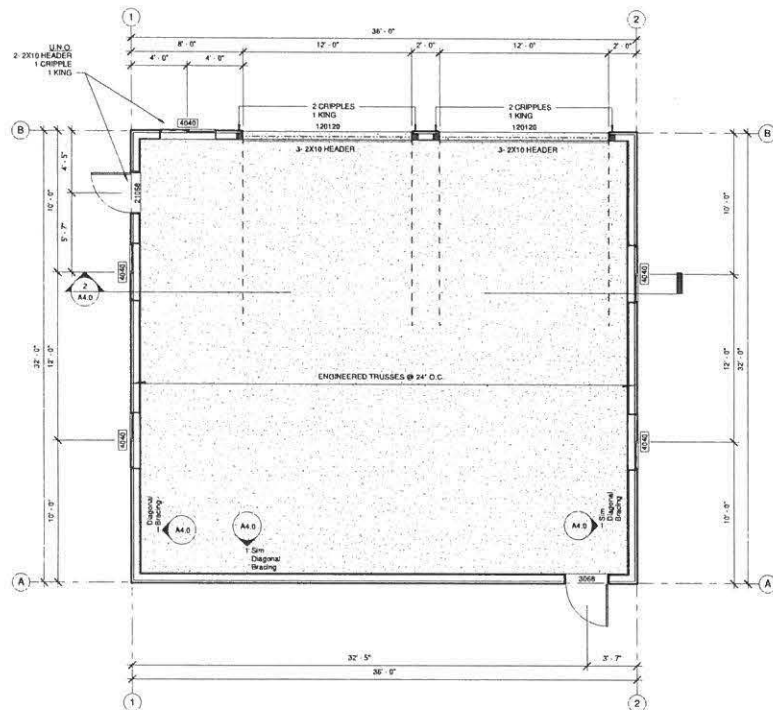
Bus: 604-798-8900
 Email: cheambd@telus.net
 6777 Walker Road, Agassiz, BC V0M 1A4

Date: 05/07/19
 Scale: 3/8" = 1'-0"
 Drawn By: DV
 Checked By: RV

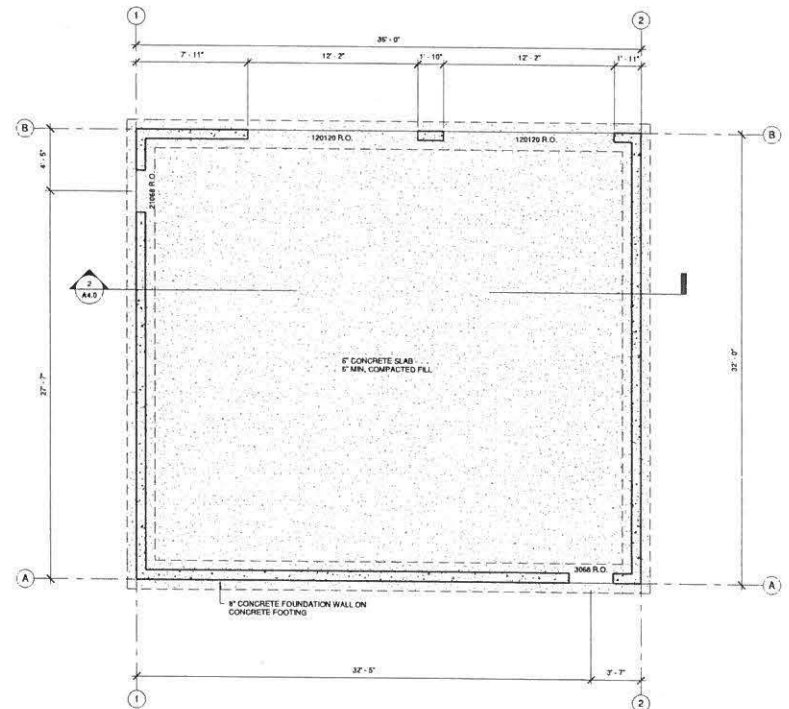
Date:	Issue/Revision
MAY 7, 2019	PARTIAL ASBUILT FOR PERMIT DRAWINGS

Sections & Details
 Mr. Chris Murphy
 Partial Asbuilt Accessory Building
 10394 Parkwood Drive, Rosedale BC

A4.0



1. TO FOUNDATION
1/4" = 1'-0"



2. TO F.T.G.
1/4" = 1'-0"

**CHEAM BUILDING
& DESIGN**

Bus: 604-798-8900
Email: cheamdbd@telus.net
6777 Walker Road, Agassiz, BC V0M 1A4

Date: 05/07/19
Scale: 1/4" = 1'-0"
Drawn By: DV
Checked By: RV

Date:	Issue/Revision
MAY 7, 2019	PARTIAL ASBUILT FOR PERMIT DRAWINGS

Floor & Foundation Plans

Mr. Chris Murphy
Partial Asbuilt Accessory Building
10394 Parkwood Drive, Rosedale BC

A2.0

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-15

Subject: Application for Development Variance Permit 2019-15 to reduce the front lot line setback at 58161 Fancher Road, Electoral Area B

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-15 for 58161 Fancher Road, Electoral Area B to reduce the front lot line setback from 25 feet (7.6 metres) to 10 feet (3.05 metres), clear to sky, to facilitate the construction of a residence and a residential accessory building, 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 owners have applied for a Development Variance Permit to reduce the front lot line setback for a residence and residential accessory building (workshop) as outlined in *Zoning Bylaw for Electoral Area 'C', 1977 of the Regional District of Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	B		
Address	58161 Fancher Road		
PID	023-616-148		
Folio	732.06218.600		
Lot Size	2.152 acres		
Owner	Marius & Catharina Van De Pol	Agent	
Current Zoning	Agricultural (Ag-1)	Proposed Zoning	No change
Current OCP	Agricultural (Ag)	Proposed OCP	No change
Current Use	Vacant	Proposed Use	No change
Development Permit Areas	5-BC Riparian Area		
Hazards	Wahleach Creek Alluvial Fan, Fraser River Floodplain		
Agricultural Land Reserve	No		

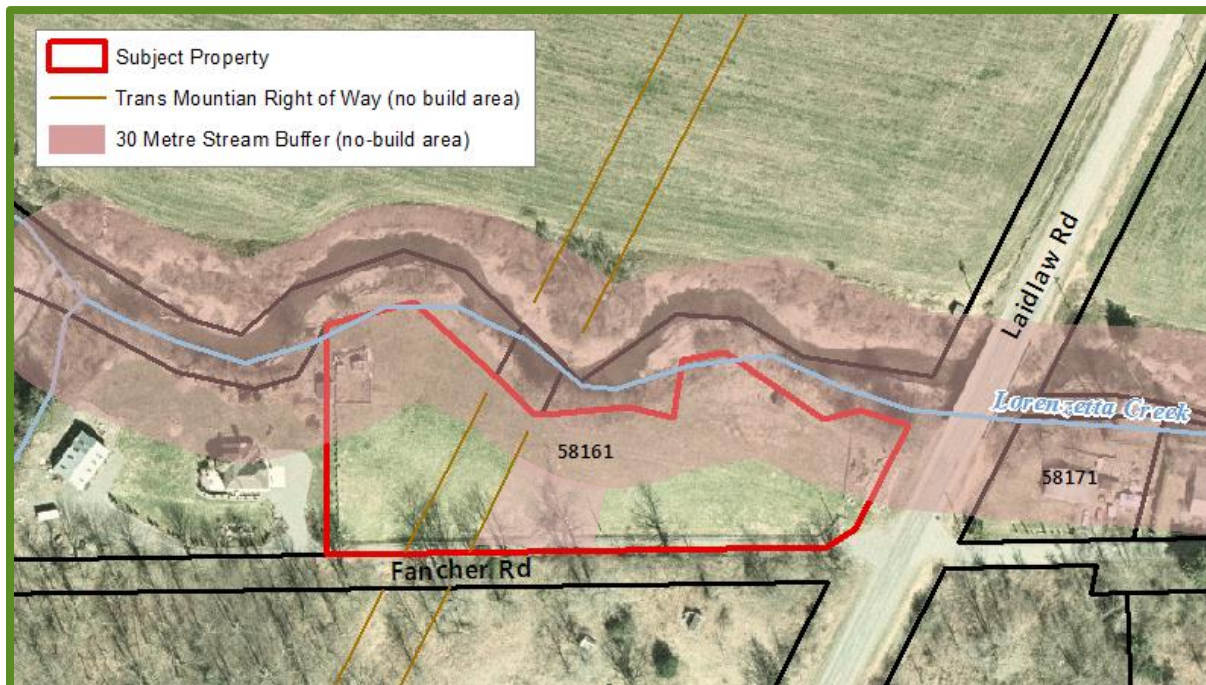
ADJACENT ZONING & LAND USES

North	^	Agricultural (Ag-1); Agriculture
East	>	Agricultural (Ag-1); Creek, Forest
West	<	Agricultural (Ag-1); Agriculture, Single-family Dwelling
South	v	Campground Holiday Park (CHP); Agriculture, Forest

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The property owner is planning to construct a single family residence and an associated workshop at 58161 Fancher Road, Electoral Area B. The property is located to the south of Lorenzetta Creek and is currently bare land.

Property Description & Reasons for the Variance

Although the property is 2.1 acres in size, there is a relatively small building envelope due to required setbacks and an existing right-of-way.

The Fraser Valley Regional District Floodplain Management Bylaw 0681, 2005 requires all construction to be setback 30.0 metres from the natural boundary of Lorenzetta Creek. This setback greatly reduces the buildable area of the property area. The property is also constrained by a Trans Mountain right-of-way. The map above shows the approximate location of the creek setback and the right-of-way.

Variance Request

The applicant is seeking a relaxation of 15 feet (4.57 metres) from the required front lot line setback, reducing the setback requirements from 25 feet (7.62 metres) to 10 feet (3.05 metres).

Front Lot Line Setback	
Required (zoning)	25 feet (7.62 metres)
Proposed	10 feet (3.05 metres)
Requested Variance	15 feet (4.57 metres)

The applicant advises the variance will enable the construction of house (approximately 2,160 square feet) and a 1000 square foot shop / garage outside of the Lorenzetta Creek setback, while adhering to FVRD Floodplain Management Bylaw requirements.

