

FRASER VALLEY REGIONAL DISTRICT



ELECTORAL AREA SERVICES COMMITTEE

OPEN MEETING AGENDA

Tuesday, July 9, 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 July 9, 2019 be approved;

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

3. SHOW CAUSE HEARING(S)

[OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO BE HEARD]

3.1 **Building Bylaw and BC Building Code Contraventions at 43785 Ryall Road Road, Electoral Area C, Legally Described as: Lot 139, Section 22 Township 24 New Westminster District Plan 32595 (PID: 006-746-063).**

8 - 45

- Presentation by Staff
- Corporate report dated July 9, 2019 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated June 18, 2019 to Property Owner
- Letter dated April 20, 2018 to Property Owner
- Letter dated May 21, 2014 to Property Owner
- Title Search - May 21, 2019
- Property Information Map
- Property Information Report

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code*, at 43785 Ryall Road, Electoral Area C, Fraser Valley Regional District, British Columbia (Legally described as: Lot 139, Section 22 Township 24 New Westminster District Plan 32595 (PID: 006-746-063).

4. DELEGATIONS AND PRESENTATIONS

4.1 Roger and Rosemary Burrows

Presentation with respect to application for Development Variance Permit 2019-19 to reduce the number of required on-site parking spaces at 19 Lakeshore Drive, Cultus Lake Park - Electoral Area "H"

5. MINUTES/MATTERS ARISING

5.1 Draft Minutes of the Electoral Area Services Committee Meeting - June 11, 2019 46 - 54

MOTION FOR CONSIDERATION

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

5.2 Draft Minutes of the Electoral Area Services Committee Meeting - June 25, 2019 55 - 56

MOTION FOR CONSIDERATION

THAT the Minutes of the Electoral Area Services Committee Open Meeting of June 25, 2019 be adopted.

5.3 Draft Cultus Lake Advisory Planning Commission - June 19, 2019 57 - 59

FOR INFORMATION

6. CORPORATE ADMINISTRATION

No Items.

7. FINANCE

7.1 Electoral Area Director's Remuneration 60 - 62

- Corporate Report dated July 9, 2019 from Mike Veenbaas, Director of Financial Services

MOTION FOR CONSIDERATION

THAT the Electoral Area Services Committee consider selection of one of the

following two options pertaining to Committee remuneration:

Option 1

THAT the Committee direct Staff to make no adjustments to remuneration levels.

Option 2

THAT the Committee direct Staff to adjust the Board Director – Electoral Area, EASC Chair and EASC Vice Chair add-ons so that the total remuneration received by an Electoral Area Director is given wage parity with the net “take home” pay received in 2018;

AND THAT the increase to the electoral area add-ons be funded through the Electoral Area Administration Budget 102.

7.2 Grant-In-Aid Request – McConnell Creek Farmers Institute, Electoral Area “F”

63 - 66

- Corporate report dated July 9, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application - McConnell Creek Farmers Institute

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board approve a Grant-in-Aid to the McConnell Creek Farmers Institute (community hall) in the amount of \$5,000 to be funded from the 2019 Electoral Area “F” grant-in-aid budget to assist with the costs of completing the expanded covered area, including wiring for lighting and paint for the interior of the building.

8. ENGINEERING & UTILITIES

No Items.

9. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

9.1 Application for Development Variance Permit 2019-18 to reduce the setbacks from a highway for a single family residence at 20910 Snowflake Place, Electoral Area “C”

67 - 85

- Corporate report dated July 9, 2019 from Julie Mundy, Planning Technician
- DVP Application
- Draft DVP 2019-18

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-18 to reduce the highway setback requirement from 6 metres to 4.5 metres on the west side of the lot, and from 6 metres to 3 metres on the south

side of the lot, to facilitate the construction of a single family dwelling at 20910 Snowflake Place, subject to consideration of any comments or concerns raised by the public.

9.2 Application for Development Variance Permit 2019-19 to reduce the number of required on-site parking spaces at 19 Lakeshore Drive, Cultus Lake Park, Electoral Area "H" 86 - 150

- Corporate Report dated July 9, 2019 from Andrea Antifaeff, Planner I
- DVP Application 2019-19
- Applicants email dated June 28, 2019

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-19 for the property located at 19 Lakeshore Drive, Electoral Area H – Cultus Lake Park to vary the required off-street residential parking requirements

AND THAT the Fraser Valley Regional District Board consider directing staff to conduct a parking study of waterfront lots in Cultus Lake Park to develop a consistent approach for off-street residential parking, in conjunction with the 2020 workplan priorities for all Electoral Areas.

9.3 Application for Development Variance Permit 2019-20 to reduce the required separation between mobile homes for #40-52324 Yale Road, Electoral Area "D" 151 - 167

- Corporate report dated July 9, 2019 from Julie Mundy, Planning Technician
- DVP Application
- Draft DVP 2019-20

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-20 to reduce the separation requirement between mobile homes from 20 feet (6.1 metres) to 19.5 feet (5.9 metres), between user site 40 and 41 at 52324 Yale Road, subject to the consideration of any comments or concerns raised by the public.

AND THAT Development Variance Permit 1992-13 be amended to permit site #40 to be used for a double wide mobile home.

9.4 Application for Development Variance Permit 2019-21 to reduce the required lot line setbacks and to increase the allowable site coverage for residential structures at 36072 Shore Road, Electoral Area G 168 - 195

- Corporate Report dated July 9, 2019 from Julie Mundy, Planning Technician

- Draft DVP 2019-21
- DVP Application

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-21 for 36072 Shore Road, Electoral Area G, to reduce the rear and exterior lot line setbacks from 6.0 metres to 0.0 metres to authorize a portion of the existing residential decks and to increase the allowable site coverage from 30% to 36% to facilitate the construction of a detached garage, subject to consideration of any comments or concerns raised by the public.

9.5 Agricultural Land Commission Application – Proposed subdivision (boundary adjustment) at 11180 Popkum Road North & PID 024-762-091, Electoral Area “D” 196 - 251

- Corporate report dated July 9, 2019 from Andrea Antifaeff, Planner I
- ALC Application

MOTION FOR CONSIDERATION

THAT the application for subdivision (boundary adjustment) within the Agricultural Land Reserve for the property located at 11180 Popkum Road North and PID 024-762-091, Electoral Area “D” be forwarded to the Agricultural Land Commission for consideration;

AND FURTHER THAT the Agricultural Land Commission consider the staff report dated July 9, 2019 under file number 3015-20 2019-06.

9.6 Agricultural Land Commission Application – Non-Adhering Residential Use (proposed employee residence) at 41379 Nicomen Island Trunk Road, Electoral Area “G” 252 - 277

- Corporate report dated July 9, 2019 from Andrea Antifaeff, Planner I
- ALC Application
- Secondary Dwellings in the Electoral Area Policy

MOTION FOR CONSIDERATION

THAT the application for non-adhering residential use (employee residence) within the Agricultural Land Reserve for the property located at 41379 Nicomen Island Trunk Road, Electoral Area “G” be forwarded to the Agricultural Land Commission for consideration;

AND FURTHER THAT the Agricultural Land Commission consider the staff report dated July 9, 2019 under file number 3015-20 2019-07 and the attached Secondary Dwellings in the Electoral Areas policy.

9.7 Appointment of the Chief Building Inspector 278 - 278

- Corporate report dated July 9, 2019 from Margaret-Ann Thornton,

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board appoint the Manager of Building Inspection as the Fraser Valley Regional District Chief Building Official/Chief Building Inspector effective immediately.

9.8 Special Event Permit - Around the Lake Trail Race, Cultus Lake - Electoral Area "H" 279 - 286

- Corporate Report dated July 9, 2019 from Louise Hinton, Bylaw Compliance & Enforcement Officer
- Application for Special Event Licence
- Arrangement Statement
- Certificate of Incorporation for Around the Lake Trail Race Society

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board approve the Class 1 Special Event Licence No. 2019-03 for the 17th Annual Around the Lake Trail Race to be held on October 19, 2019, at Cultus Lake, in Electoral Area H, subject to the receipt of all required documentation necessary to complete the application;

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

AND FURTHER THAT the Fraser Valley Regional District Board authorize FVRD signatories to execute all legal instruments associated with the Special Event Licence No. 2019-03.

10. ELECTORAL AREA EMERGENCY SERVICES

10.1 Electoral Area Emergency Services – Department Activity Report 287 - 290

FOR INFORMATION ONLY

- Corporate report dated July 9, 2019 from Reg Dyck, Manager of Electoral Area Emergency Services

10.2 Hemlock Valley Fire Department Fire Apparatus Purchase 291 - 292

FOR INFORMATION ONLY

- Corporate Report dated July 9, 2019 from Reg Dyck, Manager of Electoral Area Emergency Services

11. OTHER MATTERS

11.1 FVRD Bylaw Offence Notice Enforcement Amendment Bylaw No. 1532, 2019 293 - 308

- Corporate report dated July 9, 2019 from Pam Loat, Legislative Coordinator
- Draft Bylaw No. 1532, 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 Bylaw Offence Notice Enforcement Amendment Bylaw No. 1532, 2019*.

12. **ADDENDA ITEMS/LATE ITEMS**
13. **REPORTS BY STAFF**
14. **REPORTS BY ELECTORAL AREA DIRECTORS**
15. **PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA**
16. **RESOLUTION TO CLOSE MEETING**

MOTION FOR CONSIDERATION

THAT the meeting be closed to the public, except for Senior Staff and the Executive Assistant, for the purpose of receiving and adopting Closed Meeting minutes convened in accordance with Section 90 of the *Community Charter*.

R E C E S S

17. **RECONVENE OPEN MEETING**
18. **RISE AND REPORT OUT OF CLOSED MEETING**
19. **ADJOURNMENT**

MOTION FOR CONSIDERATION

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

To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Louise Hinton, Bylaw Compliance & Enforcement Officer

File No: C03727.377

Subject: Building Bylaw and BC Building Code Contraventions at 43785 Ryall Road Road, Electoral Area C, Legally Described as: Lot 139, Section 22 Township 24 New Westminster District Plan 32595 (PID: 006-746-063).

RECOMMENDATION

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code*, at 43785 Ryall Road, Electoral Area C, Fraser Valley Regional District, British Columbia (Legally described as: Lot 139, Section 22 Township 24 New Westminster District Plan 32595 (PID: 006-746-063).

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship

Provide Responsive & Effective Public Services

BACKGROUND



May 15, 2007	Building Permit for construction of a carport for storage was issued (BP06103).
Dec. 17, 2007	Building Inspector conducted a site inspection of the property and noted that construction was completed without any inspections. The carport was posted with both Stop Work and No Occupancy Notices. Building Inspector requested all items to be submitted prior to continuation with permit.
May 11, 2009	FVRD Building Department mailed letter to owner that her Building Permit for the carport construction (BP06103) was going to expire with outstanding health and safety deficiencies. Deadline to responds to FVRD was May 15, 2009.
June 19, 2009	FVRD Bylaw Officer received notice of the expired Building Permit (BP06103) and contacted owner by telephone – the property owner relayed the following information regarding her outstanding Building Permit items: (1) she will supply the structural B1/B2 schedules and 3 sets of sealed drawings from the engineer; (2) she understands that a BC Land survey is required; (3) the roof is not to be attached to existing dwelling; and that she will hand in all outstanding paperwork by June 26, 2009.
July 14, 2009	FVRD Bylaw Officer attempted to contact owner, there was no answer, so a detailed voice mail was left.
July 15, 2009	Bylaw letter mailed to owner is mailed to owner, deadline for response to FVRD is August 4, 2009.
Aug. 20, 2009	Bylaw letter mailed to owner, deadline for response to FVRD is September 10, 2009.
Sept. 24, 2009	FVRD Bylaw Officer attempted to contact owner, there was no answer, so a detailed voice mail was left.
Oct. 5, 2009	Owner makes a new Building Permit Application (BP012083) to FVRD for the carport.
Nov. 25, 2009	Building Inspector conducted a site inspection to update file and noted the remaining outstanding Building Permit items to be submitted.
July 6, 2010	FVRD Bylaw Officer attended property for site inspection, owners husband Mr. Friessen and the contractor were both present. Mr. Friessen was replacing deck (about 3' x 7' in size) attached to the dwelling, when FVRD Bylaw Officer stated a permit was required for those works. Mr. Friessen disagreed with the Bylaw Officer, stating that he didn't believe he needed a permit because it was

already existing and too small. FVRD Bylaw Officer told Mr. Friessen to stop work on the deck. Mr. Friesen stated he was going to pour concrete as soon as possible anyways.

Mr. Friessen showed Bylaw Officer around the property. The carport (which is attached to the Single family dwelling) has been changed to a craft shop. Mr. Friessen pointed out that a structure, intended for storage has been constructed beside the craft shop, on the opposite side of the dwelling. Bylaw Officer asked Mr. Friessen when the storage shed was constructed, and he replied that it was pre-existing. Mr. Friessen explained that he was going to meet with his Engineer later that week and would hand in the B1's B2's for the craft shop. Mr. Friessen agreed to come into the Regional District and change the description of the existing Building Permit because what he has constructed is now considered a craft shop/storage building, not a carport. Mr. Friessen then explained that he was also meeting with his Engineer because he also intended on renovating his dwelling. He explained that he wanted to remove the wall at the front of the house and extend it to create more living space. He showed the Bylaw Officer a copy of his construction drawings that he was taking to his meeting. Officer explained that they will also require a Building Permit for any renovations to the dwelling.

Aug. 16, 2010	Mr. Friessen made two separate Building Permit Applications to the FVRD: 1. (BP012347) for the craft and storage building – originally the carport and 2. (BP012346) for the addition to the single family dwelling.
Aug. 19, 2010	Building Inspector attends the property for a building inspection for the applied for permits, but the property owner refused the Inspector access to the property.
Feb. 3, 2011	Bylaw Officer was in the area on another inspection and noticed that there was additional construction works on the property.
June 5, 2012	Building Inspector calls to arrange meeting with Mr. Friessen, however Mr. Friessen refuses to deal with one of the FVRD inspectors. A second Building Inspector contacts Mr. Friessen and re-schedules the meeting for June 6, 2012.
June 6, 2012	Mr. Friessen contacted FVRD and canceled the scheduled meeting. Building Inspector attempts to contact owner to re-schedule meeting, but there was no answer, so a detailed voice mail was left.
June 8, 2012	Building Inspector contacts Mr. Friessen and again re-schedules the meeting for a second time on 10am on June 12, 2012.
June 12, 2012	Mr. Friessen contacts FVRD and for a third time and cancels the same day meeting at the Deroche Office because of another meeting he had and re-schedules the initial meeting for June 13, 2012.

June 13, 2012	FVRD Staff attend Deroche Office for meeting and Mr. Friessen did not show up at 10am as agreed, he arrived at 12:10pm as the Building Inspector was leaving the office. Meeting was again re-scheduled on site for June 14, 2012 at 10am at the Deroche Office.
June 14, 2012	Building and Bylaw Staff had a meeting with Mr. Friessen who advised he would be submitting Building Permit application documents next week.
July 3, 2012	Building department refers file back to bylaw enforcement as there has been no action on either of the Building Permits.
Mar. 27, 2014	Building Inspector attempts to contact owner to schedule a meeting, but there was no answer, so a detailed voice mail was left.
May 13, 2014	Bylaw Officer conducted drive-by inspection of the property and observed that the craft room addition still exists on the property.
May 21, 2014	Bylaw letter is mailed to owner, regarding lapsed Building Permit applications – the deadline for response to FVRD is June 23, 2014.
July 2, 2014	Bylaw letter is mailed to owner, regarding lapsed Building Permit applications – the deadline for response to FVRD is July 17, 2014.
Aug 12, 2014	Bylaw letter is mailed to owner, regarding non-compliance with bylaw ticket No. (23011) attached.
Sept. 8, 2014	Bylaw Officer receives notice that Bylaw ticket has been disputed.
Jan. 30, 2015	Bylaw Adjudication hearing results that the bylaw ticket is upheld.
Feb. 18, 2015	Bylaw Officer receives notice from the adjudication system administrator that, the property owner Ms. Hartley has paid her outstanding bylaw ticket fines.
Feb. 24, 2015	Bylaw Officer and Director of Planning speak with owner on the telephone – the following is discussed: (1) Owners do not wish to pursue Building Permits for the construction that has already occurred on the property; (2) Bylaw Officer explains the notice on title process; (3) <u>Owner is agreeable to a section 57, notice on title and understands that the file will stay open until such time as it is resolved even with a notice on the title;</u> (4) Bylaw Officer requests owner provide information of all construction to move forward with the process.
March 2015 – March 2018	There is no further action by FVRD Bylaw Enforcement Staff during this time period due to reduced Regional District Bylaw Department Staffing levels. The Notice on Title process for this property is in the queue for processing.

April 20, 2018 Final Warning letter is mailed to the property owner prior to the start of the notice on title process – the deadline for response to FVRD is May 11, 2018.

June 18, 2019 Bylaw Staff sent a letter by mail to owner notifying him of the show cause hearing for July 9, 2019.

INSPECTION PHOTOS OF SUBJECT PROPERTY:

July 6, 2010 - (Continued Construction)



August 3, 2010 - (Continued Construction)



February 3, 2011 - (Continued Construction)



May 24, 2019 – (Continued Construction)



DISCUSSION

Building Bylaw

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

In 2007 the owner was issued a Building Permit for the construction of a carport for storage. During the progress of that permit Building Inspector identified that additional works had been done without permits and the carport was posted with stop work and no occupancy notices. The permit was never completed and subsequently expired with health and safety deficiencies. In 2009 the owner renewed the permit for the carport; however the permit again lapsed due to inactivity.

In 2010 the Bylaw Department identified construction works on site vary from those in the lapsed permit and additional works without a permit to the single family dwelling. Two new Building Permit applications were applied for: (1) BP012347 – for craft shop/storage space (previously carport), and (2) BP012346 for the addition to the dwelling. Both of the required permits lapsed in 2014 due to inactivity.

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

COST

Land Titles Office filing fee of approximately \$74.

The owner will be required to pay a removal fee of \$500 in accordance with the *Fraser Valley Regional Building Bylaw 1188, 2013*, after the unauthorized construction works on the craft room/storage building – previously identified as a carport, and the addition to the single family dwelling are either:

1. Demolished with Building Permits issued by the FVRD, with a successful final inspection; or
2. Fully completed Building Permits for the construction works to the craft room/storage building, and the addition to the single family dwelling are both issued by the FVRD and receive successful final inspections.

CONCLUSION

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the construction works of the craft room/storage building – previously identified as a carport, and the addition to the single family dwelling violates the *Regional District Building Bylaw*, and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of a Building Permit for the construction works to the craft room/storage building, and the addition to the single family dwelling. Regrettably, but in the interest of full public disclosure and as incentive to achieving voluntary compliance, I, as an Appointed Building Inspector, believe that the filing of Notice is appropriate in this instance and submit the above recommendation in accordance with Section 57 of the *Community Charter*.

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

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

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

COMMENTS BY:

Margaret Thornton, Director of Planning & Development	Reviewed and supported.
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Mike Veenbaas, Director of Financial Services:	No further financial comments.
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Jennifer Kinneman, Acting Chief Administrative Officer	Reviewed and supported.
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June 18, 2019

REGISTERED MAIL

Ms. Jo-Anne Gail Hartley
43785 Ryall Road
Lake Errock BC, V0M 1N0

FILE: 4010-20- C03727.377
CIVIC: 43785 Ryall Road
PID: 006-746-063
LEGAL: Lot 139 Section 22 Township 24 New Westminster District Plan 32595

Dear Ms. Hartley:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Title
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building without a
Permit – 43785 Ryall Road, Lake Errock BC (Electoral Area: C)**

Further to our previous correspondence dated April 20, 2018 that was sent to you on the same day, please be advised you are hereby notified that your opportunity to be heard by the Regional District Electoral Area Services Committee is scheduled. The meeting is to show cause why the Regional District Board of Directors should not direct staff to file a Notice against the title of your property at 43785 Ryall Road in relation to the outstanding contraventions of the *Fraser Valley Regional District Building Bylaw No. 1133, 2018* and *BC Building Code* pursuant to Section 57 of the *Community Charter*.

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

The Electoral Area Services Committee will consider registration of the Section 57 Notice on the titles of your property at 43785 Ryall Road whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

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

Sincerely,



Jennifer Kinneman
Acting Chief Administrative Officer

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

Attach: July 9, 2019 Staff Report from Bylaw and Appointed Building Inspector
April 20, 2019 Copy of Final Warning Bylaw Enforcement Letter to Property Owner
May 21, 2014, Copy of Lapsed Building Permit letter
May 21, 2019 Land Title Search Results
May 21, 2019 Property Information Report
May 21, 2019 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

April 20, 2018

Ms. Jo-Anne G. Hartley
43785 Ryall Road
Lake Errock BC V0M 1N0

FILE: C03727.377
CIVIC: 43785 Ryall Road
PID: PID: 006-746-063
LEGAL: Lot 139 Section 22 Township 24 New Westminster District Plan 32595

Dear Ms. Hartley:

**Re: Final Warning – Construction without a Building without a Permit – 43785 Ryall Road
Addition to the Single Family Dwelling and Craft Room/Storage Building**

Further to our previous telephone conversation of February 24, 2015 and our letters dated July 2, 2014 and May 21, 2014, the Fraser Valley Regional District staff has confirmed that your property at 43785 Ryall Road (the "property") continues to remain in breach of Regional District bylaws despite our previous requests for compliance. Staff verified that the unauthorized construction on the Single Family Dwelling and the craft room/storage building were done without any of the required permits. See enclosed photos below:



Fraser Valley Regional District's Building Bylaw No. 1188, 2013 (Bylaw 1188) section 6 states:

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

The Regional District continues to have an open bylaw enforcement file with regards to the illegal construction to the Single Family Dwelling and the craft room/storage building on your property. It has now been more than almost nine years since the Regional District first discovered the unauthorized construction on your property.

Considering that you have not been able to meet any of the previously given deadlines to comply with the Building Permit requirements, the Regional District will proceed with the process of registering a notice on the title of your property with the Land Titles Office as outlined in Section 57 of the *Community Charter*. Please see the enclosed information sheet that provides further details on the process.

If you do wish to take steps towards gaining compliance in the above stated matter please ensure that by **May 11, 2018** completed Building Permit applications are submitted for the above noted construction to the Fraser Valley Regional District's Building Department. Alternatively you may choose to demolish the unpermitted construction. If you choose to proceed with building permits, please ensure that each of the completed application forms include the following items:

- a) Fully completed building permit application form;
- b) BC Land Surveyor Foundation location survey;
- c) Detailed to scale drawings for the structure; and
- d) An initial application fee in the amount of \$150.00.

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

If you fail to meet the above stated deadline of **May 11, 2018** we will move forward to begin the process of registering a notice on the title of your property with the Land Titles Office as outlined in section 57, of the *Community Charter*.

The primary purpose of an owner obtaining their Building Permit is for the safety of its occupants. Having a non-approved building puts the occupants at risk and should an unfortunate incident occur the owner may be held more liable. We encourage you to read the BC Occupiers Liability Act regarding property safety and negligence, available online at: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96337_01

If you have any questions or wish to discuss this matter further, you may contact me by calling toll-free at 1-800-528-0061, directly at 604-702-5015 or by email at lhinton@fvrd.ca. Our office hours are Monday through Friday from 8:30am to 4:30pm.

Yours truly,



Louise Hinton,
Bylaw, Compliance and Enforcement Officer

Attach: Copy of Letter from Bylaw Adjudication, dated February 2, 2015
Copy of Letter dated August 12, 2014
Copy of Letter dated July 2, 2014
Copy of Bylaw Enforcement Letter dated May 21, 2014
Copy of Building Permit Closure Letters dated May 21, 2014
Copy of Building Permit Incomplete and Geotechnical Letters dated September 16, 2010
Copy of Letter dated July 15, 2009
Section 57 Information Sheet

cc: Alec Niemi, Director of Electoral Area C
Margaret-Ann Thornton, Director of Planning & Development
Greg Price, Bylaw & Compliance Coordinator



Upper Fraser Valley Bylaw Adjudication System

February 2, 2015

Jo-Anne Hartley
PO Box 145
Lake Errock, BC
V0M 1N0

Dear Ms. Hartley:

**Re: Adjudication Hearing Judgment
Bylaw Offence Notice No. 23011**

Further to the Adjudication Hearing held on January 30, 2015, we confirm that it was determined by the Adjudicator at the hearing that the bylaw infraction did occur with respect to the above bylaw ticket issued to you.

Immediately following the Adjudicator's decision, the outstanding Bylaw Offence Notice totalling \$200.00 was to be paid by yourself, plus the adjudication fee of \$25.00, for a total of \$225.00. As no payment or any arrangements for payment were made after the hearing, we would advise that if we do not hear from you prior to February 16, 2015, we will immediately take steps for the collection of the monies owing, including possible legal action, without further notice to you.

Should you have any questions regarding this matter, please do not hesitate to contact our office at 604-793-2743.

Yours truly,

A handwritten signature in cursive script that reads "Janice McMurray".

Janice McMurray
Deputy City Clerk
/jc

Enclosure



Fraser Valley Regional District
45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6
Phone: 604-702-5000 Toll Free: 1-800-528-0061 (BC only)
Fax: 604-792-9684 website: www.fvrd.bc.ca

August 12, 2014

File Number: 4010-20-C03727.377

Jo-Anne Hartley
43785 Ryall Road
Lake Errock, BC V0M 1N0

Dear Ms. Hartley:

Re: Issuance of Bylaw Offence Notice at 43785 Ryall Road; Legally Described as Lot 139 Section 22 Township 24 New Westminster District Plan 32595; Parcel Identifier: 006-746-063

Please find the enclosed Bylaw Offence Notice No.23011 issued to you, the property owner for failing to comply with the *Fraser Valley Regional District Building Bylaw 1188, 2013*.

On the reverse side of the Bylaw Offence Notice you will find the methods available to you to pay or dispute the penalty.

You may contact me Monday through Friday, 8:30am to 4:30pm at the toll-free number listed above, directly at 604-702-5015, or by email at jwells@fvrd.bc.ca if you have any further questions or concerns on how to bring your property into compliance with Regional District Bylaws. Further inspections will be conducted on your property until the file is closed.

Yours truly,

pp. 

Jennifer Wells
Bylaw, Permits & Licences Technician

Encl: Bylaw Offence Notice No. 23011
Copy of Letter dated July 2, 2014

cc: Wendy Bales, Director of Electoral Area C
Margaret Thornton, Director of Planning & Development

UPPER FRASER VALLEY BYLAW ADJUDICATION SYSTEM

- ☐ City of Chilliwack ☐ District of Hope
☐ District of Kent ☒ Fraser Valley Regional District
☐ Village of Harrison Hot Springs

BNE No 29011

BYLAW OFFENCE NOTICE

Local Government Bylaw Notice Enforcement Act

ISSUED TO:

SURNAME OR CORPORATE NAME <u>Hartley</u>		<input type="checkbox"/> YOUNG PERSON
GIVEN NAMES (OR CORPORATE NAME CONTINUED) <u>Jo Anne Gail</u>		GENDER BIRTHDATE (YY MM DD) <u>M</u> <u>F</u>
ADDRESS <u>43785 Ryall Road</u>		
CITY <u>Lake Erskine</u>	PROVINCE <u>BC</u>	POSTAL CODE <u>V0M 1N0</u>

VEHICLE INFORMATION (IF APPLICABLE)

MAKE _____ MODEL _____

CLOUR _____ LICENCE NO. _____ PROVINCE _____

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

ON OR ABOUT 14 07 2014 AT THE TIME OF 13:00 (24hr Clock)

AT OR NEAR 43785 Ryall Road Lake Erskine
STREET ADDRESS, CITY, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW:

Building Bylaw # 1188

BYLAW NAME

DESCRIPTION OF OFFENCE	SECTION	PENALTY
<u>Construction without a permit</u>	<u>6.1</u>	<u>\$ 200</u>
		\$
		\$

EARLY PAYMENT TERMS

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

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

Upper Fraser Valley Bylaw Adjudication Registry
6580 Young Road, Chilliwack, BC, V2P 6M4

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

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

DATE SERVED August 11 2014

☒ BY MAIL/COURIER ☐ HAND DELIVERED ☐ POSTED ON PROPERTY

ISSUING OFFICER [Signature]

SIGNATURE [Signature]

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

BYLAW ADJUDICATION REGISTRY COPY

COPY



Fraser Valley Regional District
45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6
Phone: 604-702-5000 Toll Free: 1-800-528-0061 (BC only)
Fax: 604-792-9684 website: www.fvrd.bc.ca

July 2, 2014

File Number: 4010-20-C03727.377

Jo-Anne Hartley
43785 Ryall Road
Lake Errock, BC V0M 1N0

Dear Ms. Hartley:

Re: Bylaw Enforcement Regarding Lapsed Building Permit Application at 43785 Ryall Road; Legally Described as Lot 139 Section 22 Township 24 New Westminster District Plan 32595; Parcel Identifier: 006-746-063

I am writing to you in connection with the above noted matter. Please be advised that our records indicate that your property remains in breach of Regional District bylaws. The compliance action requested in the letter dated May 21, 2014 does not appear to have been carried out. It is imperative that this action be completed in order to avoid further bylaw enforcement.

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws, therefore, please contact the Regional District immediately to advise of your intentions in respect to resolving this issue. Should you fail to contact this office by July 17, 2014, you may be subject to ticketing and your file may be referred to the Regional Board for their consideration and recommendation regarding further bylaw enforcement.

You may contact me Monday through Friday, 8:30am to 4:30pm at the toll-free number listed above, directly at 604-702-5015, or by email at jwells@fvrd.bc.ca to discuss this issue further. Thank you in advance for your cooperation.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Wells".

Jennifer Wells
Bylaw, Permits & Licences Technician

encl: Copy of Letter dated May 21, 2014

cc: Wendy Bales, Director of Electoral Area C
Margaret Thornton, Director of Planning & Development



FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000 Toll Free: 1-800-528-0061 (BC only) Fax: 604-792-9684
website: www.fvrd.bc.ca e-mail: info@fvrd.bc.ca

May 21, 2014

File Number: 4010-20-C03727.377

Jo-Anne Hartley
43785 Ryall Road
Lake Errock, BC V0M 1N0

Dear Ms. Hartley:

Re: Lapsed Building Permit Applications at 43785 Ryall Road; Legally Described as Lot 139 Section 22 Township 24 New Westminster District Plan 32595; Parcel Identifier: 006-746-063

As you are aware from the enclosed letters dated May 21, 2014, the above referenced Building Permit Applications have been closed. Your projects remain incomplete and are not covered by a valid building permit as required by *Fraser Valley Regional District Building Bylaw No.1188, 2013*. Therefore, your file has been referred to Bylaw Enforcement.

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws. In order to accomplish this, we ask that you contact the Regional District immediately and advise us of your intentions with respect to this matter. Further, we request you apply for building permit renewals or remove the illegal construction no later than June 23, 2014. Should you fail to comply with this request, you may be subject to ticketing and your file may be referred to the Regional Board for their consideration and recommendation regarding further bylaw enforcement.

You may contact the Building Department Monday through Friday, 8:30am to 4:30pm at the toll-free number listed above to discuss this issue further. You may also contact me directly at 604-702-5015, or by email at jwells@fvrd.bc.ca with any questions. Thank you in advance for your cooperation.

Yours truly,

Jennifer Wells
Bylaw, Permits & Licences Technician

encl: Letters dated May 21, 2014

cc: Wendy Bales, Director of Electoral Area C
Margaret Thornton, Director of Planning & Development



FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000

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

Fax: 604-792-9684

website: www.fvrd.bc.ca

e-mail: info@fvrd.bc.ca

File Number: 3800-30-BP012347C

May 21, 2014

HARTLEY, JO-ANNE G
43785 RYALL RD
LAKE ERROCK BC V0M 1N0
PO BOX 145

Dear Property Owner:

Re: Building Permit Application No. BP012347 for the purposes of constructing a CRAFT ROOM & STORAGE BUILDING on property legally described as LOT 139, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER DISTRICT, PLAN NWP32595 known as 43785 RYALL RD.

Further to our letter of January 11, 2013, please be advised that the above building permit application has now been closed. Your project remains incomplete and is not covered by a valid building permit as required by Fraser Valley Regional District Building Bylaw No.1188, 2013. Therefore, your file has been referred back to Bylaw Enforcement.

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact the Bylaw Enforcement office to review your options.

In the interim, you are reminded that any construction undertaken in contravention of the Building Bylaw is unauthorized and is an offence contrary to the provisions of the Bylaw.

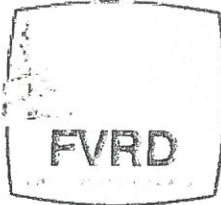
Please feel free to contact me at 604-702-5016 should you require any further information or assistance.

Yours sincerely,

Monica Stuart
Building & Bylaw Clerk

cc: Wendy Bales, Director of Electoral Area C
Margaret Thornton, Director of Planning & Development
Bylaw Enforcement, file no. C03727.377

COPY



FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000

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

Fax: 604-792-9684

website: www.fvrd.bc.ca

e-mail: info@fvrd.bc.ca

File Number: 3800-30-BP012346C

May 21, 2014

HARTLEY, JO-ANNE G
43785 RYALL RD
LAKE ERROCK BC V0M 1N0
PO BOX 145

Dear Property Owner:

Re: Building Permit Application No. BP012346 for the purposes of constructing a Addition to Single Family Dwelling on property legally described as LOT 139, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER DISTRICT, PLAN NWP32595 known as 43785 RYALL RD.

Further to our letter of January 11, 2013, please be advised that the above building permit application has now been closed. Your project remains incomplete and is not covered by a valid building permit as required by Fraser Valley Regional District Building Bylaw No.1188, 2013. Therefore, your file has been referred back to Bylaw Enforcement.

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact the Bylaw Enforcement office to review your options.

In the interim, you are reminded that any construction undertaken in contravention of the Building Bylaw is unauthorized and is an offence contrary to the provisions of the Bylaw.

Please feel free to contact me at 604-702-5016 should you require any further information or assistance.

Yours sincerely,

A handwritten signature in black ink, appearing to read "MS", followed by a period.

Monica Stuart
Building & Bylaw Clerk

cc: Wendy Bales, Director of Electoral Area C
Margaret Thornton, Director of Planning & Development
Bylaw Enforcement, file no. C03727.377



FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000

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

Fax: 604-792-9684

website: www.fvrd.bc.ca

e-mail: info@fvrd.bc.ca

File Number: 3800-30-BP012346C

16 September 2010

HARTLEY, JO-ANNE G
43785 RYALL RD
LAKE ERROCK BC V0M 1N0
PO BOX 145

Dear Ms. Hartley:

Re: Building Permit Application No. BP012346 for the Purposes of Constructing a Addition to Single Family Dwelling on property legally described as LOT 139, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER DISTRICT, PLAN NWP32595 known as 43785 RYALL RD.

In connection with the above referenced application, an inspection of the proposed site carried out on 10 September 2010 indicated that the proposed construction would be on land which may be subject to certain geotechnical hazards. Therefore, pursuant to Section 56 of the Community Charter (2003, SBC Chap 326), in order to have your building permit application processed further, you are required to submit a report from a qualified professional which certifies that the land may be used safely for the use intended. This report may then have to be registered on the title of the subject property before the building permit is issued.

I enclose some guidance notes to assist you in this matter. Please note that it is important that your qualified professional contacts Sarah Ross in the Regional District Planning Department before commencing any work on the report.

If you require any clarification or further information regarding this matter, please contact me at your convenience.

Yours sincerely,

Rudy Wieler, ASCT,
Building Inspector.

Enc.



FRASER VALLEY REGIONAL DISTRICT

45850 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000

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

Fax: 604-792-9684

website: www.fvrd.bc.ca e-mail: info@fvrd.bc.ca

File Number: 3800-30-BP012346C

16 September 2010

FRIESEN, VICTOR
43785 RYALL ROAD
PO BOX 145
LAKE ERROCK, BC V0M 1N0

Dear Mr. Friesen:

Re: Building Permit Application No. BP012346 for the Purposes of Constructing a Addition to Single Family Dwelling on property legally described as LOT 139, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER DISTRICT, PLAN NWP32595 known as 43785 RYALL RD.

I am writing to you in connection with the above noted building permit application dated Aug 16, 2010. Please be advised that the application is not approvable in its present form. To resolve this matter, please address the following outstanding items.

1. The Building Inspector has determined that a geotechnical report is required pursuant to section 56 of the Community Charter. Please see the attached form letter from Rudy Wieler. Before engaging a geotechnical engineer to prepare a report, please contact Sarah Ross in the Planning Department at 604-702-5000. You should be aware that there may be conditions specified in the geotechnical report which could require supervision by an engineer on site.
2. Please submit a sealed soils comment and Geotechnical Schedules B1/B2 from a professional engineer.
3. Please submit Architectural Schedules B1/B2 and 3 sets of sealed drawings from a registered professional for items 1.18 Roofing and flashing and 1.20 Thermal insulation systems, including condensation control and cavity ventilation for the roof assembly.
4. Please submit a revised, scaled site plan that includes a) the entire property complete with all existing buildings and structures, b) the proposed house addition with setbacks to all property lines, c) the location of the septic field, tank and driveway d) rock pit/storm drainage system (minimum 5.0m from any foundation).
5. Please submit 3 complete sets of construction drawings that reflect all requirements of the above noted geotechnical report (final version).
6. Please have Jo-Anne Hartley complete and submit the attached Letter of Agency for Victor Friesen.
7. Please complete the Building, Value of Construction and Ancillary Heating sections of the attached copy of your Building Permit Application and return it to this office.

8. Please submit sealed documentation from an authorized person (as defined by the Provincial Sewage System Regulations) for the re-use of your existing sewage disposal system. The sealed report must confirm that the proposal will meet all Provincial Sewage System Regulations. For a list of authorized persons please call 604 585-2788 or go online to owrp.astfb.bc.org
9. Please submit an existing Highway Access Permit from the Ministry of Transportation or complete and submit the attached statement.

The permit application will be held in abeyance pending the receipt of the above noted items. Further information may be required upon the review of this documentation. Thank you in advance for your cooperation.

Yours sincerely,



Rudy Wieler, ASCT,
Building Inspector.

Enc.

cc: Frank Kelly, MCIOB, Deputy Director of Planning and Development
Wendy Bales, Director of Electoral Area C



FRASER VALLEY REGIONAL DISTRICT

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Fax: 604-792-9684

website: www.fvrd.bc.ca e-mail: info@fvrd.bc.ca

File Number: 3800-30-BP012347C

16 September 2010

HARTLEY, JO-ANNE G
43785 RYALL RD
LAKE ERROCK BC V0M 1N0
PO BOX 145

Dear Ms. Hartley:

Re: Building Permit Application No. BP012347 for the Purposes of Constructing a CRAFT ROOM & STORAGE BUILDING on property legally described as LOT 139, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER DISTRICT, PLAN NWP32595 known as 43785 RYALL RD.