If the variance is not granted, the applicant could construct a smaller house, however, the building size will be limited. Appendix A shows the proposed site plan, with the requested 3.05 metre setback, and the established 7.62 metre setback.

Ministry of Transportation and Infrastructure

The subject property can be accessed via Laidlaw Road and Fancher Road. As there is secondary road access to the property, the *Transportation Act* allows for a setback of 3.0 metres from the road right-of-way. The Ministry of Transportation and Infrastructure (MOTI) has confirmed a 3.0 metre setback from Fancher Road is acceptable to them, and no additional MOTI permits are required.

Hazard Assessment & Building Permit Requirements

The property is located within the Wahleach Creek Alluvial Fan and the Fraser River Floodplain. As part of the building permit application process, the property owners have obtained a site specific geohazard assessment to address any hazards on the property. The report includes building recommendations for

flood and scour protection that will be reviewed as part of the building permit application process. Building permit applications have been submitted for the construction of the house and shop (BP14632 and BP014674).

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 \$350 application fee has been paid by the applicant.

CONCLUSION

The property owners are attempting to site their buildings in a safe location that complies with the FVRD floodplain management bylaw. Staff recommend that the FVRD Board issue Development Variance Permit 2019-15 to reduce the front lot line setback.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-15 to reduce the front lot line setback from 25 feet (7.62 metres) to 10 feet (3.05 metres), clear to sky, to facilitate the construction of a residence and a residential accessory building at 58161 Fancher Road, Electoral Area B, subject to the consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-15 for the property at 58161 Fancher Road, Electoral Area B.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-15 for the property at 58161 Fancher Road, Electoral Area B to FVRD Staff.

COMMENTS BY:

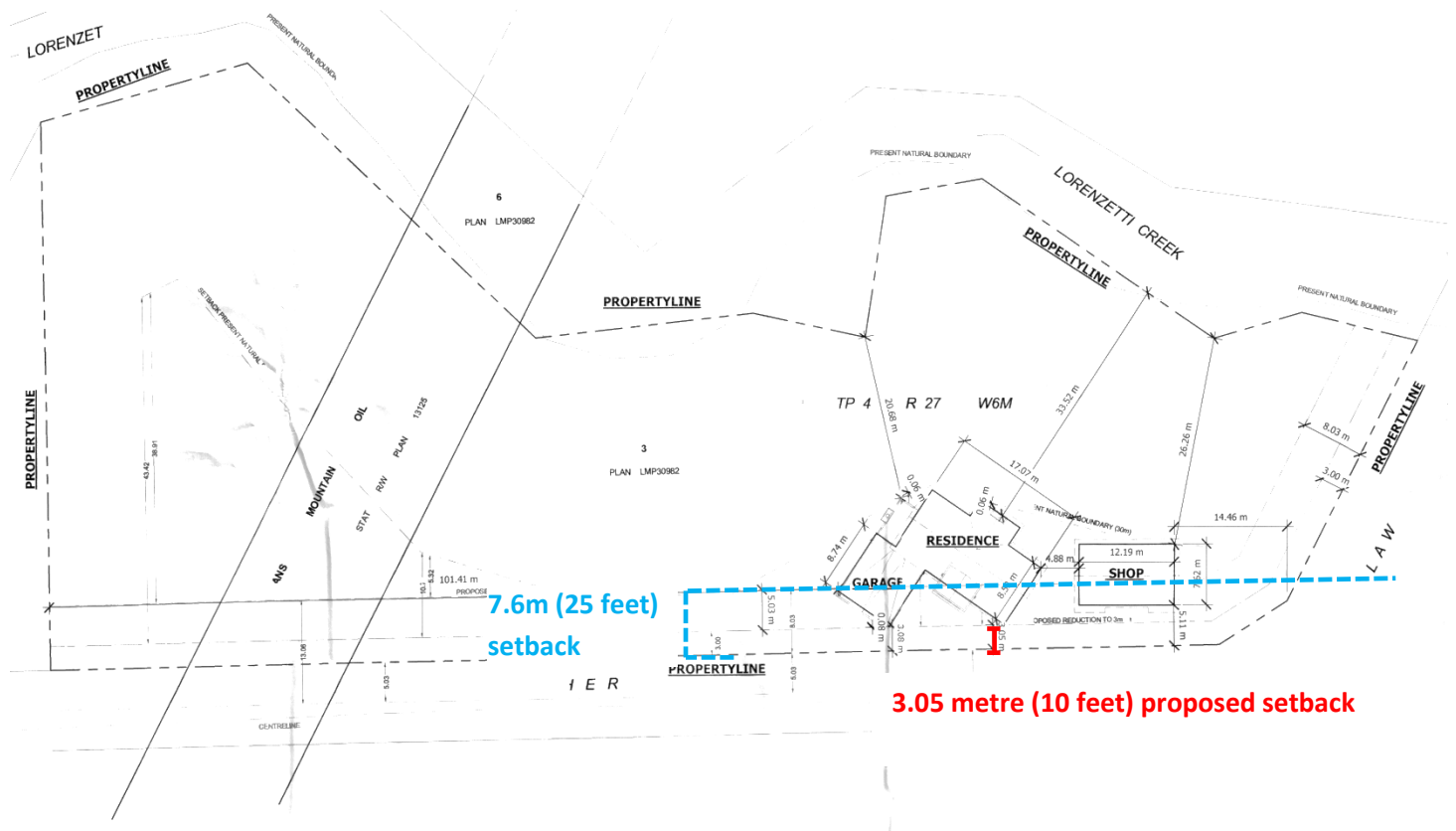
Graham Daneluz, Deputy Director of Planning & Development: Reviewed & supported

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

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

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

Appendix A Site Plan





FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-15 **Folio No.** 732.06218.600

Issued to: Marius & Catharina Van De Pol

Address:

Applicant: Brad Klaassen

Site Address: 58161 Fancher Road, Electoral Area B

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 3 SECTION 19 TOWNSHIP 4 RANGE 27 WEST OF THE SIXTH MERIDIAN
NEW WESTMINSTER DISTRICT PLAN LMP30982
PID: 023-616-148

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

AUTHORITY TO ISSUE

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

BYLAWS SUPPLEMENTED OR VARIED

Zoning Bylaw for Electoral Area 'C', 1977 of the Regional District of Fraser-Cheam is **varied** as follows:

Division 4, Section 4.03 Setbacks

- (a) Highway: is varied by reducing the setback from 25 feet (7.62 m) to the right-of-way boundary to 10 feet to the right-of-way boundary for the construction of a single family dwelling and a residential accessory building.
-

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. BP014632 and BP014647.

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 2019-15. The notice shall take the form of Appendix I attached hereto.

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

Chief Administrative Officer / Deputy

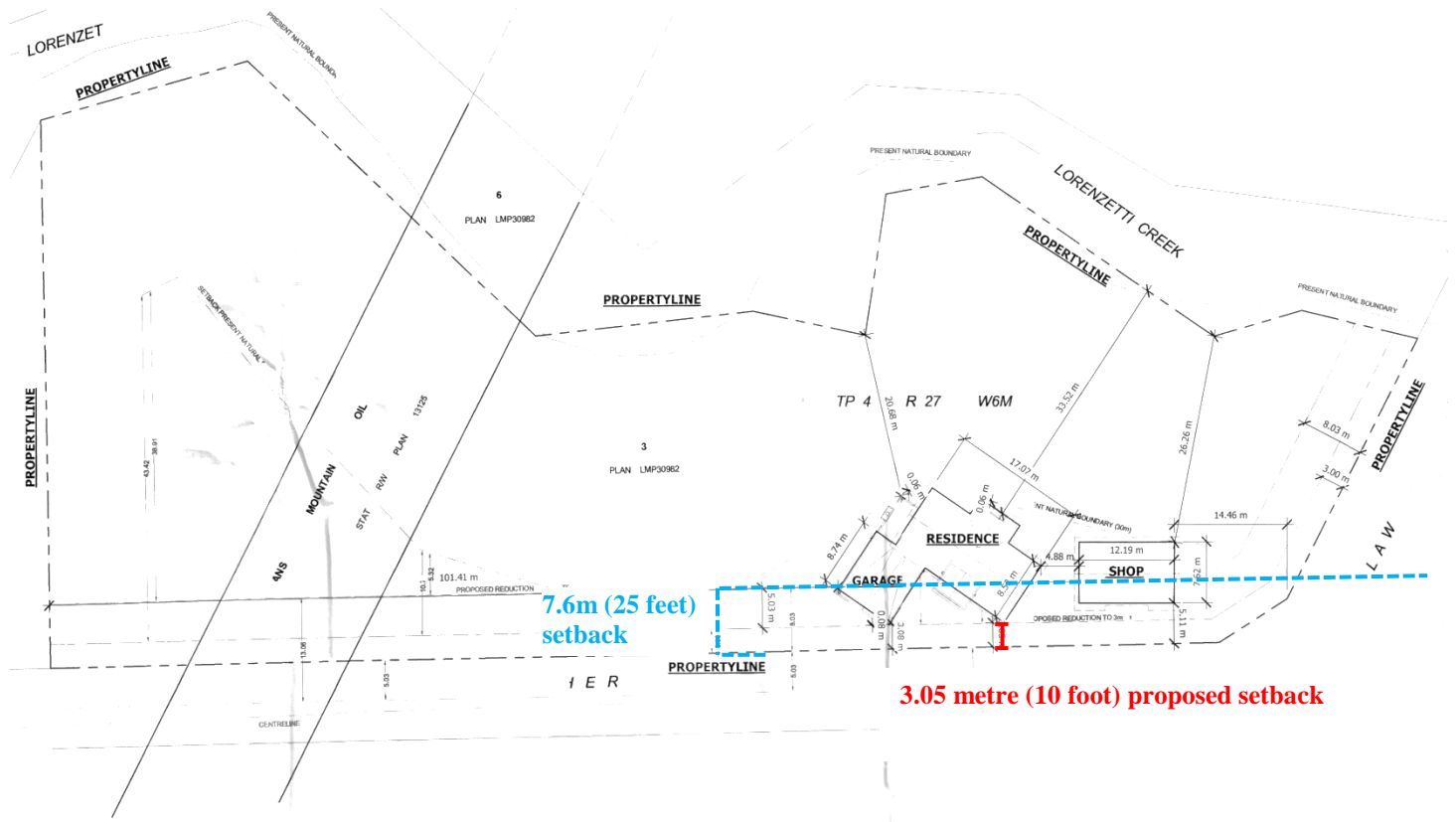
THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2019-15
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2019-15
SCHEDULE "B"
Site Plan





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

Receipt

Date May 14 2019

Received from Brad Klassen Brazen Const.

Description of Payment and GL Code _____

BP Application

58161 Funcher Rd 150

Shop

DVP Application 350

For Office Use Only Do not write in the space below

Fraser Valley Regional District

Receipt: 8647/1 May 14, 2019
Dated: May 14, 2019 09:06:56 AM
Station: EA SERVICE/CASH2

1 PLANNING DVP APPLICATION - LOT 350.00
1 BUILDING PERMIT BP APPLICATION 150.00
PAID BY: VISA

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 Lot 3 Fandherd PID 023-616-148

Legal Description Lot 3 Block _____ Section 19 Township 4 Range 27 Plan LMP 30982

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>Marius Van De Pol</u>	Date <u>May 7/19</u>
Name of Owner (print) <u>Catharina Van De Pol</u>	Date <u>May 7/19</u>

☒ Owner's Contact Information

Address		City <u>Chilliwack</u>
Email		Postal Code
Phone	Cell	Fax

Office Use Only	Date <u>May 14, 2019</u>	File No.
	Received By	Folio No.
	Receipt No.	Fees Paid: \$

Agent

I hereby give permission to Brad Klaassen 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 _____	Date <u>May 7/19</u>
Signature of _____	Date <u>May 7/19</u>

Agent's contact information and declaration

Name of Agent <u>Brad Klaassen</u>		Company <u>Brazen Construction Ltd</u>	
Address <u>10153 Royalwood Blvd</u>		City <u>Rosedale</u>	
Email _____		VOX <u>_____</u>	
Phone _____	Cell <u>6 _____</u>	Fax _____	

_____ is true and correct in all respects.

Signature of Agent <u>_____</u>	Date <u>May 7/19</u>
------------------------------------	-------------------------

Development Details

Property Size _____ Present Zoning _____

Existing Use Bareland

Proposed Development Build single family dwelling plus shop

Proposed Variation / Supplement Because of the 30m setback from the creek we would like to minimize the setback from Fancher rd to 3.05m at the closest point Kevin from high M.O.T. has no issue with it.
(use separate sheet if necessary)

Reasons in Support of Application We do not have a lot of buildable area on this huge lot because of the creek setbacks and the Pipeline along the back of the Property

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	<input checked="" type="checkbox"/>		Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan At a scale of: 1: _____	<input checked="" type="checkbox"/>		Reduced sets of metric plans
	<input checked="" type="checkbox"/>		North arrow and scale
	<input checked="" type="checkbox"/>		Dimensions of property lines, rights-of-ways, easements
	<input checked="" type="checkbox"/>		Location and dimensions of existing buildings & setbacks to lot lines, rights-of-ways, easements
	<input checked="" type="checkbox"/>		Location and dimensions of proposed buildings & setbacks to lot lines, rights-of-ways, easements
	<input checked="" type="checkbox"/>		Location of all water features, including streams, wetlands, ponds, ditches, lakes on or adjacent to the property
	<input checked="" type="checkbox"/>		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
	<input checked="" type="checkbox"/>		Natural & finished grades of site, at buildings & retaining walls
	<input checked="" type="checkbox"/>		Location of existing & proposed access, pathways
	<input checked="" type="checkbox"/>		Above ground services, equipment and exterior lighting details
	<input checked="" type="checkbox"/>		Location & dimensions of free-standing signs
	<input checked="" type="checkbox"/>		Storm water management infrastructure and impermeable surfaces
	<input checked="" type="checkbox"/>		Other:
	<input checked="" type="checkbox"/>		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	<input checked="" type="checkbox"/>		Geotechnical Report
	<input checked="" type="checkbox"/>		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.

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Andrea Antifaeff, Planner I

File No: 3090-20-2019-16

Subject: Application for Development Variance Permit 2019-16 to reduce the interior side lot line setback for the construction of a wheelchair ramp at #78-14550 Morris Valley Road, Electoral Area C (River Reach Estates)

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-16 to reduce the setback from the interior side lot line from 2.1 metres to 1.0 metres, clear to sky to facilitate the construction of a wheelchair ramp at #78-14550 Morris Valley Road, Area "C", subject to the 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 setback from the interior side lot line as outlined in *Zoning By-law for Electoral Area "F", 1978, of the Regional District of Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	C		
Address	#78-14550 Morris Valley Road		
PID	026-415-836		
Folio	776.06731.278		
Lot Size	6938 square feet		
Owner	William & Ronaye Perfitt	Agent	N/A
Current Zoning	Private Resort Residential Development (PRD-1)	Proposed Zoning	No change
Current OCP	Resort Residential (RR)	Proposed OCP	No change

Current Use	Residential	Proposed Use	No change
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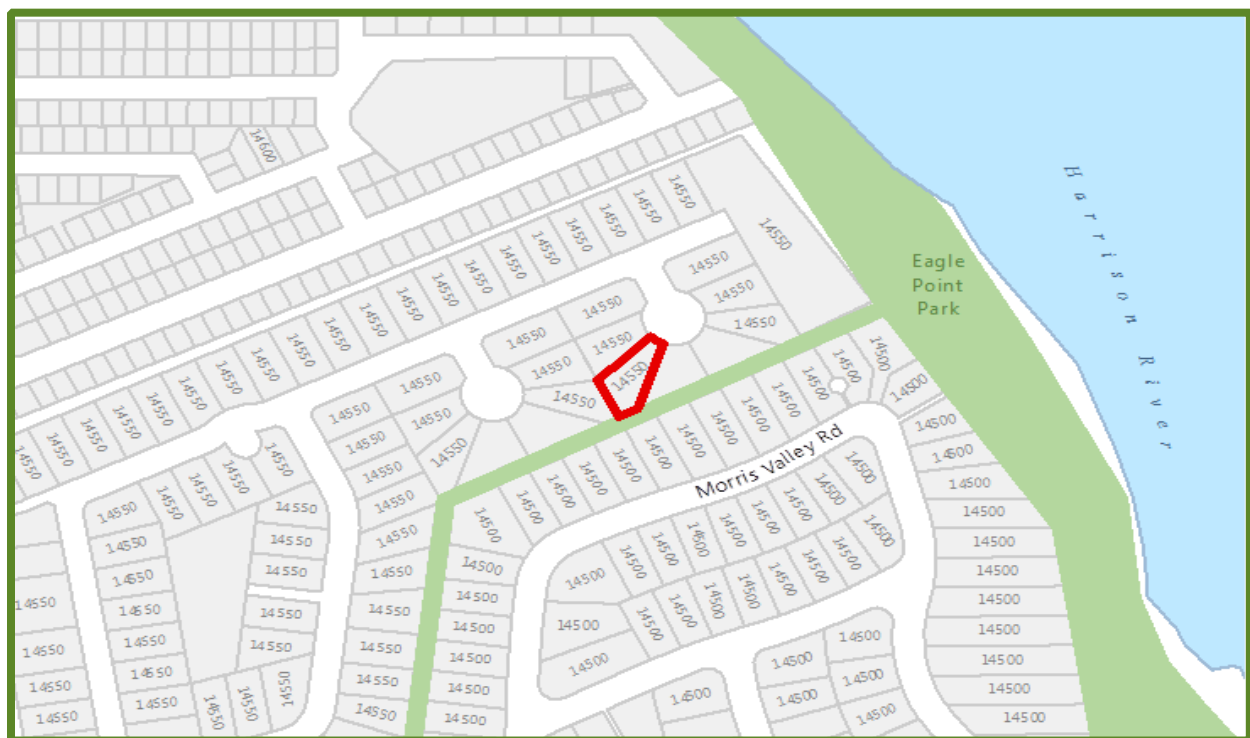
Development Permit Areas 1-C Geotechnical; 2-C Sensitive Habitat Resources & 3-C Riparian Areas

Agricultural Land Reserve No

ADJACENT ZONING & LAND USES

North	^	Private Resort Residential Development (PRD-1); Single-family residences
East	>	Private Resort Residential Development (PRD-1); Single-family residences
West	<	Private Resort Residential Development (PRD-1); Single-family residences
South	v	Private Resort Residential Development (PRD-1); Single-family residences

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The owners of the property have made an application to construct a wheelchair ramp at #78-14550 Morris Valley Road, located in Rivers Reach Estates in Morris Valley. The wheelchair ramp does not meet the minimum setback requirements along the interior side lot line as stipulated by the applicable zoning bylaw.

The proposed wheelchair ramp is 1.2 metres (4 feet) in width and 6.7 metres (22 feet) in length and will be attached to an existing deck, which conforms to all setbacks (see Appendix A - Site Plan and B – Elevation Drawings).

Building staff have reviewed the site plan and there are no Building Code concerns regarding the separation distances between the proposed wheelchair ramp and the neighbouring property.

Variance Requested – DVP 2019-16

Application Rationale

The applicants advise that the reasons in support of the variance are that they have mobility challenges and a wheelchair ramp is required for access to the single family dwelling.

Interior Side Lot Line Setback Variance

The owners are seeking a 1.1 metre (3.6 foot) relaxation to the required interior side lot line setback, reducing the setback requirement from 2.1 metres (6.9 feet) to 1.0 metre (3.3 feet).

Interior Lot Line Setback	
Permitted (Zoning)	2.1 metres (6.9 feet)
Proposed	1.0 metre (3.3 feet)
Requested Variance	1.1 metres (3.6 feet)

Statutory Building Scheme

The subject property has a statutory building scheme registered on the property title (BX568505) which outlines specific design requirements for all single family homes within the strata development.

The applicants will be required to provide proof that they have attained the strata council's approval for the design as part of their building permit application.

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

Staff recommend that the FVRD Board issue Development Variance Permit 2016-16 to reduce the interior side lot line setback for the construction of a wheelchair ramp at #78-14550 Morris Valley Road. The variance is not anticipated to negatively affect the surrounding properties.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-16 to reduce the setback from the interior side lot line from 2.1 metres to 1.0 metres, clear to sky to facilitate the construction of a wheelchair ramp at #78-14550 Morris Valley Road, Area "C", subject to the consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-16 for the property located at #78-14550 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 2019-16 for the property located at #78-14550 Morris Valley Road, Electoral Area c to FVRD Staff.