In connection with the above referenced application, an inspection of the proposed site carried out on 10 September 2010 indicated that the proposed construction would be on land which may be subject to certain geotechnical hazards. Therefore, pursuant to Section 56 of the Community Charter (2003, SBC Chap 326), in order to have your building permit application processed further, you are required to submit a report from a qualified professional which certifies that the land may be used safely for the use intended. This report may then have to be registered on the title of the subject property before the building permit is issued.

I enclose some guidance notes to assist you in this matter. Please note that it is important that your qualified professional contacts Sarah Ross in the Regional District Planning Department before commencing any work on the report.

If you require any clarification or further information regarding this matter, please contact me at your convenience.

Yours sincerely,

Rudy Wieler, ASCT,
Building Inspector.

Enc.



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File Number: 3800-30-BP012347C

16 September 2010

HARTLEY, JO-ANNE G
43785 RYALL RD
LAKE ERROCK BC V0M 1N0
PO BOX 145

Dear Ms. Hartley:

Re: Building Permit Application No. BP012347 for the Purposes of Constructing a CRAFT ROOM & STORAGE BUILDING on property legally described as LOT 139, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER DISTRICT, PLAN NWP32595 known as 43785 RYALL RD.

I am writing to you in connection with the above noted building permit application dated Aug 16, 2010. Please be advised that the application is not approvable in its present form. To resolve this matter, please address the following outstanding items.

1. The Building Inspector has determined that a geotechnical report is required pursuant to section 56 of the Community Charter. Please see the attached form letter from Rudy Wieler. Before engaging a geotechnical engineer to prepare a report, please contact Sarah Ross in the Planning Department at 604-702-5000. You should be aware that there may be conditions specified in the geotechnical report which could require supervision by an engineer on site.
2. Please submit Schedules B1/B2 and 3 sets of sealed drawings from a professional engineer for the following disciplines:
 - a. Architectural
 - b. Plumbing
 - c. Structural, required for all structural aspects of the project that reflect a frost depth of 0.45m and snow loads of, $S_s = 2.4\text{kPa}$ and $S_r = 0.7\text{kPa}$
 - d. Geotechnical, including a sealed soils comment
3. Please submit a revised, scaled site plan that includes a) the entire property complete with all existing buildings and structures, b) the proposed building with setbacks to all property lines, c) the location of the septic field, tank and driveway d) rock pit/storm drainage system (minimum 5.0m from any foundation).
4. Please submit a BC Land Surveyor foundation location survey complete with setbacks to each property line.
5. Please submit 3 complete sets of construction drawings that reflect all requirements of the above noted geotechnical report (final version).

6. Please have Jo-Anne Hartley complete and submit the attached Letter of Agency for Victor Friesen.
7. Please complete the Building, Value of Construction, Plumbing and Ancillary Heating sections of the attached copy of your Building Permit Application and return it to this office.
8. Please complete and submit the attached Building Permit Application for the construction of the Storage Building north-east of the craft room/storage building.
9. Please submit sealed documentation from an authorized person (as defined by the Provincial Sewage System Regulations) for the re-use of your existing sewage disposal system. The sealed report must confirm that the existing system will support the proposed washroom in the craft room/storage building and that the proposal will meet all Provincial Sewage System Regulations. For a list of authorized persons please call 604 585-2788 or go online to owrp.asttbc.org
10. Please submit an existing Highway Access Permit from the Ministry of Transportation or complete and submit the attached statement.

The permit application will be held in abeyance pending the receipt of the above noted items. Further information may be required upon the review of this documentation. Thank you in advance for your cooperation.

Yours sincerely,



Rudy Wieler, AScT,
Building Inspector.

Enc.

cc: Frank Kelly, MCIOB, Deputy Director of Planning and Development
Wendy Bales, Director of Electoral Area C



FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000 Toll Free 1-800-528-0061 (BC only) Fax: 604-792-9684
website: www.fvrd.bc.ca e-mail: info@fvrd.bc.ca

File Number: 4010-20-C03727.377

July 15, 2009

Jo-Anne Hartley
PO Box 145
Lake Erroch, BC V0M 1N0

Dear Jo-Anne Hartley:

Re: Lapsed Building Permit at 43785 Ryall Road; Legally Known as BCA Long Legal Lot 139, Section 22, Township 24, New Westminster District, Plan 32595, and PID 006-746-063.

As you are aware from our letter dated May 11, 2009, and our phone conversation on June 19, 2009, the above referenced Building Permit lapsed on May 15, 2009. Your project remains incomplete and is not covered by a valid building permit as required by Fraser Valley Regional District Building Bylaw No.0034, 1996. Therefore, your file has been referred to Bylaw Enforcement.

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws. In order to accomplish this, we ask that you contact the Regional District immediately and advise of your intentions with respect to this matter. Further, we request you apply for a building permit renewal or remove the illegal construction no later than **August 4, 2009**. Should you fail to comply with this request, you may be subject to ticketing and your file may be referred to the Regional Board for their consideration and recommendation regarding further bylaw enforcement.

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

You may reach the Building Department at the toll-free number above, 8:30am to 4:30pm, Monday through Friday to discuss this issue further. You may also contact me directly at 604-702-5015 if you have any questions. Thank you in advance for your co-operation.

Yours sincerely,

Jennifer Wells
Bylaw, Permits and Licences Technician

cc: Frank Kelly, MCI0B, Deputy Director of Planning & Development
Wendy Bales, Director of Electoral Area C

NOTICE ON TITLE INFORMATION SHEET

WHAT IS A NOTICE ON TITLE?

A *Notice on Title*, note against land title, or Section 57 of the *Community Charter*, was provided to local governments by the Province of British Columbia as a tool to administer and enforce the *BC Building Code* and local building bylaws. It involves the registration of a *Notice* on a property title at the Land Title Office, which, once in place, is documented on the title search under the "Legal Notations" section.

A *Notice on Title* serves as notification to anyone searching a property title that the property may be in breach of bylaws or regulations. The *Notice* itself does not disclose details of the breach but specifies that further information may be obtained from the local government office.

WHAT IS THE PURPOSE OF A NOTICE ON TITLE?

The purpose of a *Notice on Title* is to provide information to potential owners and stakeholders of a breach of bylaws or regulations. It also encourages voluntary compliance to reduce risk to the local government. The filing of a *Notice* is not intended to be a punitive action; rather, it is a method to protect future owners and others with an interest in the property.

WHEN CAN A NOTICE ON TITLE BE FILED?

A *Notice on Title* may be filed by a local government where there is a breach of bylaws or regulations in respect to a property. Specifically, a *Notice on Title* may be filed where a Building Inspector is made aware of any of the following:

- a) construction has occurred without a valid building permit;
- b) construction deficiencies noted have not been corrected;
- c) covering construction without required inspections;
- d) a permit has expired and the owner refuses to reapply for a new permit;
- e) construction that is in contravention of the *BC Building Code* or Building Bylaw; or
- f) any such circumstances as the Building Inspector may deem necessary.

HOW IS A NOTICE ON TITLE FILED?

Step 1: When the Building Inspector is made aware of a breach, a letter is mailed to the registered owner of the property advising of the breach and the required remedial action. The owner is provided approximately thirty (30) days to contact staff and take the necessary steps to resolve the breach. This timeframe may be reduced where there appears to be a serious safety concern.

Step 2: If no action to contact staff and resolve the issue, a second letter is mailed to the owner advising of the breach and the required remedial action. The owner is provided approximately fourteen (14) days to contact staff and take the necessary steps to resolve the breach. This timeframe may be reduced where there appears to be a serious safety concern.

- Step 3: If no action to contact staff and resolve the issue, the Building Inspector may forward a report to the Corporate Officer and a "Show Cause Hearing" is scheduled. A Show Cause Hearing is held during an Electoral Area Services Committee (EASC) meeting. An invitation is mailed to the registered owner of the property advising the specific date and time they are to attend the Show Cause Hearing. A copy of the report produced by the Building Inspector will be included.
- Step 4: On the day of the EASC meeting, the Show Cause Hearing will be announced. The owner of the property, or their agent, will be asked if they would like to make representation to the Committee. The Committee shall listen objectively to the owner as well as the Building Inspector. Please note that **attendance is not required** if the owner does not wish to challenge the recommendation.
- Step 5: After hearing from the registered owner of the property and Building Inspector, the committee will then resolve to:
- a) direct the staff to file a *Notice* in the Land Title Office;
 - b) direct staff not to file a *Notice* in the Land Title Office; or
 - c) defer filing a *Notice* to allow the registered owner more time to comply.

HOW IS A NOTICE ON TITLE CANCELLED?

Once a *Notice on Title* is filed, it may be cancelled from the title of a property by way of:

- a) the local government after a Building Inspector has provided a report confirming that the condition which caused the *Notice* to be filed has been rectified; or
- b) an Order obtained by the registered owner from the *British Columbia Supreme Court*.

WHAT IS THE COST OF PLACING OR CANCELLING THE NOTICE ON TITLE?

The Fraser Valley Regional District does not charge the registered owner of the property when a *Notice on Title* is filed at the Land Title Office. However, there is a \$500.00 administrative fee payable to the Fraser Valley Regional District by the property owner when the *Notice* is removed from the Title. The property owner will also be responsible for their legal costs to have a *Notice* removed at the Land Title Office.

Properties with a *Notice on Title* may be sold at any time; however, the presence of the *Notice* may negatively affect a property's potential sale, perceived property value, access to a mortgage, and/or (re)financing. If a *Notice* is registered or is recommended to be registered upon the title of your property, you are advised to undertake inquiries with your lenders, insurance companies, and any other relevant parties to determine how it may impact you now and in the future.

If you have any questions regarding this process, please email staff at enforcement@fvr.d.bc.ca or phone directly at 1-800-528-0061.

This document is provided for informational purposes and does not constitute legal advice. The Fraser Valley Regional District makes no representations or warranties about the accuracy of the information contained in this document. If you have any questions or concerns as to the nature and effect of Notices on Title, please refer to the actual text of Sections 57 and 58 of the Community Charter and seek your own independent legal advice.

Excerpts from the *Community Charter*:

NOTE AGAINST LAND TITLE THAT BUILDING REGULATIONS CONTRAVENED

- 57 (1) A building inspector may recommend to the council that it consider a resolution under subsection (3) if, during the course of carrying out duties, the building inspector
- (a) observes a condition, with respect to land or a building or other structure, that the inspector considers
 - (i) results from the contravention of, or is in contravention of,
 - (A) a municipal bylaw,
 - (B) a Provincial building regulation, or
 - (C) any other enactmentthat relates to the construction or safety of buildings or other structures, and
 - (ii) that, as a result of the condition, a building or other structure is unsafe or is unlikely to be usable for its expected purpose during its normal lifetime, or
 - (b) discovers that
 - (i) something was done with respect to a building or other structure, or the construction of a building or other structure, that required a permit or an inspection under a bylaw, regulation or enactment referred to in paragraph (a) (i), and
 - (ii) the permit was not obtained or the inspection not satisfactorily completed.
- (2) A recommendation under subsection (1) must be given in writing to the corporate officer, who must
- (a) give notice to the registered owner of the land to which recommendation relates, and
 - (b) after notice under paragraph (a), place the matter before the council.
- (3) After providing the building inspector and the owner an opportunity to be heard, the council may confirm the recommendations of the building inspector and pass a resolution directing the corporate officer to file a notice in the land title office stating that
- (a) a resolution relating to that land has been made under this section, and
 - (b) further information about it may be inspected at the municipal hall.
- (4) The corporate officer must ensure that all records are available for the purpose of subsection (3) (b).
- (5) If the registrar of land titles receives a notice under subsection (3) and payment of the prescribed fee, the registrar must make a note of the filing against the title to the land that is affected by the notice.
- (6) The note of a filing of a notice under this section is extinguished when a new title to the land is issued as a result of the deposit of a plan of subdivision or a strata plan.
- (7) In the event of any omission, mistake or misfeasance by the registrar or an employee of the registrar in relation to the making of a note of the filing under subsection (5), or a cancellation under section 58, after the notice is received by the land title office,
- (a) the registrar is not liable and neither the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,

- (a.1) the assurance fund or the Land Title and Survey Authority of British Columbia as a nominal defendant is not liable under Part 19.1 of the Land Title Act, and
 - (b) the assurance fund or the minister charged with the administration of the Land Title Act as a nominal defendant is not liable under Part 20 of the Land Title Act.
- (8) Neither the building inspector nor the municipality is liable for damage of any kind for the doing of anything, or the failure to do anything, under this section or section 58 that would have, but for this subsection, constituted a breach of duty to any person.
- (9) The authority under this section is in addition to any other action that a building inspector is authorized to take in respect of a matter referred to in subsection (1).

CANCELLATION OF NOTE AGAINST LAND TITLE

- 58
- (1) On receiving a report from a building inspector that the condition that gave rise to the filing of the notice under section 57 (3) has been rectified, the corporate officer must file a cancellation notice and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.
 - (2) An owner of land with respect to which a notice has been filed under section 57 (3), may apply to the council for a resolution that the note be cancelled.
 - (3) After hearing an applicant under subsection (2), the council may pass a resolution directing the corporate officer to file a cancellation notice.
 - (4) If a resolution has been passed under subsection (3), the corporate officer must file a cancellation notice in the land title office and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.
 - (5) If the council does not pass a resolution under subsection (3), the owner may apply to the Supreme Court and notify the municipality to attend before the court to show cause why the note should not be cancelled.
 - (6) On an application under subsection (5), after reviewing any evidence that the owner and the municipality may adduce, the court may make an order directing the registrar to cancel the note made under section 57 (5) and, on receiving the order, the registrar of land titles must cancel the note accordingly.



FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6

Phone: 604-702-5000

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

Fax: 604-792-9684

website: www.fvrd.bc.ca

e-mail: info@fvrd.bc.ca

May 21, 2014

File Number: 4010-20-C03727.377

Jo-Anne Hartley
43785 Ryall Road
Lake Errock, BC V0M 1N0

Dear Ms. Hartley:

Re: Lapsed Building Permit Applications at 43785 Ryall Road; Legally Described as Lot 139 Section 22 Township 24 New Westminster District Plan 32595; Parcel Identifier: 006-746-063

As you are aware from the enclosed letters dated May 21, 2014, the above referenced Building Permit Applications have been closed. Your projects remain incomplete and are not covered by a valid building permit as required by *Fraser Valley Regional District Building Bylaw No.1188, 2013*. Therefore, your file has been referred to Bylaw Enforcement.

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws. In order to accomplish this, we ask that you contact the Regional District immediately and advise us of your intentions with respect to this matter. Further, we request you apply for building permit renewals or remove the illegal construction no later than **June 23, 2014**. Should you fail to comply with this request, you may be subject to ticketing and your file may be referred to the Regional Board for their consideration and recommendation regarding further bylaw enforcement.

You may contact the Building Department Monday through Friday, 8:30am to 4:30pm at the toll-free number listed above to discuss this issue further. You may also contact me directly at 604-702-5015, or by email at jwells@fvrd.bc.ca with any questions. Thank you in advance for your cooperation.

Yours truly,

Jennifer Wells
Bylaw, Permits & Licences Technician

encl: Letters dated May 21, 2014

cc: Wendy Bales, Director of Electoral Area C
Margaret Thornton, Director of Planning & Development



FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6
Phone: 604-702-5000 Toll Free: 1-800-528-0061 (BC only) Fax: 604-792-9684
website: www.fvrd.bc.ca e-mail: info@fvrd.bc.ca

COPY

File Number: 3800-30-BP012347C

May 21, 2014

HARTLEY, JO-ANNE G
43785 RYALL RD
LAKE ERROCK BC V0M 1N0
PO BOX 145

Dear Property Owner:

Re: Building Permit Application No. BP012347 for the purposes of constructing a CRAFT ROOM & STORAGE BUILDING on property legally described as LOT 139, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER DISTRICT, PLAN NWP32595 known as 43785 RYALL RD.

Further to our letter of January 11, 2013, please be advised that the above building permit application has now been closed. Your project remains incomplete and is not covered by a valid building permit as required by Fraser Valley Regional District Building Bylaw No.1188, 2013. Therefore, your file has been referred back to Bylaw Enforcement.

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact the Bylaw Enforcement office to review your options.

In the interim, you are reminded that any construction undertaken in contravention of the Building Bylaw is unauthorized and is an offence contrary to the provisions of the Bylaw.

Please feel free to contact me at 604-702-5016 should you require any further information or assistance.

Yours sincerely,

Monica Stuart
Building & Bylaw Clerk

cc: Wendy Bales, Director of Electoral Area C
Margaret Thornton, Director of Planning & Development
Bylaw Enforcement, file no. C03727.377



FRASER VALLEY REGIONAL DISTRICT

45950 Cheam Avenue, Chilliwack, British Columbia V2P 1N6
Phone: 604-702-5000 Toll Free: 1-800-528-0061 (BC only) Fax: 604-792-9684
website: www.fvrd.bc.ca e-mail: info@fvrd.bc.ca

File Number: 3800-30-BP012346C

May 21, 2014

HARTLEY, JO-ANNE G
43785 RYALL RD
LAKE ERROCK BC V0M 1N0
PO BOX 145

Dear Property Owner:

Re: Building Permit Application No. BP012346 for the purposes of constructing a Addition to Single Family Dwelling on property legally described as LOT 139, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER DISTRICT, PLAN NWP32595 known as 43785 RYALL RD.

Further to our letter of January 11, 2013, please be advised that the above building permit application has now been closed. Your project remains incomplete and is not covered by a valid building permit as required by Fraser Valley Regional District Building Bylaw No.1188, 2013. Therefore, your file has been referred back to Bylaw Enforcement.

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact the Bylaw Enforcement office to review your options.

In the interim, you are reminded that any construction undertaken in contravention of the Building Bylaw is unauthorized and is an offence contrary to the provisions of the Bylaw.

Please feel free to contact me at 604-702-5016 should you require any further information or assistance.

Yours sincerely,

Monica Stuart
Building & Bylaw Clerk

cc: Wendy Bales, Director of Electoral Area C
Margaret Thornton, Director of Planning & Development
Bylaw Enforcement, file no. C03727.377

TITLE SEARCH PRINT

2019-05-21, 14:44:57

File Reference:

Requestor: Louise Hinton

Declared Value \$125000

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

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

Title Number

From Title Number

BK381770

BF198473

Application Received

1996-11-28

Application Entered

1996-12-06

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

JO-ANNE GAIL HARTLEY, POTTER
43785 RYALL ROAD,
LAKE ERROCK, BC
V0M 1N0**Taxation Authority**

New Westminister Assessment District

Description of Land

Parcel Identifier:

006-746-063

Legal Description:

LOT 139 SECTION 22 TOWNSHIP 24 NEW WESTMINSTER DISTRICT PLAN 32595

Legal Notations

LAND HEREIN WITHIN BUILDING SCHEME, SEE D39045

Charges, Liens and Interests

Nature:

RESTRICTIVE COVENANT

Registration Number:

D55607

Registration Date and Time:

1968-08-22 15:28

Remarks:

SEE D55606

Nature:

COVENANT

Registration Number:

BB384635

Registration Date and Time:

2007-04-13 10:52

Registered Owner:

FRASER VALLEY REGIONAL DISTRICT

Duplicate Indefeasible Title

NONE OUTSTANDING

Transfers

NONE

TITLE SEARCH PRINT

File Reference:

Declared Value \$125000

2019-05-21, 14:44:57

Requestor: Louise Hinton

Pending Applications

NONE

Property Information Report

Civic Address:	43785 RYALL RD	Lot Size:	9580 SQUARE FEET
Folio Number:	775.03727.377	Electoral Area:	C
PID:	006-746-063	Map Scale:	1:463
Legal Description:	LOT 139, PLAN NWP32595, SECTION 22, TOWNSHIP 24, NEW WESTMINSTER LAND DISTRICT		



Land-use Information

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

Utility Information

Local Service Area:	Contact Planning Department
---------------------	-----------------------------

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

Folio: 775.03727.377**Civic:** 43785 RYALL RD**Size:** 9580 SQUARE FEET**Pid:** 006-746-063**Legal:** LOT 139, PLAN NWP32595, SECTION 22, TOWNSHIP 24,
NEW WESTMINSTER LAND DISTRICT**Owner:** HARTLEY, JO-ANNE G

43785 RYALL RD

GD

LAKE ERROCK BC V0M 1N0

(BK381770)

2019 Taxable Assessments

				<u>Land</u>	<u>Improvements</u>	<u>Net</u>
1	Res	GENERAL	Gross	247,000	157,000	404,000
			Exempt	0	0	0
			Net	247,000	157,000	404,000
1	Res	SCHOOL	Gross	247,000	157,000	404,000
			Exempt	0	0	0
			Net	247,000	157,000	404,000

2019 Actual Assessments

	<u>Land Class</u>	<u>Land</u>	<u>Impr Class</u>	<u>Impr</u>
00 - FULLY TAXABLE LAND, STRUCTURES	1 - Res	247000	1 - Res	157000

Lto Number**Sales Price****Date****Description**

BK381770

125,000.00

Nov 28, 1996

IMPROVED SINGLE PROPERTY

BF198473

114,500.00

May 28, 1992

IMPROVED SINGLE PROPERTY

AD5437

75,000.00

Jan 5, 1990

IMPROVED SINGLE PROPERTY

Attribute**Value****Description**

ACTUAL USE

000

SINGLE FAMILY DWELLING

DEFINED

B

ELECTORAL AREA

C

ELECTORAL AREA C

MANUAL CLASS

0081

1 1/2 STY SFD-AFTER 1930-FAIR

NEIGHBOURHOOD

802

SCHOOL DISTRICT

75

MISSION

SERVICE

045CDFMN

SUBDIVISION

LAKE ERRO

TENURE TYPE

01

CROWN GRANTED

Classification**Start Date****Stop Date****Comment**

BYLAW ENFORCEM Jul 15, 2009

Please see Bylaw Enforcement Staff regarding C03727.377.

Prop.Charge**Type****Sub Type****Project****Discharged****Text**

BB384635

COVENANT

CONVERTED
CHARGES

FRASER VALLEY REGIONAL DISTRICT

ELECTORAL AREA SERVICES COMMITTEE

OPEN MEETING MINUTES

Tuesday, June 11, 2019

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

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

Staff Present: Jennifer Kinneman, Acting Chief Administrative Officer
Mike Veenbaas, Director of Financial Services/Chief Financial Officer
Jaime Reilly, Manager of Corporate Administration/Corporate Officer
Suzanne Gresham, Director of Corporate Initiatives
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
Reg Dyck, Manager of EA Emergency Services
Janice Mikuska, Manager of Human Resources
Kristy Hodson, Manager of Financial Operations
Trina Douglas, Manager, Contracted Services
Katelyn Hipwell, Planner I
Andrea Antifaeff, Planner I
Julie Mundy, Planning Technician
Gavin Luymes, Student (EA Planning)
Matthew Fang, Network Analyst I
Deanne Bozek, Departmental Secretary, Regional Services
Chris Lee, Executive Assistant (Recording Secretary)

Also Present: Kevin Sass (*as per item 3.1*)
Andy Ibditzon (*as per item 3.1*)
Ken Howsan (*as per item 3.1*)

1. CALL TO ORDER

Chair Dickey called the meeting to order at 1:30 p.m.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By ADAMSON

Seconded By ENGAR

THAT the Agenda for the Electoral Area Services Committee Open Meeting of June 11, 2019 be amended with the addition of the following:

- Item 11.1 EASC Strategic Priorities Session
- Item 11.2 EASC Meeting

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

AND THAT the Agenda, Addenda and Late Items, as amended, be approved.

CARRIED

3. DELEGATIONS AND PRESENTATIONS

3.1 Hemlock Valley Home Owners

Kevin Sass, Andy Ibditzon and Ken Howsan of Hemlock Valley spoke to concerns with emergency response for medical care in Hemlock Valley, emphasizing the importance of initiating emergency procedures right away for medical issues. The delegation noted that it was critical to engage fire services and requested the Committee's support to implement the first responder model for Hemlock Valley.

Staff reported that the best direction would be to adopt the first responder model and that they have been in contact with the Hemlock Valley Fire Department and BCEHS to advocate to have this model put in place.

Chair Dickey thanked the delegation for their presentation.

4. MINUTES/MATTERS ARISING

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

Moved By ADAMSON

Seconded By RAYMOND

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

CARRIED

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

The draft Cultus Lake Advisory Planning Commission minutes of May 15, 2019 was provided for information.

5. CORPORATE ADMINISTRATION

No Items.

6. FINANCE

6.1 2018 Electoral Area Annual Development Cost Charge Report

The *2018 Electoral Area Annual Development Cost Charge Report* was provided for information.

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

Moved By ADAMSON

Seconded By ENGAR

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$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.

CARRIED

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

Discussion ensued regarding funding of administrative costs, as well as the Electoral Area Grant in Aid policy and procedure.

Moved By ADAMSON

Seconded By STOBART

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.

CARRIED

7. ENGINEERING & UTILITIES

7.1 FVRD Hatzic Prairie Water Supply and Distribution System Service Area Amendment Bylaw No. 1519, 2019, Electoral Area “F”

Moved By DAVIDSON

Seconded By ADAMSON

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*.

CARRIED

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”

Moved By STOBART

Seconded By RAYMOND

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.

CARRIED

8.2 Application for Development Variance Permit 2019-13 to reduce the setback from a well for an aquaculture building at 12443 Stave Lake Road, Electoral Area "F"

Moved By DAVIDSON

Seconded By ADAMSON

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.

CARRIED

8.3 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"

Moved By STOBART

Seconded By ENGAR

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.

CARRIED

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

Moved By ADAMSON

Seconded By ENGAR

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.

CARRIED

8.5 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)

Moved By BALES

Seconded By DAVIDSON

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.

CARRIED

8.6 Policy - Secondary Dwellings in the Electoral Areas

Katelyn Hipwell, Planner I provided a presentation with respect to the *Policy for Secondary Dwellings in the Electoral Areas*, outlining the project timeline, context, framework and purpose of the *Policy*. She reported that the *Policy* considered the process of implementation, levels of service requirements, form and design requirements and other considerations. It was noted that the *Policy* will assist the Board in pursuing bylaw amendments and evaluating applications to allow for Secondary Dwellings.

Committee members raised questions regarding the opportunity and qualifications for short-term rentals and secondary dwellings. It was noted for smaller parcels there were servicing limitations and the capacity of community sewer and water systems have to be taken into consideration.

Moved By BALES
Seconded By RAYMOND

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

CARRIED

9. ELECTORAL AREA EMERGENCY SERVICES

No Items.

10. OTHER MATTERS

10.1 Electoral Areas Animal Control Regulation Amendment Bylaw No. 1531, 2019

Moved By DIXON
Seconded By ENGAR

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*.

CARRIED

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

Moved By ENGAR
Seconded By RAYMOND

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.

CARRIED

11. ADDENDA ITEMS/LATE ITEMS

11.1 Electoral Area Services Committee Strategic Priorities Session

It was proposed that an Electoral Area Services Committee Strategic Priorities Session be scheduled in July 2019 to discuss and prioritize the work plan for Electoral Areas.

11.2 Electoral Area Services Committee Special Meeting

It was proposed that an Electoral Area Services Committee Special Meeting be scheduled prior to the June 25, 2019 Board meeting.

12. REPORTS BY STAFF

None

13. REPORTS BY ELECTORAL AREA DIRECTORS

Director Engar reported on the Residents Association meeting and the marathon scheduled for August 17 in the Chilliwack River Valley.

Director Dixon reported on the OCP meeting, an aggressive dog issue, the Pikeminnow Derby, Cultus Lake Day and Cultus Lake markets, Canada Day celebrations, Soap Box Derby and on the Emergency Planning Session that took place on May 24.

Director Adamson reported on the Yale Strawberry Social, the RiverMonsters swim meet last weekend and on the Tashme Museum gaining a lot of visits from schools.

Director Stobbart reported on the Deroche Farmers Market, update on the meeting hall building and the Deroche tennis course.

Director Raymond reported on an evacuation plan for Area A and Canada Day celebrations.

Director Davidson reported on an upcoming meeting with Community Living BC, the Mission Folk Music Festival and his attendance at the FCM conference.

Director Bales reported on her attendance at the *'Resilient Waters: Managing Floods for All'* seminar and her attendance at the FCM conference.

Director Dickey reported that staff did a great job on the OCP review.

14. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

None

15. ADJOURNMENT

Moved By RAYMOND

Seconded By ADAMSON

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

CARRIED

The Electoral Area Services Committee Open Meeting adjourned at 2:38 p.m.

MINUTES CERTIFIED CORRECT:

.....
Director Bill Dickey, Chair

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

Tuesday, June 25, 2019
5:45 pm
Meeting Room 310, 3rd Floor
FVRD, 45950 Cheam Avenue, Chilliwack, BC

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

Staff Present: Jaime Reilly, Manager of Corporate Administration/Corporate Officer

1. CALL TO ORDER

Chair Dickey called the meeting to order at 6pm.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By STOBART
Seconded By RAYMOND

THAT the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of June 25, 2019 be approved;

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

CARRIED

3. RESOLUTION TO CLOSE MEETING

Moved By BALES
Seconded By RAYMOND

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

- Section 90(1)(c) of the *Community Charter* - labour relations or other employee relations.

CARRIED

The Open Meeting recessed at 6:01pm.

4. RECONVENE OPEN MEETING

The Open Meeting reconvened at 6:47pm.

5. RISE AND REPORT OUT OF CLOSED MEETING

None

6. ADJOURNMENT

Moved By RAYMOND
Seconded By ENGAR

THAT the Electoral Area Services Committee Open Meeting of June 25, 2019 be adjourned.

CARRIED

The Electoral Area Services Committee Open Meeting adjourned at 6:47pm.

MINUTES CERTIFIED CORRECT:

.....

Director Bill Dickey, Chair

CULTUS LAKE ADVISORY PLANNING COMMISSION

OPEN MEETING MINUTES

Wednesday, June 19, 2019
12:00 pm
Meeting Room 224, 2nd Floor, FVRD
45950 Cheam Avenue, Chilliwack, BC

Members Present:

Darcy Bauer, Chair
Larry Payeur, Vice Chair
Casey Smit
Joe Lamb

Regrets:

David Renwick

Staff and Representatives Present:

Taryn Dixon, Director, Electoral Area H
Graham Daneluz, Deputy Director of Planning and Development
Jaime Reilly, Manager of Corporate Administration
Andrea Antifaeff, Planner 1
Tracey Heron, Planning Assistant

Also Present:

Bonny Bryant, Chief Administrative Officer, Cultus Lake Park
Two applicants with respect to item 4.1.

1. CALL TO ORDER by Staff

Chair Bauer called the meeting to order at 12:04 p.m.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

LAMB/SMIT

THAT the Agenda, Addenda and Late Items for the Cultus Lake Advisory Planning Commission Meeting of June 19, 2019 be approved;

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

CARRIED

3. MINUTES/MATTERS ARISING

3.1 Cultus Lake Advisory Planning Commission – May 15, 2019

LAMB/PAYEUR

THAT the Minutes of the Cultus Lake Advisory Planning Commission of May 15, 2019 be adopted.

CARRIED

4. NEW BUSINESS

4.1 Development Variance Permit – 19 Lakeshore Drive – Off-Street Parking

Andrea Antifaeff, Planner 1 provided a PowerPoint presentation highlighting the zoning bylaw parking requirements for the subject lot, and images that showed the paved portion and travelled portion of Lakeshore Drive were less than Ministry of Transportation and Infrastructure road standards.

Discussion ensued regarding safety for pedestrians and bicyclists, and limited access for garbage trucks and emergency vehicles on Lakeshore Drive.

A question was raised by the applicant regarding the current bylaw which requires parking for two vehicles. The applicant expressed concerns regarding parallel parking, and noted that parking the vehicles at 90 degrees allows both vehicles to be easily accessed.

Comments were offered regarding the need to address road width issues and for an updated bylaw to provide a more comprehensive approach to parking.

LAMB/PAYEUR

THAT Development Variance Permit application 2019-19 to allow for two parking stalls at 90 degree to Lakeshore Drive is recommended to be approved.

DEFEATED

Bauer and Smit Opposed

6. ADJOURNMENT

PAYEUR/LAMB

THAT the Cultus Lake Planning Advisory Commission Open Meeting of June 19, 2019 be adjourned.

CARRIED

The Cultus Lake Planning Advisory Commission Open Meeting adjourned at 12:36 p.m.

MINUTES CERTIFIED CORRECT:

.....
Darcy Bauer, Chair

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

Date: 2019-07-09
File No: 1720-01

Subject: Electoral Area Director's Remuneration

RECOMMENDATION

THAT the Electoral Area Services Committee consider selection of one of the following two options pertaining to Committee remuneration:

Option 1

THAT the Committee direct Staff to make no adjustments to remuneration levels.

Option 2

THAT the Committee direct Staff to adjust the Board Director – Electoral Area, EASC Chair and EASC Vice Chair add-ons so that the total remuneration received by an Electoral Area Director is given wage parity with the net "take home" pay received in 2018;

AND THAT the increase to the electoral area add-ons be funded through the Electoral Area Administration Budget 102.

BACKGROUND

At the direction of the Electoral Area Service's Committee, information has been gathered and presented to EASC, RACS and Board over the past 5 months regarding elected official remuneration rates and the impact of the elimination of the Municipal Officers Expense Allowance Exemption. At the April 25th Board meeting a motion was adopted directing Staff to increase all Board positions to have wage parity to the net pay level received prior to the income tax change. At the June 25th Board meeting a proposed remuneration bylaw to make the changes official was defeated and the issue of remuneration rates was referred back to Staff to bring forward to the July EASC meeting.

DISCUSSION

Following the Board's decision at the June meeting, the members of EASC are left with a few options to consider as to next steps:

1. Status Quo – some local governments have not increased remuneration levels in response to the income tax changes. This was done in part to recognize that the 1/3 expense allowance exemption was a duplication of the option that elected officials have to claim reimbursement for expenses directly. As per FVRD's Travel and Other Expenses Policy, Directors have the ability to claim reimbursement for mileage incurred for a number of reasons, including travel within their electoral area while on FVRD business.
2. Wage Parity – some local governments have taken a decision to have 2019 remuneration levels increased so that the net "take home" pay is equal to that received in 2018, prior to the expense allowance exemption elimination. An analysis completed by Finance Staff suggests that remuneration rates for EASC positions would need to be increased 11.4% over 2018 remuneration rates in order to achieve approximately the same net "take home" pay. This analysis excluded any external income received by Directors and where that may place them in terms of effective income tax rates.
3. Remuneration Increase – the Committee could consider a remuneration rate adjustment beyond wage parity. Given the Board completed a full remuneration review in 2017 for all Board positions, and while electoral area position add-ons are paid fully by Electoral Areas, it would not be Staff's recommendation to adjust remuneration levels beyond wage parity. The remuneration bylaw must be adopted by the full Board and the past few months has shown a split in the level of support for remuneration increases.

Lastly, Staff wanted to update the Committee on a related change that has thus far been excluded from the discussion. As a result of the income tax legislation changes, the previously exempt 1/3 salary is now being recognized and included as pensionable salary and therefore included in the Canada Pension Plan.

COST

Following the Board's defeat of the proposed remuneration bylaw and the comments made by those that spoke against the bylaw, Staff would recommend any EASC motion to increase remuneration should include having the increase fully expensed to the Electoral Area Administration budget.

If the Committee were to select Option 2 – Wage Parity, the estimated financial impact would be \$29,000 per annum or \$0.60 per \$100,000 of assessed value for all residential properties in the electoral areas.

CONCLUSION

Following months of discussion regarding Board remuneration levels in response to income tax changes to the municipal officer's expense allowance exemption, the Board has defeated a bylaw to adjust all Board positions for wage parity leaving EASC to now consider options regarding next steps.

COMMENTS BY:

Jennifer Kinneman, Acting Chief Administrative Officer	Reviewed and supported.
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To: CAO for the Electoral Area Services Committee
From: Kristy Hodson, Manager of Financial Operations

Date: 2019-07-09
File No: 1850-20 / 008

Subject: 2019 Grant-In-Aid Request – McConnell Creek Farmers Institute, Electoral Area “F”

RECOMMENDATION

THAT the Fraser Valley Regional District Board approve a Grant-in-Aid to the McConnell Creek Farmers Institute (community hall) in the amount of \$5,000 to be funded from the 2019 Electoral Area “F” grant-in-aid budget to assist with the costs of completing the expanded covered area, including wiring for lighting and paint for the interior of the building.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

BACKGROUND

This request for funding is eligible under the Electoral Area Grant-In-Aid Policy under the “Activities/ programs which are accessible to a large portion of the electoral area” option.

DISCUSSION

The McConnell Creek Farmer’s Institute operates the local community hall; servicing the local residents while also providing rental space to the general public.

They are requesting a \$5,000 grant-in-aid to assist with the costs of completing building improvements for the expanded covered area as well as wiring the structure with lighting and painting the interior.

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

COST

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

CONCLUSION

The McConnell Creek Farmers Institute is requesting a grant-in-aid to help complete their outdoor structure as well as adding wiring for lighting and paint for the interior of the building.

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:

The McConnell Creek Farmers Institute

Mailing Address:

Email Address:

Contact:

Lynne Fry
Name

Telephone/Fax Number

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

The McConnell Creek Farmers Institute is a non-profit organization that provides community events to our community like Christmas Craft Fair, Christmas Dinner, Halloween Party & Pig Roast to mention a few.

APPLICATION SUMMARY:

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

We are needing funds to complete our out door structure, we are wanting to wire it with lighting & paint in the spring & finish the interior of the building.

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

This structure is appealing to the property for Weddings and for a band during our pig roasts. Any event when it rains it provides shelter to stay dry and shade in hot weather for the elderly at our many community events.

Amount of Grant Requested: \$ 5,000.