COMMENTS BY:

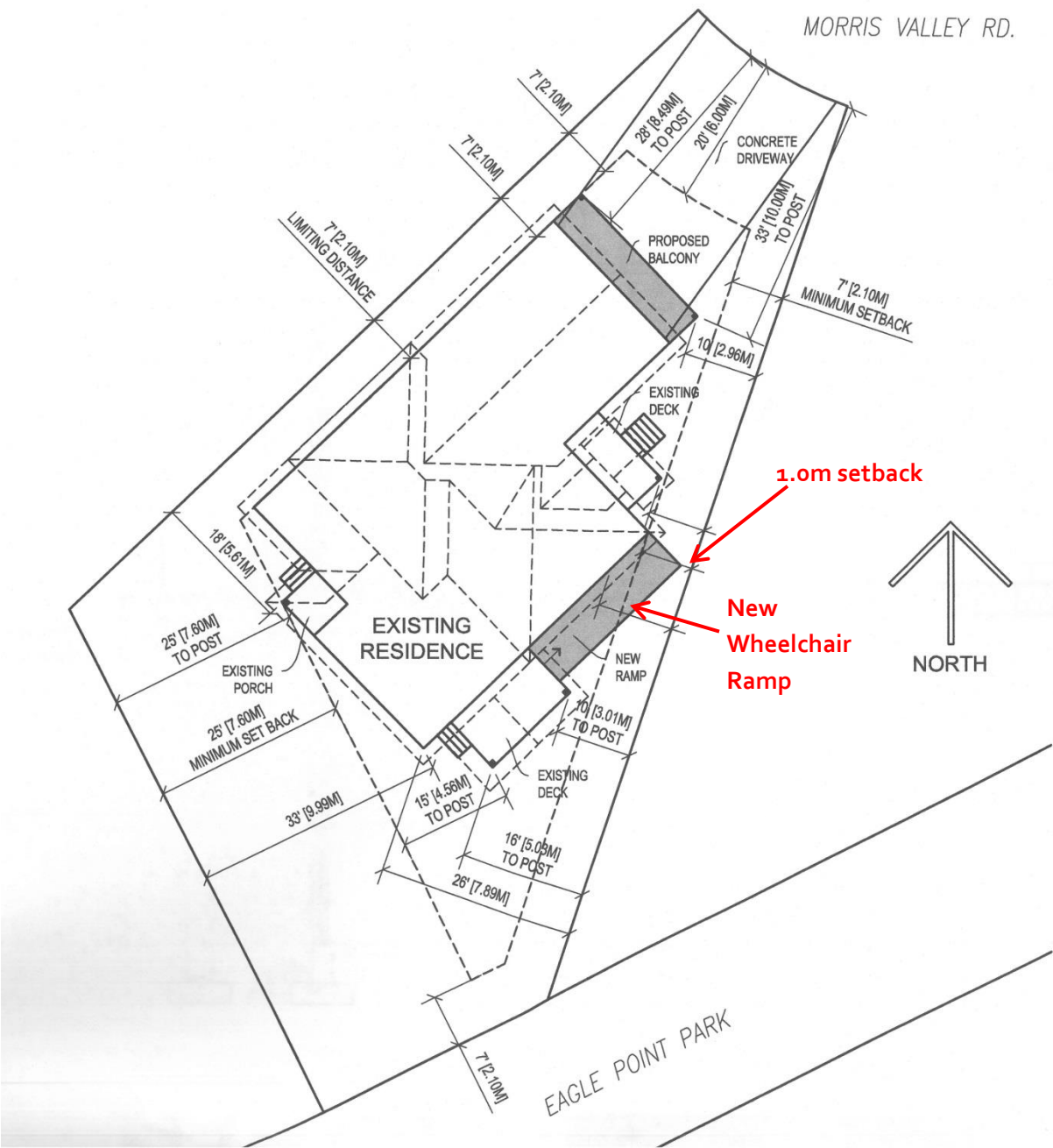
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported.

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

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

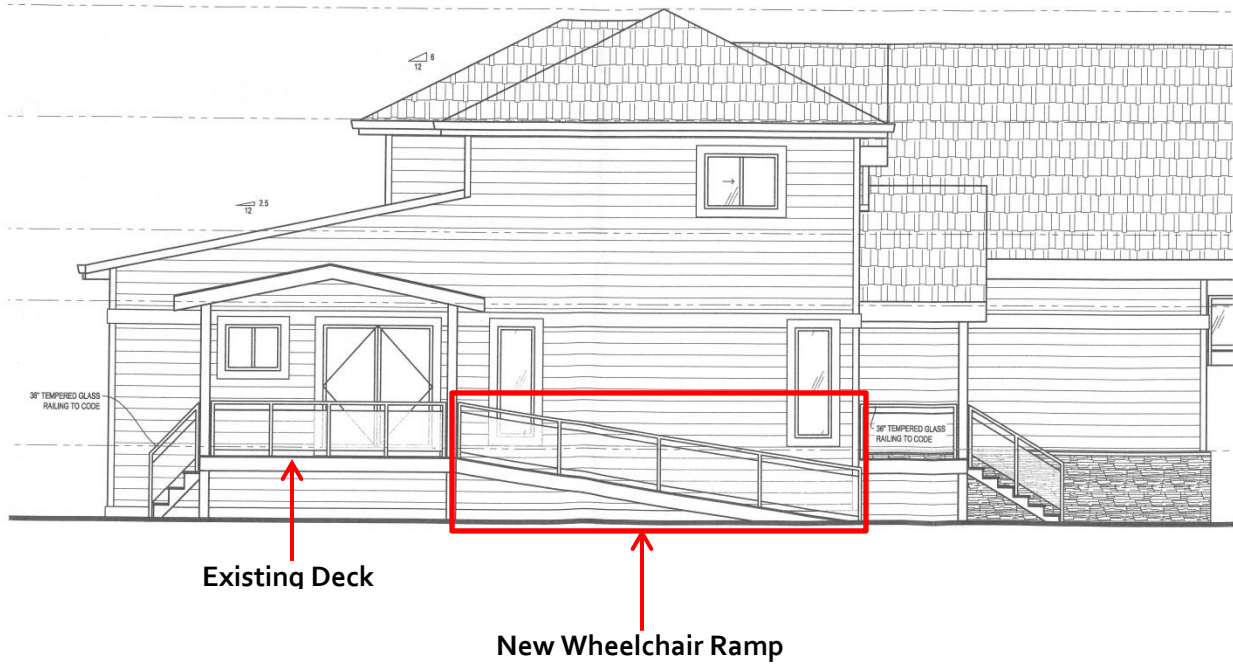
Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

Appendix A
Site Plan



Appendix B
Elevation Drawing

RIGHT ELEVATION
SCALE: 1/4"=1'-0"





FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-16 **Folio No.** 776.06731.278

Issued to: William & Ronaye Perfitt

Address:

Applicant: William & Ronaye Perfitt

Site Address: #78-14550 Morris Valley Road, Electoral Area "C"

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:

STRATA LOT 78 SECTION 35 TOWNSHIP 3 RANGE 30 WEST OF THE SIXTH MERIDIAN NEW
WESTMINSTER DISTRICT STRATA PLAN BCS1493 TOGETHER WITH AN INTEREST IN THE COMMON
PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V
026-415-836

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

AUTHORITY TO ISSUE

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

BYLAWS SUPPLEMENTED OR VARIED

Zoning By-law for Electoral Area F, 1978, of the Regional District of Fraser-Cheam is **varied** as follows:
Section 1703

1. Strata Lot Setbacks

(c) Interior side strata lot line from 2.1 metres to 1.0 metres.

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. 014504.

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 2019-16. The notice shall take the form of Appendix I attached hereto.

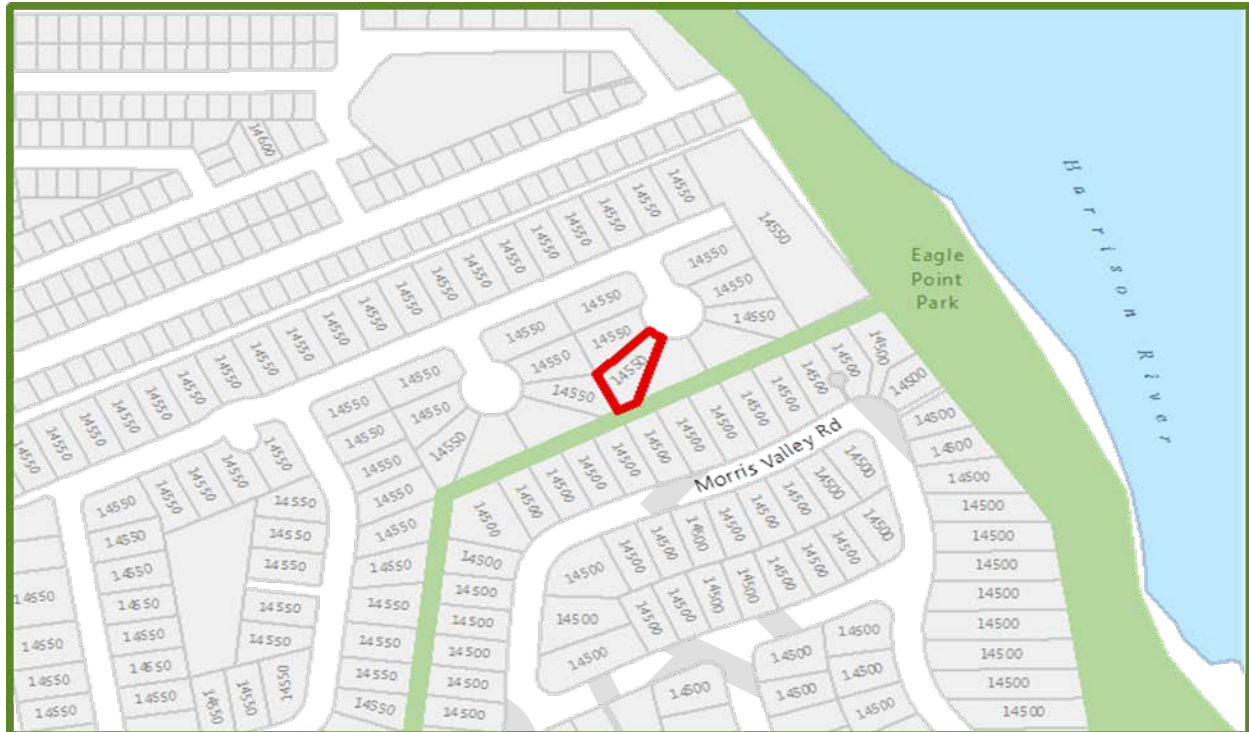
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, <YEAR>

Chief Administrative Officer / Deputy

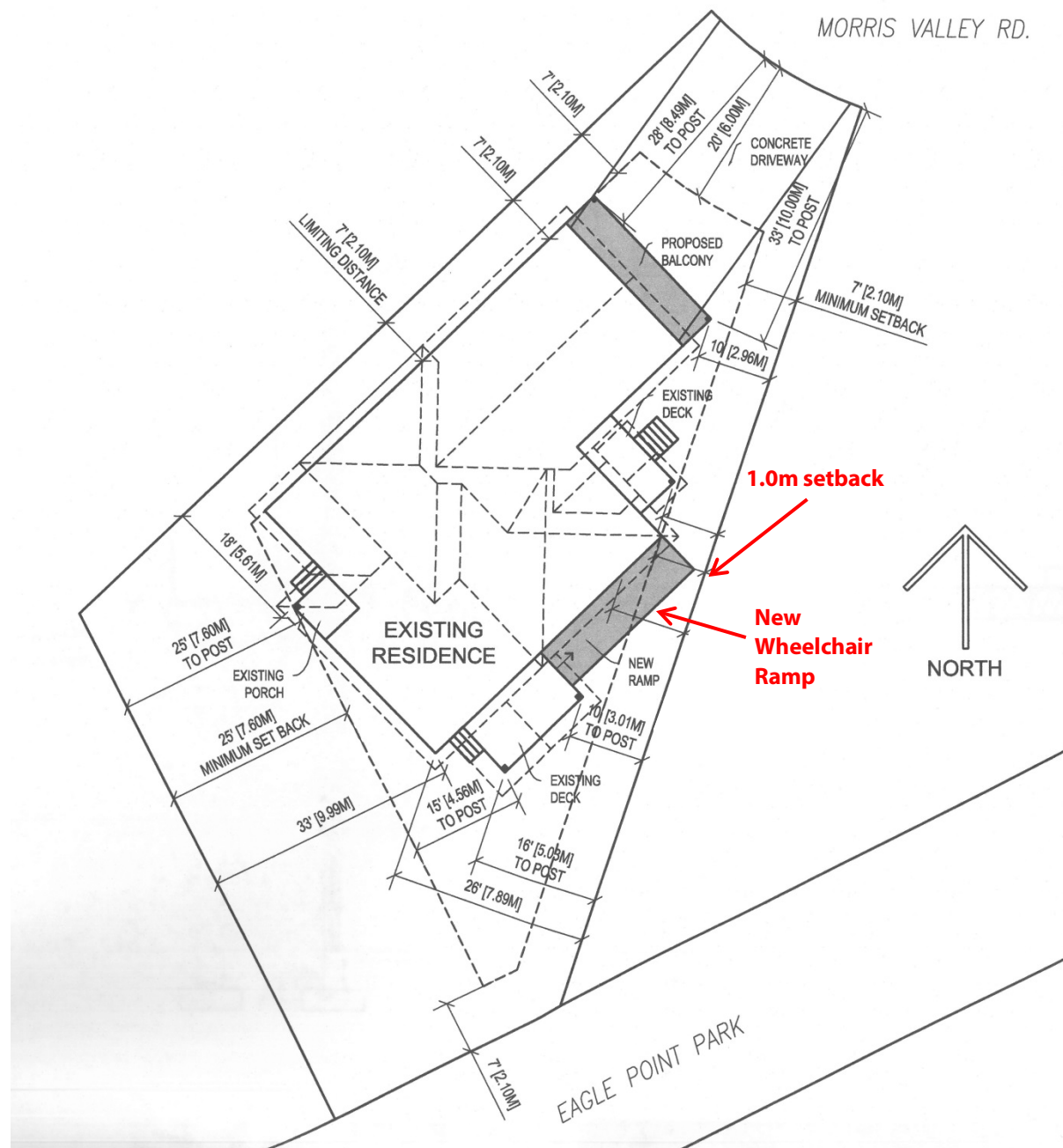
THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2019-16
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2019-16
SCHEDULE "B"
Site Plan



SCHEDULE A-4

Permit Application

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

An Application Fee in the amount of \$ 350 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address #78 14550 Morris Valley Road PID 026-415-836

Legal Description Lot 78 Block _____ Section 35 Township 3 Range 30 Plan BCS1493

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) William Edward Perfitt	Signature of Owner	Date 5/21/2019
Name of Owner (print) Ronaye Perfitt		Date 5/21/2019

Owner's
Contact
Information

Address		City	
Email		Postal Code	
Phone	Cell	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 strata lot Present Zoning PRD-1

Existing Use _____

Proposed Development _____

Proposed Variation / Supplement I would like to place a wheelchair ramp at the side of the house I am trying to finish to give access to the side deck and ground level in case it is needed for myself or my wife.

1 METRE SET BACK FROM PROPERTY LINE

(use separate sheet if necessary)

Reasons in Support of Application I William E. Perfitt have been in a wheelchair unable to walk until I regained my ability to walk. I have been warned that if I fall or do something I should not due that I could wind up back in a wheelchair or having to use a walker again permanently. Ronaye has had both hips replaced and is walking with two canes and has mobility problems. we keep a walker and a wheelchair in our home.

Page 2 of 4

**Riparian
Areas
Regulation**

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

yes
☐

no
☒

30 metres of the high water mark of any water body

yes
☐

no
☒

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

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

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

**Contaminated
Sites Profile**

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

yes
☐

no
☒

the property has been used for commercial or industrial purposes.

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

**Archaeological
Resources**

Are there archaeological sites or resources on the subject property?

yes
☐

no
☒

I don't know
☐

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

Required Information

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

	Required	Received	Details
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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To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Katelyn Hipwell, Planner 1

File No: 6410-20-038

Subject: Policy - Secondary Dwellings in the Electoral Areas

RECOMMENDATION

THAT the Fraser Valley Regional District Board adopt the policy titled *Secondary Dwellings in the Electoral Areas*.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship
Support Healthy & Sustainable Community
Provide Responsive & Effective Public Services

PRIORITIES

Priority #1 Waste Management
Priority #2 Air & Water Quality
Priority #3 Flood Protection & Management

BACKGROUND

The FVRD undertook a study to gauge the level of community support for secondary dwellings in the Electoral Areas and to explore possible options and necessary changes to existing bylaws to allow the use.

A draft policy was developed, based on the outcomes of the study, to create a framework for the introduction of secondary dwellings into the Electoral Areas, with the intent of balancing the community and developer interest and acknowledging the cumulative effects to the both the environment and the character of the communities in which they exist.

DISCUSSION

A draft policy to assist the Board in pursuing bylaw amendments and evaluating applications to allow Secondary Dwellings as permitted use is attached as **Appendix 'A'** for consideration by the Electoral Area Directors. The policy considers the process of implementation, levels of service requirements, form and design requirements and other general considerations. A staff presentation from May 2019 is attached as **Appendix 'B'** for reference.

COST

The Secondary Dwellings Study and associated public consultation program is a priority project identified in the Electoral Area Planning work plan. Sufficient funds have been budgeted within the Electoral Area Planning Budget.

COMMENTS BY:

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

Margaret Thornton, Director of Planning & Development The proposed policy is based upon public consultation and technical review. The proposed policy provides direction for implementation, and clearly communicates the requirements to the general public. Reviewed and supported.

Mike Veenbaas, Director of Financial Services Reviewed and supported.

Jennifer Kinneman, Acting Chief Administrative Officer Reviewed and supported.



FRASER VALLEY REGIONAL DISTRICT POLICY AND PROCEDURES

SUBJECT: Secondary Dwellings in the Electoral Areas

EFFECTIVE DATE:

REVISION DATE:

1.0 BACKGROUND

The FVRD undertook a study to gauge the level of community support for secondary dwellings in the Electoral Areas and to explore possible options and necessary changes to existing bylaws to allow the use.

This policy was developed, based on the outcome of the study, to create a framework for the introduction of secondary dwellings into the Electoral Areas, with the intent of balancing the community and developer interest and acknowledging the cumulative effects to both the environment and the character of the communities in which they exist.

2.0 PURPOSE

The purpose of this policy is to:

- guide the FVRD Board in subsequent Official Community Plan and zoning bylaw amendments in support of secondary dwellings;
- provide consistent language and policy objectives for future Official Community Plan updates and amendments;
- assist the FVRD Board in reviewing individual applications for secondary dwellings;
- identify some of the potential considerations of the FVRD Board when amending bylaws and reviewing applications;
- assist applicants in preparing applications that address the interests and concerns of the FVRD Board;
- minimize the impact of secondary dwellings on the environment, particularly groundwater resources;
- minimize the impact of secondary dwellings on neighbours and the surrounding community;
- support the successful integration of secondary dwellings into suburban and rural communities where appropriate; and
- encourage review of policy implementation and outcomes within 3 years of the adoption of the policy.

3.0 POLICIES

3.1 General Considerations

- 3.1.1 The FVRD Board recognizes the benefits secondary dwellings can provide to communities within the Electoral Areas, including but not limited to:
- provide additional affordable housing options;
 - increase alternative housing forms across the Electoral Areas;
 - promote aging in place, consistent with Provincial objectives; and
 - allow gentle densification of existing settlement areas.
- 3.1.2 The FVRD Board encourages including policies supportive of secondary dwellings in future Official Community Plan updates.
- 3.1.3 The FVRD Board supports that use of secondary dwellings be restricted to residential use only. Secondary dwellings should not be used for short term vacation rentals or for other seasonal residential purposes unless otherwise expressly permitted by the Zoning Bylaw.
- 3.1.4 The FVRD Board is supportive of secondary dwellings on larger parcels exceeding 1.0 hectare in size where impacts to surrounding properties are minimized, notwithstanding other regulations or enactments that may affect the permissibility of secondary dwellings.
- 3.1.5 The FVRD Board is generally supportive of secondary dwellings on parcels between 0.5-0.99 hectare where connection to community water supply is possible, notwithstanding other regulations or enactments that may affect the permissibility of secondary dwellings.
- 3.1.6 The FVRD Board may wish to consider the number and scale of proposed secondary dwellings within the community and the cumulative affect they may have.
- 3.1.7 Notwithstanding the policies contained herein, the Agricultural Land Reserve Use Regulation and the FVRD Floodplain Management Bylaw may contain provisions which supersede those of this Policy.