****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.

Lynne Fry
Treasurer

Signature of Authorized Signatory and Title

Amount Approved:

Date: _____

Signature of Electoral Area Director

Financial Statement

**McConnell Creek Farmers Institute Hall 35483 Hartley Road,
Mission, B.C. V2V 0A8**

March 1, 2018 - February 28, 2019

Balance brought forward from March 1, 2018 \$12,157.56

Assets

Land	\$257,000.00
Buildings	\$158,000.00
New Outdoor Covering	\$8,374.84
Tables	\$1,500.00
Chairs	\$1,800.00

Total Assets	\$426,674.84
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Rental Income	2,980.00
Advertising	0.00
Fund Raiser	5,419.32
Membership	140.00
FVRD Grant	5,000.00
Lions Club Donations	2,000.00
Private Donation	620.00

Total Income	\$16,159.32
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Advertising	447.98
Office Supplies	54.37
Insurance	3,213.00
Fun Raiser Expenses	946.24
Misc Building Supplies	198.97
Building Repairs	2,313.36
Yard Supplies	104.89
New Building	8,588.75
Hydro	972.51
Natural Gas	898.20
Phone	677.08
Building	571.84
Cleaning	1,030.00
Bank Fees	97.77
Society Fees	120.00
Misc Supplies	909.50
Misc Building Repairs	787.87

Total Expenses	\$21,932.33
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To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-18

Subject: Application for Development Variance Permit 2019-18 to reduce the setbacks from a highway for a single family residence at 20910 Snowflake Place, Electoral Area C

RECOMMENDATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-18 to reduce the highway setback requirement from 6 metres to 4.5 metres on the west side of the lot, and from 6 metres to 3 metres on the south side of the lot, to facilitate the construction of a single family dwelling at 20910 Snowflake Place, subject to consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

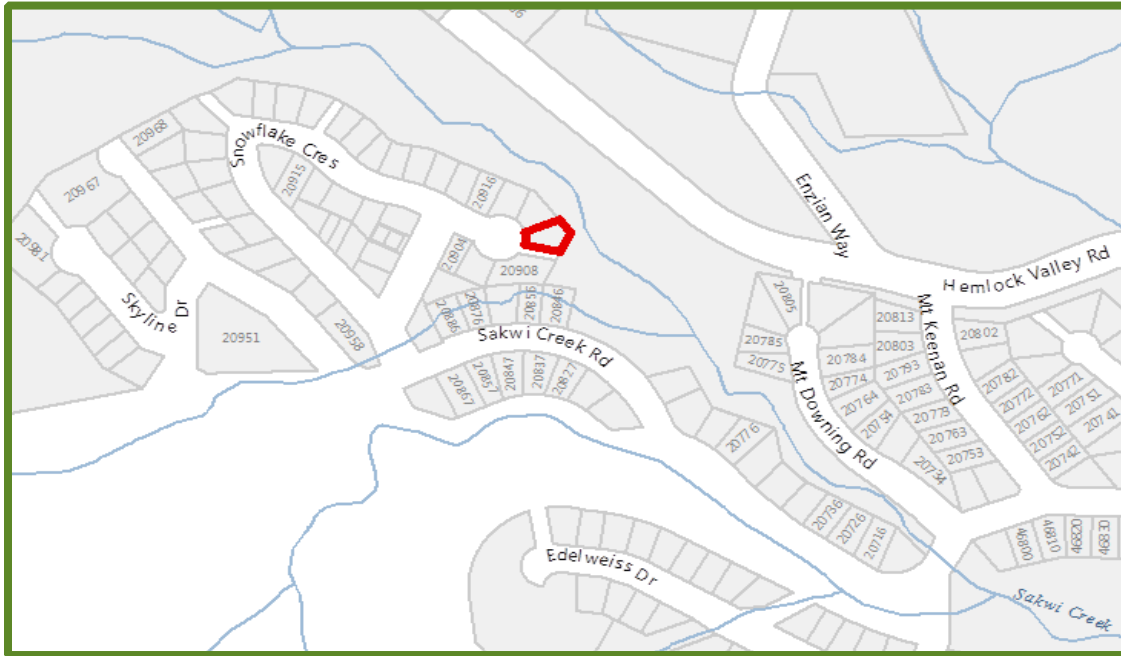
The property owner has made a Development Variance Permit (DVP) application to vary the required setbacks from a highway for the west and the south sides of the lot as outlined in *Fraser Valley Regional District Zoning Bylaw 100, Morris Valley-Harrison Mills, portion Area "C"*.

PROPERTY DETAILS			
Electoral Area	C		
Address	20910 Snowflake Place		
PID	003-038-912		
Folio	776.01430.130		
Lot Size	6372 ft ²		
Owner	Energia Supply Ltd. (Jason Dunkley)	Agent	n/a
Current Zoning	Resort Residential 2 (RST-2)	Proposed Zoning	No change
Current OCP	Cottage Residential (CR)	Proposed OCP	No change
Current Use	Vacant Land	Proposed Use	Residential
Development Permit Areas	DPA 1-HV (Geotechnical Hazard Assessment Area)		
Hazards	Flood Protection, 10m setback to top of steep slopes		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Resort Residential 2 (RST-2), Single Family Home
East	>	Park (P-1), Crown Land - Sakwi Creek
West	<	Resort Residential 2 (RST-2), Single Family Homes
South	v	Resort Residential 2 (RST-2), Single Family Homes

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The property owner is planning to construct a cabin with a footprint of approximately 480 square feet (24 feet by 20 feet) at 20910 Snowflake Place. The lot is currently bare land and is located at the base of Sasquatch Mountain Resort. The property backs onto Crown land and has an unconstructed Ministry of Transportation and Infrastructure road right of way along the south property line.

Property Description

The property has a small building envelope due to 1) a steep bank at the rear (east side) of the property, and 2) the required setback from Sakwi Creek which runs along the rear of the property.

The property is within Development Permit Area 1-HV for Geotechnical Hazards in the Official Community Plan for Hemlock Valley (Bylaw 0030, 2000). The Development Permit Area requires all construction on the property to be setback 10 metres from the tops of steep slopes. The *Fraser Valley Regional District Floodplain Management Bylaw 0681, 2005* also requires all construction to be setback 30.0 metres from the natural boundary of Sakwi Creek. Both setbacks are shown in Appendix A – Site Plan.

Variance Request

The applicant wishes to reduce the highway setback requirement for the west and south property lines. The applicant is seeking a 1.5 metre (4.9 foot) relaxation from the required front (west) lot line setback, which reduces the setback from 6.0 metres (19.7 feet) to 4.5 metres (14.8 feet).

Front (West) Lot Line Setback	
Required (zoning)	6.0 metres (19.7 feet)
Proposed	4.5 metres (14.8 feet)
Requested Variance	1.5 metres (4.9 feet)

The applicant is seeking a 3.0 metre (9.8 foot) relaxation from the required setback on the south property line, along the MOTI unconstructed right-of-way. This will reduce the setback from 6.0 metres (19.7 feet) to 3.0 metres (9.8 feet).

South Lot Line Setback	
Required (zoning)	6.0 metres (19.7 feet)
Proposed	3.0 metres (9.8 feet)
Requested Variance	3.0 metres (9.8 feet)

The applicant advises the variance will enable the construction of a small cabin on a lot with a very small building envelope. The proposed building is sited to meet existing geotechnical and creek setback

requirements. If the variance is not granted, the property owner would have to reduce the building footprint to less than 480 square feet.

Ministry of Transportation & Infrastructure Requirements

All construction within 4.5 metres of a road right of way requires approval from the BC Ministry of Transportation and Infrastructure (MOTI). MOTI has issued a Highway Setback permit to allow construction within 3.0 metres of the unconstructed road right of way on the southern property line. The permit is attached as Appendix B, and all MOTI requirements have been met.

Snow Shedding Impacts

Buildings in Hemlock are prone to accumulating large amounts of snow which results in snow shedding from roofs. Setback requirements within the zoning bylaw are designed to account for snow accumulation and aim to accommodate snow shedding. The relaxation of the front property line is not anticipated to increase snow shedding impacts to adjacent properties provided the roof is angled towards interior property lines. The proposed setback for the south property line is consistent with the requirements for an interior property line setback, and is not anticipated to adversely impact neighbouring properties.

Neighbourhood Notification and Input

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

COST

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

CONCLUSION

Staff recommend that the FVRD Board issue Development Variance Permit 2019-18 to reduce the setback requirements from a highway for the construction of a cabin at 20910 Snowflake Place. The property owners are siting their building in a manner that complies with geotechnical hazard requirements and with the floodplain management bylaw. The proposal has received the necessary approvals from MOTI and is not anticipated to negatively impact the surrounding properties.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-18 to reduce the highway setback requirements from 6 metres to 4.5 metres for the west property line, and from 6 metres to 3 metres for the south property line to facilitate the construction of a single family dwelling at 20910 Snowflake Place, Electoral Area C, subject to consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-18 for the property at 20910 Snowflake Place, 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 2019-18 for the property at 20910 Snowflake Place, Electoral Area C to FVRD Staff.

COMMENTS BY:

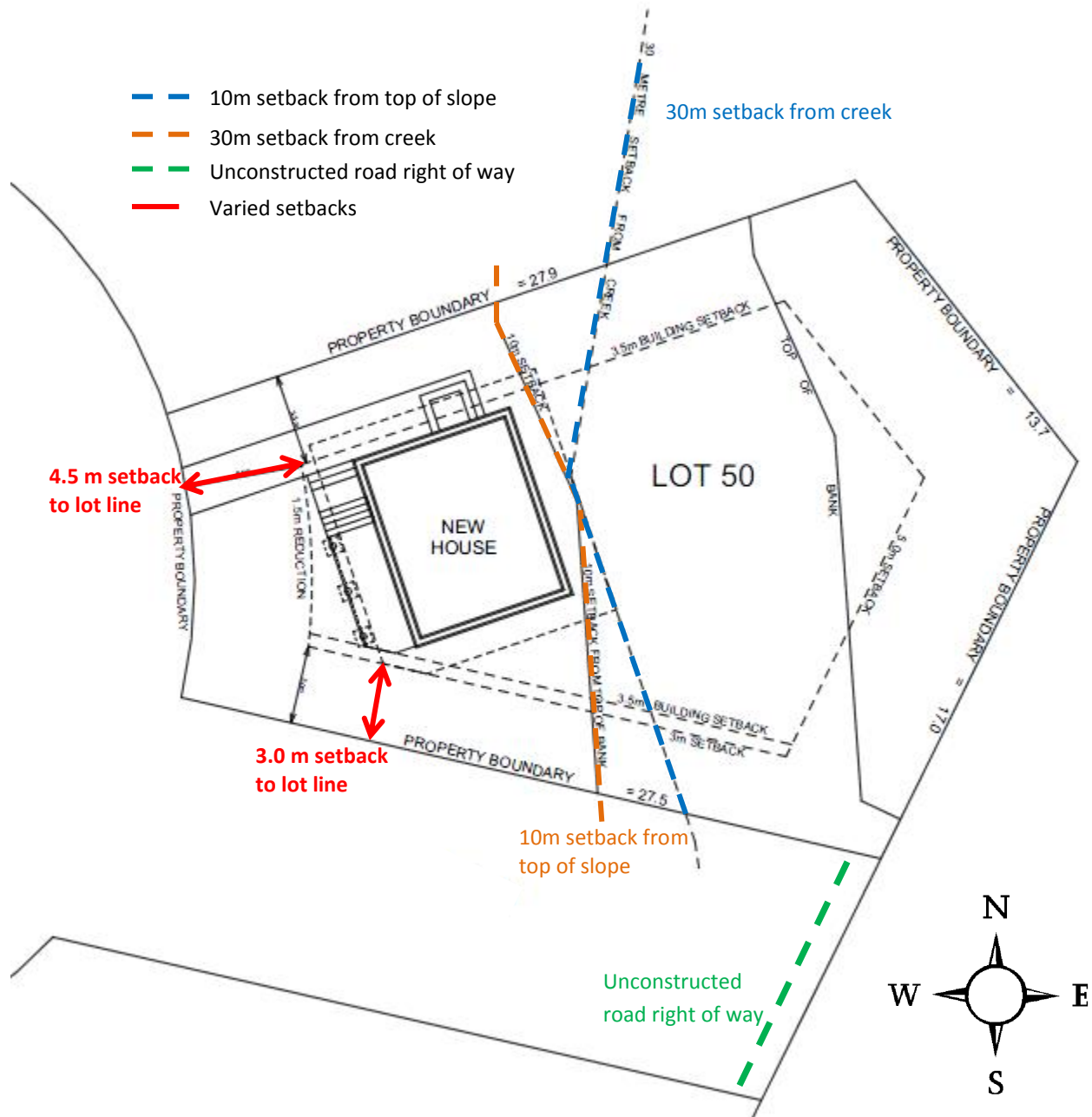
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported

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 – MOTI Permit



BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

Permit/File Number: 2019-03056

Office: Chilliwack Area Office

PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE
MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE
NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Chilliwack Area Office
45890 Victoria Avenue
Chilliwack, BC V2P 2T1
Canada

("The Minister")

AND:

Energia Supply Ltd.
11882 Sylvester Road
Mission, B.C. V2V 4J1
Canada

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:
A setback reduction from the southern property line within PID 003-038-912 on Lot 50 District Lot 3850 Group 1 New Westminster District Plan 62254, civic address 20910 Snowflake Place, Sasquatch Mountain Resort B.C. to 3 meters to accommodate the construction of a small cabin.
- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
3. The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or any of them at any time or times, whether before or after the expiration or termination of this permit, where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.
4. Permittee to be responsible for all future drainage problems as they pertain to said works



BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

Permit/File Number: 2019-03056

Office: Chilliwack Area Office

5. The Ministry of Transportation and Infrastructure and/or the Maintenance Contractor shall not be held accountable for any damage(s) to the said structure, however caused.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Chilliwack, British Columbia, this 10 day of June, 2019

On Behalf of the Minister

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

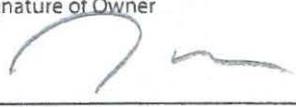
An Application Fee in the amount of \$ 350 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 20910 SNOWFLAKE PL, AGASSIZ, BC PID 003-038-912

Legal Description Lot 50 Block 3850 Section 1 Township NW Range Plan 62254

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

Owner's
Declaration

Name of Owner (print)	Signature of Owner	Date
ENERGIA SUPPLY LTD		06/03/19.
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information

Address	11882 SYLVESTER RD	City	MISSION
		Postal Code	V2V 4J1
Cell		Fax	

Office Use Only	Date	June 10, 2019	File No.	3090-20 2019-18
	Received By	JM	Folio No.	776.01430.130
	Receipt No.	8856/1	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 _____ Present Zoning EST-2

Existing Use VACANT

Proposed Development BUILD A CABIN

Proposed Variation / Supplement REQUEST 3.5m SETBACK (3.0m TO ROOF OVER HANG) ON SOUTH LOT LINE. REQUEST 5.0m SETBACK ON WEST (FRONT) LOT LINE.

(use separate sheet if necessary)

Reasons in Support of Application VERY SMALL BUILDING LOT. STEEP BANK & CREEK LIMITATIONS ON EAST OF PROPERTY. USEFUL BUILDING ENVELOPE IS ONLY A FEW HUNDRED SQUARE FEET.

**Riparian
Areas
Regulation**

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

yes

☐

no

☒

30 metres of the high water mark of any water body

yes

☐

no

☒

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

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

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

**Contaminated
Sites Profile**

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

yes

☐

no

☒

the property has been used for commercial or industrial purposes.

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

**Archaeological
Resources**

Are there archaeological sites or resources on the subject property?

yes

☐

no

☒

I don't know

☐

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

Required Information

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

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

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

1. ALL WORK SHALL COMPLY WITH ALL LOCAL AND PROVINCIAL BUILDING CODES HAVING JURISDICTION.
2. EACH CONTRACTOR SHALL VISIT THE SITE AND VERIFY ALL EXISTING CONDITIONS. SAID CONTRACTORS SHALL REPORT TO THE GENERAL CONTRACTOR, IN WRITING, ANY DISCREPANCIES BETWEEN THE DRAWINGS AND/OR THE SITE CONDITIONS BEFORE PROCEEDING WITH BIDDING AND PERFORMANCE OF THE WORK. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
3. ALL SYMBOLS AND ABBREVIATIONS WITHIN THESE CONSTRUCTION DOCUMENTS ARE TO BE CONSIDERED CONSTRUCTION STANDARDS. ANY QUESTIONS AS TO THEIR MEANING SHALL BE ADDRESSED TO THE DESIGNER, IN WRITING, FOR CLARIFICATION.
4. ALL NEW GYPSUM WALLBOARD SHALL BE 1/2" THICKNESS, UNLESS OTHERWISE NOTED ON THESE PLANS. ALL OUTSIDE CORNERS SHALL HAVE METAL CORNER BEADS. TYPE MOISTURE RESISTANT (MR) GYPSUM WALLBOARD SHALL BE USED AT ALL PLUMBING WALLS.

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5. ANY INTERIOR DESIGN, MECHANICAL, AND ELECTRICAL DRAWINGS ARE SUPPLEMENTARY TO THESE BUILDING PLANS. IT SHALL BE THE RESPONSIBILITY OF EACH CONTRACTOR TO REVIEW THESE PLANS BEFORE INSTALLING ELECTRICAL AND MECHANICAL WORK. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THESE PLANS AND OTHER DRAWINGS WHICH WOULD CAUSE AN AWKWARD INSTALLATION, IT SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR CLARIFICATION PRIOR TO INSTALLATION.
6. ALL NEW PLUMBING WORK SHALL BE "DESIGN-BUILD" BY THE PLUMBING CONTRACTOR. HE SHALL BE RESPONSIBLE FOR PREPARING ALL DRAWINGS, DIAGRAMS AND CALCULATIONS WHICH ARE REQUIRED FOR OBTAINING BUILDING PERMITS AND PAYMENT OF THE REQUIRED FEES.
7. ALL NEW ELECTRICAL WORK SHALL BE "DESIGN-BUILD" BY THE ELECTRICAL CONTRACTOR. HE SHALL BE RESPONSIBLE FOR PREPARING ALL THE DRAWINGS, DIAGRAMS AND CALCULATIONS WHICH ARE REQUIRED FOR OBTAINING BUILDING PERMITS AND PAYMENT OF THE REQUIRED FEES.

5. ANY INTERIOR DESIGN, MECHANICAL, AND ELECTRICAL DRAWINGS ARE SUPPLEMENTARY TO THESE BUILDING PLANS. IT SHALL BE THE RESPONSIBILITY OF EACH CONTRACTOR TO REVIEW THESE PLANS BEFORE INSTALLING ELECTRICAL AND MECHANICAL WORK. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THESE PLANS AND OTHER DRAWINGS WHICH WOULD CAUSE AN AWKWARD INSTALLATION, IT SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR CLARIFICATION PRIOR TO INSTALLATION.
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7. ALL NEW ELECTRICAL WORK SHALL BE "DESIGN-BUILD" BY THE ELECTRICAL CONTRACTOR. HE SHALL BE RESPONSIBLE FOR PREPARING ALL THE DRAWINGS, DIAGRAMS AND CALCULATIONS WHICH ARE REQUIRED FOR OBTAINING BUILDING PERMITS AND PAYMENT OF THE REQUIRED FEES.

8. ALL NEW HEATING/AIR CONDITIONING WORK SHALL BE "DESIGN-BUILD" BY THE HEATING/AIR CONDITIONING CONTRACTOR. HE SHALL BE RESPONSIBLE FOR PREPARING ALL DRAWINGS, DIAGRAMS AND CALCULATIONS WHICH ARE REQUIRED FOR OBTAINING PERMITS AND PAYMENT OF THE REQUIRED FEES.
9. SITE PREPARATION, EXCAVATION AND GRADING SHALL BE DONE IN CONFORMANCE WITH THE LOCAL BUILDING CODE.
10. THESE PLANS ARE COPYRIGHTED BY THE PROJECT DESIGNER AND ARE INTENDED FOR THE ONE-TIME USE FOR THE PROPERTY SPECIFIED HEREIN. USE OF THESE PLANS FOR ANY OTHER PURPOSE IS STRICTLY PROHIBITED.
11. THE BUILDER SHALL PROVIDE A STREET ADDRESS ON THE JOB SITE PRIOR TO AND DURING CONSTRUCTION.
12. THE DESIGNER PREPARING THESE PLANS SHALL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL PROPOSED CHANGES TO THESE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PROJECT ENGINEER.

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 14. IN THE EVENT OF CONFLICT BETWEEN THESE PLANS AND THE PLANS APPROVED BY THE GOVERNING AGENCY, THE APPROVED PLANS TAKE PRECEDENCE.
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- * PLEASE NOTE, WE RECOMMEND WAITING FOR DELIVERY OF LOG PACKAGE BEFORE ORDERING WINDOWS AND DOORS FROM MANUFACTURER. GENERAL CONTRACTOR TO DOUBLE CHECK WINDOW SIZES AND R.O. DIMENSIONS LISTED IN THE SCHEDULES W/ MANUFACTURERS LISTED R.O. DIMENSIONS AND W/ OPENING DIMENSIONS IN LOG WORK TO ENSURE A PERFECT FIT.

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OWNER/APPLICANT
JASON DUNKLEY
604 318 7105

OWNER/APPLICANT
JASON DUNKLEY
604 318 7105

HEMLOCK VALLEY, BC

HEMLOCK VALLEY, BC

XXXX

XXXX

PROPOSED NEW SINGLE FAMILY
RESIDENCE

PROPOSED NEW SINGLE FAMILY
RESIDENCE

<u>HOUSE SQ. FT.</u>	<u>S.F.</u>	<u>%</u>
BASEMENT	502	38.2
1ST FLR	502	38.2
2ND FLR	310	23.6
TOTAL	1314	100.0

<u>HOUSE SQ. FT.</u>	<u>S.F.</u>	<u>%</u>
BASEMENT	502	38.2
1ST FLR	502	38.2
2ND FLR	310	23.6
TOTAL	1314	100.0

THESE PLANS SHALL COMPLY WITH
THE FOLLOWING:

BC BUILDING CODE	2018
BC MECHANICAL CODE	2018
BC PLUMBING CODE	2018
BC ELECTRIC CODE	2018

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THE FOLLOWING:

BC BUILDING CODE	2018
BC MECHANICAL CODE	2018
BC PLUMBING CODE	2018
BC ELECTRIC CODE	2018

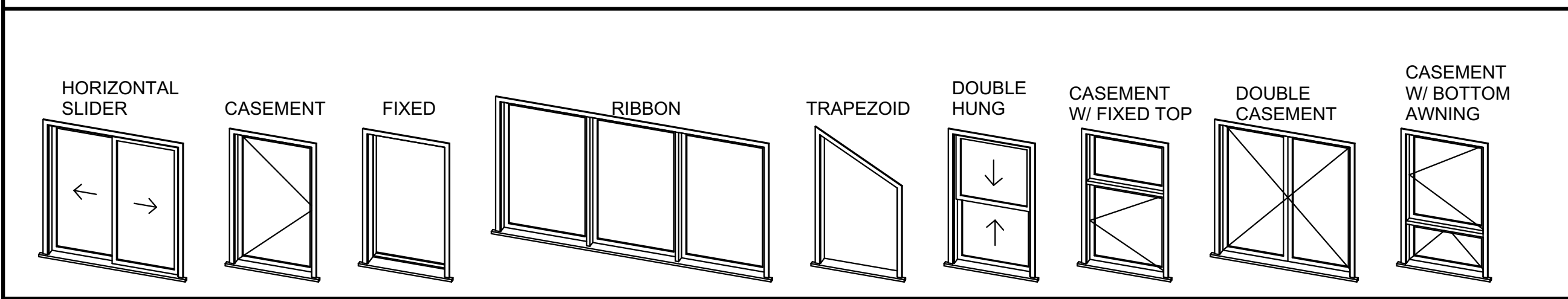
BC BUILDING CODE	2018
BC MECHANICAL CODE	2018
BC PLUMBING CODE	2018
BC ELECTRIC CODE	2018

CODE: 2018 BCBC
SEISMIC ZONE:
DESIGN WIND SPEED:

CODE: 2018 BCBC
SEISMIC ZONE:
DESIGN WIND SPEED:

ID	NAME
A-1	COVER SHEET
A-2	ELEVATIONS
A-3	ELEVATIONS
A-4	FOUNDATION PLAN
A-5	FIRST FLOOR PLAN
A-6	FRAMING PLANS
A-7	SECOND FLOOR PLAN
A-8	ROOF PLAN
A-9	DETAILS
A-10	DETAILS
A-11	DETAILS
A-12	ELECTRICAL PLANS
A-13	WALL SECTIONS
A-14	ISOMETRICS
A-15	SITE PLAN
A-16	GENERAL NOTES

ID	NAME
A-1	COVER SHEET
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A-11	DETAILS
A-12	ELECTRICAL PLANS
A-13	WALL SECTIONS
A-14	ISOMETRICS
A-15	SITE PLAN
A-16	GENERAL NOTES




ID	Home Story	Library Part Name	Quantity	Carpenter's R.O.
W1	Basement	W2 Casement 21	1	5'-0"x3'-0"
W2	1st FLOOR	W1 Casement 21	2	2'-8"x3'-0"
W3	1st FLOOR	W2 Casement 21	1	5'-0"x4'-0"
W4	1st FLOOR	W Triple Sash 21	1	8'-0"x5'-0"
W5	2nd FLOOR	W1 Casement 21	2	3'-0"x4'-0"
W6	2nd FLOOR	W1 Casement 21	2	3'-0"x3'-0"
W7	2nd FLOOR	W1 Casement 21	2	3'-0"x5'-0"

ID	Home Story	Library Part Name	Quantity	Carpenter's R.O.
W1	Basement	W2 Casement 21	1	5'-0"x3'-0"
W2	1st FLOOR	W1 Casement 21	2	2'-8"x3'-0"
W3	1st FLOOR	W2 Casement 21	1	5'-0"x4'-0"
W4	1st FLOOR	W Triple Sash 21	1	8'-0"x5'-0"
W5	2nd FLOOR	W1 Casement 21	2	3'-0"x4'-0"
W6	2nd FLOOR	W1 Casement 21	2	3'-0"x3'-0"
W7	2nd FLOOR	W1 Casement 21	2	3'-0"x5'-0"

ID	Home Story	Library Part Name	Orientation	Quantity	W x H Size	Carpenter's R.O.
D1	1st FLOOR	D1 21	LH	1	3'-0"x6'-8"	3'-2"x6'-10"
D2	1st FLOOR	D2 Sliding 21	SLD	1	8'-0"x6'-8"	8'-2"x6'-10"

ID	Home Story	Library Part Name	Orientation	Quantity	W x H Size	Carpenter's R.O.
D1	1st FLOOR	D1 21	LH	1	3'-0"x6'-8"	3'-2"x6'-10"
D2	1st FLOOR	D2 Sliding 21	SLD	1	8'-0"x6'-8"	8'-2"x6'-10"

Dunkley Residence

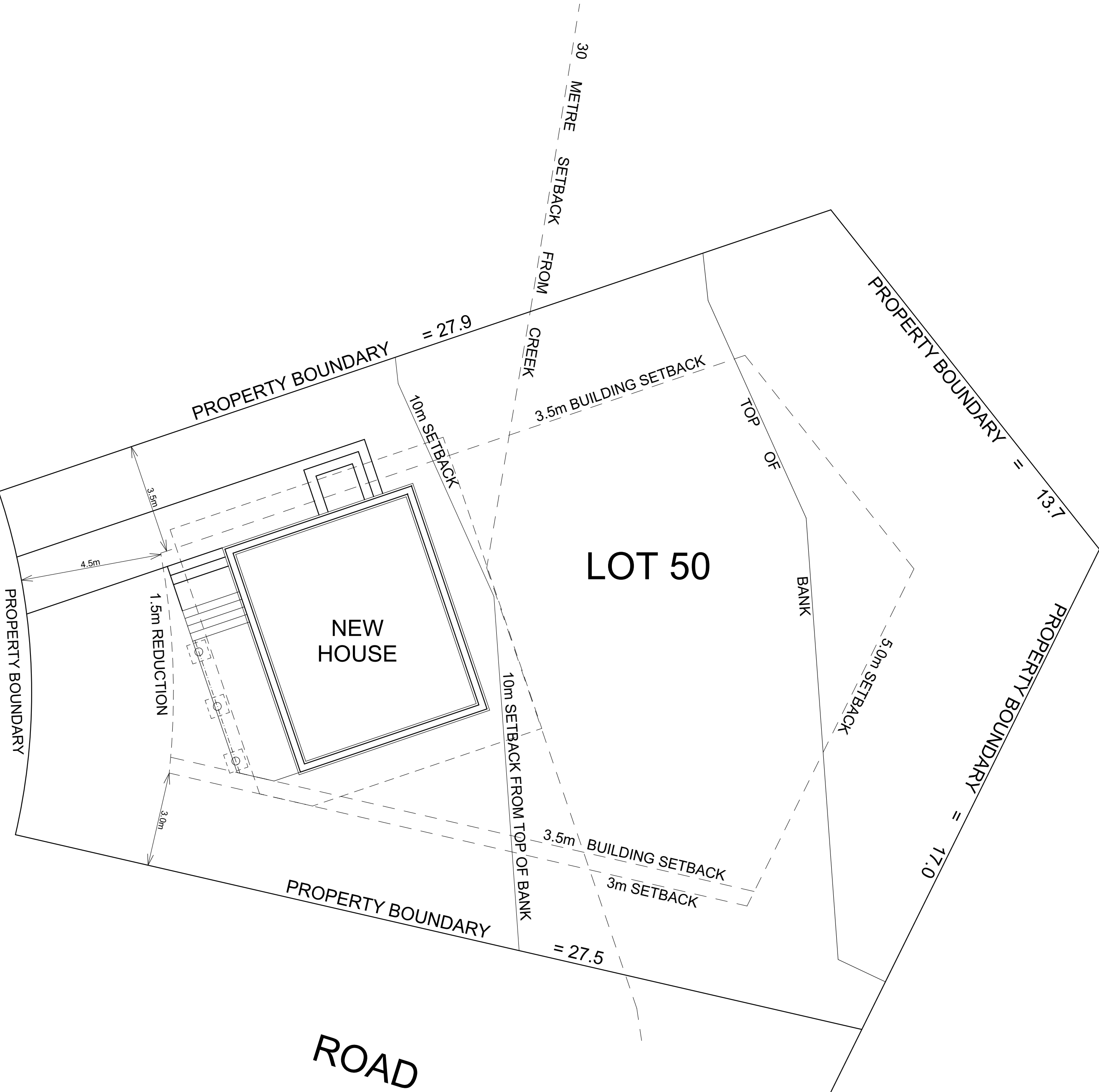
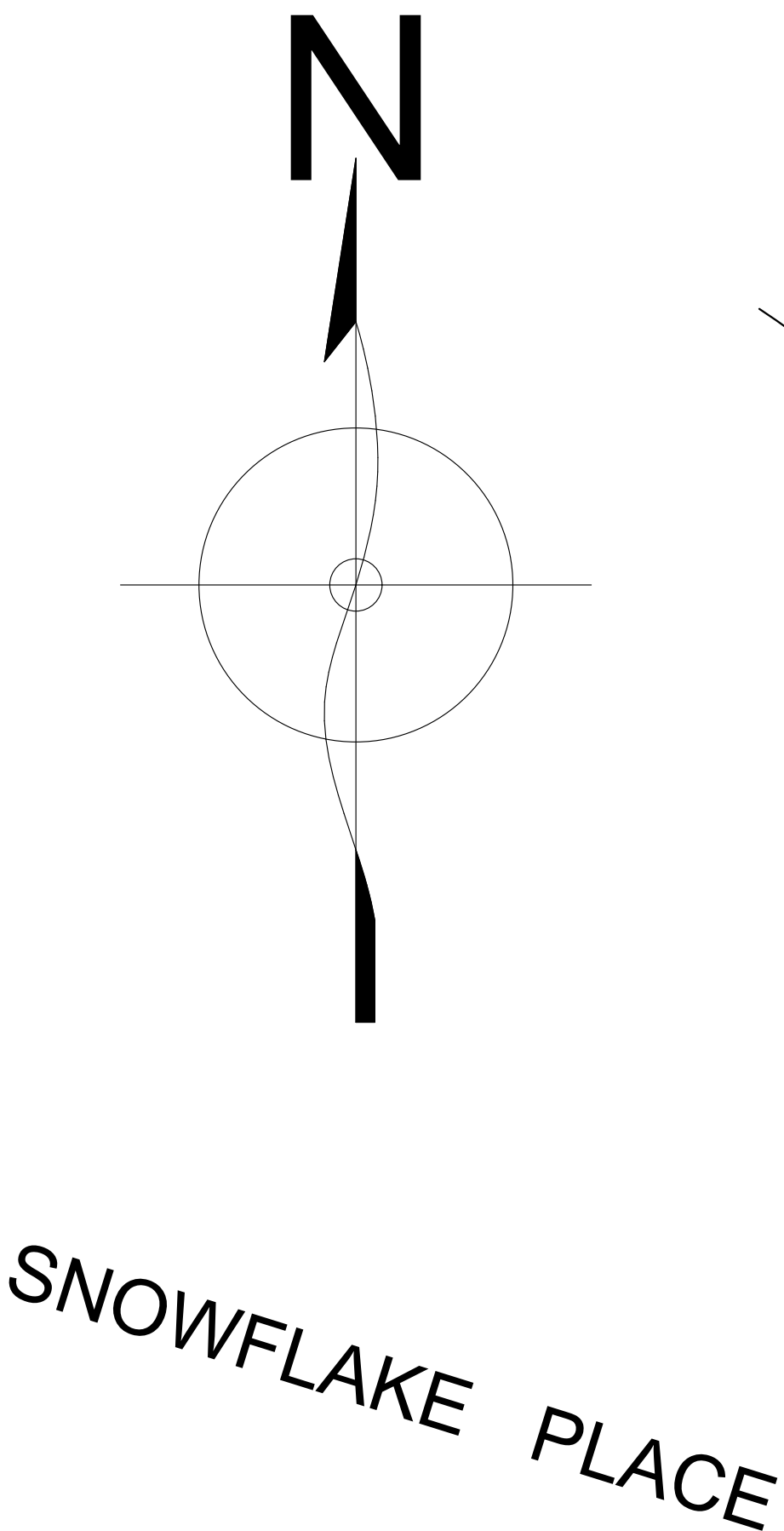


**R.C.M. Cad Design
Drafting Ltd.**

SCALE:	N.T.S.	REVISION:	DATE:	DESCRIPTION:
DATE:	JUNE 5, 2019	REV. 1		
DRAWN BY:	T.E.	REV. 2		
CHECKED BY:	C.C.	REV. 3		

LOG BUILDER :	CASCADE HANDCRAFTED
CLIENT :	DUNKLEY
TITLE:	COVER SHEET

A-1



UNSURVEYED
CROWN LAND

A-15

LOG BUILDER : CASCADE HANDCRAFTED

CLIENT : DUNKLEY

TITLE : SITE PLAN

SCALE: 1 : 100

DATE: JUNE 5, 2019

DRAWN BY: T.E.

CHECKED BY: C.C.

REVISION:

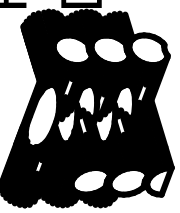
REV. 1

REV. 2

REV. 3

DESCRIPTION:

R.C.M. Cad Design
Drafting Ltd.



R.C.M. CAD DESIGN
PHONE: (802) 822-1888
www.loghomecad.com
rcmcast@loghomecad.com

NOTE:
COMPLETE SET OF
PLANS TO BE
ISSUED FOR
CONSTRUCTION &
STAMPED BY
LICENSED ENGINEER

● ALL DIMENSIONS TO BE VERIFIED ON SITE BY GENERAL CONTRACTOR

● ALL DIMENSIONS ARE CONSTRUCTION TIME DIMENSIONS

● IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO
CHECK & VERIFY ALL DIMENSIONS & SPECIFICATIONS ON THIS SET

● ALL LOG DIAMETER SIZE TO BE MEASURED AT MID SPAN

● BUILDER IS RESPONSIBLE FOR COMPLYING WITH ALL
LOCAL BUILDING CODES AND PRACTICES



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-18 **Folio No.** 776.01430.130

Issued to: Energia Supply Ltd

Address:

Applicant: Jason Dunkley

Site Address: 20910 Snowflake Place, 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:

LOT 50 DISTRICT LOT 3850 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 62254
PID: 003-038-912

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

Regional District of Fraser Cheam By-law No. 100, 1979 is **varied** as follows:

1. Division 15, Section 1504 (a) the highway setback requirement from the right-of-way boundary of any road allowance on the west side of the property is reduced from 6.0 metres to 4.5 metres, clear to sky, to permit the construction of a single family residence.
 2. Division 15, Section 1504 (a) the highway setback requirement from the right-of-way boundary of any road allowance on the south side of the property is reduced from 6.0 metres to 3 metres, clear to sky, to permit the construction of a single family residence.
-

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. All structures shall be designed to avoid shedding snow towards the front and rear lot lines.
5. This permit shall lapse upon expiry or revocation of Highway Setback Permit 2019-03056 issued by the Ministry of Transportation and Infrastructure to authorize construction within 3.0 metres of the provincial road right of way.

GENERAL TERMS AND CONDITIONS

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

SECURITY DEPOSIT

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

Should the holder of this permit:

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

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

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

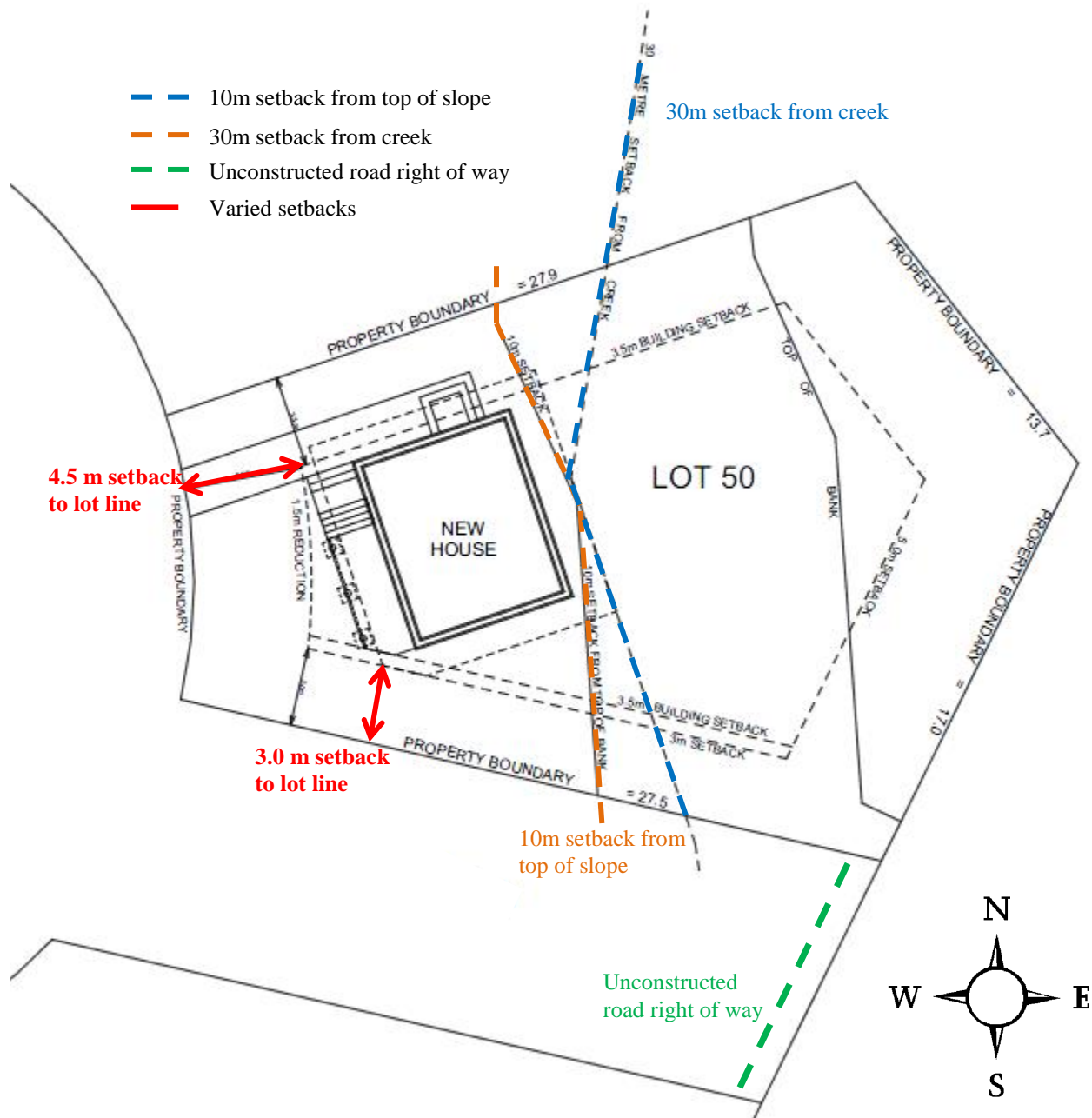
Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2019-18. The notice shall take the form of Appendix I attached hereto.