3.2 Implementation

- 3.2.1 The FVRD Board supports establishing a secondary dwelling as a permitted accessory use, in residential zones where a primary dwelling is already established, on parcels 1.0 hectare or larger.
- 3.2.2 The FVRD Board supports secondary dwellings as a permitted accessory use, in residential zones where a primary dwelling is already established, on parcels between 0.5-0.99 hectare subject to a rezoning application by the property owner and where the parcel meets the minimum level of service per Section 3.3 of this Policy.

- 3.2.3 The FVRD Board supports the creation of a streamlined rezoning application process for the sole purpose of processing secondary dwelling applications. This streamlined process may include, but not necessarily be limited to, the following: a) reduced application fees; and, b) option to waive public hearing requirements at the discretion of the Director of Planning and Development.
- 3.2.4 The FVRD Board may require that applicants hold a public information meeting to present details of the proposed secondary dwelling and receive feedback from the community.
- 3.2.5 The FVRD Board will support and encourage consideration of secondary dwellings in new developments at the time of subdivision in order to adequately accommodate the necessary servicing, parking, road width and screening requirements.

3.3 Minimum Levels of Service

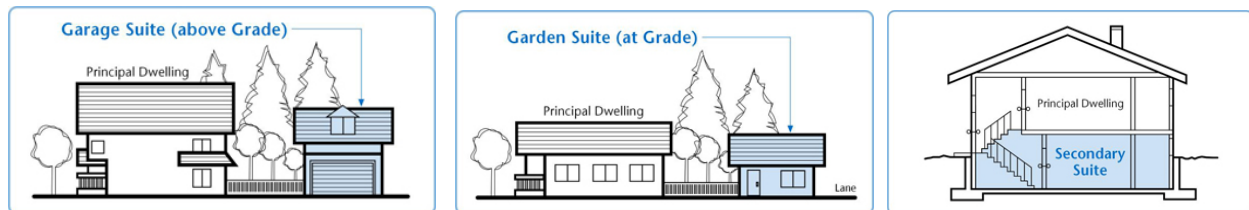
- 3.3.1 Where appropriate levels of service exist to a property, the FVRD Board generally supports establishing a secondary dwelling.
- 3.3.2 The FVRD Board generally supports the following minimum levels of service for properties where secondary dwellings are proposed:

	Water	Sewage Disposal
Parcels 1.0 ha and greater	On-site supply (shared or independent)	On-site sewage disposal system (shared or independent)
Parcels 0.5-0.99 ha	Community Water System	Community Sewer System or On-site sewage disposal system (shared or independent)

- 3.3.3 The FVRD Board may wish to consider applications for secondary dwellings on parcels 0.5 – 1.0 hectare serviced by existing community water and sewer systems subject to the following considerations: a) each application is considered on a site specific basis deliberated on its own merit; and b) capacity of the community systems to support secondary dwellings.
- 3.3.4 The FVRD Board, for the purposes of determining a minimum level of service requirement, does not distinguish between the various permissible typologies of secondary dwellings.

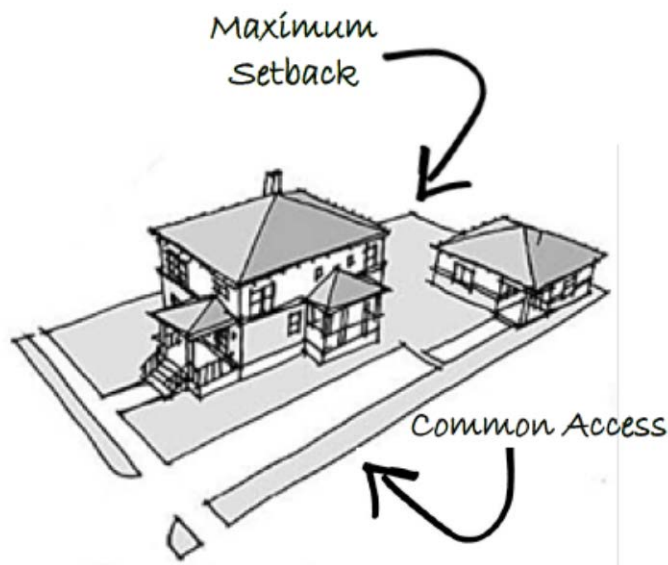
3.4 Form and Design

- 3.4.1 The FVRD supports offering choice and flexibility for Electoral Area residents in secondary dwelling form and design. As such, the following dwelling typologies are considered acceptable by the FVRD Board: Garage Suite (above grade), Garden Suite (at grade), and Secondary Suite (contained within existing dwelling).



- 3.4.2 The FVRD Board encourages maintaining a relationship between the secondary dwelling and the principle dwelling on the parcel, through maximum setback requirements, for the purposes of:

- discouraging future subdivision rationale;
- maintaining the ancillary nature of the secondary dwelling;
- encouraging natural surveillance; and
- reducing impacts to neighbouring properties.



- 3.4.3 The FVRD Board does not support the issuance of Ministry of Transportation Access Permits for an additional or alternative access for a secondary dwelling. Secondary dwellings should be accessed from the same access as the principle dwelling on the parcel.
- 3.4.4 Secondary dwellings should be restricted in size to: a) a total floor space of not more than 90m²; or b) 40% of the habitable floor space of the principle dwelling, whichever is lesser.
- 3.4.5 Secondary dwellings should be subject to minimum setback and maximum height requirements consistent with the principle dwelling on the parcel.

3.5 Further Consideration of Secondary Dwellings

- 3.5.1 This policy should be reviewed by staff and the FVRD Board within three (3) years of adoption to assess and identify the following:
- progress of subsequent amendments to Official Community Plans, Zoning Bylaws, and other relevant FVRD Bylaws;
 - interest and uptake in secondary dwellings as a permitted use in the Electoral Areas;
 - possible issues associated with the implementation and efficacy of the streamlined rezoning process;
 - cumulative effects of secondary dwellings to neighbourhoods where they have been introduced as a permitted use; and
 - opportunities to expand the scope of secondary dwelling permissibility in the Electoral Areas.
- 3.5.2 Notwithstanding the policies outlined above, the FVRD should continue to explore options and opportunities to allow secondary dwellings on parcels less than 0.5 hectare. This may include, but may not be limited to, technical studies examining: a) servicing feasibility and potential groundwater impacts of secondary dwellings on parcels less than 0.5 hectare without connections to community water or sewer systems; b) assessment of the capacity of community water or sewer systems to support secondary dwellings on parcels less than 0.5 hectare; and, c) potential for distinct servicing requirements for attached and detached secondary dwellings.
- 3.5.3 The FVRD should continue discussions with the Fraser Health Authority with respect to *Policy 3.5.2* and consider developing a framework, based on the technical studies referred to above, to further guide Registered On-Site Wastewater Practitioners when considering on-site servicing options for secondary dwellings on parcels less than 0.5 hectare.



SECONDARY DWELLINGS STUDY

Policy Development Update

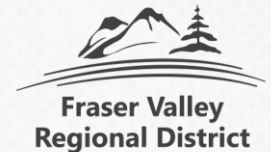
PROJECT BACKGROUND

Intent of Study

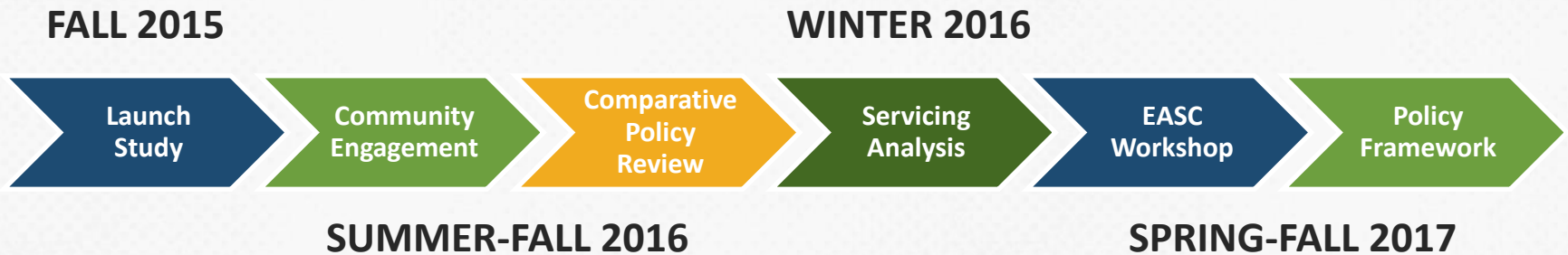
- Explore changes to existing policies
- Gauge community support

Motivation for Study

- Regular enquiries
- Consistent with FVRD Strategic Plan



PROJECT TIMELINE



LAUNCH STUDY

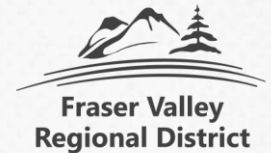


- Identified in 2015 workplan as priority project
- EASC approved consultation program in 2016

COMMUNITY ENGAGEMENT



- Consultation occurred throughout 2016
- Program included:
 - Online community survey
 - 5 Open Houses throughout EAs
 - Developer working group meeting
 - Media release/Interview in Hope Standard



COMPARATIVE POLICY REVIEW



- Municipal phone survey
- Background research
 - Other Regional District policies
 - Member municipality policies

SERVICING ANALYSIS

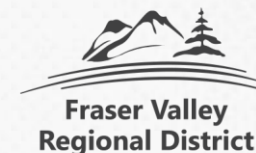


- Consultation with Fraser Health Authority
- Review of Provincial and FVRD regulations
 - Focus on sewage disposal options and water provision

EASC WORKSHOP



- Workshop held Spring 2017
- EASC considered policy concepts, identified policy priorities, guided policy development
 - E.g. **WHERE** (zones and parcel sizes)
WHAT (form and design)
HOW (implementation process)