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 2019-18
SCHEDULE "B"
Site Plan



To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Andrea Antifaeff, Planner I

File No: 3090-20-2019-19

Subject: Application for Development Variance Permit 2019-19 to reduce the number of required on-site parking spaces at 19 Lakeshore Drive, Cultus Lake Park – Area H

RECOMMENDATION

THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-19 for the property located at 19 Lakeshore Drive, Electoral Area H – Cultus Lake Park to vary the required off-street residential parking requirements

AND THAT the Fraser Valley Regional District Board consider directing staff to conduct a parking study of waterfront lots in Cultus Lake Park to develop a consistent approach for off-street residential parking, in conjunction with the 2020 workplan priorities for all Electoral Areas.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The applicants, who have a contract to purchase the property, intend to demolish the existing residence and construct a new residence. The applicants have applied for a Development Variance Permit (DVP) in order to reduce the number of required on-site parking spaces as outlined in *Cultus Lake Park Zoning Bylaw No. 1375, 2016*. The bylaw requires two (2) off-street parking spaces to support a residential use. The applicants propose zero (0) fully off-street parking spaces and instead provide two (2) spaces partly on-site and partly within the road right-of-way.

PROPERTY DETAILS			
Electoral Area	H – Cultus Lake Park		
Address	19 Lakeshore Drive		
PID	n/a		
Folio	733.07000.019		
Lot Size	1,750 sq. feet		
Owner	Robert Mitchell	Agent	Roger Burrows

Current Zoning	Waterfront Residential (R-3)	Proposed Zoning	No change
Current OCP	Plan Cultus - Residential	Proposed OCP	No change
Current Use	Residential (Single Family Dwelling)	Proposed Use	No change
Development Permit Areas	N/A		
Agricultural Land Reserve	No		

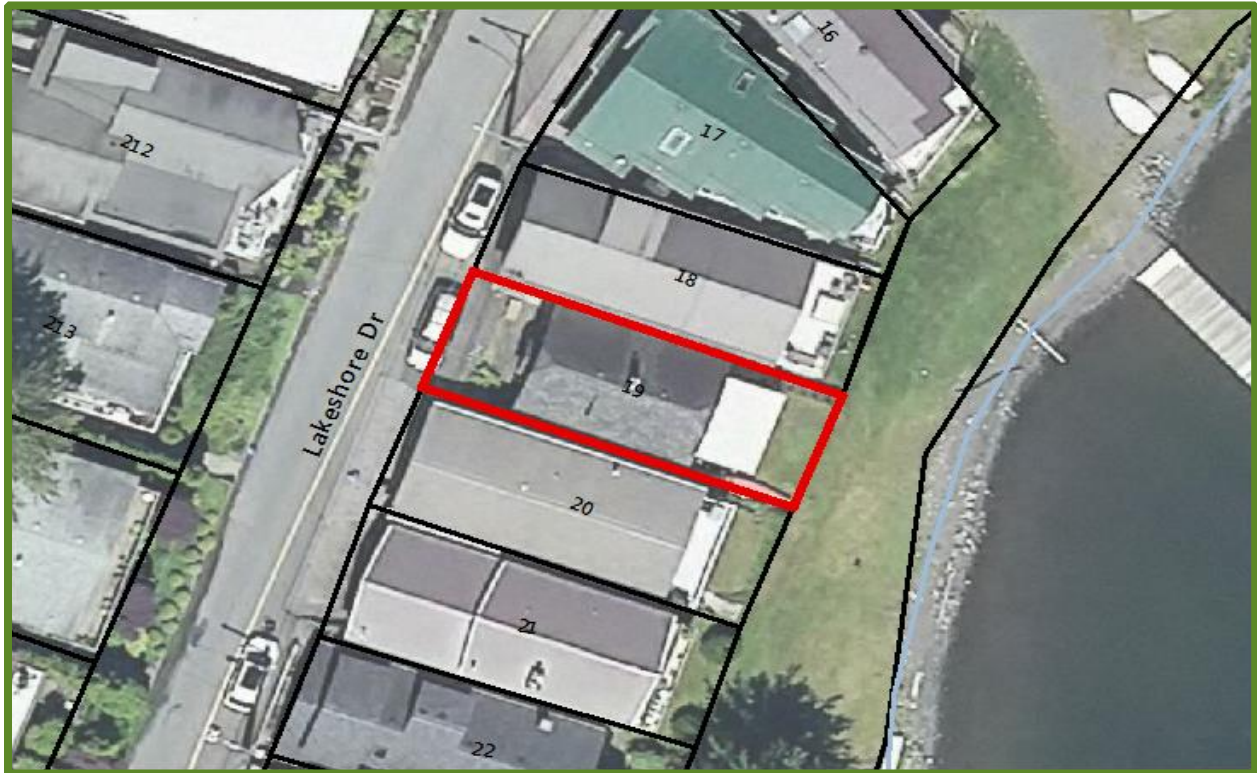
ADJACENT ZONING & LAND USES

North	^	Waterfront Residential (R-3); Residential
East	>	Cultus Lake
West	<	Hillside Residential (R-4); Residential
South	v	Waterfront Residential (R-3); Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Cultus Lake Park regulates on-street parking and traffic; administers parking permits; maintains roads and performs a number of related functions. The Cultus Lake Park Board has identified that there are pressures on the number of parking spaces available within the Park and have undertaken a review of parking, solicited community feedback on parking issues, and formed the Park Task Force to provide recommendations to the Park Board to address parking issues.

The amount of on-street parking is limited in Cultus Lake Park and there is currently not enough on-street parking to accommodate all residential lease holders and their guests. During the establishment of the new Cultus Lake Park Zoning Bylaw, it was regulated that each residential lease lot must provide two (2) off-street parking spaces (a parallel parking space may use a portion of the road right-of-way). During re-development of the existing residential lease lots the opportunity arises to improve off-street parking in Cultus Lake Park.

Variance Requested DVP 2019-19

Application Rationale

The applicants advise that the reasons in support of the variance are:

- Both residents are in their 70's and the new home will be designed for aging in place and property values will be reduced if a garage is required;
- A garage consumes desirable living space on the main floor, which is a huge concern on a small 25 foot (7.62 metre) wide lot;
- The lot is only 25 feet (7.62 metres) wide and has vehicle access from only Lakeshore Drive;
- Parking one vehicle parallel inside the yellow line will "trap" a second vehicle in the garage (or carport), or possibly parallel against the house. Vehicles will have to be moved frequently to other parking spaces, or to the roadway, to access trapped vehicles. This will disrupt traffic flow. Parking at 90° within the yellow line solves these problems and also provides for future EV charging of both vehicles;
- Most 25 foot (7.62 metre) homes with garages are used for storage, not for vehicles. This results in an actual loss of parking spaces, rather than the desired increase in parking availability. Other homes built before these bylaw changes are able to properly accommodate two vehicles parked at 90° to the street and within the yellow line;
- We understand that the bylaw will not be revised until next year at the earliest. Graham Williams (Northface Construction) has been booked for the construction, starting with the demolition of the existing cottage in September 2019;
- It is recognized that the travelled portion of the road is narrow, but this has been unchanged for decades, and is unlikely to change in the future;
- The travelled portion of the road between the yellow lines is and has been acceptable for the passage of emergency vehicles, garbage trucks, etc.;
- The existing travelled portion is compromised much more by retaining walls for the uphill homes which encroach on park property, than by downhill homes;
- The 90° parking arrangement requested is within the area defined by the bylaw, ie. inside the yellow line;
- The subject lot is only two houses away from a much wider roadway surface; and,
- The utility pole next door at Lot #18 is only approximately two feet from the yellow line and would prevent widening of the travelled portion of the road.

On-Site Parking Variance

The applicants are seeking a reduction to the number of on-site parking spaces required, reducing the on-site parking requirement from two (2) parking spaces to zero (0) parking spaces. All parking would be provided in a configuration where the parking spaces are located partially on the property and partially on the Cultus Lake Park road right-of-way.

Cultus Lake Advisory Planning Committee (APC)

The Cultus Lake APC met on June 19, 2019 and the motion to support approval of Development Variance Permit 2019-19 was defeated. The Cultus Lake APC meeting minutes are attached as Appendix B.

The following comments were raised:

At the previous Cultus Lake APC meeting on May 15, 2019 the APC members recommended that a report be prepared by FVRD Planning Staff showing mapping of the residential lots affected by the zoning bylaw requirements for two off-street parking spaces per lot and that the report outline options on how to best address the challenges with the residential parking spaces.

Cultus Lake Parking Review – March 2017

In 2017, the Cultus Lake Park Board initiated its own parking review which created a parking inventory. The parking review identified that there were 41 lots located on Lakeshore Drive and that 66% of those lots provided 2 or more on-site parking spaces. The parking review included parking spaces that were using a portion of the road right-of-way as on-site parking; this is inconsistent with the Zoning Bylaw adopted in February 2018.

The Zoning Bylaw does have a policy that allows for vehicles using parallel parking spaces to use a portion of the road width, however, the vehicle must be able to park entirely outside the travel lane delineated by the yellow lines. This may create a difference in the number of on-site parking spaces that was identified in the Cultus Lake Parking Review when measured to the Zoning Bylaw standards.

The parking review also stated that Munroe Avenue and Lakeshore Drive areas have incorporated creative use of space for parking. Since the width of the road appears to barely meet fire code widths, on-street parking is limited and should be restricted to the specifically allocated locations and strictly enforced. Any new construction in the area should only be considered if a minimum of two vehicles spaces are provided on-site.

New Construction

Parking on-site is entirely possible and new dwelling construction provides the opportunity for off-street parking spaces to be created. There is recent new construction on Lakeshore Drive that accommodate two off-street parking spaces.

In the case of the application for 19 Lakeshore Drive, we have calculated that approximately 140 square feet of dwelling space would need to be removed from the main floor to accommodate two off-street 90° parking spaces. If the proposed house is 3,000 square feet (based on the floor plan provided times 3 stories) this would be approximately 4.7% of the floor area that would be lost to accommodate the required parking.

Key Considerations

There are a number of items to be considered when addressing parking on Lakeshore Drive:

- Road safety (variety of users);
 - Pedestrians, cyclists and mobility scooter users are likely uncomfortable when passing between a moving car and the retaining wall/parked cars on the sides of the road.
- Suitable travel width for road;

- The current road is narrow and in many places with retaining walls located on one side with a small shoulder and often the bumpers of cars or sides of cars parked up to the travelled portion of the road on the other side.
- Lakeshore Drive can only accommodate one-way vehicle traffic and generally when vehicles moving in opposite directions cross paths, one is forced to pull into a driveway or one of the very limited parking stalls.
- The Ministry of Transportation and Infrastructure (MOTI) road standard is:
 - 23 foot (7 metre) travelled portion and 1.6 foot (0.5 metre) shoulder on each side.
- Service vehicle access (garbage, snow removal, contractors, emergency vehicles); and,
 - Often garbage/recycling totes are located on the travelled portion of the road.
 - The snow plow blade only clears by approximately 25cm on either side. When snow is accumulated for more than a day or two, available space for snow storage is extremely limited and travelling along the road is further complicated.
- Cumulative effect of parking on lakefront lots.

However, staff do recognize that parking at Cultus Lake can be quite challenging and that:

- Lots on Lakeshore Drive are narrow;
- There are a variety of parking types (parallel, 90°, angled, garages, carports, etc.);
- There is inconsistency in the painting of road lines; and,
- Lease holders are struggling to make sense of the parking requirements of the Zoning Bylaw.



Image 2: MOTI Road Standard

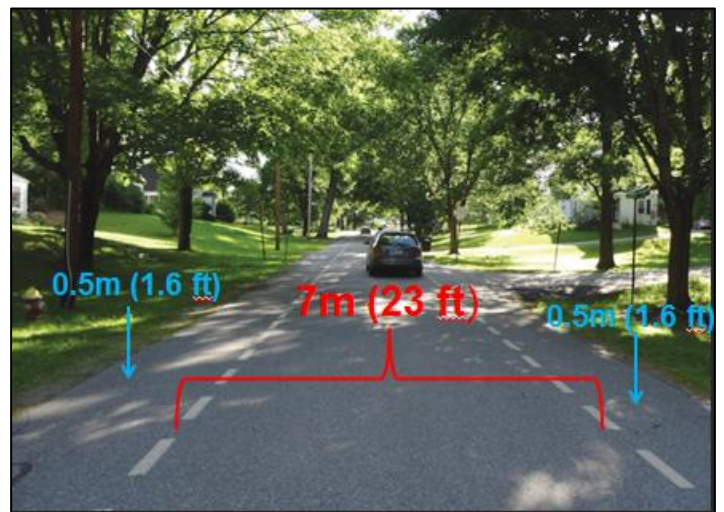


Image 1: Lakeshore Drive (Road Width)

New Parking Study

Staff have recommended that the FVRD Board consider conducting a parking study to offer a consistent approach to residential parking on waterfront residential lots in Cultus Lake. A new parking study could look at:

- a variety of parking alternatives;
- road safety;
- parking dimensions; and,
- availability and demand.

Neighbourhood Notification and Input

All property lease holders within 30 metres of the property were notified by the FVRD of the development variance permit application and were given the opportunity to provide written comments or attend the Cultus Lake Park Advisory Planning Commission (APC) meeting to state their comments. FVRD staff encouraged the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification. The FVRD received five (5) letters of support and one (1) letter of opposition prior to the Cultus Lake Park APC meeting. These submissions are included as a part of the Cultus Lake Park APC meeting minutes and are attached as Appendix B.

COST

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

CONCLUSION

The applicants have applied for a DVP to reduce the number of required on-site parking spaces. Staff recommend that the FVRD Board support the Cultus Lake Park APC recommendation and refuse the DVP application.

OPTIONS

Option 1 – Refuse (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board refuse Development Variance Permit for the property located at 19 Lakeshore Drive, Electoral Area H – Cultus Lake Park to vary the required off-street residential parking requirements

AND THAT the Fraser Valley Regional District Board consider directing staff to conduct a parking study of waterfront lots in Cultus Lake Park to develop a consistent approach for off-street residential parking, in conjunction with the 2020 workplan priorities for all Electoral Areas.

Option 2 – Issue

If the Board wishes to issue Development Variance Permit 2019-19, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-19 for the property located at 19 Lakeshore Drive, Electoral Area H – Cultus Lake Park to reduce the number of required on-site parking spaces from two (2) to zero (0).

COMMENTS BY:

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

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

The lot can accommodate the two (2) off-street parking spaces that are required under the new Zoning Bylaw for Cultus Lake Park.

The parking study requested by the Cultus Lake Park APC will take FVRD Planning Staff resources. The timing of this study is to be reviewed by EASC in conjunction with all other planning requirements for the Electoral Areas.

Mike Veenbaas, Director of Financial Services

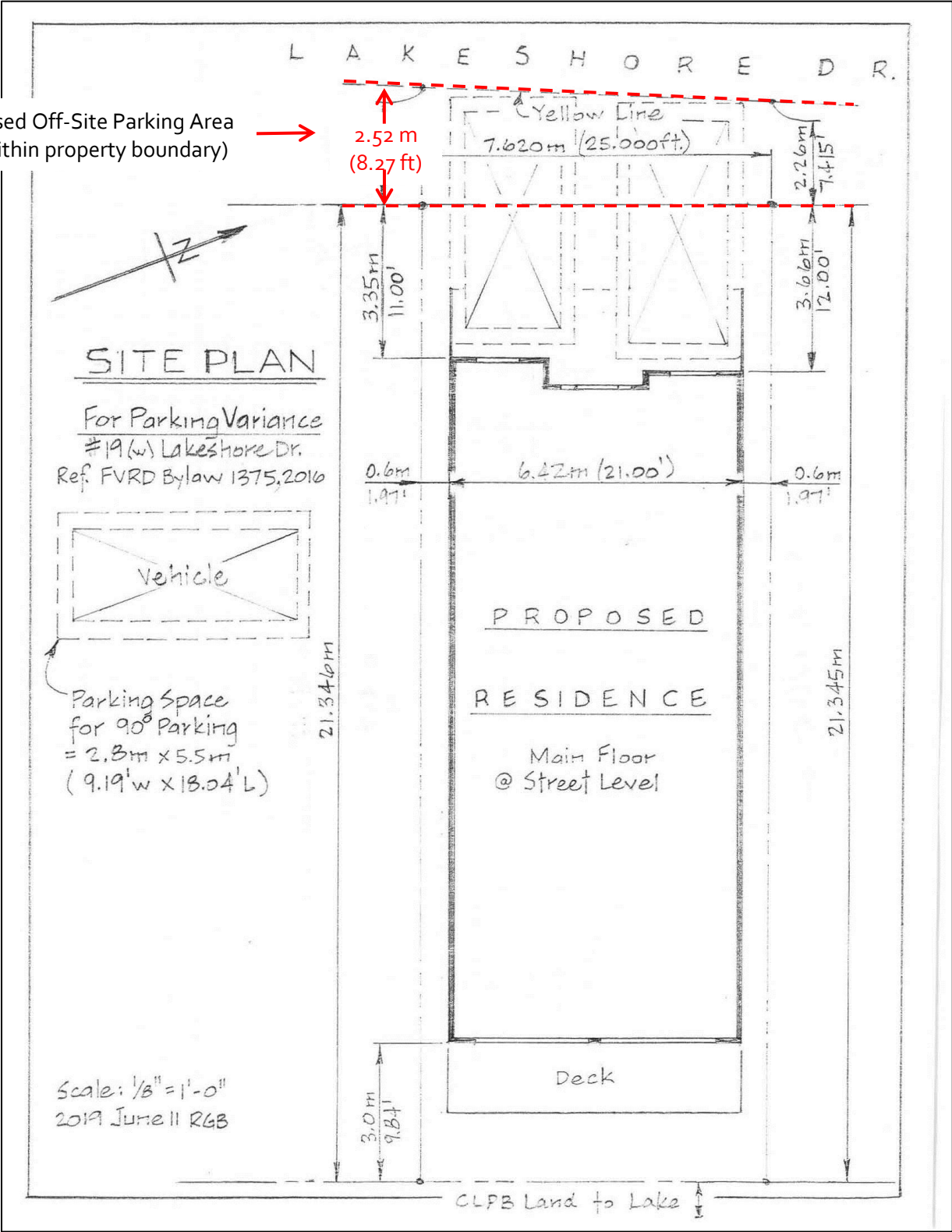
Not available for comment.

Jennifer Kinneman, Acting Chief Administrative Officer

Reviewed and supported.

Appendix A
Site Plan

Proposed Off-Site Parking Area
(not within property boundary)



Appendix B Cultus Lake APC Agenda & Minutes

CULTUS LAKE ADVISORY PLANNING COMMISSION



OPEN MEETING AGENDA

Wednesday, June 19, 2019
12:00 pm
Meeting Room 224, 2nd Floor, FVRD
45950 Cheam Avenue, Chilliwack, BC

	Pages
1. CALL TO ORDER	
2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS	
<u>MOTION FOR CONSIDERATION</u> THAT the Agenda, Addenda and Late Items for the Cultus Lake Advisory Planning Commission Meeting of June 19, 2019 be approved; AND THAT all delegations, reports, correspondence and other information set to the Agenda be received for information.	
3. MINUTES/MATTERS ARISING	
3.1 <u>Cultus Lake Advisory Planning Commission - May 15, 2019</u>	2
<u>MOTION FOR CONSIDERATION</u> THAT the Minutes of the Cultus Lake Advisory Planning Commission of May 15, 2019 be adopted.	
4. NEW BUSINESS	
4.1 <u>Development Variance Permit - 19 Lakeshore Drive -Off-Street Parking</u>	7
• Application	
5. ADJOURNMENT	
<u>MOTION FOR CONSIDERATION</u> THAT the Cultus Lake Advisory Planning Commission Meeting of June 19, 2019 be adjourned.	



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 12:04 pm*)

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



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

Receipt

Date June 11, 2019

Received from Rosemary Burrows

Description of Payment and GL Code _____

Development Variance Permit,

19 Lakeshore Drive,

Cultus Lake.

GST #89221 4750 RT0001

For Office Use Only
Do not write in the space below

Fraser Valley Regional District

Receipt: 8875/3 Jun 11, 2019
Dated: Jun 11, 2019 03:06:15 PM
Station: EA SERVICE/CASH2

1 PLANNING DVP - 19 LAKESHORE DR 350.00

Total 350.00

VISA ROSEMARY BURROWS -350.00

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

Civic
Address 19 Lakeshore Drive PID _____

Legal Lot 19W Block _____ Section _____ Township _____ Range _____ Plan _____
Description Land District 36 Lease Cultus Lake Park

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

*See Box
application*

Name of Owner (print)	Signature of Owner	Date
Name of Owner (print)	Signature of Owner	Date

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 ROGER G. BURROWS		Company	
Address 226 FIRST AVENUE		City CULTUS LAKE	
Email [REDACTED]		Postal Code V2R 4Y4	
Cell [REDACTED]		Fax —	

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

Signature of Agent [Signature]	Date 2019 JUNE 11
-----------------------------------	----------------------

Development Details

Property Size _____ Present Zoning _____

Existing Use _____

Proposed Development _____

Proposed Variation / Supplement _____

(use separate sheet if necessary)

Reasons in Support of Application _____

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.

Page 3 of 4

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@fvrld.ca.

Page 4 of 4

Roger and Rosemary Burrows, 226 First Avenue, Cultus Lake, B.C. V2R 4Y4

To: Fraser Valley Regional District
45950 Cheam Avenue
Chilliwack, B.C. V2P 1N6

Date: 2019 June 11

Dear Sirs:

Re: Application for Parking Variance for 19 Lakeshore Drive, Cultus Lake

Please accept the attached "Application to Board of Variance" and related documents for consideration by the Cultus Lake Park Advisory Planning Commission (APC) at their June 19 meeting.

Proposed Variance:

To provide two parking spaces within the lot lines and the existing yellow line, as shown on the attached drawings and similar to the attached photos. These parking spaces would be at 90 degrees, rather than parallel as indicated in the by-law. All other aspects of the proposed residence would be in accordance with the by-law.

Reasons in Support of Application:

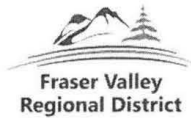
The current by-law requires parking for two vehicles. The by-law also calls for a parallel parking space of 7.3 metres (23.95 ft), while the lot is only 7.620 m (25.00 feet) wide. This would "trap" one vehicle, requiring the other to be moved before any use.

Indenting the dwelling and parking the vehicles at 90 degrees (rather than parallel to the street) permits both vehicles to be accessed without moving the other, as seen in the photos. Additionally, both vehicles, if electric, can be easily plugged-in for charging. No additional space is required beyond that for parallel parking.

In support of the variance are the following attached documents, as advised by Graham Daneluz:

- 1 Schedule A - Application to Board of Variance
- 2 FVRD Letter of Authorization
- 3 Tunbridge survey drawing G852EL FBC371/65-66, including location of existing buildings
- 4 Site Plan showing location of proposed residence and vehicle parking
- 5 Front Elevation of proposed residence showing vehicle parking
- 6 Photographs showing existing dwellings with similar 90 degree parking as proposed, on the same street (Lakeshore Dr) at Cultus Lake.

Thank-you



Fraser Valley Regional District

45950 Cheam Avenue, Chilliwack, BC V2P 1N6

Tel: (604)702-5000 or 1-800-528-0061

Fax: (604) 792-9684

SCHEDULE A

Application to Board of Variance

I / We hereby apply to the Fraser Valley Regional District Board of Variance for:

- ☐ A minor variance from bylaw requirements due to hardship [LGA s. 901(1)(a)]*
- ☐ Structural alteration or addition to non-conforming structure [LGA s. 901(1)(c) and 911(5)]*
- ☒ Other (describe) PARKING VARIANCE LGA* s. FVRD
BY-LAW 1325, 2016

* LGA means Local Government Act

An Application Fee in the amount of \$ _____ as stipulated in FVRD Board of Variance Establishment Bylaw No. 0903, 2008 must be paid upon submission of this application.

Address of Subject
Property

19 LAKESHORE DRIVE

Legal
Description

Lot 19W Block _____ Section _____ Township _____ Range _____ Plan _____

LAND DISTRICT 36 LEASE CULTUS LAKE PARK PID 700-010-542

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>ROBERT MITCHELL</u>	Signature of Owner <u>X</u>	Date <u>X</u>
Name of Owner (print)	Signature of Owner	Date

Owner
Contact
Information

Please print clearly.

Address <u>610 226 FIRST AVE</u>	City <u>CULTUS LAKE</u>
<u>VAR 4 4</u>	

Office Use
Only

	Date	File No.
Received	Received By	Folio No.
Complete Application		
Required Documents	Receipt No.	Fees
		\$

Fraser Valley Regional District

45950 Cheam Avenue, Chilliwack, BC V2P 1N6

Agent

I hereby give permission to ROGER BURROWS 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 <u>X</u>	Date <u>X</u>
Signature of Owner	Date

Agent's contact information and declaration

Name of Agent <u>ROGER BURROWS</u>		Company	
Address <u>226 FIRST AVE</u>		City <u>CULTUS LAKE</u>	
Email		Postal Code <u>VAR 4Y4</u>	
Cell		Fax	

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

Signature of Agent <u>RGBurrows</u> <u>ROGER G. BURROWS</u>	Date <u>2019 June 11</u>
---	-----------------------------

Variance Details

Property Size 162.738 Present Zoning R-3
(m² or ha)

Existing Use RESIDENTIAL

Proposed Development RESIDENTIAL

Proposed Variance

TO PROVIDE TWO PARKING SPACES WITHIN THE LOT LINES AND THE EXISTING YELLOW LINE, AS SHOWN ON THE ATTACHED SKETCH AND SIMILAR TO THE ATTACHED PHOTOS, THESE PARKING SPACES WOULD BE AT 90 DEGREES, RATHER THAN PARALLEL AS INDICATED IN THE BYLAW. ALL OTHER ASPECTS OF THE PROPOSED DWELLING WOULD BE IN ACCORDANCE WITH THE BY-LAW
(use separate sheet if necessary)

Reasons in
Support of
Application

THE CURRENT BY-LAW REQUIRES PARKING FOR TWO VEHICLES. THE BY-LAW ALSO CALLS FOR A PARALLEL PARKING SPACE OF 7.3 METRES (23.95 FT), WHILE THE LOT IS ONLY 7.620M (25.00 FT) WIDE. THIS WOULD "TRAP" ONE VEHICLE, REQUIRING THE OTHER TO BE MOVED BEFORE ANY USE.

PARKING THE VEHICLES AT 90 DEGREES (RATHER THAN PARALLEL TO THE STREET) PERMITS BOTH VEHICLES TO BE ACCESSED WITHOUT MOVING THE OTHER. ADDITIONALLY, BOTH VEHICLES, IF ELECTRIC, CAN BE EASILY PLUGGED-IN FOR CHARGING. NO ADDITIONAL SPACE IS REQUIRED BEYOND PARALLEL PARKING.

(use separate sheet if necessary)

Supporting Information
(check applicable boxes)

- ☐ Location map
- ☒ Site plan showing dimensions of property, easements and location of existing buildings
- ☒ Location of proposed buildings, alterations or additions, including any proposed variances
- ☐ Location of any watercourses, streams, or ponds
- ☐ Location of existing or proposed water supplies, septic systems or other services
- ☐ Letters of support if applicable
- ☒ Other supporting information or reports (describe) _____

SURVEY
FRONT ELEVATION

In accordance with the *Freedom of Information and Protection of Privacy Act*, the personal information on this form is being collected under the authority of Part 26 of the *Local Government Act* and will be collected, used or disclosed only in a manner consistent with the administration of the Management of Development of the Fraser Valley Regional District. If you have any questions about the collection, use or disclosure of this information, please contact the Information Officer of the Fraser Valley Regional District at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6, Tel 604.702.5000 or 1.800.528.0061.

example parking

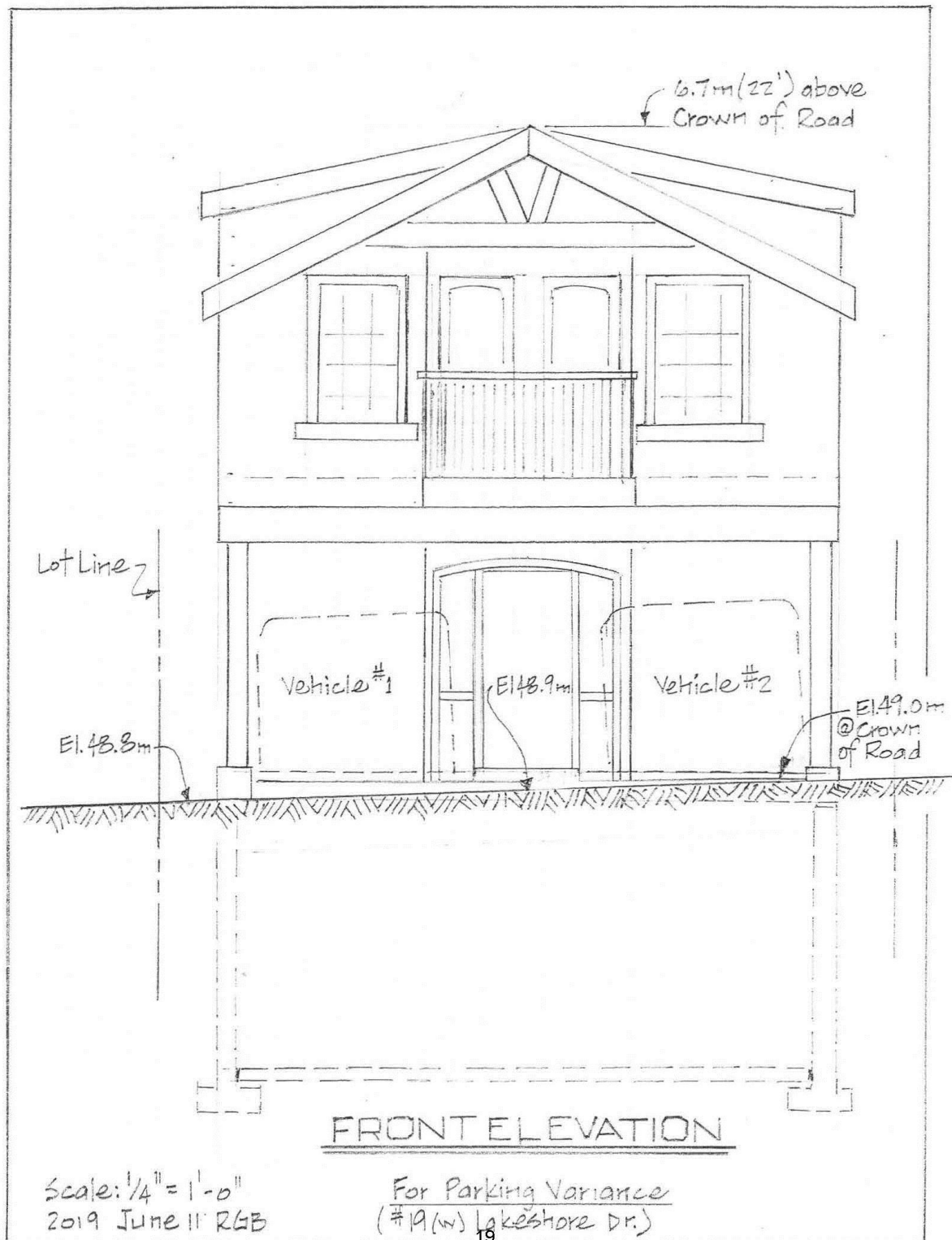


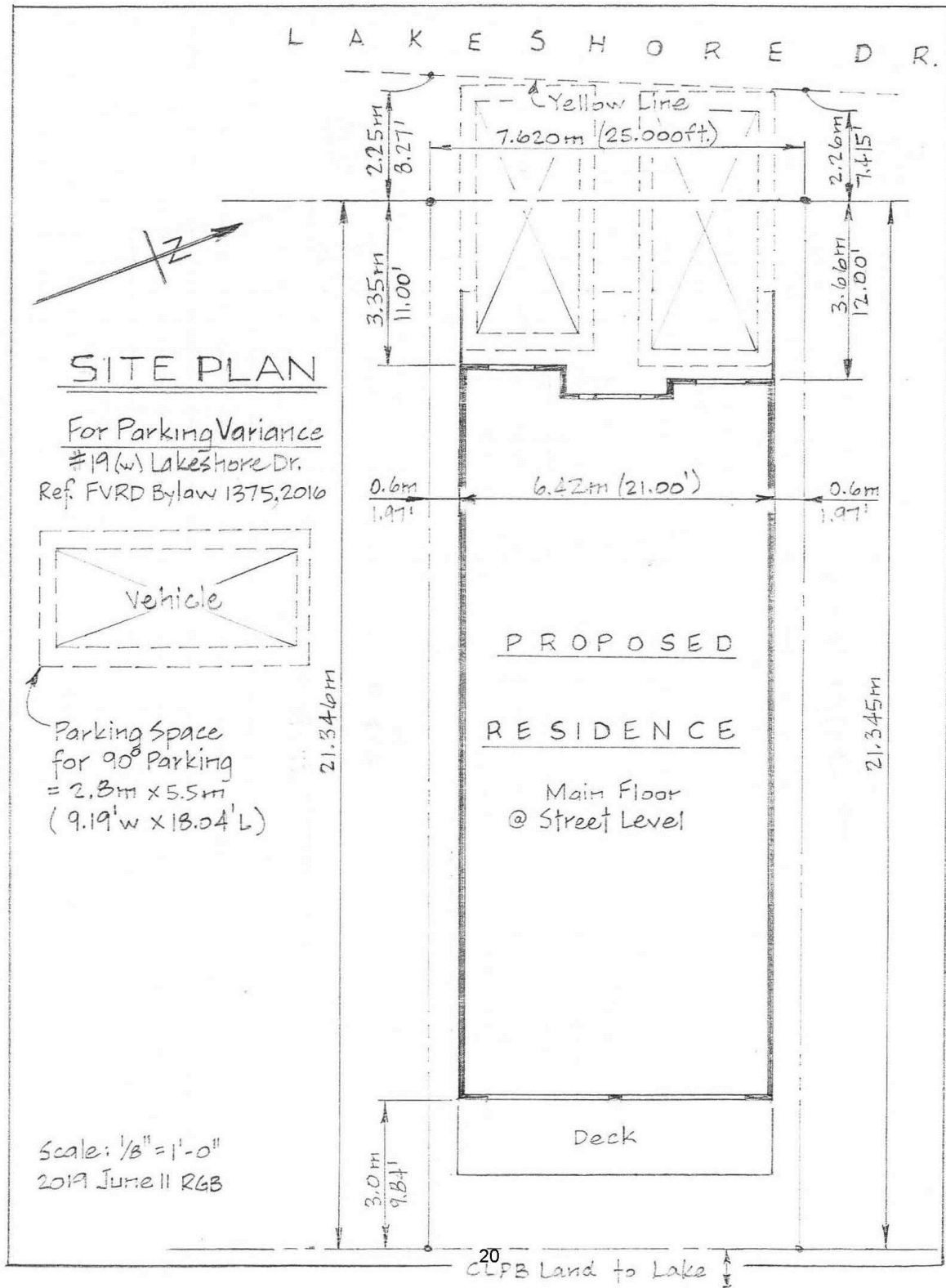
17

example parking



18



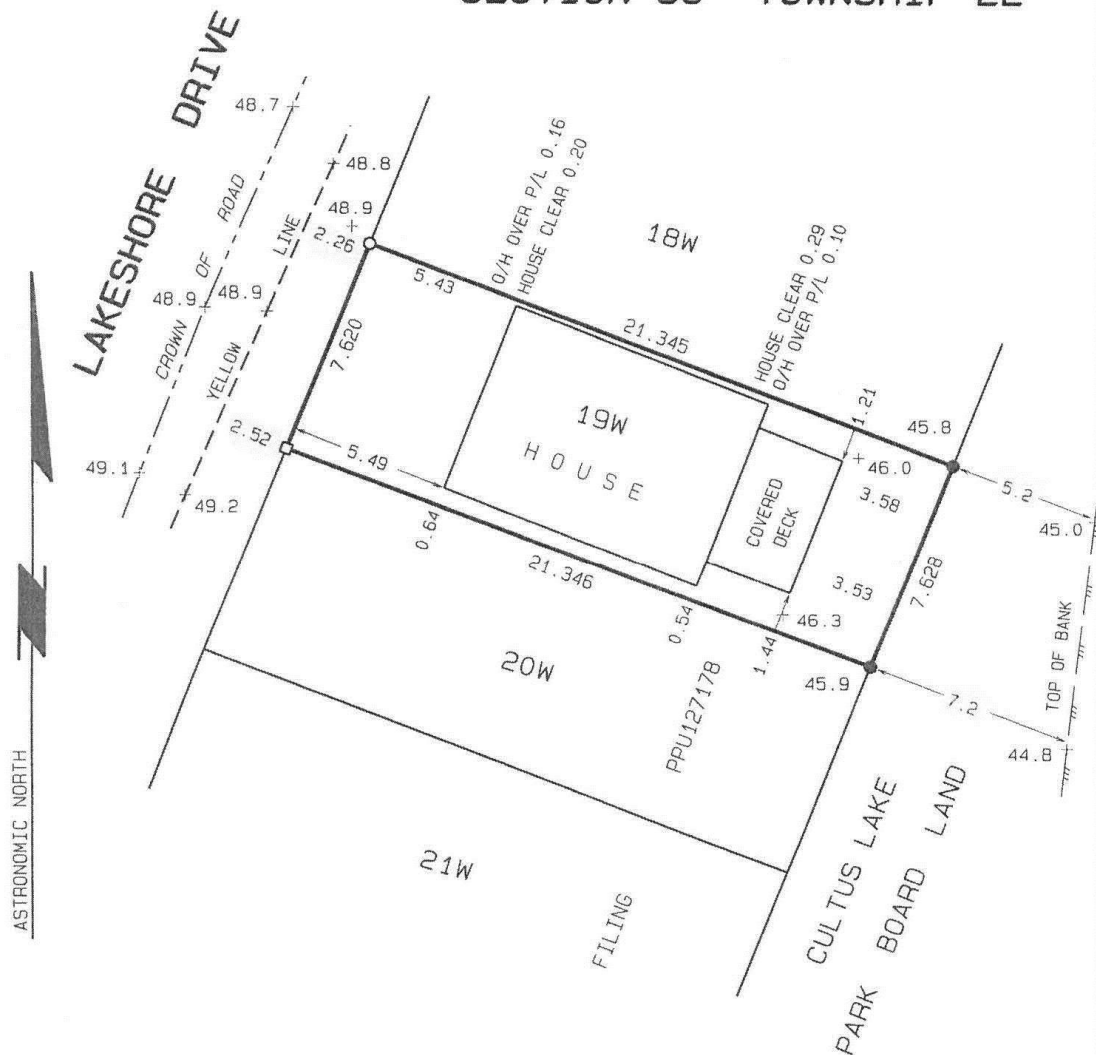


BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION

LEASED LOT 19W LAKESHORE DRIVE
CULTUS LAKE BC

SCALE 1: 200 (METRIC)

SECTION 36 TOWNSHIP 22



ASTRONOMIC NORTH

OFFSETS TO YELLOW LINE AND TOB
ADDED MAY 28/18 AWT

ALLAN WILLIAM
LAND SURVEYOR
NO. 7777

- DENOTES OLD IRON POST FOUND
- DENOTES IRON POST PLACED
- LEAD PLUG PLACED

ALL RIGHTS RESERVED. NO PERSON MAY COPY,
REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE
OR IN PART WITHOUT THE CONSENT OF THE SIGNATORY.
LOT DIMENSIONS FROM FIELD SURVEY

21 ELEVATIONS ARE IN METRES, GEODETIC

From:
To: [Planning Info](#)
Subject: Variance for lot 19 lakeshore dr cultus lake
Date: June-18-19 8:20:49 AM

Thank you for your letter informing me of the variance request fir my neighbor.
I have no problem with this variance and support it.
Sincerely
Trish Williams
17 Lakeshore dr

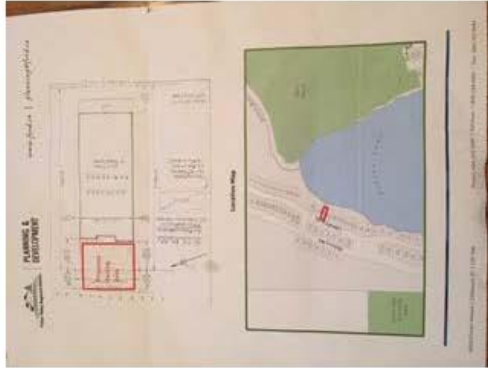
Sent from my iPhone

From:
To: [Planning Info](#)
Subject: File 3090-20-2019-19
Date: June-18-19 8:53:52 AM

>> Attn: Planning and Development
>> FVRD
>> We support the application for a parking area variance for 19 Lakeshore Drive.
>>
>> Dave and Andrea Clyne
>>
>> 2 Lakeshore Drive
>

From:
To: [Planning Info](#)
Subject: IMG_1250.JPG
Date: June-18-19 9:38:22 AM

I support the variance for 19 Lakeshore drive.
My name is Natalie Chew of 211 Lakeshore drive.
Please contact me for any concerns.
Best regards Natalie



Sent from my iPhone

From:
To: [Planning Info](#)
Subject: Fwd: parking variance lakeshore drive
Date: June-18-19 12:12:53 PM

Please note the lot # should read #19

----- Forwarded Message -----

Subject: parking variance lakeshore drive
Date: Tue, 18 Jun 2019 09:51:26 -0700

As I understand the Cultus Lake Parks Board is in support of a change to the current Parking Bylaws to allow this application but timing is an issue regards Lot # 25 and potentially others.

Therefore I support this application for a variance.

Brian Sims

226 Lakeshore Drive

604-858-9320



Virus-free. www.avast.com

From: .
To: [Planning Info](#)
Subject: Re: Variance Permit DVP2019-19
Date: June-18-19 2:42:09 PM

On Jun 18, 2019, at 2:39 PM, Nan Vye wrote:

Attention: Tracey Heron

Regarding the parking situation for lot 19W, and Lakeshore Drive parking in general, the parking areas behind the houses are not adequate. We live at 22 Lakeshore Drive, and have noted that the behind house parking situation has become a problem. Vehicles park over the yellow line and park any way to fit. It should not have to look like this.

The area behind 19W is a cement wall and often a vehicle is parked over the yellow line making it impossible for an emergency vehicle to pass. We feel an attempt should be made to make more parking area within the lot boundaries with access over park property, and not to allow so much private parking on park property.

Sincerely

Nanette Vye
Fred Granzow

22 Lakeshore Drive
Cultus Lake BC
V2R 4Z9

From:

[Info](#)

Subject: DVP 2019-19

Date: June-18-19 7:35:53 PM

As neighbors of #19 Lakeshore Drive, we fully approve this variance. Helen and Ernie Pauls #18
Lakeshore Drive



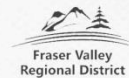
CULTUS LAKE PARK DEVELOPMENT VARIANCE PERMIT 2019-19

June 19, 2019

DVP FOR 19 LAKESHORE DRIVE

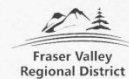


Address	19 Lakeshore Drive
Registered Lease Holder	Robert Mitchell
Applicant	Roger Burrows
Lot Area	162 sq. m. (1,743 sq. ft.)
Zoning	Waterfront Residential (R-3)



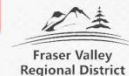
DVP 2019-19 APPLICATION

- 19 Lakeshore Drive
 - Demolish existing single family dwelling and construct a new single family dwelling.
 - To provide two 90° parking spaces using the property and the space within the road right-of-way (yellow line).



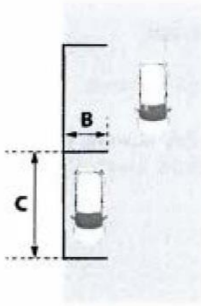
PARKING REQUIREMENTS

COLUMN I	COLUMN II
5.3.3.1 <i>Density per Lot</i>	One (1) Single-Detached Dwelling Unit
5.3.3.2 <i>Maximum Lot Coverage for all Buildings/Structure for lots with a lot width greater than 7.6 m or a length greater than 19.8 m.</i>	60%
<i>Maximum Building /Structure Height</i>	
5.3.3.3 <i>Principal Building/Structure</i>	6.7m (22ft) Maximum two (2) Stories plus Basement or Crawlspace and roof.
5.3.3.4 <i>Accessory Building/Structure (less than 10m2)</i>	3m (10ft)
5.3.3.5 <i>Accessory Building/Structure (greater than 10m2)</i>	4m (13ft)
5.3.3.6 <i>Parking spaces</i>	2

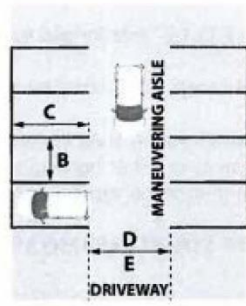


PARKING REQUIREMENTS

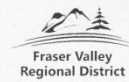
PARALLEL PARKING (0°)



90° PARKING

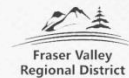


Parking Angle	Space Width	Space Length
0° (Parallel)	2.1 m (6.9 ft)	7.3 m (24 ft)
90°	2.8 m (9.2 ft)	5.5 m (18 ft)

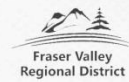


LETTERS OF SUPPORT/OPPOSITION

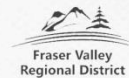
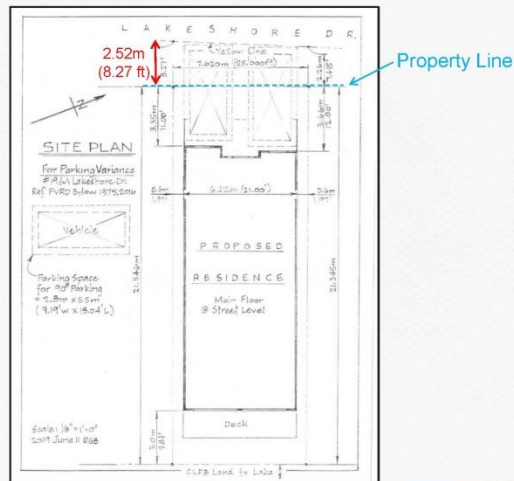
- To date we have received 5 letters of support and 1 letter of opposition from surrounding property owners.



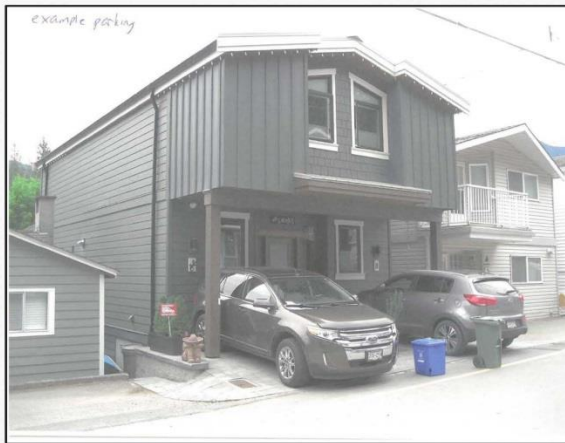
PROPOSED FRONT ELEVATION DRAWING



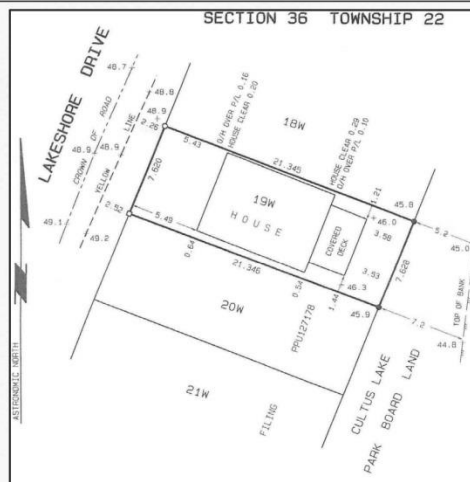
PROPOSED SITE PLAN



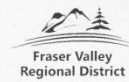
EXAMPLE OF PARKING PLAN



CURRENT SITE PLAN



STREETSCAPE – CURRENT SFD



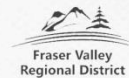
STREETSCAPE – NEIGHBOURING SFD



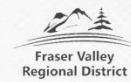
STREETSCAPE – NEIGHBOURING SFD



STREETSCAPE – NEIGHBOURING SFD

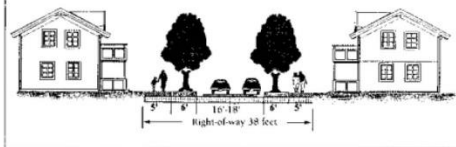


ROAD WIDTH AT 19 LAKESHORE DRIVE



ROAD STANDARD EXAMPLES

Street Design Guidelines for Healthy Neighbourhoods



Lane

Purpose: Provides access to single-family homes

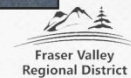
Street Features

- Street width 16-18 ft. with curb, gutter and informal parking
- Planting strips 6 ft.
- Sidewalks 5 ft. on each side
- Average speed 15 mph
- Requires a 38-foot ROW
- Utility location — underground or alley
- Drainage — Curb and gutter
- Two to six blocks long

Buildings and Land Use

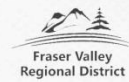
- Residential — primarily single family
- Buildings brought close to sidewalk
- Consistent building line recommended

MOTI Road Standard



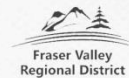
AVERAGE VEHICLE SIZES

- Average car width 6ft -6.5ft (1.8m-2m)
 - Small Car 5.9 ft(1.79m)
 - Large Pickup 6.8 ft (2m)
- Average car length 15 ft (4.5m)
 - Small Car 13.8 ft (4.2m)
 - Large Pickup 18.4 ft (5.6m)



FURTHER CONSIDERATIONS

- Road safety (variety of users)
- Service vehicle access (garbage & snow removal, contractors, emergency vehicles)
- Cumulative effect of parking on lakefront lots





CULTUS LAKE ADVISORY PLANNING COMMISSION OPEN MEETING MINUTES

Wednesday, June 19, 2019
12:00 pm
Meeting Room 224, 2nd Floor, FVRD
45950 Cheam Avenue, Chilliwack, BC

Members Present:

Darcy Bauer, Chair
Larry Payeur, Vice Chair
Casey Smit
Joe Lamb

Regrets:

David Renwick

Staff and Representatives Present:

Taryn Dixon, Director, Electoral Area H
Graham Daneluz, Deputy Director of Planning and Development
Jaime Reilly, Manager of Corporate Administration
Andrea Antifaeff, Planner 1
Tracey Heron, Planning Assistant

Also Present:

Bonny Bryant, Chief Administrative Officer, Cultus Lake Park
Two applicants with respect to item 4.1.

1. CALL TO ORDER by Staff

Chair Bauer called the meeting to order at 12:04 p.m.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

LAMB/SMIT

THAT the Agenda, Addenda and Late Items for the Cultus Lake Advisory Planning Commission Meeting of June 19, 2019 be approved;

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

CARRIED

3. MINUTES/MATTERS ARISING

3.1 Cultus Lake Advisory Planning Commission – May 15, 2019

LAMB/PAYEUR

THAT the Minutes of the Cultus Lake Advisory Planning Commission of May 15, 2019 be adopted.

CARRIED

4. NEW BUSINESS

4.1 Development Variance Permit – 19 Lakeshore Drive – Off-Street Parking

Andrea Antifaeff, Planner 1 provided a PowerPoint presentation highlighting the zoning bylaw parking requirements for the subject lot, and images that showed the paved portion and travelled portion of Lakeshore Drive were less than Ministry of Transportation and Infrastructure road standards.

Discussion ensued regarding safety for pedestrians and bicyclists, and limited access for garbage trucks and emergency vehicles on Lakeshore Drive.

A question was raised by the applicant regarding the current bylaw which requires parking for two vehicles. The applicant expressed concerns regarding parallel parking, and noted that parking the vehicles at 90 degrees allows both vehicles to be easily accessed.

Comments were offered regarding the need to address road width issues and for an updated bylaw to provide a more comprehensive approach to parking.

LAMB/PAYEUR

THAT Development Variance Permit application 2019-19 to allow for two parking stalls at 90 degree to Lakeshore Drive is recommended to be approved.

DEFEATED

Bauer and Smit Opposed

6. ADJOURNMENT

PAYEUR/LAMB

THAT the Cultus Lake Planning Advisory Commission Open Meeting of June 19, 2019
be adjourned.

CARRIED

The Cultus Lake Planning Advisory Commission Open Meeting adjourned at 12:36 p.m.

MINUTES CERTIFIED CORRECT:

.....
Darcy Bauer, Chair



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

Receipt

Date June 11, 2019

Received from Rosemary Burrows

Description of Payment and GL Code _____

Development Variance Permit,
19 Lakeshore Drive,
Cultus Lake.

GST #89221 4750 RT0001

For Office Use Only
Do not write in the space below

Fraser Valley Regional District

Receipt: 8875/3 Jun 11, 2019
Dated: Jun 11, 2019 03:06:15 PM
Station: EA SERVICE/CASH2

1 PLANNING DVP -- 19 LAKESHORE DR 350.00

Total	350.00
VISA ROSEMARY BURROWS	-350.00

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

Civic Address 19 Lakeshore Drive PID _____

Legal Description Lot 19W Block _____ Section _____ Township _____ Range _____ Plan _____
Land District 36 Lease Cultus Lake Park

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

*See BOV
application*

Name of Owner (print)	Signature of Owner	Date
Name of Owner (print)	Signature of Owner	Date

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 ROGER G. BURROWS	Company	
Address 226 FIRST AVENUE		City CULTUS LAKE
Email [REDACTED]		Postal Code V2R 4Y4
Cell [REDACTED]		Fax —

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

Signature of Agent 	Date 2019 JUNE 11
---	-----------------------------

Development Details

Property Size _____ Present Zoning _____

Existing Use _____

Proposed Development _____

Proposed Variation / Supplement _____

(use separate sheet if necessary)

Reasons in Support of Application _____

Provincial Requirements

(This is not an exhaustive list; other provincial regulations will apply)

Riparian Areas Regulation

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

yes no
☐ ☐

30 metres of the high water mark of any water body

yes no
☐ ☐

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

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

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

Contaminated Sites Profile

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

yes no
☐ ☐

the property has been used for commercial or industrial purposes.

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

Archaeological Resources

Are there archaeological sites or resources on the subject property?

yes no I don't know
☐ ☐ ☐

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

Required Information

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

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

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

Roger and Rosemary Burrows, 226 First Avenue, Cultus Lake, B.C. V2R 4Y4

To: Fraser Valley Regional District
45950 Cheam Avenue
Chilliwack, B.C. V2P 1N6

Date: 2019 June 11

Dear Sirs:

Re: Application for Parking Variance for 19 Lakeshore Drive, Cultus Lake

Please accept the attached "Application to Board of Variance" and related documents for consideration by the Cultus Lake Park Advisory Planning Commission (APC) at their June 19 meeting.

Proposed Variance:

To provide two parking spaces within the lot lines and the existing yellow line, as shown on the attached drawings and similar to the attached photos. These parking spaces would be at 90 degrees, rather than parallel as indicated in the by-law. All other aspects of the proposed residence would be in accordance with the by-law.

Reasons in Support of Application:

The current by-law requires parking for two vehicles. The by-law also calls for a parallel parking space of 7.3 metres (23.95 ft), while the lot is only 7.620 m (25.00 feet) wide. This would "trap" one vehicle, requiring the other to be moved before any use.

Indenting the dwelling and parking the vehicles at 90 degrees (rather than parallel to the street) permits both vehicles to be accessed without moving the other, as seen in the photos. Additionally, both vehicles, if electric, can be easily plugged-in for charging. No additional space is required beyond that for parallel parking.

In support of the variance are the following attached documents, as advised by Graham Daneluz:

- 1 Schedule A - Application to Board of Variance
- 2 FVRD Letter of Authorization
- 3 Tunbridge survey drawing G852EL FBC371/65-66, including location of existing buildings
- 4 Site Plan showing location of proposed residence and vehicle parking
- 5 Front Elevation of proposed residence showing vehicle parking
- 6 Photographs showing existing dwellings with similar 90 degree parking as proposed, on the same street (Lakeshore Dr) at Cultus Lake.

Thank-you

SCHEDULE A

Application to Board of Variance

I / We hereby apply to the Fraser Valley Regional District Board of Variance for:

- ☐ A minor variance from bylaw requirements due to hardship [LGA s. 901(1)(a)]*
- ☐ Structural alteration or addition to non-conforming structure [LGA s. 901(1)(c) and 911(5)]*
- ☒ Other (describe) PARKING VARIANCE LGA* s. FVRD

BY-LAW 1375, 2016

* LGA means Local Government Act

An Application Fee in the amount of \$_____ as stipulated in FVRD Board of Variance Establishment Bylaw No. 0903, 2008 must be paid upon submission of this application.

**Address of Subject
Property**

19 LAKESHORE DRIVE

**Legal
Description**

Lot 19W Block _____ Section _____ Township _____ Range _____ Plan _____

LAND DISTRICT 36 LEASE CULTUS LAKE PARK PID 700-010-542

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>ROBERT MITCHELL</u>	Signature of Owner <u>X</u>	Date <u>X</u>
Name of Owner (print)	Signature of Owner	Date

Please print clearly.

**Owner
Contact
Information**

Address <u>211 FIRST AVE</u>	City <u>CULTUS LAKE</u>
<u>VAR 4 4</u>	

**Office Use
Only**

	Date	File No.
Received	Received By	Folio No.
Complete Application		
Required Documents	Receipt No.	Fees
		\$

Agent

I hereby give permission to ROGER BURROWS 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 <u>X</u>	Date <u>X</u>
Signature of Owner	Date

Agent's contact information and declaration

Name of Agent <u>ROGER BURROWS</u>	Company
Address <u>226 FIRST AVE</u>	City <u>CULTUS LAKE</u>
Email	Postal Code <u>V2R 4Y4</u>
Cell	Fax

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

Signature of Agent <u>RGB</u>	Date <u>2019 June 11</u>
----------------------------------	-----------------------------

ROGER G. BURROWS

Variance Details

Property Size 162.738 Present Zoning R-3
(m² or ha)

Existing Use RESIDENTIAL

Proposed Development RESIDENTIAL

Proposed Variance

TO PROVIDE TWO PARKING SPACES WITHIN THE LOT LINES AND THE EXISTING YELLOW LINE, AS SHOWN ON THE ATTACHED SKETCH AND SIMILAR TO THE ATTACHED PHOTOS. THESE PARKING SPACES WOULD BE AT 90 DEGREES, RATHER THAN PARALLEL AS INDICATED IN THE BY-LAW. ALL OTHER ASPECTS OF THE PROPOSED DWELLING WOULD BE IN ACCORDANCE WITH THE BY-LAW

(use separate sheet if necessary)

Reasons in
Support of
Application

THE CURRENT BY-LAW REQUIRES PARKING FOR TWO VEHICLES. THE BY-LAW ALSO CALLS FOR A PARALLEL PARKING SPACE OF 7.3 METRES (23.95 FT), WHILE THE LOT IS ONLY 7.620M (25.00 FT) WIDE. THIS WOULD "TRAP" ONE VEHICLE, REQUIRING THE OTHER TO BE MOVED BEFORE ANY USE.

PARKING THE VEHICLES AT 90 DEGREES (RATHER THAN PARALLEL TO THE STREET) PERMITS BOTH VEHICLES TO BE ACCESSED WITHOUT MOVING THE OTHER. ADDITIONALLY, BOTH VEHICLES, IF ELECTRIC, CAN BE EASILY PLUGGED-IN FOR CHARGING. NO ADDITIONAL SPACE IS REQUIRED BEYOND PARALLEL PARKING.

(use separate sheet if necessary)

Supporting Information
(check applicable boxes)

- ☐ Location map
- ☒ Site plan showing dimensions of property, easements and location of existing buildings
- ☒ Location of proposed buildings, alterations or additions, including any proposed variances
- ☐ Location of any watercourses, streams, or ponds
- ☐ Location of existing or proposed water supplies, septic systems or other services
- ☐ Letters of support if applicable
- ☒ Other supporting information or reports (describe) _____

SURVEY
FRONT ELEVATION

In accordance with the *Freedom of Information and Protection of Privacy Act*, the personal information on this form is being collected under the authority of Part 26 of the *Local Government Act* and will be collected, used or disclosed only in a manner consistent with the administration of the Management of Development of the Fraser Valley Regional District. If you have any questions about the collection, use or disclosure of this information, please contact the Information Officer of the Fraser Valley Regional District at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6, Tel 604.702.5000 or 1.800.528.0061.

LETTER OF AUTHORIZATION

Registered Authority

Please be advised that I/we, ROBERT MITCHELL
(Print names of ALL Registered Owners or Corporate Director)

Representing, _____
(Corporate name - if applicable)

am/are the registered owner(s);

Site Civic Address:

19 LAKESHORE DRIVE

Lot# 19W Block _____ Plan _____ PID# 701-010-542
LAND DISTRICT 36
LEASE CULTUS LAKE PARK

Appointed Authorized Agent

Name of Authorized Agent ROGER BURROWS

Company Name _____

Mailing Address 226 FIRST AVE.

City: CULTUS LAKE Postal Code: V2R 4Y4

Email: _____

Phone: _____ Fax: _____

Signature of Authorized Agent X ROGER BURROWS

(ROGER G. BURROWS)

Permission to act:

As my/our Authorized Agent in the matter of the following:

- ☐ to view and obtain copies of all plans and permits
☐ to apply for and obtain building permits for proposed construction to the above reference Civic Address
☐ to apply for Planning File: Development Permit ☐ Development Variance Permit ☒ Subdivision ☐
☐ other: _____

Authorized Signature (Registered Owner or Corporate Director)

This document shall serve to notify the Fraser Valley Regional District that I am/we are the legal owner(s) of the property described above and do authorize the person indicated above ("Authorized Agent") to act on my/our behalf on all matters indicated above ("Permission to act") for the above referenced property. In addition, I/we have read and understand the above application and authorize the Authorized Agent to sign the above on my/our behalf.

X _____

Sign ROBERT MITCHELL

Print _____
Date: _____

X _____

Sign _____

Print _____
Date: _____

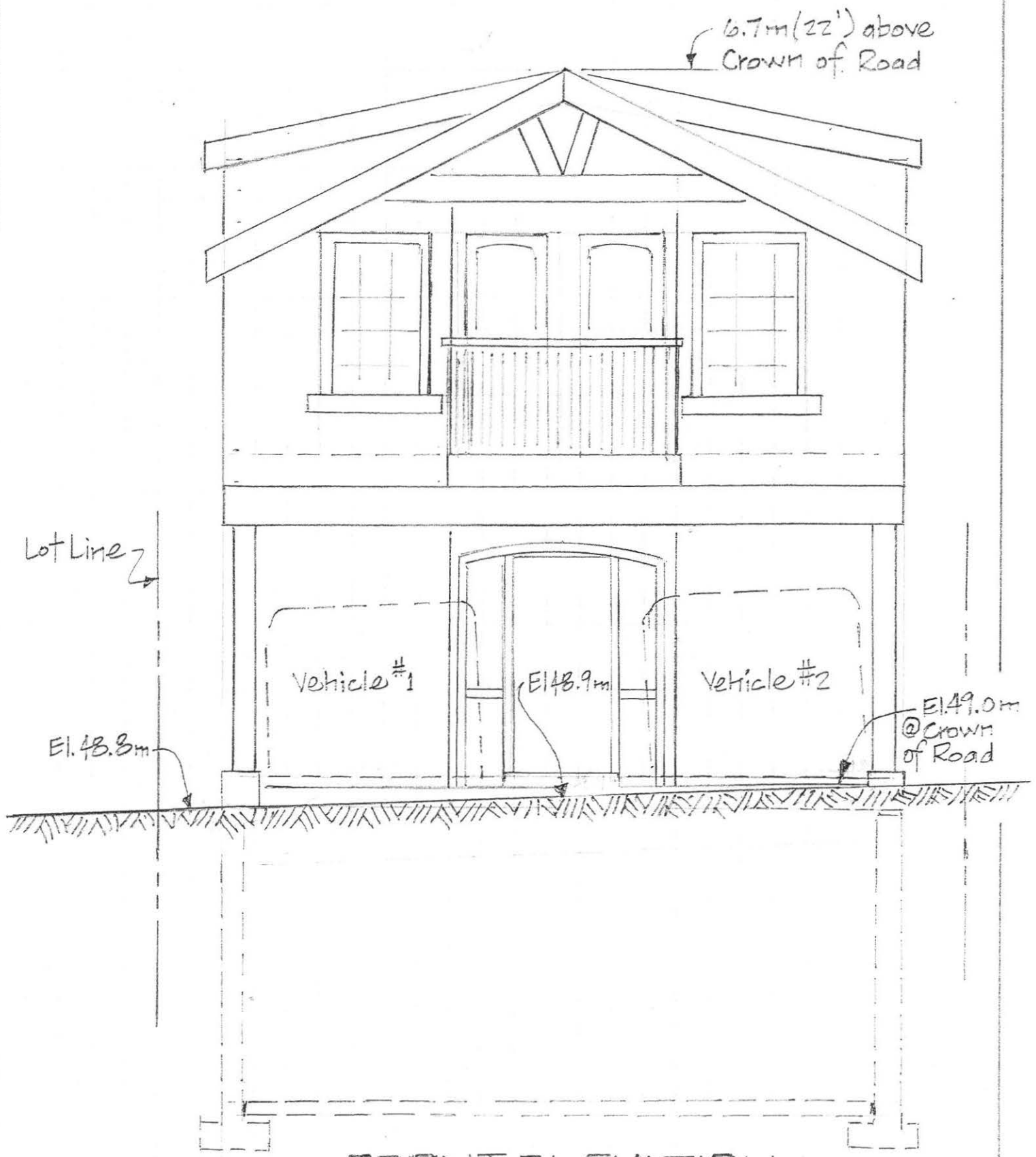
The personal information on this form is being collected in accordance with Section 27 of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996 Ch. 165 and the *Local Government Act*, RSBC 2015 Ch. 1. It will only be collected, used and disclosed for the purpose of administering matters with respect to planning, land use management and related services delivered, or proposed to be delivered, by the FVRD. Questions about the use of personal information and the protection of privacy may be directed to the FVRD Privacy Officer at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6, Tel: 1-800-528-0061 FOI@fvrd.ca.

example parking



example parking



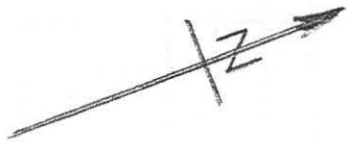


FRONT ELEVATION

Scale: $\frac{1}{4}" = 1'-0"$
 2019 June 11 RGB

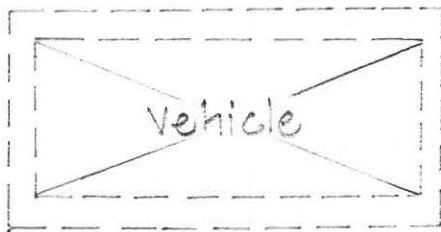
For Parking Variance
 (#19(W) Lakeshore Dr.)

L A K E S H O R E D R.



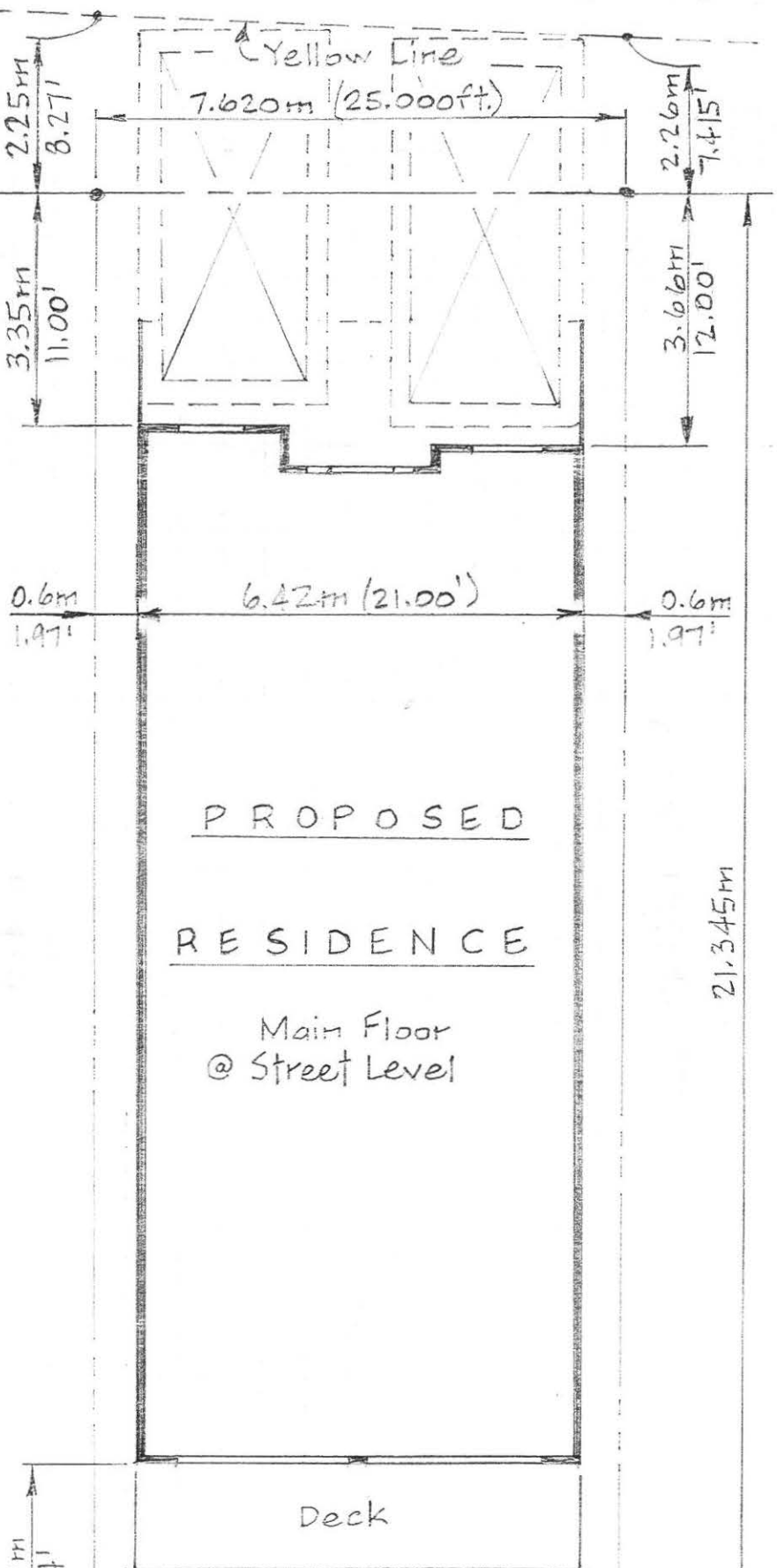
SITE PLAN

For Parking Variance
#19(w) Lakeshore Dr.
Ref. FVRD Bylaw 1375, 2016



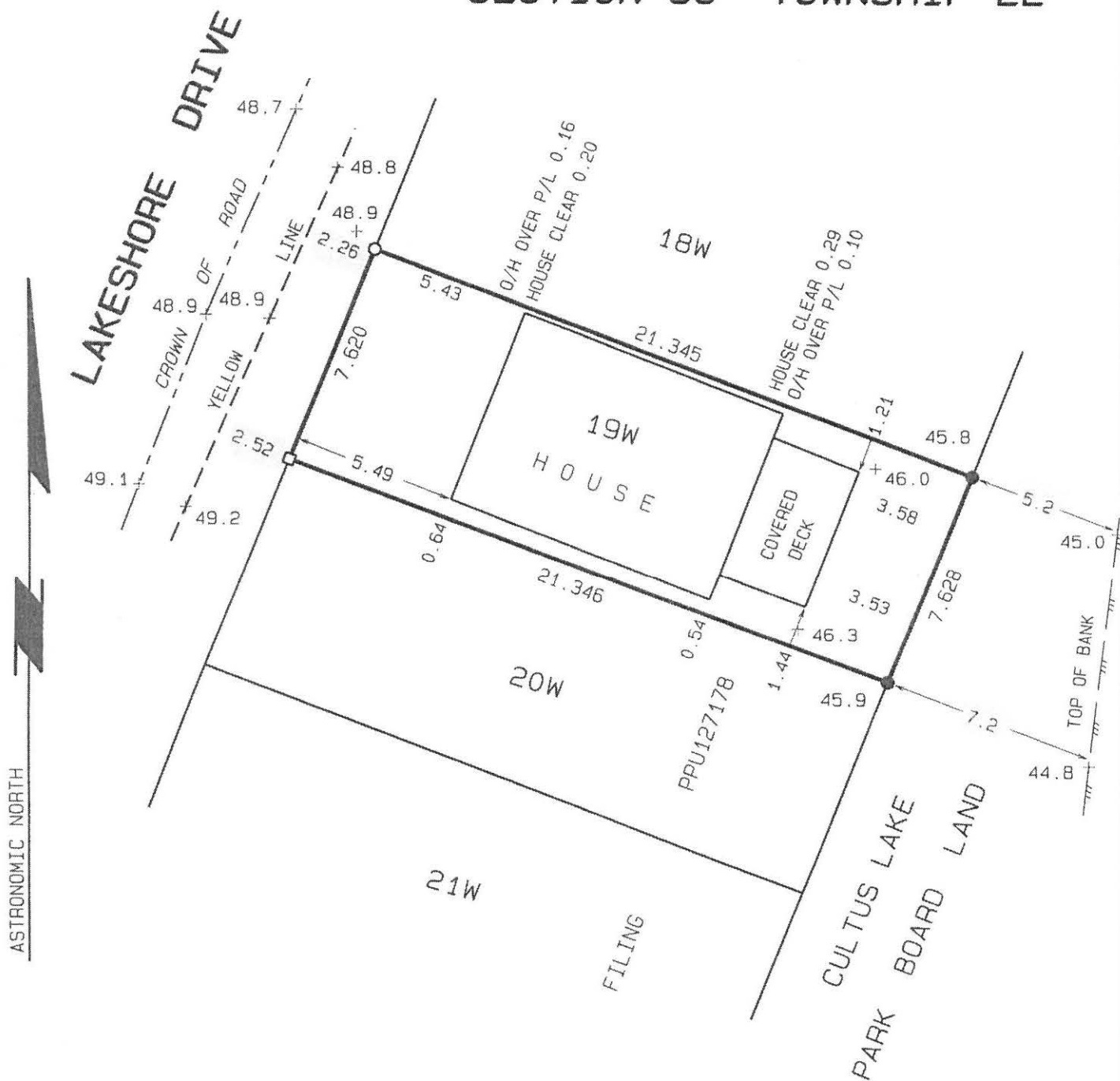
Parking Space
for 90° Parking
= 2.3m x 5.5m
(9.19'w x 18.04'L)

Scale: 1/8" = 1'-0"
2019 June 11 RGB



LEASED LOT 19W LAKESHORE DRIVE
CULTUS LAKE BC

SECTION 36 TOWNSHIP 22



- OFFSETS TO YELLOW LINE AND TOB
ADDED MAY 28/18 AWT

ALL RIGHTS RESERVED. NO PERSON MAY COPY,
REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE
OR IN PART WITHOUT THE CONSENT OF THE SIGNATORY.
LOT DIMENSIONS FROM FIELD SURVEY

147 ELEVATIONS ARE IN METRES, GEODETIC

From:
To: [Andrea Antifaeff](#)
Subject: DVP 2019-19
Date: June-28-19 3:47:35 PM

We would like to submit this letter to the FVRD Board on behalf of our DVP application 2019-19.

Thank-you

Roger Burrows

1. Re the DVP Meeting

We understand that this was the first Cultus Lake DVP application to be heard by the APC under the new FVRD process.

To start the meeting, FVRD Planning made a presentation on the DVP. The applicant was asked only one question by the chair which was unrelated to the DVP.

The chair did not invite the applicant to make a presentation prior to the vote, as has been the usual practice in all previous Cultus Lake variances.

Before the vote, a discussion ensued among commissioners with no input from the applicant. The width of the roadway dominated the discussion.

The applicant did not ask to encroach on the roadway any more than that permitted by the by-law. In the applicant's opinion, the variance should have dealt solely with a variance of the by-law, and should not have been influenced by the width of the roadway.