POLICY FRAMEWORK

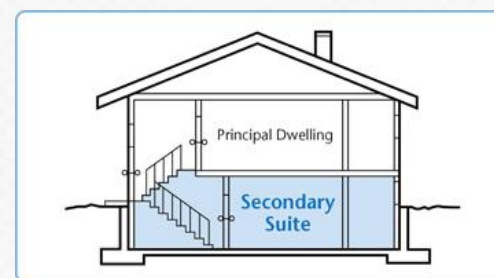
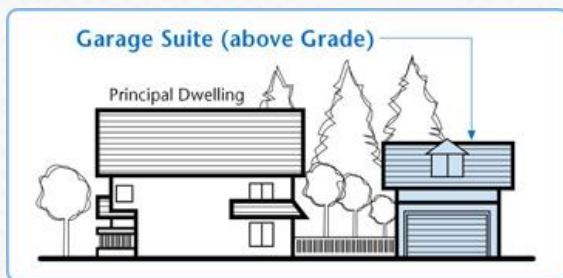


POLICY PURPOSE

- Provide a guide for FVRD initiated zoning amendments
- Use in consideration of individual zoning amendment applications

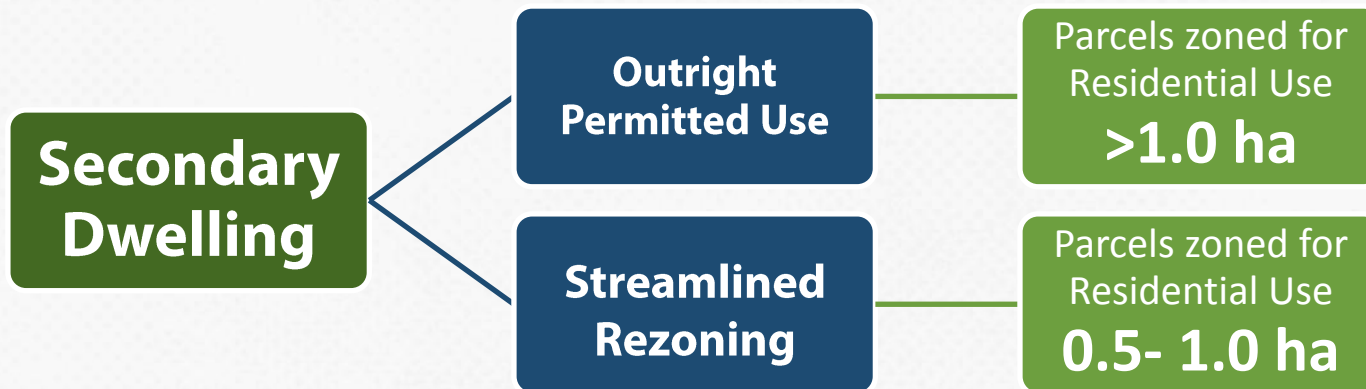
POLICY FRAMEWORK

What is a secondary dwelling?



POLICY FRAMEWORK

How will secondary dwellings be implemented?

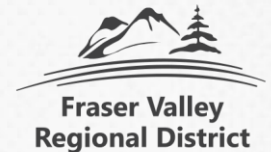


POLICY FRAMEWORK

Where can a secondary dwelling be located?

On parcels zoned for Residential Use [Limited for ALR Properties]

- On parcels where a principal dwelling is already established
- On parcels larger than 1.0 ha
- On parcels 0.5-0.99 ha through streamlined rezoning



POLICY FRAMEWORK

How will a secondary dwelling be serviced?

	Water	Sewage Disposal
Parcels 1.0 ha and greater	On-site supply (shared or independent)	On-site sewage disposal system (shared or independent)
Parcels 0.5-0.99 ha	Community Water System	Community Sewer System or On-site sewage disposal system (shared or independent)

POLICY FRAMEWORK

What types of requirements do secondary dwellings have?

- Maximum height and minimum setbacks
- Maximum setback from principle dwelling
- Maximum size consistent with BCBC regulations
- On-site parking, common vehicle access

POLICY FRAMEWORK

Which other regulations will affect secondary dwellings?

- Floodplain Management Bylaw
- Agricultural Land Reserve Use Regulation
 - 2019 Amendments

NEXT STEPS

MAY

- Meet with EA Directors

SUMMER

- Bring forward draft policy for EASC consideration

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Stacey Barker, Director of Regional Services

File No: 3920-20

Subject: Electoral Area Animal Control Regulation Amendment Bylaw No. 1531, 2019

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as *Fraser Valley Regional District Electoral Areas Dangerous and Aggressive Dog Regulation Amendment Bylaw No. 1531, 2019*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The Fraser Valley Regional District's (FVRD) *Electoral Areas Dangerous and Aggressive Dog Regulation Bylaw No. 1247, 2013* outlines the regulatory requirements for the designation and control of dangerous and aggressive dogs within Electoral Areas D, E, G, and H. Recommendations for amending this bylaw arise from time to time in order to provide clarifications, administrative updates, and continuity with related bylaws.

DISCUSSION

The bylaw describes how aggressive dogs are to be properly contained and cared for to ensure public safety. If violations of the bylaw are identified, fines may be issued. Owners of aggressive dogs receiving these tickets may dispute the ticket by presenting their case to an independent adjudicator facilitated through the Upper Fraser Valley Bylaw Adjudication System. Animal Control Officers have been present on a few occasions when the lack of clarity of certain terms in the bylaw has resulted in a ticket not being upheld. In some cases it resulted in the dog owner continuing with unsafe practices.

Through the proposed amendments, clarity has been added to so that there is a better chance of a ticket being upheld and public safety ensured. These changes will provide greater clarity to the dog owner, to the Screening Officers, to the Adjudicators, and to the public in general. This will also assist staff with clarity on the evidence they are required to gather. Also in the proposed amendment staff

has separated out the section of the bylaw that refers to dogs that kill other dogs, allowing for the implementation of greater fines for attacks that result in mortality.

The management of aggressive dogs, specifically in transport or transition between house and vehicle, has also been clarified. Unfortunately, situations have occurred where an aggressive dog during transition to a vehicle or an enclosure has escaped, or while in a vehicle has jumped out of the window. The proposed changes make it clear that if an aggressive dog is leaving its enclosure or house to be put into a vehicle, or is being moved from its house to its enclosure, it must be muzzled. Also, if the aggressive dog is in a vehicle it must be muzzled.

The proposed amendment also provides for a greater time period for an owner to prepare an appeal if their dog has been designated as aggressive under the bylaw. During this time period dog owners must still abide by the restrictions, but the extra time will allow dog owners the ability to gather information and have all questions addressed by Animal Control prior to submitting the appeal.

Lastly, the proposed amendments modernize the bylaw so it remains consistent with the updated terminology and requirements utilized within the FVRD's regulatory bylaw that applies within member municipalities (Bylaw #1206, 2013). These changes include clarifying definitions and providing housekeeping amendments to remove specific citation of Sections in legislation.

Proposed amendments to Bylaw No. 1247, 2013 are summarized in the following table:

Section	Amendment	Rationale
B	Clarify the definition of "aggressive dog" to remove potential confusion with use of the term "while running at large"	Clarification
B	Add a definition for "aggressively pursue or harass"	Clarification
B	Amend the definition of "animal control officer" to provide a more thorough description	Update
B	Clarify the definition of "at large" to better define where a dog might be located to be considered as at large	Clarification
B	Update the definition of "Chief Animal Control Officer" to reflect the legal purposes of this position	Update
B	Add a more complete description of an "enclosure" so better describes a structure where an aggressive dog can be held	Clarification and Update
B	Add a definition of "impound" to reduce possible uncertainty	Clarification
1	Separate out "kill" from "attack, bite, kill or cause injury" and have it added as its own prohibition.	To allow for greater fines for attacks causing death
2	Change the period of time dog owners can appeal an aggressive dog designation from 10 days to 30 days.	To allow more time for owners to submit an appeal
6	Amend the language so it reflects the concurrent amendment to the definition of "enclosure" to include a house.	Update
18, 21, 23	Remove unnecessary references to specific sections within the Community Charter or the Local Government Act	Update

A follow-up amendment to the *Fraser Valley Regional District Bylaw Offence Notice Enforcement Bylaw No. 1415, 2017* will be brought forward to a subsequent Board meeting. This amendment will reflect the proposed changes to Section 1 of this animal control bylaw that relate to higher penalties that may be issued following a dog attack that has resulted in death to another dog.

COST

n/a

CONCLUSION

The proposed amendments provide greater clarity for enforcement officers and the public, will allow additional time for dog owners receiving notice of an aggressive dog designation to prepare and submit an appeal, will allow for greater fines to be issued for dogs that attack and kill another dog compared to one that simply causes an injury, and updates the bylaw definitions to remain consistent with the FVRD's Animal Control Regulation Bylaw No. 1206, 2013.

COMMENTS BY:

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. 1531, 2019

A bylaw to amend the regulations for dangerous and aggressive dogs in electoral areas

WHEREAS the Board of Directors of the Fraser Valley Regional District ("the Board") has deemed it advisable to amend *Fraser Valley Regional District Electoral Areas D, E, and H Dangerous and Aggressive Dog Regulation Bylaw No. 1247, 2013*, as amended.

THEREFORE the Board enacts as follows:

1) CITATION

This bylaw may be cited as the *Fraser Valley Regional District Electoral Areas Dangerous and Aggressive Dog Regulation Amendment Bylaw No. 1531, 2019*.