The vote was split at 2:2, but the commissioners continued to discuss the issue. The applicant asked to speak after the vote, but it was too late to affect the vote.

The meeting was adjourned.

2. New Information (post meeting)

One of the commissioners who voted against the DVP asked to meet with the applicants and to apologize for the variance meeting outcome.

He admitted that the meeting was "all very confusing" to him, and he had

misunderstandings about the implications of the tie vote. He also misinterpreted the measurements on the drawings.

After hearing the applicant's position, he confirmed that he would have voted differently if the applicant had been invited to make a presentation.

He also confirmed that he would have voted differently if the applicant had a chance to speak with him and explain what was being asked for prior to the meeting.

He also said that if he were given another chance, that he would support the variance.

3. The Presentation That Wasn't

Following points would have been covered in the applicant's presentation, which was not invited by the chair.

The applicants are both in their 70's and the new home will be designed for ageing-in-place.

The lot is only 25 feet wide, and has vehicle access only from Lakeshore Drive.

Parking one vehicle parallel inside the yellow line will "trap" a second vehicle in the garage (or carport), or possibly parallel against the house.

A garage consumes desirable living space on the main floor, which is a huge concern on a small 25-foot lot.

Most 25-foot Cultus homes with garages are used for storage, not for vehicles. This results in an actual loss of parking spaces, rather than the desired increase in parking availability.

Vehicles will have to be moved frequently to other parking spaces, or to the roadway, to access trapped vehicles. This will disrupt traffic flow.

Parking at 90 degrees within the yellow line solves these problems and also provides for future EV charging of both vehicles.

Other homes built before this by-law change are able to properly accommodate two vehicles parked at 90 degrees to the street, and within the yellow line. (see photos)

We understand that the by-law will not be revised until next year at earliest. Graham Williams (Northface Construction) has been booked for construction, starting with the demolition of the existing cottage in September.

Property values will likely be reduced if a garage is required in the home.

It is recognized that the travelled portion of the road is narrow, but this has been unchanged for decades, and is unlikely to change in the future.

The travelled portion between the yellow lines is and has been acceptable for the passage of emergency vehicles, garbage trucks, etc.

The existing travelled portion is compromised much more by retaining walls for uphill homes which encroach on park property, than by downhill homes.

The 90 degree parking arrangement requested is within the area defined by the by-law, i.e. inside the yellow line.

The applicant's Lot #19 is only two houses away from a much-wider roadway surface.

The utility pole next door at Lot #18 is only approximately two feet from the yellow line, and would prevent widening of the travelled portion of the road. (see photos in FVRD Planning presentation).

To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-20

Subject: Application for Development Variance Permit to reduce the required separation between mobile homes for #40-52324 Yale Road, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-20 to reduce the separation requirement between mobile homes from 20 feet (6.1 metres) to 19.5 feet (5.9 metres), between user site 40 and 41 at 52324 Yale Road, subject to the consideration of any comments or concerns raised by the public.

AND THAT Development Variance Permit 1992-13 be amended to permit site #40 to be used for a double wide mobile home.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

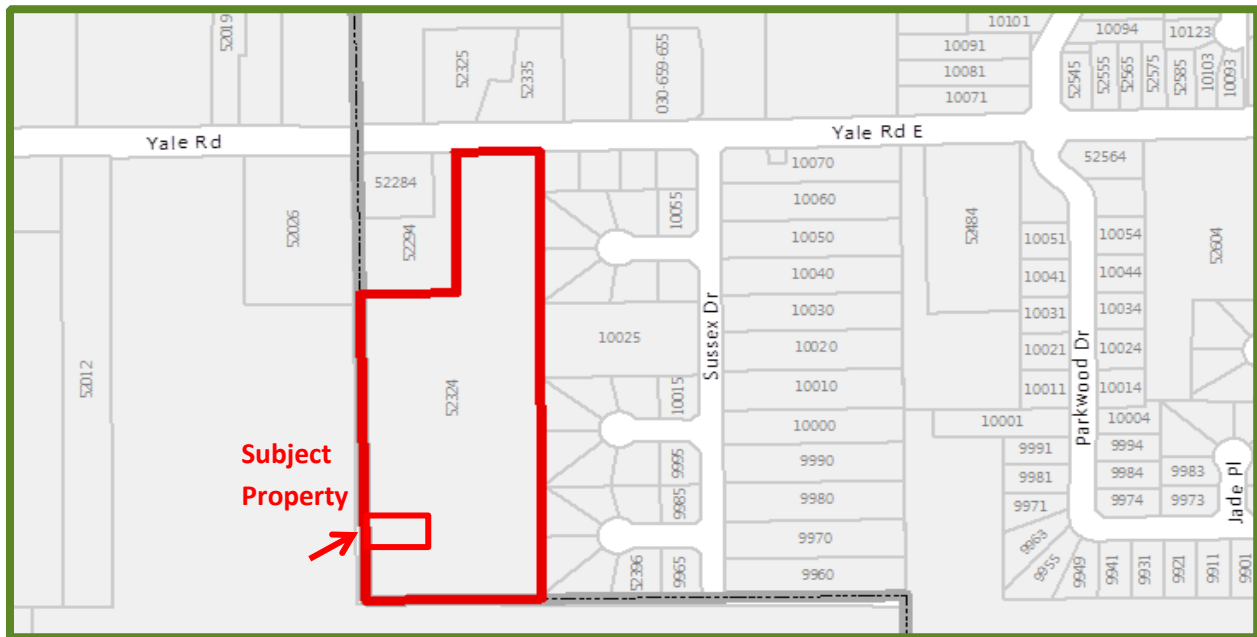
Gordania Estates is a 55 site mobile home park located at 52324 Yale Road, Electoral Area D. The applicant has applied for a Development Variance Permit (DVP) to reduce the separation requirement from an adjacent mobile home to facilitate the placement of a double wide mobile home on site 40.

PROPERTY DETAILS			
Electoral Area	D		
Address	40-52324 Yale Rd		
PID	007-174-659		
Folio	733-74040.002		
Owner	Gordania Estates	Agent	Site 40 - Sheri King
Current Zoning	Mobile Home Park (RMH)	Proposed Zoning	No change
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Development Permit Area	DPA 6-D (Riparian Areas)	ALR	No

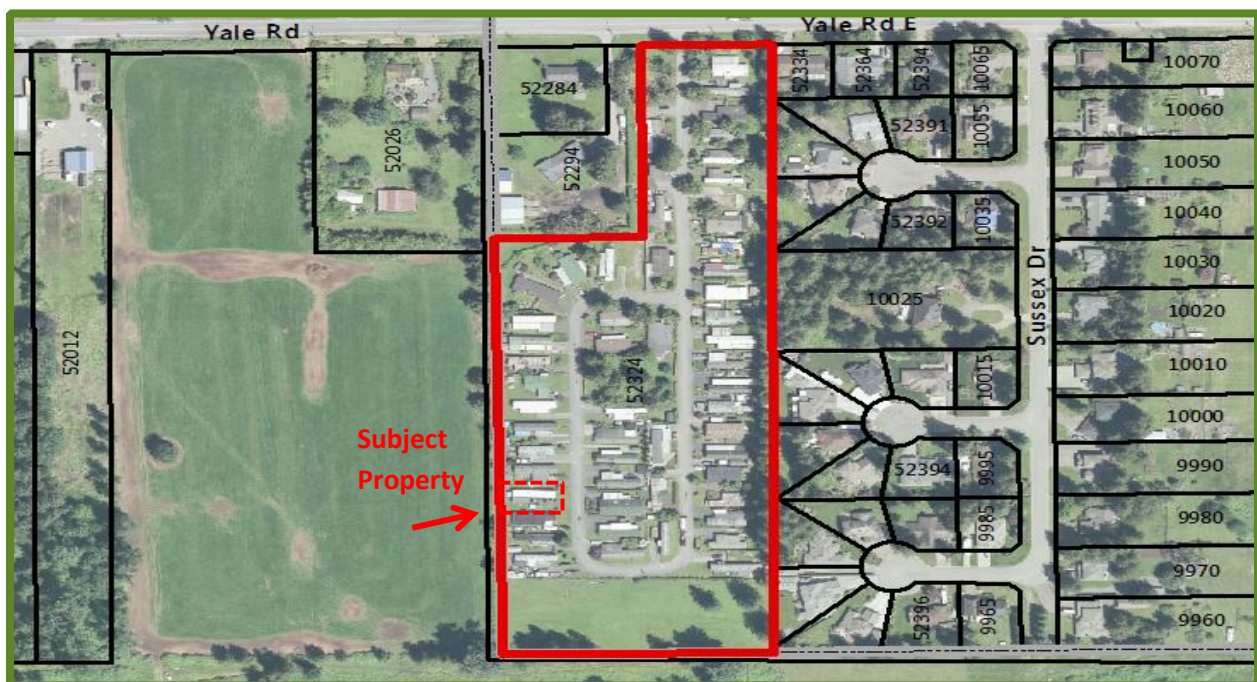
ADJACENT ZONING & LAND USES

North	^	Country Residential (CR); Single-family Residences
East	>	Suburban Residential 2 (SBR-2); Single-family Residences
West	<	City of Chilliwack-Agriculture; Agriculture
South	v	City of Chilliwack-Agriculture; Agriculture

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Separation distances between mobile homes on the subject property are regulated by the Zoning Bylaw for Electoral Area D, and the Mobile Home Parks Bylaw.

Zoning Bylaw for Electoral Area D, 1976 of the Regional District of Fraser-Cheam section 705(b) states that: “no part of a mobile home or modular home, including a permissible addition, shall be located closer than 20 feet from an adjacent mobile or modular home, including a permissible addition”.

The *Mobile Home Parks Bylaw No. 103, 1978* states that: “no mobile home including permissible additions shall be located within 6 metres (19.68 feet) of another mobile home.

Variance Request

The applicant is planning to replace an aging single wide mobile home with a new double wide home. The applicant wishes to reduce the setback from an adjacent mobile home from 20 feet to 19.5 feet, which is a variance of 0.5 feet.

Separation between adjacent mobile homes	
Required (zoning)	20 feet (6.1 metres)
Proposed	19.5 feet (5.9 metres)
Requested Variance	0.5 feet (0.15 metres)

The applicant advises the reasons for the variance are to enable the placement of a double wide mobile home that will provide additional living space. The neighbouring site (#41) currently has a large side deck with a roof overhang that extends toward site 40. The placement of the neighbouring deck makes it impossible to place a double wide mobile home on lot 40 and meet the required setback. The proposed mobile home is being sited on the lot to minimize the variance request.

If the requested variance is not granted, the applicant has the option of replacing the existing single wide home, with another single wide home.

Building Permit Requirements

A building permit will be required to place the new mobile home. As part of the building permit application process, the Building Department will review construction plans for compliance with BC Building Code requirements, including fire separation. The Building Department has not expressed any concern with the current proposal.

Development Variance Permit 1992-13 - Density Restriction

Development Variance Permit 1992-13 (issued in 1992) approved specific sites for either double wide or single wide mobile home use. Pad #40 was specified for single wide use. The restriction on double wide units was created to ensure the density permitted in the Zoning Bylaw will not be exceeded. Staff have

determined that the replacement of a single wide mobile home with a double wide home on site 40 complies with the density requirement in the Zoning Bylaw for Electoral Area D.

The current proposal for site #40 requires that DVP 1992-13 be amended to permit site #40 to be used as a double wide site.

Neighbourhood Notification and Input

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

COST

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

CONCLUSION

The proposed variance is consistent with other setbacks within Gordania Estates and is not anticipated to negatively impact the surrounding properties. Staff recommend that the FVRD Board issue Development Variance Permit 2019-20 to reduce the separation requirement from an adjacent mobile home from 20 feet (6.1 metres) to 19.5 feet (5.9 metres) for #40-52324 Yale Road.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-20 to reduce the separation requirement from an adjacent mobile home from 20 feet (6.1 metres) to 19.5 feet (5.9 metres) for #40-52324 Yale Road, Electoral Area D, subject to consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-20 for the property at #40-52324 Yale Road, 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 2019-20 for #40-52324 Yale Road, Electoral Area D to FVRD Staff.

COMMENTS BY:

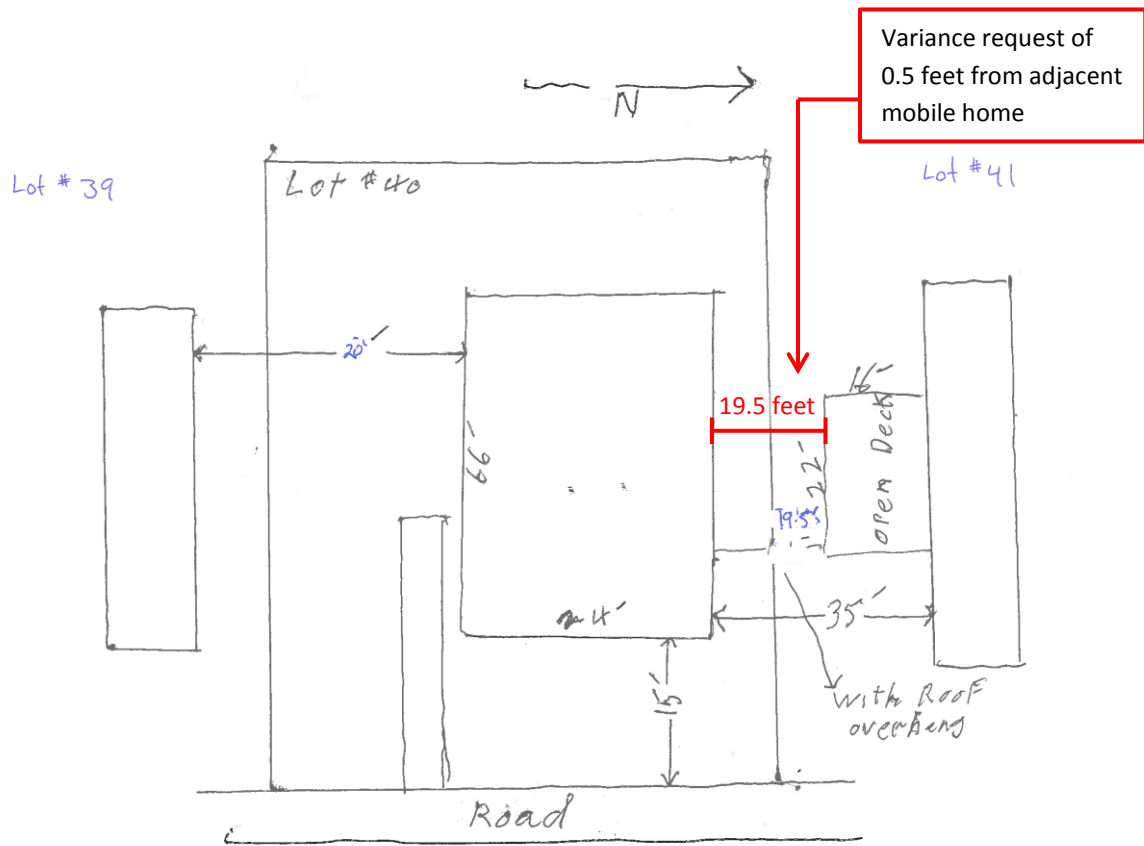
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported

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

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

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

Appendix A – Site Plan



Not to Scale

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 #40-52321 Yale Rd, Rosedale BC PID Vax 1X1

Legal Description Lot _____ Block _____ Section _____ Township _____ Range _____ Plan _____

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

Owner's
Declaration

Name of Owner (print)	Signature of Owner	Date
<u>Shari King</u>	<u>[Signature]</u>	<u>June 13/19</u>
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information

Address <u>#40-52321 Yale Rd</u>	City <u>Rosedale</u>
	Postal Code <u>Vax 1X1</u>
	ax _____

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 Double wide mobile home

Proposed Variation / Supplement

Double wide
Double wide instead of single wide home
1/2 foot reduction between mobile home +
adjacent deck, total distance would be 19 1/2 ft.

(use separate sheet if necessary)

* Reasons in Support of Application

Need more space & to
upgrade to a newer model
Neighbour has side deck
All other setbacks will be met.

**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.**

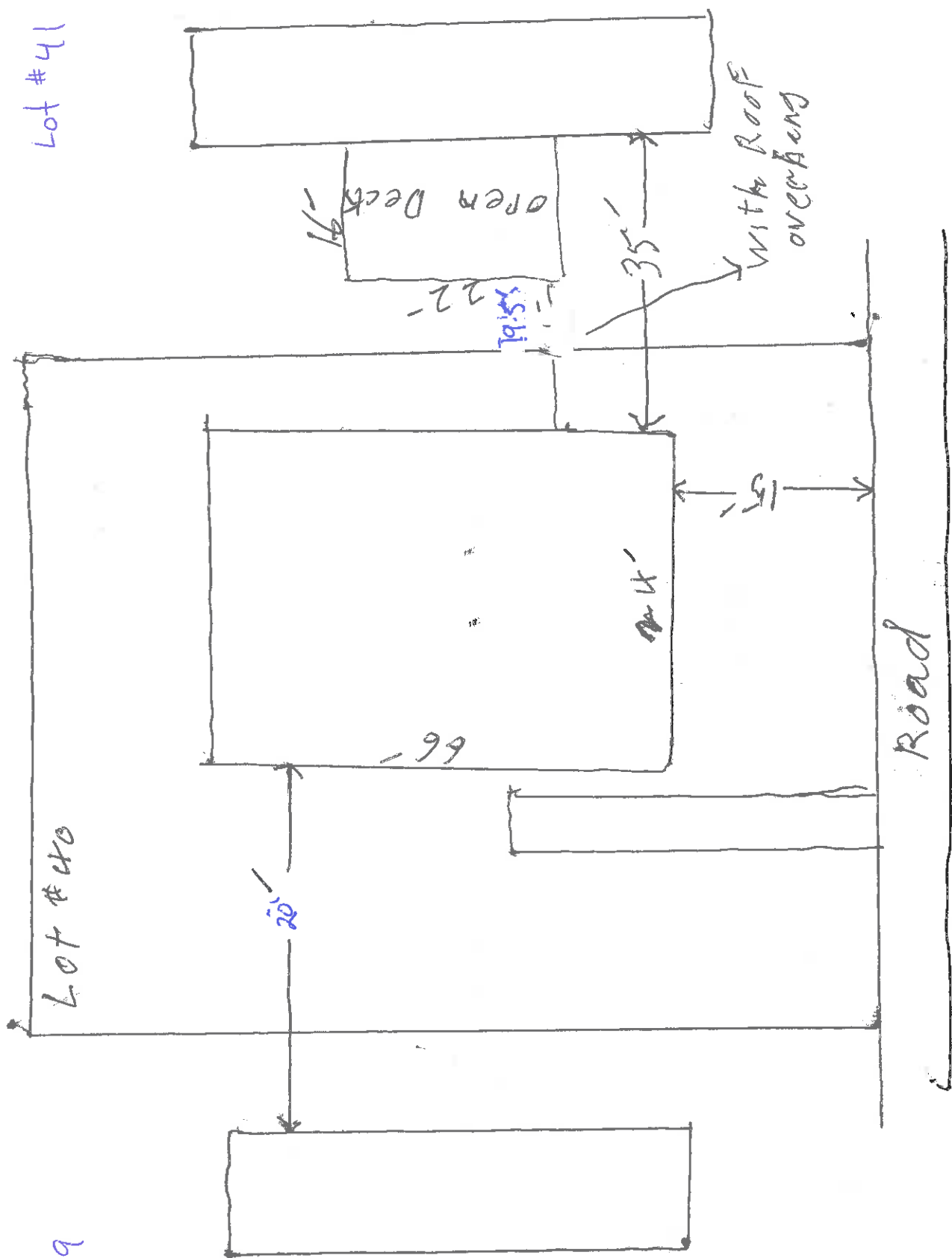
	Required	Received	Details
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
* Site Plan			Reduced sets of metric plans
			North arrow and scale
At a scale of:			Dimensions of property lines, rights-of-ways, easements
1: _____			Location and dimensions 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
			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@fvrd.ca.

Lot #41

Lot #40

Lot #39





FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2019-20 **Folio No.** 733.74040.002

Issued to: Gordania Estates Ltd.

Address: 52284 Yale Road, Electoral Area D

Applicant: Sheri King

Site Address: 53234 Yale Road, Electoral Area D

This Development Variance Permit 2019-20 supplements and amends Development Variance Permit 92-13

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 17 SECTION 1 TOWNSHIP 3 RANGE 29 WEST OF THE SIXTH MERIDIAN NEW
WESTMINSTER DISTRICT PLAN 35196

NEW WESTMINSTER LAND DISTRICT, MANUFACTURED HOME REG.# 48304, BAY # 40, 15733
GORDANIA ESTATES MANUFACTURED HOME PARK, MHP ROLL # 15-733-06635.010

PID: 007-174-659

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan – Mobile Home Site 40

Schedule "C": Site Plan – 52324 Yale Road, Electoral Area D

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 "D", 1976 of the Regional District of Fraser-Cheam is **varied** as follows:
Section 705(b) is varied to decrease the minimum separation distance required between user sites 40 and 41 for mobile homes from 20 feet (6.1metres) to 19.5 feet (5.9 metres).

Regional District of Fraser-Cheam Mobile Home Parks Bylaw No. 103, 1978 is **varied** as follows:
Section 4.03 (1) is varied to decrease the minimum separation distance required between user sites 40 and 41 for mobile homes from 6 metres (19.68 feet) to 5.9 metres (19.5 feet).

SPECIAL TERMS AND CONDITIONS

1. Development Variance Permit 92-13, clause 2 is hereby amended to permit the placement of a double-wide mobile home or double-wide modular home on mobile home space 40.
2. Subject to the above, Development Permit 84-06 and Development Variance Permit 92-13 remain valid and continue to apply to the lands.
3. No variances other than those specifically set out in this permit are implied or to be construed.
4. 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.
5. Development of the site shall be undertaken in accordance with the Site Plan attached hereto as Schedule "B".
6. A building permit shall be issued by the Fraser Valley Regional District prior to the placement of a mobile home on the property.

GENERAL TERMS AND CONDITIONS

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

SECURITY DEPOSIT

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

Should the holder of this permit:

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

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

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

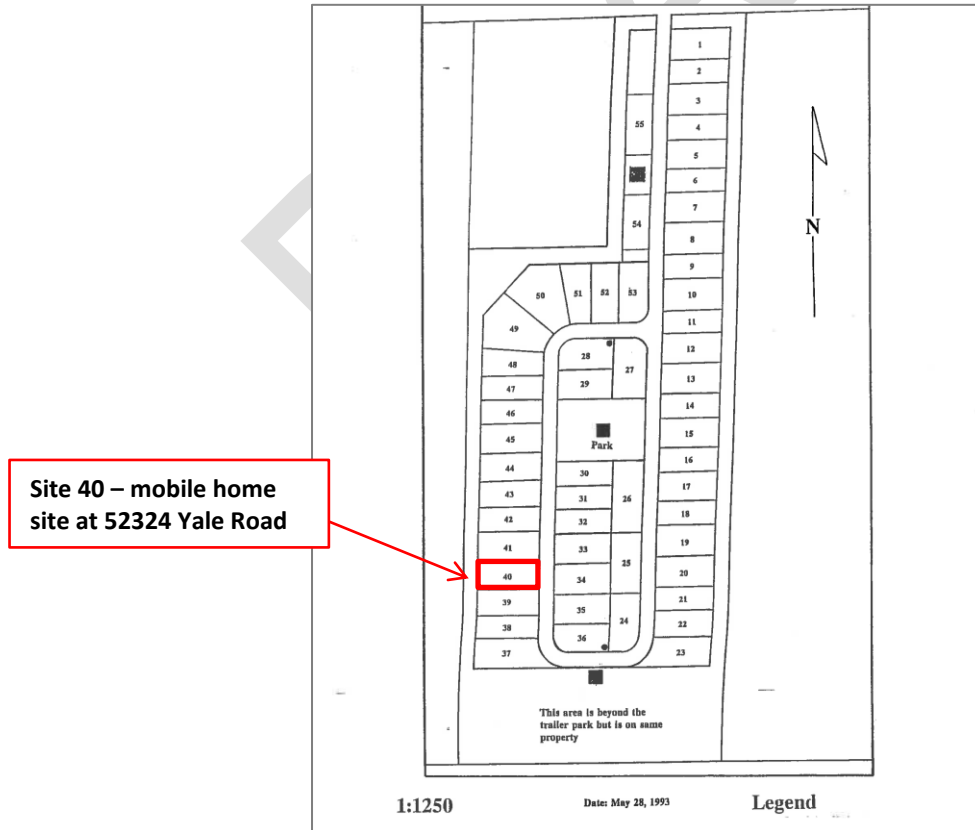
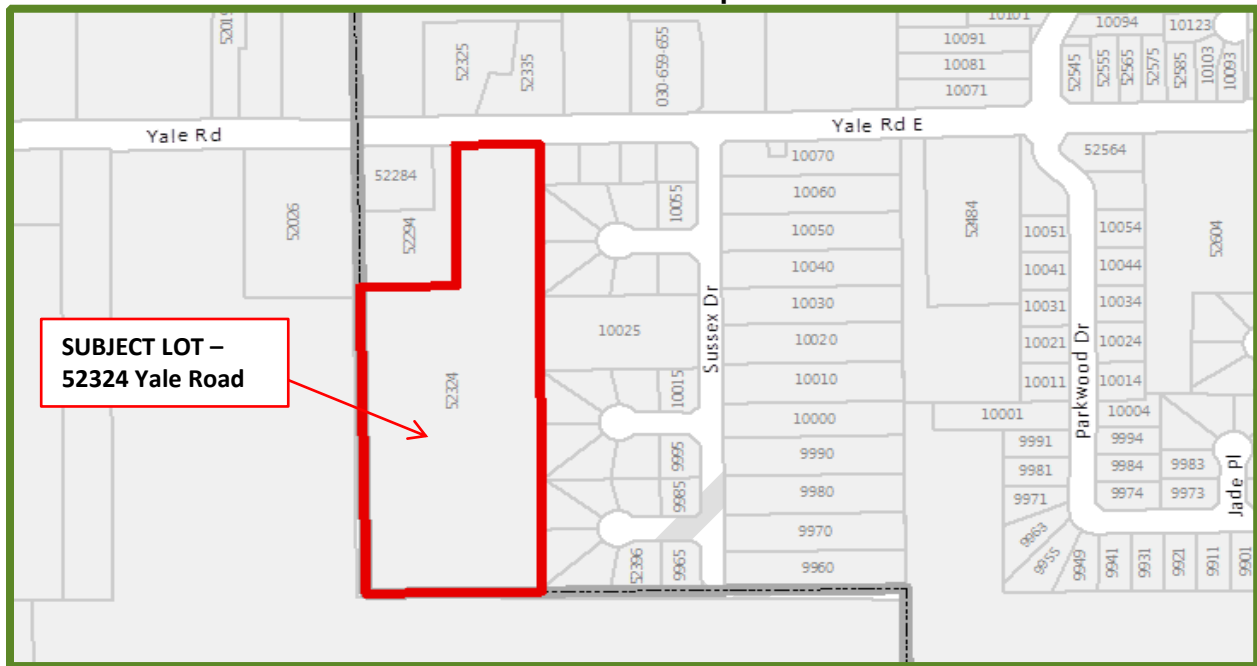
Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2019-20. The notice shall take the form of Appendix I attached hereto.

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

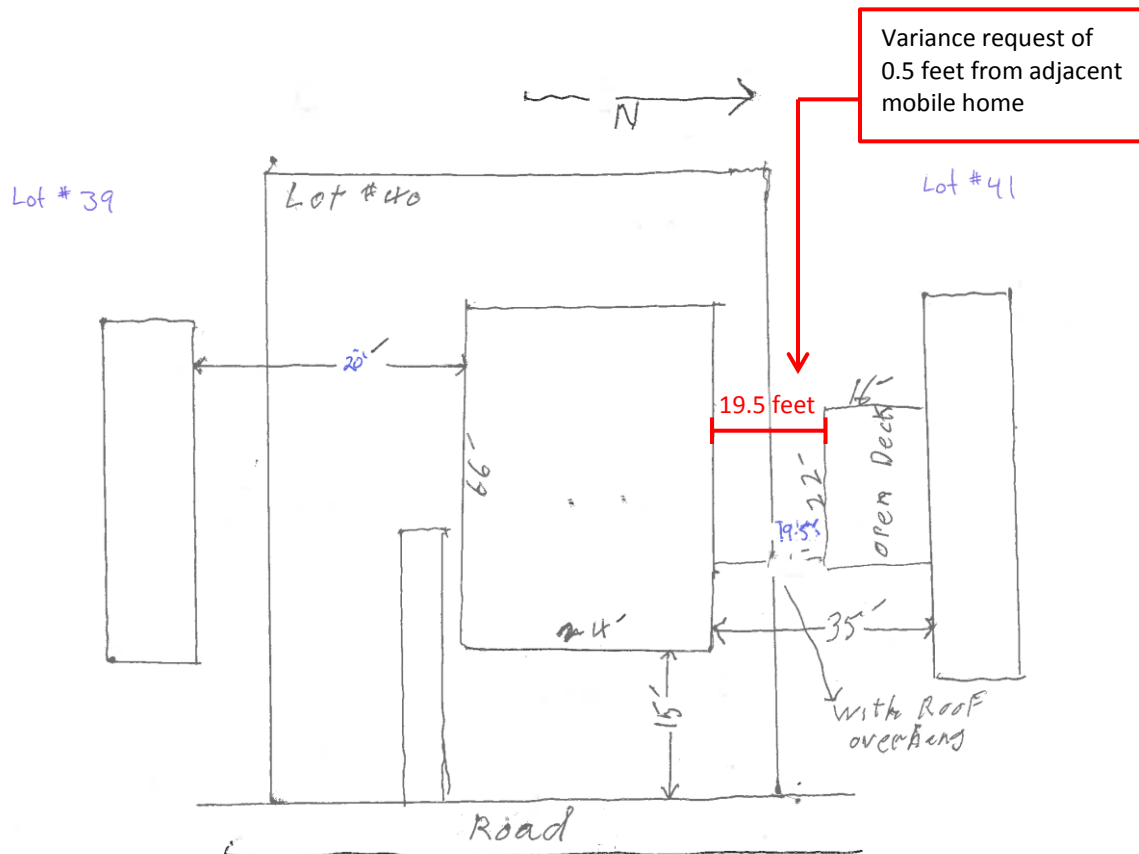
Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

DEVELOPMENT VARIANCE PERMIT 2019-20 SCHEDULE "A" Location Map

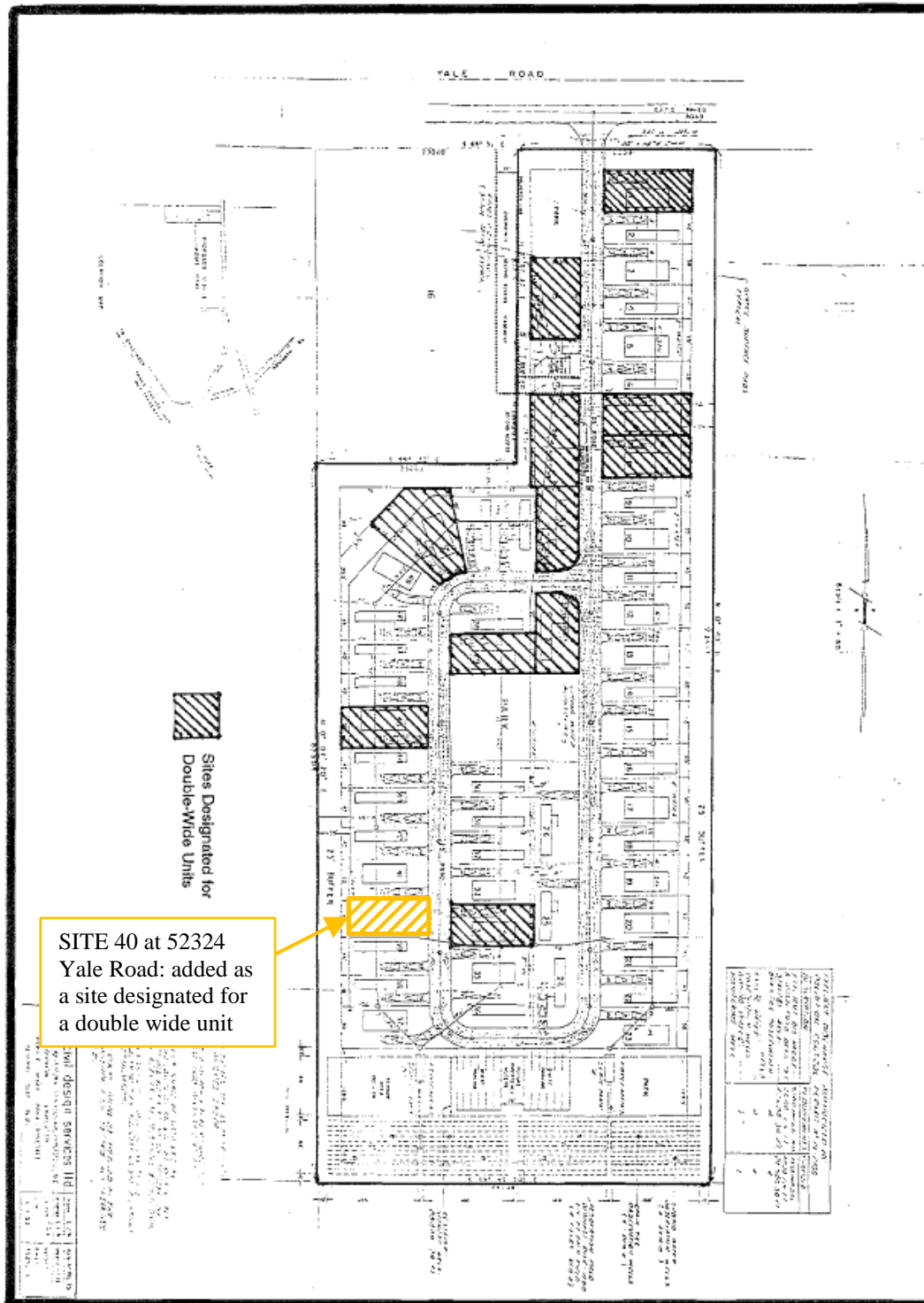


DEVELOPMENT VARIANCE PERMIT 2019-20
SCHEDULE "B"
Site Plan
Mobile Home Site 40



Not to Scale

DEVELOPMENT VARIANCE PERMIT 2019-20
SCHEDULE "C"
Site Plan
52324 Yale Road Electoral Area D, PID: 007-174-659



To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-21

Subject: Application for Development Variance Permit 2019-21 to reduce the required lot line setbacks and to increase the allowable site coverage for residential structures at 36072 Shore Road, Electoral Area G

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-21 for 36072 Shore Road, Electoral Area G, to reduce the rear and exterior lot line setbacks from 6.0 metres to 0.0 metres to authorize a portion of the existing residential decks and to increase the allowable site coverage from 30% to 36% to facilitate the construction of a detached garage, 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 (DVP) to reduce the required rear and exterior lot line setbacks for existing residential structures, and to increase the maximum allowable site coverage as outlined in *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*. The existing house was constructed before FVRD was responsible for issuing building permits and is partially located within a provincial road right of way.

PROPERTY DETAILS			
Electoral Area	G		
Address	36072 Shore Road		
PID	007-687-079		
Folio	775.02593.070		
Lot Size	64.5' X 120' (7,740 square feet)		
Owner	Joseph Menard / Kelly Shannon	Agent	n/a
Current Zoning	Rural 1 (R1)	Proposed Zoning	No change
Current OCP	Rural (R)	Proposed OCP	No change
Current Use	Residential	Proposed Use	No change

Development Permit Areas	2-G Riparian Areas
Hazards	-
Agricultural Land Reserve	No

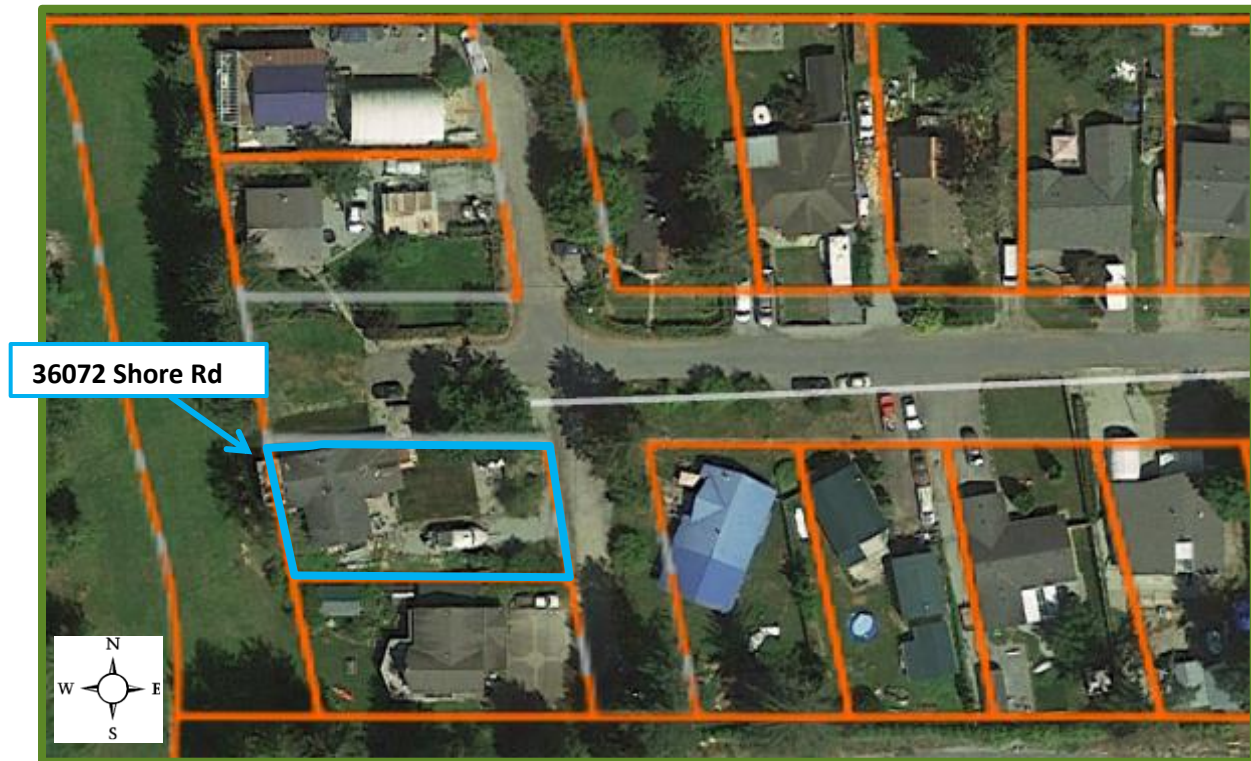
ADJACENT ZONING & LAND USES

North	^	Shore Road (unconstructed ROW) & Rural 1 (R1); Residential
East	>	Shore Road (unconstructed ROW) & Rural 1 (R1); Residential
West	<	Rural 1 (R1); Easement & Hatzic Lake
South	v	Rural 1 (R1); Single-family Residence

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The subject property is located at the end of Shore Road, which terminates in two unconstructed road rights of ways on the north and east property lines. There is currently a house on the property which was constructed in 1967 and several decks which were constructed without permits at an unknown time by a previous property owner. The current owners purchased the property in January 2019 and obtained a legal survey to determine the property boundaries. The survey revealed that the eaves of the house and two decks are located over the legal property boundary. The eaves and deck on north side of the property encroach into the Shore Road right-of-way. Refer to Appendix A.

In an effort to bring the house into compliance with FVRD zoning regulations, the property owners have applied for a development variance permit to reduce the required lot line setbacks for the house and existing decks. The owners have also sought approval from the Ministry of Transportation and Infrastructure (MOTI) for the existing structures.

Variance Request DVP 2019-21

Lot Line Setback

The applicant is seeking to reduce the exterior and rear lot line setbacks from 6.0 metres to 0.0 metres to bring a portion of the existing residential structures into compliance with FVRD zoning regulations. The reduced setback will authorise the existing house and deck structures to be located within the rear and exterior side setbacks. It will not enable further construction with a 0.0 metre lot line setback.

Rear & Exterior Lot Line Setback	
Required (zoning)	6.0 metres (19.7 feet)
Proposed	0.0 metres (0.0 feet)
Requested Variance	6.0 metres (19.7 feet)

Lot Coverage Requirement

The property is zoned Rural 1 (R-1) under Zoning Bylaw 559, and is permitted to have 30% of the parcel area covered by buildings and structures, which includes decks. At present, the lot is covered by 1331 feet² of house and 728 feet² of decks, comprising 26.6% of the parcel area.

The applicant is seeking to increase the permitted lot coverage from 30% to 36% to enable the construction of a detached garage with dimensions of 18 feet x 30 feet (540 feet² or 50.1 m²).

Site Coverage (area)			% of Site Area (7740 feet ²)
House	1331 feet ²	123.6 m ²	17.2%
Decks	728 feet ²	67.6 m ²	9.4%
Current total	2059 feet²	191.3 m²	26.6%
Future garage	540 feet ²	50.1 m ²	7%
Proposed total	2599 feet²	241.4 m²	33.6%*

* The applicant has requested lot coverage of 36% to account for any potential measurement errors.

Applicant Rationale

Since acquiring the property, the owners have been working with FVRD and MOTI to resolve the siting and lot coverage concerns on their property. The applicant has removed approximately 280 square feet of deck in order to reduce the existing lot coverage, and to make room for the proposed garage. The applicants advise that they wish to keep the deck on the north side of the property as they feel it adds character and curb appeal to the house. See photos in Appendix B. The existing decks are built of a drip-through wooden surface that allows precipitation to reach the ground, and helps to minimize any changes to ground water infiltration. Additionally, the applicant advises that the garage will be built to match the aesthetics of the house, and will not impact the septic field.

Zoning Bylaw Review

In Zoning Bylaw 559, decks are included in the lot coverage calculation. In other FVRD zoning bylaws, decks are excluded from the lot coverage calculation. If the decks were excluded from site coverage calculation in Zoning Bylaw 559, the proposal to construct a garage would adhere to site coverage requirements. A comprehensive review of all zoning bylaw in the Electoral Areas is currently underway. This review includes creating a consistent approach to site coverage across all FVRD Electoral Areas.

Ministry of Transportation & Infrastructure Requirements

MOTI has issued a Highway Encroachment permit to allow the property owner to use and maintain the wooden deck that encroaches into Shore Road. See Appendix C. The permit is valid only for the existing structure and does not allow the existing works to be expanded in any way. The permit also states that if for any reason the deck is destroyed and needs to be rebuilt, it must be built within the property lines. MOTI has indicated there are no plans to widen the road; however, they cannot guarantee future work will not occur. The MOTI permit may be cancelled at any time at the discretion of the Minister. If the permit is cancelled, the property owners are required to remove all structures from within the right of way within 90 days of receiving notice.

Building Permit Requirements

Due to the impermanence of the MOTI permit, FVRD is not prepared to issue a building permit for structures encroaching over the property line. No building permit will be issued for the decks in their current form. If the decks are destroyed, the proposed lot line setback of 0.0 metres would allow the property owners to apply for a building permit to rebuild the decks within the lot lines.

The property owners are working with FVRD to ensure all new construction and renovations are completed in accordance with FVRD regulations. They have applied for two building permits for works unrelated to the variance, and will apply for an additional permit for the proposed garage pending the outcome of the DVP. The building department will review the construction plans to ensure all BC Building Code requirements are met. The proposed garage will be sited to meet all required property line setbacks.

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 to attend the Board meeting to state their comments. FVRD staff encouraged the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification. To date, a petition with four (4) signatures of support from adjacent property owners has been received.

COST

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

CONCLUSION

No health and safety concerns have been identified in relation to the proposed variance, and the proposed works are not anticipated to adversely impact neighbouring properties. MOTI has issued a Highway Encroachment Permit granting the right to use and maintain the structures that encroach into

Shore Road. Additionally, signatures of support have been received from 4 neighbouring properties. Staff recommend that the FVRD Board issue Development Variance Permit 2019-21 to reduce the setback requirements from the rear and exterior lot lines, and to increase the allowable site coverage for 36072 Shore Road.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-21 for 36072 Shore Road, Electoral Area G to reduce the rear and exterior lot line setbacks from 6 metres to 0.0 metres for existing residential decks, and to increase the permitted lot coverage from 30% to 36% to facilitate the future construction of a detached garage, subject to the issuance of a Ministry of Transportation and Infrastructure Highway Encroachment Permit, and subject to consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-21 for the property at 36072 Shore Road, Electoral Area G.

Option 3 – Refer to Staff

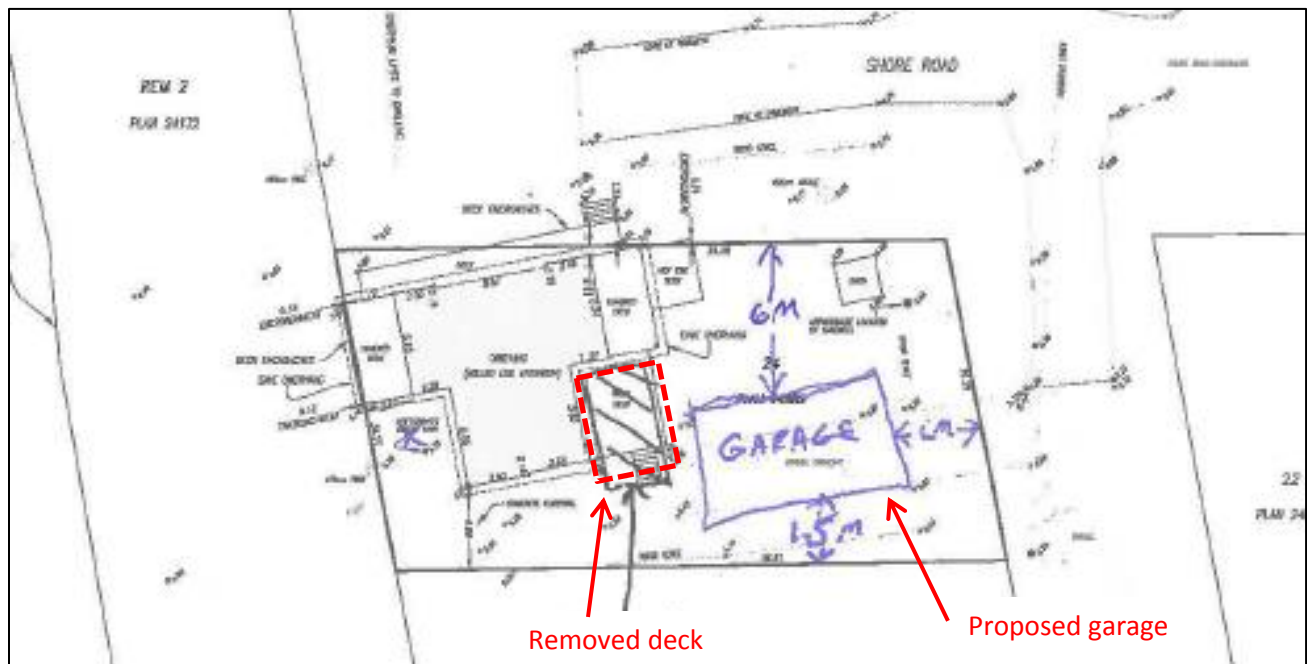
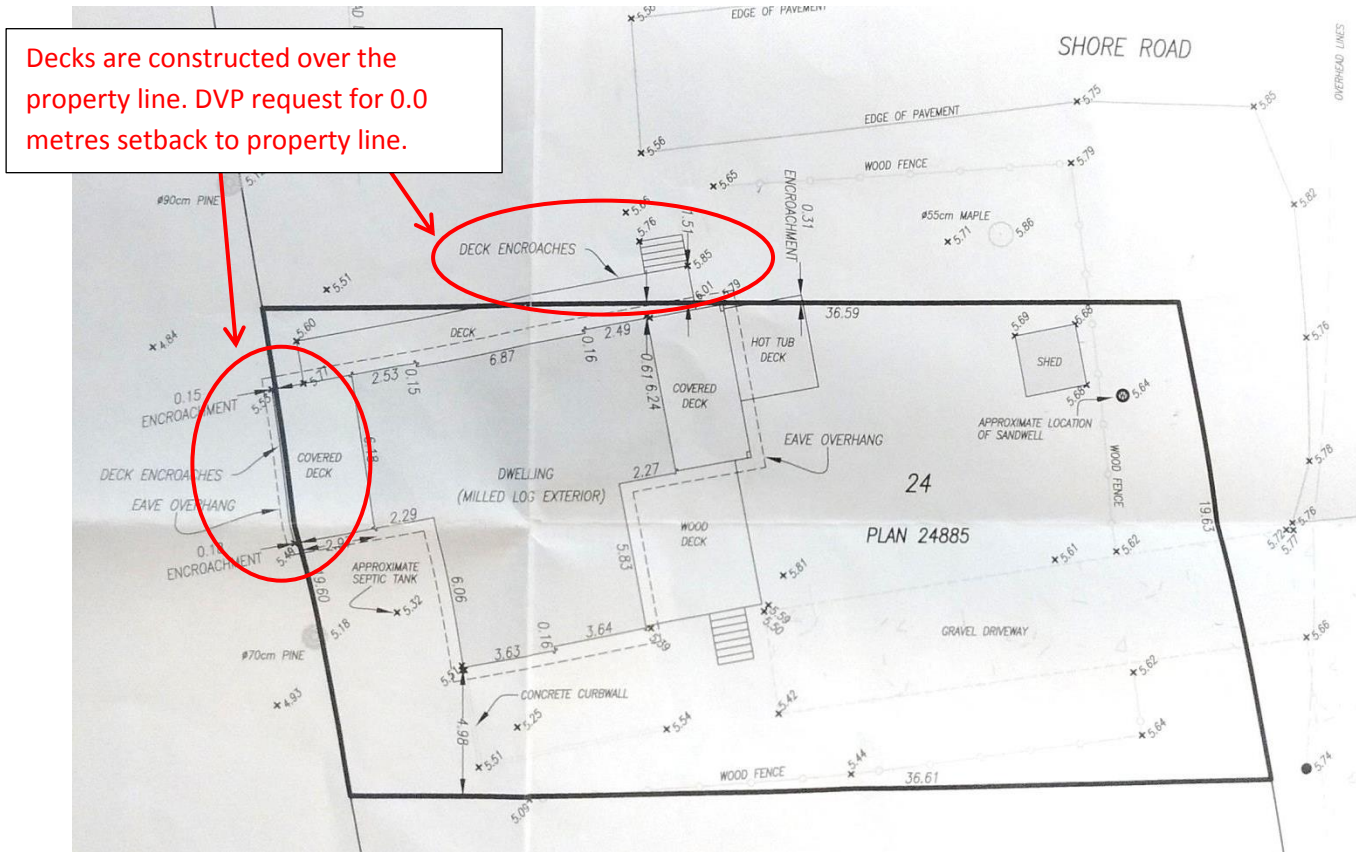
If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-21 for the property at 36072 Shore Road, Electoral Area G to FVRD Staff.

COMMENTS BY:

Graham Daneluz, Deputy Director of Planning & Development:	reviewed and supported
Margaret Thornton, Director of Planning & Development:	Not available for comment
Mike Veenbaas, Director of Financial Services:	Not available for comment
Jennifer Kinneman, Acting Chief Administrative Officer:	Reviewed and supported.

Appendix A – Site Plan



Appendix B – Property Listing Photos





Appendix C – MOTI Permit



BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

Permit/File Number: 2019-03652

Office: Chilliwack Area Office

PERMIT TO AUTHORIZE EXISTING STRUCTURES CONSTRUCTED WITHIN THE RIGHT-OF-WAY OF A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE
MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE
NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Chilliwack Area Office
45890 Victoria Avenue
Chilliwack, BC V2P 2T1
Canada

("The Minister")

AND:

Joseph Menard

36072 Shore Road
Mission BC, V2V 4J1
Canada

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;

- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

To use and maintain the structure comprising of an existing wooden deck, encroaching into shore Road in so far as they relate to the use of that portion (the "Encroachment Area") of the public highway, described as and located at as shown on the plan prepared by Wade and Associates British Columbia Surveyor certified correct on the Jan 19 , 2019, attached hereto as Schedule A. The structure is part of a legal lot described as (the "Property") adjacent to the Encroachment Area.

- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. Except to the extent permitted herein, the Permittee will ensure that the Structure at all times conforms with all legislation applicable to the Structure with respect to the construction and maintenance of the Structure and all specifications by regulatory bodies having jurisdiction over the Structure.
2. The Regional Director, as appointed from time to time by the Minister, having jurisdiction with respect to the Encroachment Area, or such person as the Minister may from time to time designate must have full and free access at any and all times to inspect the Structure or for such other purposes as the Regional Director may consider necessary.
3. Where the Structure comes in contact with any bridge, culvert, ditch or other existing work (the "Existing Works") the Permittee will ensure that the Structure is properly maintained and supported in such manner as not to interfere with the proper functions of the Existing Works during the existence of the Structure.
4. The Permittee will at all times take every possible precaution to ensure the safety of the public, and if requested by the Regional Director ensure that the Structure and all excavations, materials, or other obstructions in connection with the Structure are



fenced, illuminated, and guarded.

5. The Permittee acknowledges that this Permit is granted only for such times as the Encroachment Area is within the jurisdiction of the Minister. This permit must not be construed as being granted for all time, and does not vest in the Permittee any right, title, or interest in or to the Encroachment Area. If the Encroachment Area becomes included within an incorporated municipality or city, this Permit is terminated unless the Highway on which the Structure is located is classified as an Arterial Highway pursuant to Section 45 of the Transportation Act.
6. This Permit may be cancelled at any time without recourse at the discretion of the Regional Director by 30 days notice in writing in the manner herein provided. Not later than 90 days after the date on which this notice has been given by or on behalf of the Minister, the Permittee must ensure that all work has been completed in connection the removal, moving or alteration of the structure in the manner required by any notice. All costs of removing, moving or altering the Structure must be borne by the Permittee.
7. Where any public works are contemplated the Permittee will cooperate with any person designated by the Regional Director in connection with any construction, extension, alteration or improvement of the public works involving the Encroachment Area.
8. The Permittee acknowledges that the Minister and any employees, agents or contractors of the Minister will not be responsible for any damage to the Structure or any property of the Permittee and the Permittee hereby expressly waives any claim for damages and forever releases and discharges all such persons with respect thereto.
9. The permission herein granted to the Permittee will be in force only during such time as the Structure is used, maintained and owned by the Permittee in strict compliance with this Permit. The Permittee will notify the Minister if the Property is offered for sale and inform any purchasers of the Property of this Permit prior to sale. The Permittee will remain liable to the Minister hereunder until such time as a subsequent permittee has agreed to assume the same liabilities and obligations with respect to the Structure.
10. This Permit is valid only for the Structure as described herein. The Permittee acknowledges that routine maintenance of the Structure is permitted but the Structure must not be expanded, increased, or its use changed in any way except as provided for in section 4 of this permit.
11. The Permittee will provide:
 - (a) the location of the Structure in relation to the Encroachment Area and the Property on Schedule A; and
 - (b) a written description of the Structure both in form and content satisfactory to the Regional Director, Ministry of Transportation and Infrastructure for the Region in which the Structure is located.
12. The attached plan, indicated as Schedule A, showing location or position of the Structure constitutes a part of this Permit and any change without prior consent of the Regional Director will forthwith render this Permit terminated subject to section 18 of this Permit.
13. The Permittee will notify the Regional Director of any damage done to the Structure. If in the opinion of the Regional Director the Structure is destroyed or damaged such that reconstruction within the encroachment area is unwarranted this permit is terminated. The Structure must not be replaced or reconstructed on the Highway or in the Encroachment Area.
14. The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or any of them at any time or times, whether before or after the expiration or termination of this permit, where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.
15. The Permittee will not interfere with any Highway or public works without separate written permission issued by the Regional Director.
16. All notices required to be given hereunder by the Minister will be effectively given if sent by mail to the address of the Permittee shown below and must be deemed to have been given at 12:00 noon on the third day after mailing. Notices to be given to the Minister by the Permittee will be effectively given if delivered to the Regional Director and must be effectively given upon delivery.
17. No termination or cancellation of this Permit will relieve or abate the obligations of the Permittee contained herein arising prior to such termination or cancellation all of which must survive the termination or cancellation of the Permit and must constitute continuing obligations of the Permittee.
18. No variation or alteration of the Permit will be effective unless in writing signed by or with the authority of the Minister.
19. The Permittee shall obtain and maintain during the term of this Permit and at the Permittee's own expense, liability insurance against third party claims arising as a result of the Permittee's possession, use, control and/or custody of the Encroachment Area shown in Schedule A.



Such liability insurance shall have coverage limits of not less than ONE MILLION DOLLARS (\$1,000,000) for bodily injury, including death, and property damage and shall be endorsed as follows:

It is understood and agreed that Her Majesty the Queen in Right of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure, together with the employees, agents and servants of the Minister, hereinafter referred to as the Additional Named Insured, is added as an Additional Named Insured.

The policy shall contain a cross liability clause and a clause giving notice of cancellation or material alteration to the Minister.

The Permittee shall submit evidence satisfactory to the Minister that the above insurance has been obtained and remains in force and effect.

20. If for any reason the deck is destroyed and needs to be rebuilt it must be built within the property lines. The permit will not be renewed for any reason.
21. Any reference to a party includes heirs, executors, administrators and assigns.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Chilliwack, British Columbia, this 26 day of June, 2019

On Behalf of the Minister

Appendix D – Petition of Support

REQUEST FOR DEVELOPMENT VARIANCE PERMIT

36072 SHORE ROAD, MISSION BC.

We wish to build a garage with covered parking on the side of it. The current 30% rule of buildings to lot size does not allow for what we wish to build. We are seeking 38%. This will allow us to build a 1.5 car garage – 18' wide by 30' long with an 8' ~~covered carport on the side~~. It will be built to match the house aesthetics and will be pleasing to the eye. Location will be on the south side of the property where the driveway currently is.

We will be removing the 16'x19' deck at the front south side of the house to allow for space to build the garage. We wish to keep the long deck on the north side of the house as we feel it adds character and curb appeal to the home.

The FVRD has requested we get approval of this request from our neighbours. Thank you in advance for your support. We look forward to being your neighbours! Kelly & Joe

36080 Shore Rd

Name: CHRIS OGIEMMAN Approved ☒ Signature 


36071 Shore Rd

Name: JULIAN CHRISTENSEN Approved ☒ Signature 

⁹²
36087 Shore Rd

Name: DAVE BELL Approved ☒ Signature 

^{521P}
36092 Shore Rd

Name: Jennifer Bruner Approved ☒ Signature 



PLANNING & DEVELOPMENT

www.fvrd.ca

emailed June 16/19
planning@fvrd.ca

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 36072 SHORE RD PID 007-687-079

Legal Description Lot _____ Block _____ Section _____ Township _____ Range _____ Plan _____

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

Owner's Declaration

Name of Owner (print)	Signature of Owner	Date
JOSEPH MENARD		JUNE 14/19
Name of Owner (print)	Signature of Owner	Date
X KELLY SHANNON	Kelly Hanna	June 16/19

Owner's Contact Information

Address	36072 SHORE RD	City	MISSION
		Postal Code	V2V 4S1
		Fax	

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

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 36072 SHORE RD PID 007-687-079

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>JOSEPH MENARD</u>	Signature of Owner 	Date <u>JUNE 14 / 19</u>
Name of Owner (print)	Signature of Owner	Date

Owner's Contact Information

Address <u>36072 SHORE RD</u>	City <u>MISSION</u>
	Postal Code <u>V2V 4S1</u>
	Fax

Office Use Only	Date <u>20190614</u>	File No.
	Received By <u>[Signature]</u>	Folio No. <u>775-02543-070</u>
	Receipt No. <u>8889/1</u>	Fees Paid: \$ <u>350.00</u>

Agent

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

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

Signature of Owner	Date
Signature of Owner	Date

Agent's contact information and declaration

Name of Agent		Company
Address		City
Email		Postal Code
Phone	Cell	Fax

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

Signature of Agent	Date
--------------------	------

Development Details

Property Size _____ Present Zoning _____

Existing Use _____

Proposed Development ALREADY EXISTING STRUCTURE
DECK + DWELLING

Proposed Variation / Supplement VARY FRONT + EXTERIOR SIDE
LOT LINE TO ZERO METRES CLEAR TO SKY
FOR EXISTING HOUSE + DECK (see page 2)

(use separate sheet if necessary)

Reasons in Support of Application PURCHASED PROPERTY JAN 2019
AND SURVEYED PROPERTY TO FIND THE
EXISTING DECK + DWELLING ARE NOT LOCATED WITHIN
SETBACK ALLOWANCE. AS NEW OWNER I WOULD
LIKE TO BRING PROPERTY INTO COMPLIANCE WITH
ZONING + THEREFORE NEED THE REDUCED SETBACK.
OBTAINED ENCROACHMENT PERMIT FROM M.O.T. (see page 2)

Page 2 of 4

PART 2

PROPOSED DEVELOPMENT

- 18 FT X 30 FT DETACHED GARAGE
- PROPOSED VARIATION TO VARY THE LOT COVERAGE FROM 30% TO 36%

REASONS FOR VARIANCE.

- SMALL LOT
- 728 FT DRIPTHROUGH WOOD DECKS WHICH IS CALCULATED IN LOT COVERAGE
- MY PROPOSED GARAGE WILL NOT AFFECT SEPTIC OR WELL
- VINTAGE CAR AND MOTORCYCLE STORAGE/SHOP
- NO GARAGE ATTACHED TO HOUSE
- SHED ON PROPERTY WILL BE REMOVED ONCE GARAGE IS BUILT.

**Riparian
Areas
Regulation**

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

yes

☐

no

☐

30 metres of the high water mark of any water body

yes

☐

no

☐

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

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

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

**Contaminated
Sites Profile**

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

yes

☐

no

☐

the property has been used for commercial or industrial purposes.

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

**Archaeological
Resources**

Are there archaeological sites or resources on the subject property?

yes

☐

no

☐

I don't know

☐

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

Required Information

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

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

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

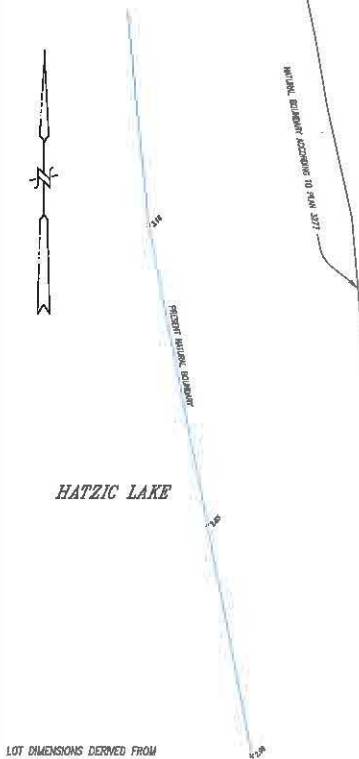
SITE PLAN OF LOT 24
SECTION 31 TOWNSHIP 20
NEW WESTMINSTER DISTRICT PLAN 24885

SCALE 1 : 200

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



CNIC ADDRESS: 38072 SHORE ROAD, FVRD
PARCEL IDENTIFIER: 007-667-078



LOT DIMENSIONS DERIVED FROM
FIELD SURVEY

ELEVATIONS ARE IN METRES (GEOIDETIC)
ELEVATIONS REFERENCED TO GSM TABLE No. 79H421
ELEVATION = 6.512m

WADE & ASSOCIATES LAND SURVEYING LTD.
BC LAND SURVEYORS
MISSION & MAPLE RIDGE
PHONE: (604) 826-9581 OR 483-4753
FILE: P24885-LOT 24

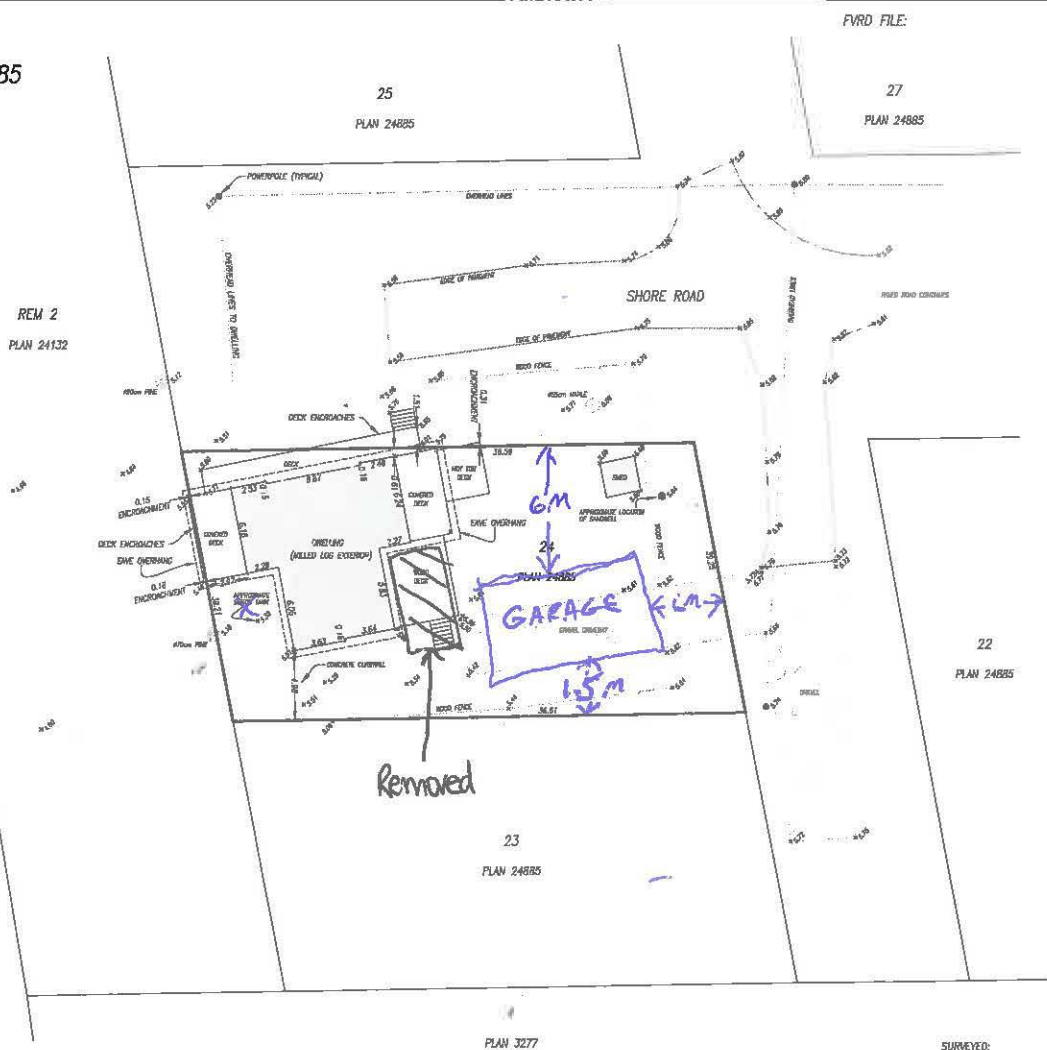
PREPARED FOR: INUKSHUK EXCAVATING

INFORMATION REGARDING TOPOGRAPHY AND UNDERGROUND SERVICES
IS COMPILED FROM FIELD SURVEY AND SERVICE LOCATION PLANS.
ALL U/S SERVICE LOCATIONS ARE APPROXIMATE AND MUST BE
CONFIRMED BY THE USE OF PIPE LOCATOR (A-SCOPE) AND
MANUAL DIGGING.

PLAN 3277

SURVEYED:
JANUARY 14, 2019

DRAWING DATE:
FEBRUARY 1, 2019



Existing Lot Coverage.



Jennifer Clancey

**36072 Shore Road,
Mission**

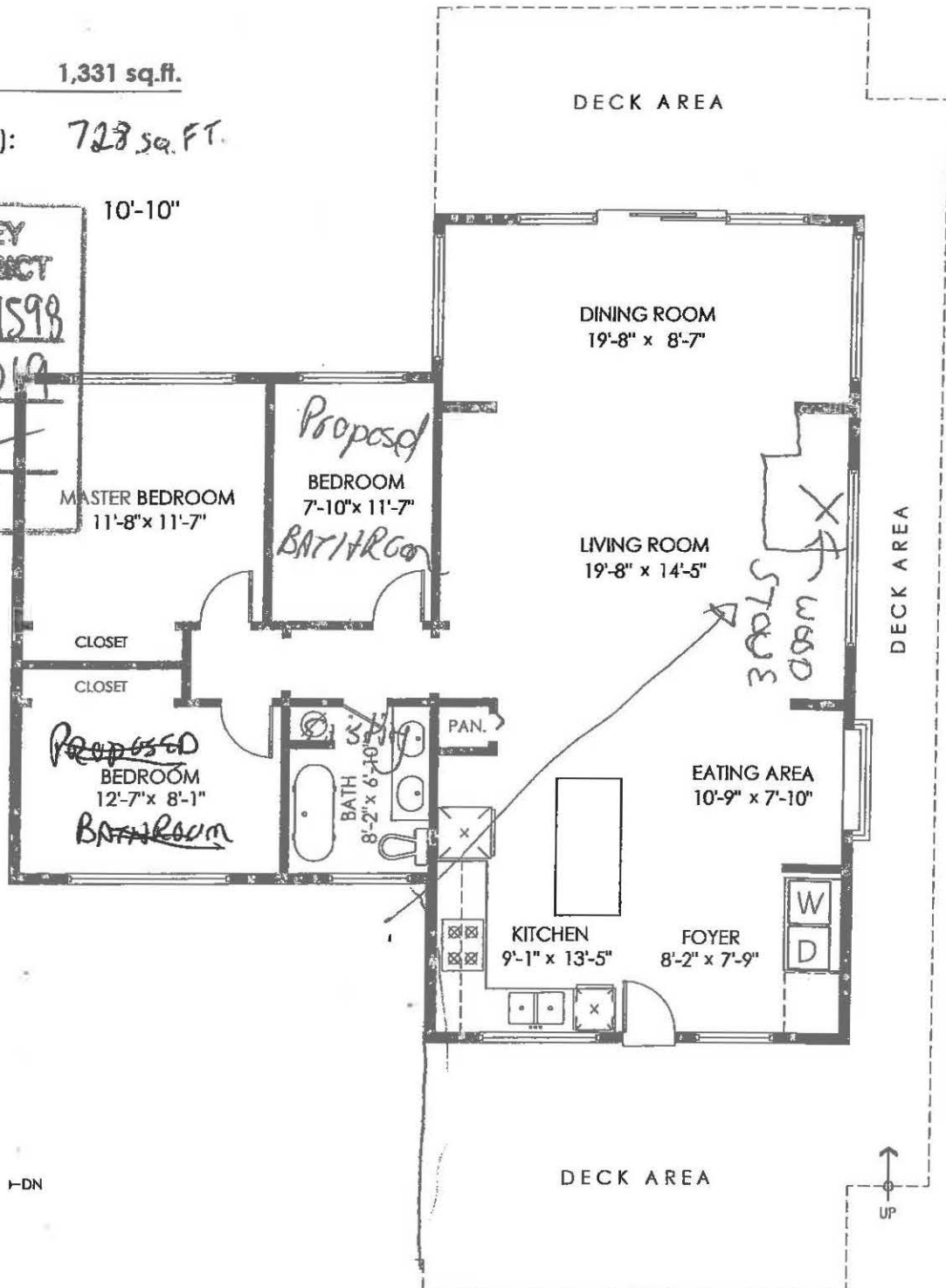
604-530-1141 | www.exceptordrafters.com

Floor Area: 1,331 sq.ft.

Deck Area (Approx): 728 sq. FT.

Vaulted Ceilings.
**FRASER VALLEY
REGIONAL DISTRICT**
Building Permit No. 014598
Date March 13 2019
[Signature]
Building Inspector

10'-10"



REQUEST FOR DEVELOPMENT VARIANCE PERMIT

36072 SHORE ROAD, MISSION BC.

We wish to build a garage with covered parking on the side of it. The current 30% rule of buildings to lot size does not allow for what we wish to build. We are seeking 38%. This will allow us to build a 1.5 car garage – 18' wide by 30' long with an 8' ~~covered carport on the side~~. It will be built to match the house aesthetics and will be pleasing to the eye. Location will be on the south side of the property where the driveway currently is.

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The FVRD has requested we get approval of this request from our neighbours. Thank you in advance for your support. We look forward to being your neighbours! Kelly & Joe


36080 Shore Rd

Name: CHRIS OGERMAN Approved ☒ Signature 

36071 Shore Rd

Name: JULIAN CHRISTENSEN Approved ☒ Signature 

⁹²
36087 Shore Rd

Name: DAVE BELL Approved ☒ Signature 

^{521P}
36092 Shore Rd

Name: Jennifer Bemer Approved ☒ Signature 



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No: Development Variance Permit 2019-21 **Folio No.** 775.02593.070

Issued to: Kelly Shannon & Joseph Mennard

Address: 36072 Shore Road, Electoral Area G

Applicant: Kelly Shannon & Joseph Mennard

Site Address: 36072 Shore Road, Electoral Area G

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 24 SECTION 31 TOWNSHIP 20 NEW WESTMINSTER DISTRICT PLAN 24885
PID: 007-687-079

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

AUTHORITY TO ISSUE

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

BYLAWS SUPPLEMENTED OR VARIED

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

1. Section 412 (1) the rear and exterior-side lot line setbacks are reduced from 6.0 metres to 0.0 metres for the house eaves and existing wooden decks.
 2. Section 601 (3) Buildings (including projecting chimneys, porches, and balconies) and structures shall together cover not more than thirty-six percent (36%) of the parcel area.
-

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. This permit does not authorize construction across legal lot boundaries. If the deck is destroyed and needs to be rebuilt, it must be built within the property lines, and must comply with Ministry of Transportation and Infrastructure setback requirements.
5. This permit shall lapse upon expiry or revocation of Highway Encroachment Permit 2019-03652 issued by the Ministry of Transportation and Infrastructure to authorize the use and maintenance of an existing wooden deck encroaching into Shore Road.
6. This permit does not authorize any additional structures to be built within 6.0 metres of the rear and exterior-side lot lines.
7. This permit does not in any way authorize construction outside the boundaries of the property for which it is issued.