2) ENACTMENTS

That Fraser Valley Regional District Bylaw No. 1247, 2013 be amended by:

1. In Part B – INTERPRETATION, under the "**aggressive dog**" definition, deleting Sections ii and iii and replacing them with the following:
 - ii. a dog that has bitten, killed, or caused injury to a domestic animal while in a public place, on limited common property, or while on private property other than property owned or occupied by the person responsible for the dog;
 - iii. a dog that, while at large, has aggressively pursued or harassed a person, a vehicle, or a domestic animal;
2. In Part B – INTERPRETATION, adding the following definition:

"aggressively pursue or harass" means to persistently or repeatedly annoy or chase a person, a vehicle, or a domestic animal in what may be perceived as an aggressive manner or with intent to cause injury;
3. In Part B – INTERPRETATION, deleting the definition of "**Animal Control Officer**" and replacing it with the following:

"Animal Control Officer" means:

 - i. an employee, officer, or agent designated by the Board, or peace officers, for purposes of Section 321 of the *Local Government Act, RSBC 2015, Ch. 1* [the "*Local Government Act*"] and Section 49 of the *Community Charter, SBC 2003, Ch. 26* [the "*Community Charter*";]

- ii. the Chief Animal Control Officer as defined elsewhere in this bylaw; or
 - iii. persons designated as bylaw enforcement officers under S. 415 of the *Local Government Act*; Section 264 of the *Community Charter*; Section 1 of the *Local Government Bylaw Notice Enforcement Act, SBC 2003, Ch 60*; and Section 3(f) *BC Reg. 425/2003 [Community Charter Bylaw Enforcement Ticket Regulation]* for purposes of enforcing regional district bylaws with respect to the regulation of animals;
- 4. In Part B – INTERPRETATION, deleting the definition of “**at large**” and replacing it with the following:

“**at large**” means an animal that is in a public place or on private property other than the premises of the owner, while not contained or not on a leash under direct and continuous control by a person;
- 5. In Part B – INTERPRETATION, deleting the definition of “**Chief Animal Control Officer**” and replacing it with the following:

“**Chief Animal Control Officer**” means an animal control officer or designate, designated by the Board for purposes of Section 321 of the *Local Government Act* and Section 49 of the *Community Charter*;
- 6. In Part B – INTERPRETATION, deleting the definition of “**enclosure**” and replacing it with the following:

“**enclosure**” means a structure that satisfies each of the following criteria:

 - i. is comprised of wire or steel mesh, designed to prevent the entry of a child or the escape of a dog;
 - ii. has a secure top attached to all sides of the enclosure;
 - iii. is of at least 1.8m in height;
 - iv. has a concrete floor, or has sides which are embedded no less than 60cm into the ground;
 - v. has a self-closing gate that can be locked;
 - vi. forms a confined area with no sides in common with a perimeter fence; and
 - vii. meets any necessary requirements for an accessory structure contained within any applicable bylaws or other regulations.
 - viii. For the purpose of this bylaw, an enclosure also includes a house from which the dog is not able to escape and is not able to cause injury to a person or animal located outside of the house.
- 7. In Part B – INTERPRETATION, adding the following definition:

“**impound**” means the seizing or capturing of an animal by an Animal Control Officer;

8. Deleting Section 1 and replacing it with the following:

"A dog owner must ensure the dog:

- a) does not attack, bite, or cause injury to a person or domestic animal;
- b) does not aggressively pursue or harass a person, a vehicle, or a domestic animal; or
- c) does not kill a person or domestic animal."

9. Deleting Section 2 and replacing it with the following:

"An animal control officer may seize any dog that is alleged to have been or is found in contravention of Section 1 or Section 6 of this Bylaw."

10. In Section 5, replacing "within 10 days" to "within 30 days";

11. Deleting Sections 6 a) and 6 b) and replacing them with the following:

"6. The owner of an aggressive dog must:

- a) keep the dog securely confined in an enclosure at all times; or
- b) ensure the dog is:
 - i. on a leash not exceeding three metres in length;
 - ii. under the immediate care and control of a competent person; and
 - iii. muzzled to prevent it from biting a person or other animal."

12. In Sections 18, 21, and 23, deleting all references to specific sections of the *Community Charter* and the *Local Government Act* and replacing them with "the *Community Charter*" and/or "the *Local Government Act*";

3) **SEVERABILITY**

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

4) **READINGS AND ADOPTION**

READ A FIRST TIME THIS _____ day of _____

READ A SECOND TIME THIS _____ day of _____

READ A THIRD TIME THIS _____ day of _____

ADOPTED THIS _____ day of _____

Chair/Vice-Chair

Corporate Officer/Deputy

5) CERTIFICATION

I hereby certify that this is a true and correct copy of *Fraser Valley Regional District Electoral Areas Dangerous and Aggressive Dog Regulation Amendment Bylaw No. 1531, 2019* as adopted by the Board of Directors of the Fraser Valley Regional District on the

Dated at Chilliwack, BC this

Corporate Officer/Deputy

To: CAO for the Electoral Area Services Committee
From: Alison Stewart, Manager of Strategic Planning

Date: 2019-06-11
File No: 6840-20-010

Subject: Proposed UBCM Resolution - Provincial Response to Homeless Camps on Crown Lands

RECOMMENDATION

THAT the Fraser Valley Regional District Board forward a resolution on the need for a provincial strategy to address rural homelessness and encampments on Crown land to the Union of BC Municipalities for consideration at its September 2019 convention;

AND THAT the resolution shall be as follows:

RURAL HOMELESSNESS: CROWN LAND ENCAMPMENTS

WHEREAS Homelessness is a challenge facing both urban and rural communities;

AND WHEREAS electoral areas have the least ability to address homelessness, in that they are by their very nature remote from health, social, police and other services and the minimal tax bases cannot support the hard and soft infrastructure required to address homelessness;

AND WHEREAS the province's response to homeless encampments on Crown land has been inconsistent or ad-hoc in nature, sometimes relocating encampments without taking into account impacts on rural communities and regional district resources;

THEREFORE IT BE RESOLVED that the province of British Columbia through its newly established Office of Homelessness Coordination within the Ministry of Poverty Reduction and Social Development develop a rural homelessness strategy to address what is clearly a gap in the province's response to homelessness.

STRATEGIC AREAS OF FOCUS

Support Environmental Stewardship
Support Healthy & Sustainable Community

BACKGROUND

In late August 2018, the Fraser Valley Regional District (FVRD) became aware, after the fact, of an initiative of the provincial government to relocate a homeless encampment (Borden Creek) on Crown Land in the Chilliwack River Valley (Electoral Area E) to a private property in the Columbia Valley (Electoral Area H). An article in the August 31, 2018 Chilliwack Progress provided an outline of the

process, which apparently included the RCMP, Ministry of Municipal Affairs and Housing (MAH) and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD). While the FVRD has generally been aware of homeless encampment problems on Crown land in the Chilliwack River Valley, the Region was not consulted on this move.

A number of concerns arose with the province's approach to this problem:

1. Since the province facilitated the move, what supports, if any, were provided to ensure the property owner's and area resident's interests are protected. BC Housing's involvement in this process is unclear.
2. What supports, if any, were provided to camp occupants in order to transition them from homelessness to being appropriately housed.
3. There are several other encampments in the Chilliwack River Valley and other rural areas in the region. In this particular case, the private land in question was ALR land located in a rural electoral area. If this has become FLNRORD's standard practice, will the ministry continue to relocate homeless encampments to private lands in other parts of the FVRD, including municipalities?

Based on the experience in the FVRD there is a need for a provincial strategy to address homelessness on Crown land in rural electoral areas as it is an issue not unique to the FVRD. The province has recently established an Office of Homelessness Coordination within the Ministry of Poverty Reduction and Social Development, but it is very early in its formation and unclear as to its function and whether the Office will address what is clearly a gap in the province's response to homelessness.

A UBCM resolution asking the province to develop a strategy to address homelessness in rural areas and more specifically address homeless encampments on Crown land may bring this issue to the forefront. A draft resolution has been prepared for consideration at the June 11, 2019 Electoral Area Services Committee and Regional and Corporate Services Committee meetings. The deadline for submitting resolutions to UBCM is June 30, 2019.

DISCUSSION

Homelessness is a challenge facing communities throughout the lower mainland and other parts of the province. Increasing numbers of people are choosing to locate in rural areas, on private land, Crown land and First Nations lands. The costs of cleaning Crown land sites are considerable, but downloading such encampments onto a regional district is not a solution. Electoral areas have the least ability to address homelessness, in that they are by their very nature remote from health, social, police and other services. The minimal tax bases of rural areas cannot support the hard and soft infrastructure required to address homelessness.

According to the FVRD's 2017 Homeless Count, approximately one third of the FVRD's homeless population live unsheltered. Approximately 16% of that group live in cars/vans or campers and are found in locations both inside and outside the region's municipalities. The issue in this case is that the province, who is ultimately responsible for the provision of healthcare, housing and social services has

downloaded responsibility of this particular encampment onto the regional district with no consultation or consideration of local Zoning bylaws, ALR status or the community's capacity to accommodate such a land use.

The process used by FLNRORD in addressing the homeless encampment at Borden Creek is of concern. Homelessness is not only a housing issue. Mental health and addiction issues and related health impacts are significant drivers of homelessness. Based on this most recent response, there appears to be no provincial strategy to address homelessness on provincial Crown lands. Rather, it appears to have been dealt with in an ad hoc manner. To place the onus of this problem onto a small rural community without adequate resources is not an appropriate solution. In addition to the health and homelessness issues, these encampments put the environment at risk, with general garbage, human waste, used needles and other dangerous waste in the mix.

Based on the experience in the FVRD there is a need for a provincial strategy to address homelessness on Crown land in rural electoral areas as it is an issue not unique to the FVRD. The deadline for submitting resolutions to UBCM is June 30, 2019.

The proposed resolution is as follows:

RURAL HOMELESSNESS: CROWN LAND ENCAMPMENTS

WHEREAS Homelessness is a challenge facing both urban and rural communities;

AND WHEREAS electoral areas have the least ability to address homelessness, in that they are by their very nature remote from health, social, police and other services and the minimal tax bases cannot support the hard and soft infrastructure required to address homelessness;

AND WHEREAS the province's response to homeless encampments on Crown land has been inconsistent or ad-hoc in nature, sometimes relocating encampments without taking into account impacts on rural communities and regional district resources;

THEREFORE IT BE RESOLVED that the province of British Columbia through its newly established Office of Homelessness Coordination within the Ministry of Poverty Reduction and Social Development develop a rural homelessness strategy to address what is clearly a gap in the province's response to homelessness.

COST

No cost

CONCLUSION

Homelessness is a challenge facing communities throughout British Columbia. Increasing numbers of people are choosing to locate away from urban centres in rural areas - on private land, Crown land and First Nations lands. Electoral areas have the least ability to address homelessness in that they have a very limited tax base and are by their very nature remote from health, social, police and other services.

A UBCM resolution asking the province to develop a strategy to address homelessness in rural areas and more specifically address homeless encampments on Crown land may bring this issue to the forefront.

COMMENTS BY:

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.