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 2019-21. 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>

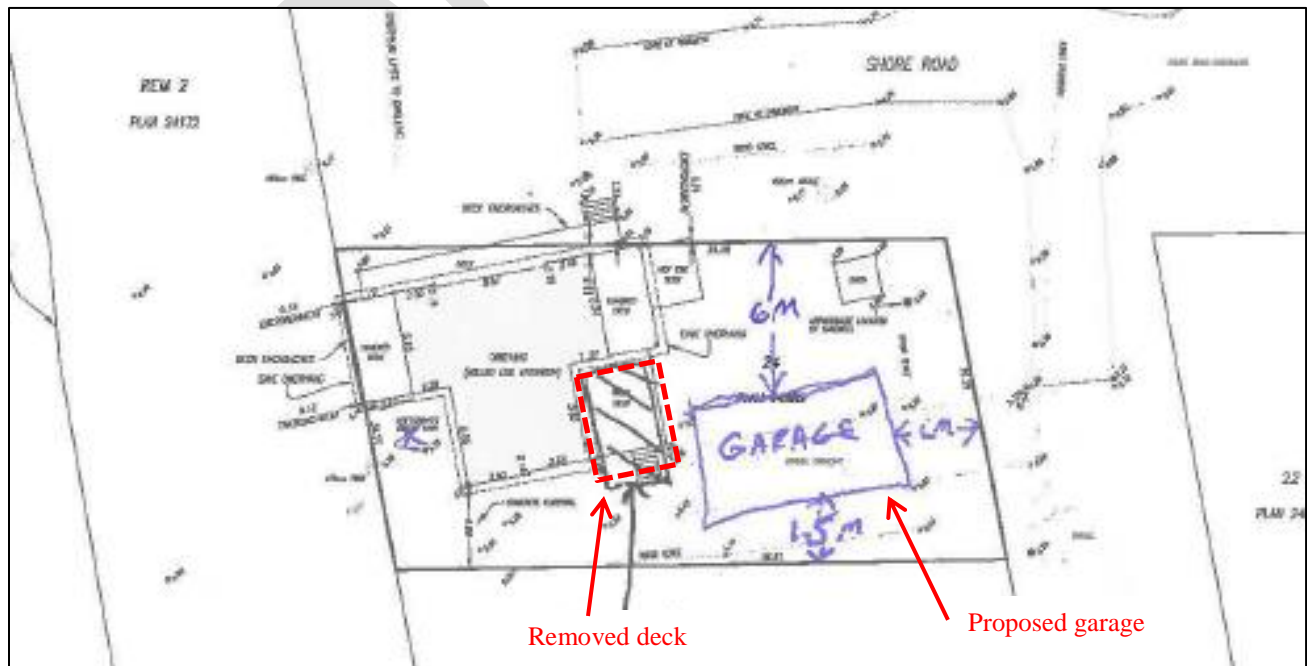
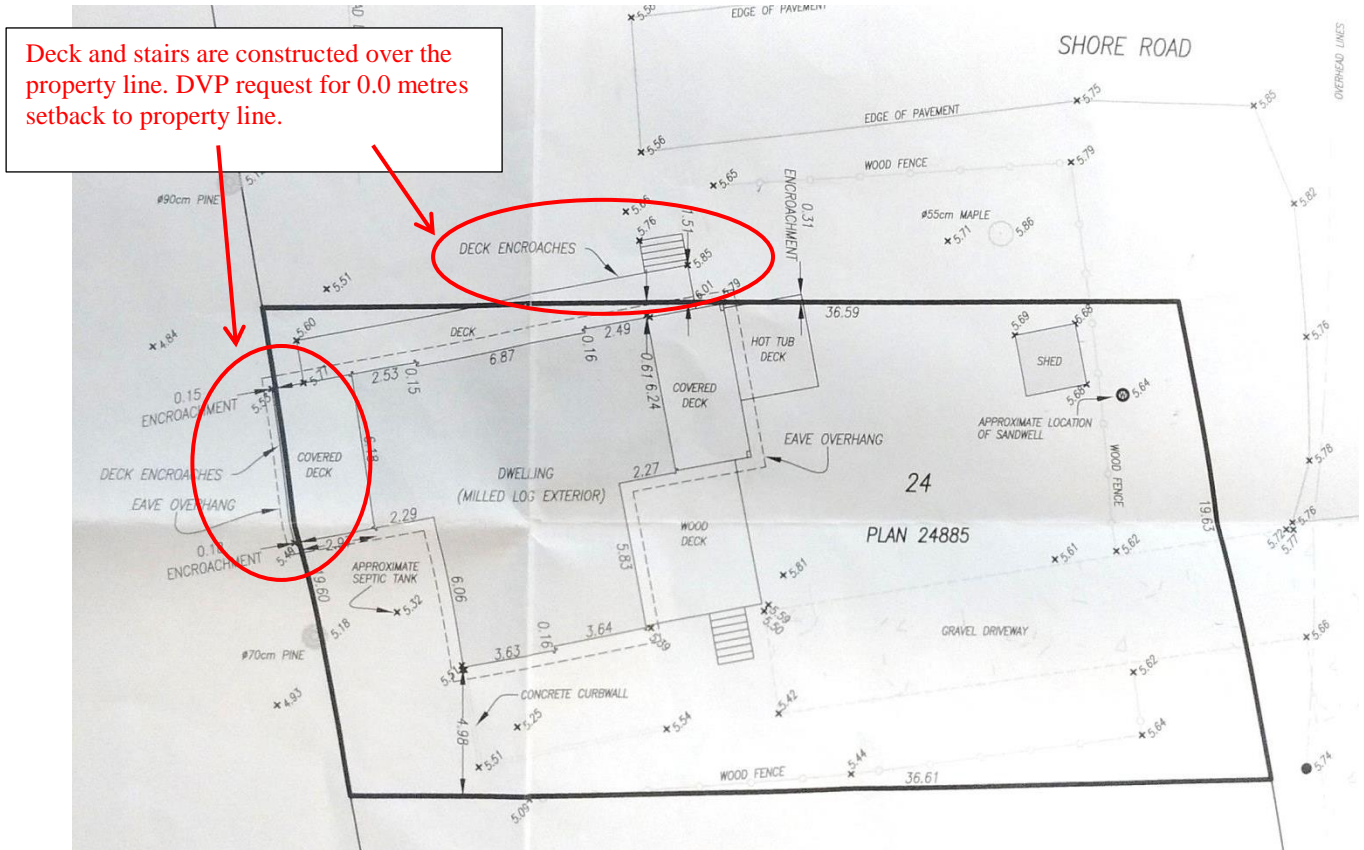
Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

DEVELOPMENT VARIANCE PERMIT 2019-21
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2019-21
SCHEDULE "B"
Site Plan



To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Andrea Antifaeff, Planner I

File No: 3015-20 2019-06

Subject: Agricultural Land Commission Application – Proposed subdivision (boundary adjustment) at 11180 Popkum Road North & PID 024-762-091, Electoral Area “D”

RECOMMENDATION

THAT the application for subdivision (boundary adjustment) within the Agricultural Land Reserve for the property located at 11180 Popkum Road North and PID 024-762-091, Electoral Area “D” be forwarded to the Agricultural Land Commission for consideration;

AND FURTHER THAT the Agricultural Land Commission consider the staff report dated July 9, 2019 under file number 3015-20 2019-06.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Foster a Strong & Diverse Economy

Support Environmental Stewardship

BACKGROUND

The Fraser Valley Regional District has received an application for a two lot subdivision (boundary adjustment) in the Agricultural Land Reserve for the property located at 11180 Popkum Road North and PID 024-762-091, Electoral Area “D”. The proposed lot sizes are as follows (see Appendix “B”):

Proposed Lot 1: 0.93 acres (0.37 hectares)

Proposed Lot 2: 34.9 acres (14.12 hectares)

PROPERTY DETAILS	
Electoral Area	D
Address	11180 Popkum Rd N & No Civic Address
PID	030-039-371 & 024-762-091
Folio	733.06473.200 & 733.01144.002
Lot Size	35.83 acres (Both properties)

Owner	Martin & Niesje Klyn & Klyn Kitchens Ltd.	Agent	Dylan Anderson (OTG Developments)
Current Zoning	Rural Agriculture (R-Ag) & Park Reserve (P-2)	Proposed Zoning	No change
Current OCP	Agriculture Large Holding (AG-L)	Proposed OCP	No change
Current Use	Agriculture & Residential	Proposed Use	Agricultural & Residential
Development Permit Areas	6-D RAR		
Agricultural Land Reserve	Southern Portion of Properties		

ADJACENT ZONING & LAND USES

North	^	Park Reserve (P-2), Forest & Fraser River
East	>	Rural Agriculture (R-Ag); Park Reserve (P-2) Farm
West	<	Park Reserve (P-2), Forest
South	v	Rural Agriculture (R-Ag), Farm

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Property Description and Subdivision Proposal

The owners of the property have made an application for a two lot subdivision (boundary adjustment) involving the properties located at 11180 Popkum Road North and PID 024-762-091.

The proposed boundary adjustment is to relocate and rearticulate PID 024-762-091 to resolve a land locked 0.93 acre parcel that is owned by Klyn Kitchens Ltd. (Adriaan Klyn). The land locked parcel was discovered during a survey several years ago by the previous owner. Previous to the survey, the parcel was assumed to form a part of the surrounding parcel, which is owned by Adriaan and Niesje Klyn. The survey also revealed that the existing agricultural building (now being reconstructed), which predates building permits, was constructed over the property line.

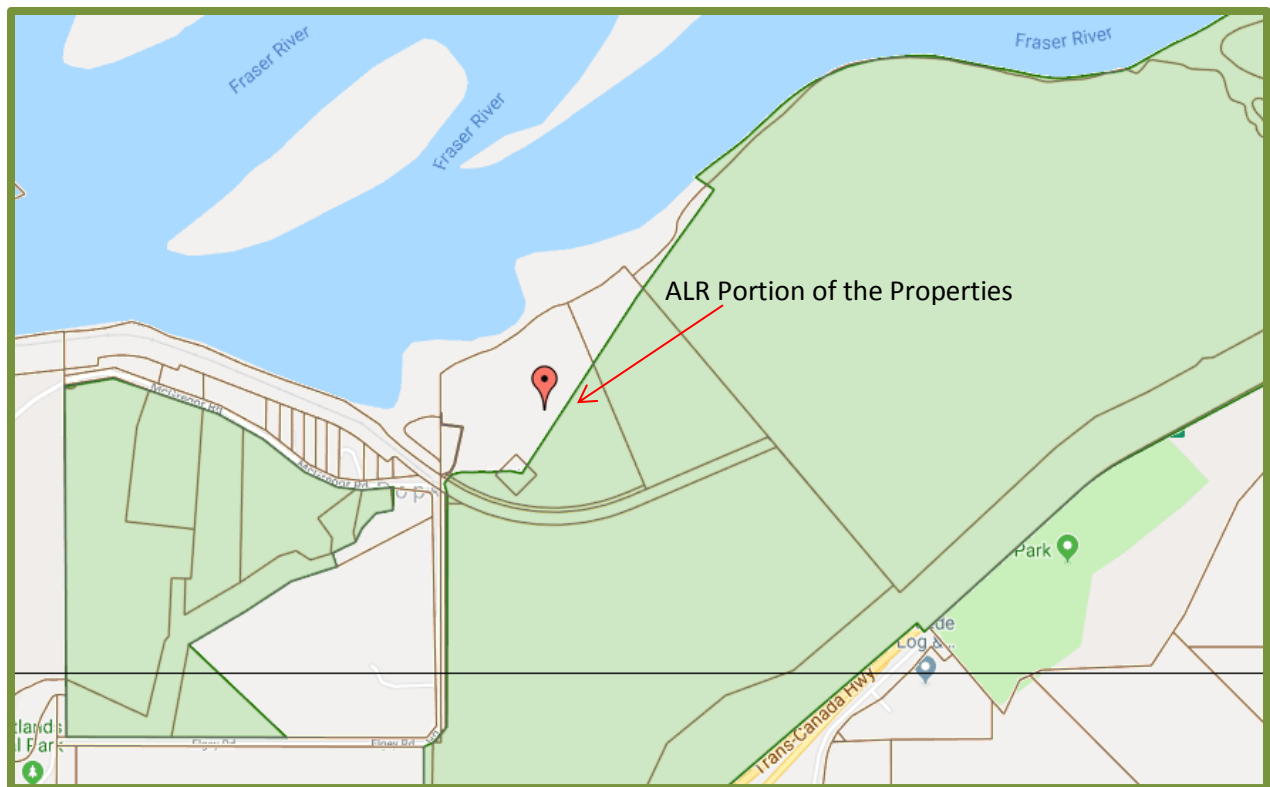


Image 2: Agricultural Land Reserve boundary

A previous subdivision application was submitted by the previous property owner of the subject properties and was considered by the ALC on September 25, 2018.

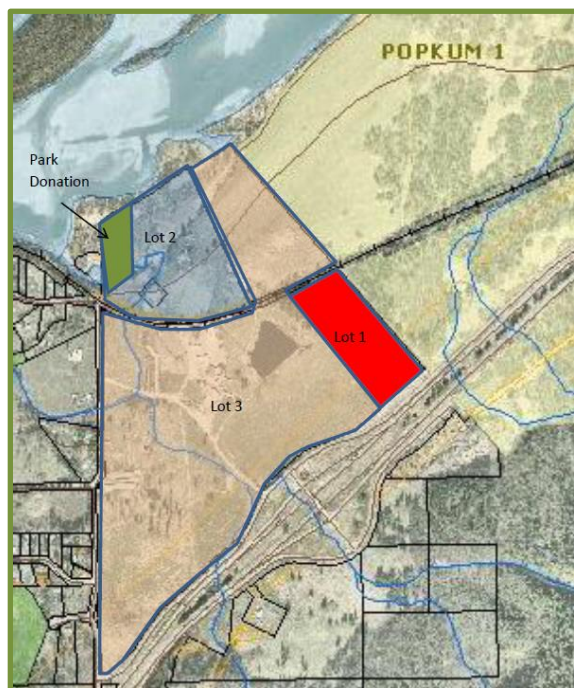


Image 3: Previous subdivision application lot layout

The previous application proposed to adjust the boundaries of 11180 Popkum Road North, 54101 Yale Road East and PID 024-762-091. The purpose of the application was to realign the boundaries of PID 024-762-091 to the eastern side of 54101 Yale Road East in order to resolve the encroachment of the agricultural building and enhance the agricultural use in favor of the property at 11180 Popkum Road North. The previous application involved the parcel to the south (across railway line); the current application does not.

The application for the subdivision in 2018 was refused by the Agricultural Land Commission, with the following reasons provided in written notification:

- The creation of proposed Lot 1 would subdivide an area of active agricultural land from Lot 3 for the purpose of creating a lot large enough to facilitate residential development.
- The subdivision of proposed Lot 1 would limit the range of agricultural operations that could take place on Lot 3, by reducing the area of land available to be farmed as a large continuous farm unit. Therefore, the panel finds that the creation of proposed Lot 1 does not enhance the agricultural use of the overall farm.

Soil Capability Classification for Agriculture

Lands within the Agricultural Land Reserve are assigned an agricultural capability classification. Generally the soils are classified on a scale ranging from 1 through 7; with Class 1 being applied to lands that have the ideal climate and soil to allow growth of the widest range of crops and Class 7 is applied to land that is considered non-arable, with no potential for soil bound agriculture. Classifications also consider the aridity, moisture content and topography of the soils. Capability classes are designated as unimproved and improved. Unimproved ratings are based on soil characteristics without physical improvements, whereas improved ratings are based on assumptions that improvements are made to enhance the agricultural potential of the soil.

The subject properties have an improved soil capability classification of three different agricultural capability classes (Class 2, 3, and 5). The Agricultural Land Commission is the most appropriate agency to decide and comment on matters such as soil capability for agriculture. However for the Committee's benefit we provide the following summary of the agricultural capability:

- Class 2: Land in this class has minor limitations that require good ongoing management practises or slightly restrict the range of crops, or both.
- Class 3: Land in this class has limitations that required moderately intensive management practises or moderately restrict the range of crops, or both.
- Class 5: Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

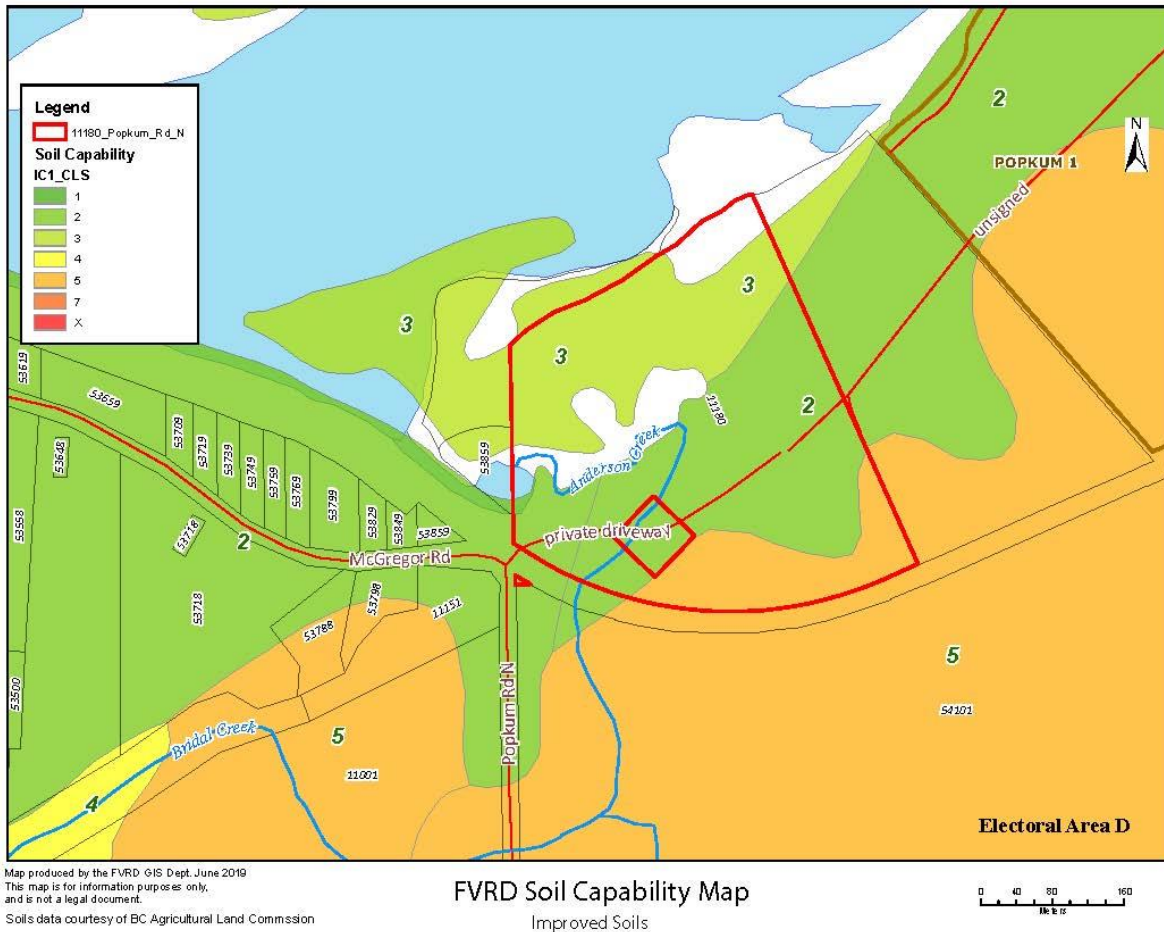


Image 3: Soil capability classification for the property located at 11180 Popkum Road North & PID: 024-762-091

FVRD Policies and Regulations

Zoning

The subject properties are split zoned Park Reserve (P-2) and Rural-Agricultural (R-Ag) as per *Zoning Bylaw No. 75 for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam*. The proposed boundary adjustment qualifies for re-subdivision policies in Section 305.2 of the zoning bylaw, which supports the proposal and therefore does not require a zoning amendment application.

RESUBDIVISION

Notwithstanding the minimum parcel size requirements of this bylaw, existing parcels which are smaller than permitted in these regulations may be consolidated and resubdivided into new parcels, provided that:

- a. all parts of all new parcels are contiguous; and

- b. as many new parcels as the subdivision Approving Officer considers practicable shall meet the area requirements of this bylaw; and
- c. the degree of compliance with the area requirements of this bylaw is not lessened on any new parcel; and
- d. where a parcel is not served by an approved community sanitary sewer system, the Medical Health Officer states in writing that all on-site sewage disposal requirements pursuant to the Health Act are met.

Official Community Plan

While the Official Community Plan (OCP) policies do not specifically contemplate boundary adjustment scenarios for parcels designated Agricultural, the OCP does support the proposed lot sizes, as follows:

4.2.14 Where land is in AGRICUTLURAL LARGE HOLDING (AG-L) AREAS and in the Agricultural Land Reserve, the minimum parcel size of 8 hectares (20 acres) in the floodplain and 4 hectares (10 acres) outside the floodplain shall only apply where the land is:

- excluded from the Agricultural Land Reserve
- approved for subdivision within the Agricultural Land Reserve pursuant to the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission, or
- exempted by the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission.

Subdivision (Boundary Adjustment) Process

Should the applicant receive approval for the proposed subdivision from the Agricultural Land Commission, a subsequent subdivision application is required to the Ministry of Transportation and Infrastructure (MOTI). This application will be reviewed by the FVRD to ensure that the proposal meets the FVRD's policies and regulations, including all necessary servicing requirements. No significant barriers to the subdivision approval are anticipated, however, technical challenges including the following will be addressed through the subdivision process:

- geohazards;
- riparian areas
- access to the relocated parcel; and,
- existing statutory rights of ways and easement amendments.

COST

The application fee of \$1,500.00 has been received by the applicant. A remittance of \$1,200.00 will be forwarded to the Agricultural Land Commission.

CONCLUSION

Subject to the Ministry of Transportation and Infrastructures subdivision process and the FVRD's review process, the proposed subdivision may be approvable. It is recommended that the application be forwarded to the Agricultural Land Commission for considerations for the following reasons:

- The Agricultural Land Commission is the best position to decide on the agricultural impact of the subdivision.

OPTIONS

Option 1 Forward to the ALC with support

THAT the Fraser Valley Regional District Board forward the application for the ALR subdivision (boundary adjustment) to the Agricultural Land Commission with support.

Option 2 Forward to the ALC

THAT the Fraser Valley Regional District Board forward the application for the ALR subdivision (boundary adjustment) to the Agricultural Land Commission for consideration.

Option 3 Refuse

THAT the Fraser Valley Regional District Board refuse the application for the ALR subdivision (boundary adjustment) and not forward the application to the Agricultural Land Commission.

COMMENTS BY:

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

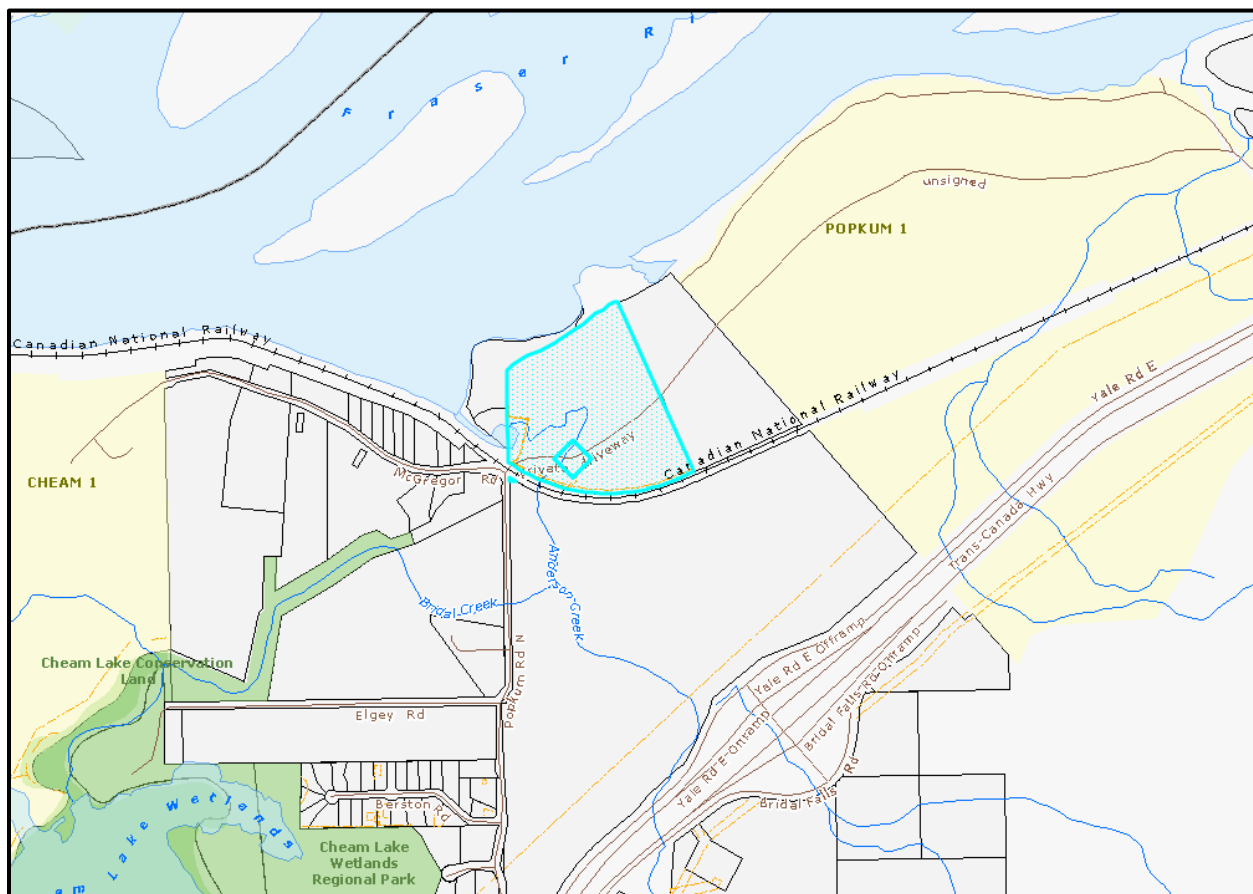
Margaret Thornton, Director of Planning & Development: Reviewed and supported.

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

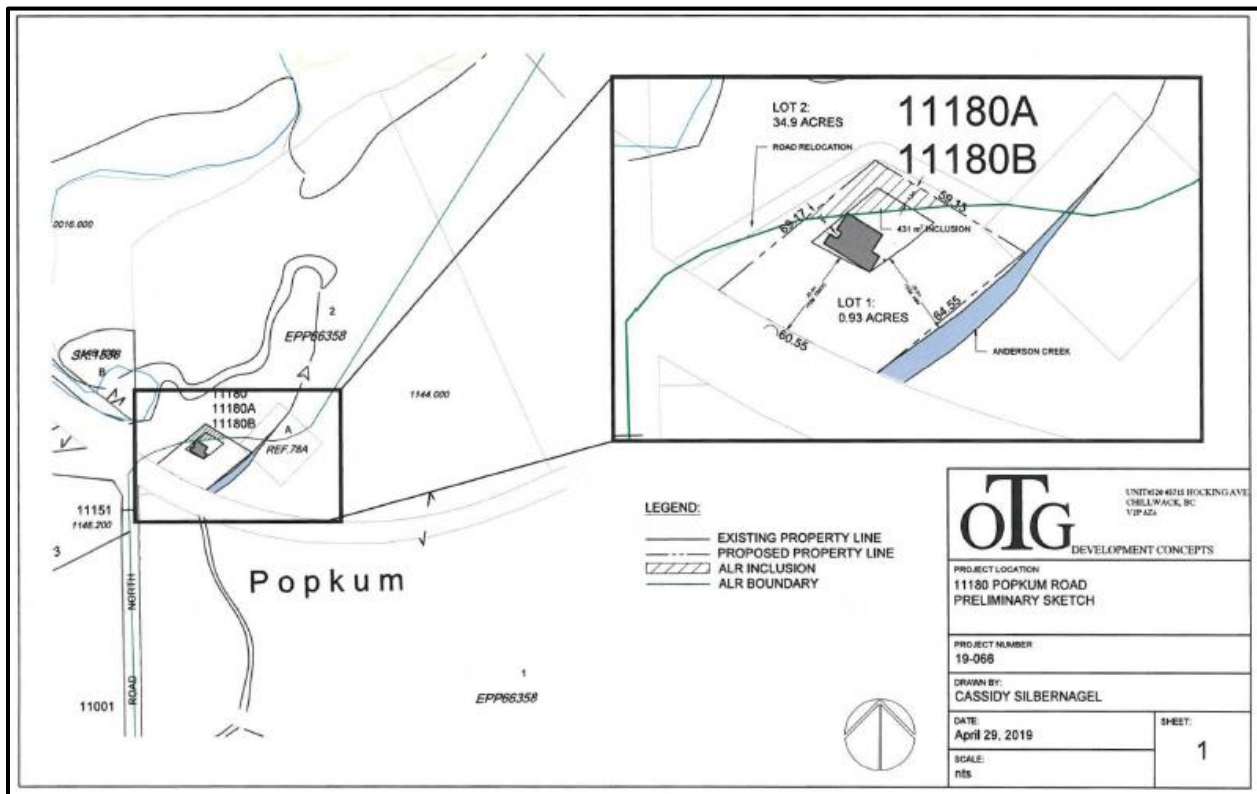
Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

Appendix "A"

Location Map



Appendix "B" Proposed Subdivision Layout





Provincial Agricultural Land Commission - Applicant Submission

Application ID: 59076

Application Status: Under LG Review

Applicant: Adriaan Martin Klyn , Niesje Nicoline Klyn

Agent: OTG Developments Ltd.

Local Government: Fraser Valley Regional District

Local Government Date of Receipt: 05/17/2019

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: This proposal seeks to amend the boundaries between 11180 Popkum Road North and PID: 024-762-091 to create the following lots:

Proposed Lot 1: 0.37 ha (0.93 acres)

Proposed Lot 2: 14.12 ha (34.9 acres)

This proposal would relocate and rearticulate PID: 024-762-091 to its new location as shown in the attached Draft Subdivision Plan as Proposed Lot 1 (attached as Appendix 2). The boundary adjustment of Proposed Lot 1 would align the property with Anderson Creek to the east and with the existing south lot line of 11180 Popkum Road North. Proposed Lot 1 would remain the same size as PID: 024-762-091's current state.

The private driveway would also be relocated to follow the shape of Proposed Lot 1.

Following the proposed boundary adjustment, this would facilitate the establishment of a homeplate on Proposed Lot 1. The proposed homeplate meets all setback requirements with respect to lot lines, railway tracks, and Anderson Creek.

Agent Information

Agent: OTG Developments Ltd.

Mailing Address:

520 - 45715 Hocking Ave

Chilliwack, BC

V2P 6Z6

Canada

Primary Phone: (604) 556-6623

Email: dylan@otgdevelopments.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 030-039-371

Legal Description: Lot 2 District Lot 446 Group 2 NWD Plan EPP66358

Parcel Area: 13.8 ha

Civic Address: 11180 Popkum Road North

Date of Purchase: 08/16/2017

Farm Classification: Yes

Owners

1. **Name:** Adriaan Martin Klyn

Address:

2. **Name:** Niesje Nicoline Klyn

Address:

2. **Ownership Type:** Fee Simple

Parcel Identifier: 024-762-091

Legal Description: Parcel A DL 446 Grp 2 NWD Plan 78A

Parcel Area: 0.4 ha

Civic Address: No civic

Date of Purchase: 02/08/2019

Farm Classification: Yes

Owners

1. **Name:** Klyn Kitchens Ltd.

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

The extent of agricultural activity taking place on the Subject Properties is cattle foraging, commodity barns, farm equipment storage. The property owners intend to grow cedar hedges on the property eventually, adding to the agricultural use. Please see full letter included with the application package.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

A barn was recently built on the subject property (straddling both property lines) to store hay and farm equipment storage. Please see full letter included with the application package.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

There is a residence on the properties. Please see full letter included with the application package.

Adjacent Land Uses

North

Land Use Type: Other

Specify Activity: Fraser River

East

Land Use Type: Other

Specify Activity: Popkum Indian Reserve

South

Land Use Type: Other

Specify Activity: Crown land.

West

Land Use Type: Residential

Specify Activity: Country Residential

Proposal

1. Enter the total number of lots proposed for your property.

13.8 ha

0.4 ha

2. What is the purpose of the proposal?

This proposal seeks to amend the boundaries between 11180 Popkum Road North and PID: 024-762-091 to create the following lots:

Proposed Lot 1: 0.37 ha (0.93 acres)

Proposed Lot 2: 14.12 ha (34.9 acres)

This proposal would relocate and rearticulate PID: 024-762-091 to its new location as shown in the attached Draft Subdivision Plan as Proposed Lot 1 (attached as Appendix 2). The boundary adjustment of Proposed Lot 1 would align the property with Anderson Creek to the east and with the existing south lot line of 11180 Popkum Road North. Proposed Lot 1 would remain the same size as PID: 024-762-091's current state.

The private driveway would also be relocated to follow the shape of Proposed Lot 1.

Following the proposed boundary adjustment, this would facilitate the establishment of a homeplate on Proposed Lot 1. The proposed homeplate meets all setback requirements with respect to lot lines, railway

tracks, and Anderson Creek.

3. Why do you believe this parcel is suitable for subdivision?

The overall goals of this application are to enhance the agricultural capability of the both proposed lots while simultaneously cleaning up the locations of legal parcels on the Subject Properties.

The current situation of PID: 024-762-091 creates a number of challenges to both properties. A farm building is currently located the property lines of both PID: 024-762-091 and 11180 Popkum Road North. Should any future additions be required for this farm building, it would create significant logistical and planning challenges with respect to land title and required variances to the building.

4. Does the proposal support agriculture in the short or long term? Please explain.

Should the proposed boundary adjustment be approved, a subsequent application would be applied for to include 421m2 of Proposed Lot 1 into the ALR. This proposed area is shown in Appendix 3. This would bring the entirety of Proposed Lot 1 into the ALR, an increase to the current ALR area of PID: 024-762-091. This proposed inclusion is one of the main factors that differentiates this application from the previous 2018 application.

Currently, the location of the road and watercourse isolate the prime farm land from 11180 Popkum Road North. Proposed Lot 2 would be far easier to farm following the proposed boundary adjustment as the road would be rearticulated and the watercourse would then only run through one property. This proposed boundary adjustment would result in a better utilization of farmland and farm buildings on both properties.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Agent Agreement - OTG Developments Ltd.
- Other correspondence or file information - 19-066 OTG Application Package
- Proposal Sketch - 59076
- Certificate of Title - 030-039-371
- Certificate of Title - 024-762-091

ALC Attachments

None.

Decisions

None.

Via Email Delivery

Our File No.: 19-066

May 15, 2019

Agricultural Land Commission
#133 – 4940 Canada Way
Burnaby BC V5G 4K6

Attention: Jennifer Dyson, Chair

**Re: ALC Application ID 59076 – 11180 Popkum Road North, Electoral Area "D" –
Subdivision (Boundary Adjustment) in the Agricultural Land Reserve**

Ms. Dyson,

Please accept this letter as a supplement to the above noted subdivision (boundary adjustment) in the Agricultural Land Reserve (ALR) application for the properties located at 11180 Popkum Road North and the property described as PID: 024-762-091 in the Fraser Valley Regional District (FVRD) Electoral Area "D" (the "Subject Properties").

DESCRIPTION OF SUBJECT PROPERTIES

Characteristics of Subject Properties					
Address	Approx. Lot Area	OCP Designation	Zoning	ALR	Current Use
11180 Popkum Road North	14.12 ha (34.9 acres)	Agricultural Large Holding	P-2 and R-Ag	Yes	Residential
PID: 024-762-091	0.37 ha (0.93 acres)	Agricultural Large Holding	P-2 and R-Ag	Yes	Agricultural – cattle and foraging

+++

"A plan without action is a dream,
an action without a plan is a nightmare."



A Context Map of the Subject Properties is attached as **Appendix 1**. PID: 024-762-091 is a landlocked 0.4 ha piece of land situated within the property lines of 11180 Popkum Road North.

This landlocked parcel was discovered during a survey by Corners Pride Farms, the previous owners of PID: 024-762-091. Prior to this survey, the Kylns had no knowledge of this parcel's existence and operated under the assumption that this 0.4 piece of land was part of their property at 11180 Popkum Road North. This survey also revealed that the existing barn (which predated building permit requirements), as shown in **Appendix 1**, is within a trespass and impedes the driveway for the neighbouring residential parcel.

A barn is situated on both 11180 Popkum Road North and PID: 204-762-091. The extent of agricultural activity taking place on the Subject Properties is cattle foraging, commodity barns, farm equipment storage and hay storage. The property owners intend to grow cedar hedges on the property eventually, adding to the agricultural use.

The property at 11180 also has several statutory right of ways (SROWs) and easements providing the likes of BC Hydro and the FVRD access to the landlocked property at PID: 024-762-091. It is assumed that these SROWs and easements will be amended should the application proceed to subdivision. These legal notations are attached as **Appendix 2**. The current configuration of this landlocked parcel relative to its surroundings is dysfunctional. Further details will be provided in the forthcoming 'Rationale for Subdivision' section.

CHARACTERISTICS OF THE AREA

The area surrounding the Subject Property is described in the following table:

Characteristics of the Surrounding Properties	
Relation to Subject Property	Surrounding Land Use
North	Fraser River
South	Crown land
East	Popkum Indian Reserve
West	Country Residential

The Subject Properties are adjacent to the Fraser River to the north, the Canadian National Railway to the south, non-ALR residential properties to the west, and an agriculturally active parcel to the east.

Previously Completed RAR

Anderson Creek also intersects the Subject Properties. A Riparian Area Regulation (RAR) assessment was completed for the Subject Property as part of a previous Building Permit (BP) Application. A 15.13m Streamside Protection and Enhancement Area (SPEA) was established from the high-water mark of Anderson Creek.

PREVIOUS APPLICATIONS

ALC Application ID: 57372

Proposal:

This previous application proposed to adjust the boundaries of 11180 Popkum Road North, 54101 Yale Road East, and PID: 024-762-091. The purpose of the application was to realign the boundaries of PID: 024-762-091 to the eastern side of 54101 Yale Road East in order to resolve the encroachment and enhance agricultural use in favor of the property at 11180 Popkum Road North.

Commission Comments:

"Proposed Lot 1 [PID: 024-762-091] will be created by subdividing a 4 ha area from the eastern portion of Property 3 [54101 Yale Road East]. The Panel finds that the creation of Proposed Lot 1 would subdivide an area of active agriculture from Property 3 [11180 Popkum Road North] for the purposes of creating a lot large enough to facilitate residential development. The subdivision of Proposed Lot 1 would limit the range of agricultural operations that could take place on Property 3 by reducing the area of land available to be farmed as a large contiguous farm unit. In this regard, the Panel finds that the creation of Proposed Lot 1 does not enhance the agricultural use of the overall farm... For these reasons given above the Panel refuses the Proposal."

Commission Decision: Refused

Date of Decision: September 25, 2018

Resolution: #302/2018

PROPOSAL

This proposal seeks to amend the boundaries between 11180 Popkum Road North and PID: 024-762-091 to create the following lots:

- Proposed Lot 1: 0.37 ha (0.93 acres)
- Proposed Lot 2: 14.12 ha (34.9 acres)

This proposal would relocate and rearticulate PID: 024-762-091 to its new location as shown in the attached Draft Subdivision Plan as Proposed Lot 1 (attached as **Appendix 2**). The boundary adjustment of Proposed Lot 1 would align the property with Anderson Creek to the east and with the existing south lot line of 11180 Popkum Road North. Proposed Lot 1 would remain the same size as PID: 024-762-091's current state.

The private driveway would also be relocated to follow the shape of Proposed Lot 1.

Following the proposed boundary adjustment, this would facilitate the establishment of a homeplate on Proposed Lot 1. The proposed homeplate meets all setback requirements with respect to lot lines, railway tracks, and Anderson Creek.

RATIONALE FOR SUBDIVISION

The overall goals of this application are to enhance the agricultural capability of the both proposed lots while simultaneously "cleaning up" the locations of legal parcels on the Subject Properties.

The current situation of PID: 024-762-091 creates a number of challenges to both properties. A farm building is currently located the property lines of both PID: 024-762-091 and 11180 Popkum Road North. Should any future additions be required for this farm building, it would create significant logistical and planning challenges with respect to land title and required variances to the building.

Should the proposed boundary adjustment be approved, a subsequent application would be applied for to include 421m² of Proposed Lot 1 into the ALR. This proposed area is shown in **Appendix 3**. This would bring the entirety of Proposed Lot 1 into the ALR, an increase to the current ALR area of PID: 024-762-091. This proposed inclusion is one of the main factors that differentiates this application from the previous 2018 application.

Currently, the location of the road and watercourse isolate the prime farm land from 11180 Popkum Road North. Proposed Lot 2 would be far easier to farm following the proposed boundary adjustment as the road would be rearticulated and the watercourse would then only run through one property. This proposed boundary adjustment would result in a better utilization of farmland and farm buildings on both properties.

Finally, it is understood that the creation of legally non-conforming parcels are permitted at the discretion of the Approving Officer (the Ministry of Transportation and Infrastructure in this case), provided that the creation of said lots are approved by the planning authority in question (the FVRD in this case). The FVRD Electoral Area "D" Zoning Bylaw has a provision which allows for a re-subdivision under section 305.2 of the Bylaw. Section 305.2 states the following:

RESUBDIVISION Notwithstanding the minimum parcel size requirements of this bylaw, existing parcels which are smaller than permitted in these regulations may be consolidated and resubdivided into new parcels, provided that:

- (a) all parts of all new parcels are contiguous; and*
- (b) as many new parcels as the subdivision Approving Officer considers practicable shall meet the area requirements of this bylaw; and*
- (c) the degree of compliance with the area requirements of this bylaw is not lessened on any new parcel; and*
- (d) where a parcel is not served by an approved community sanitary sewer system, the Medical Health Officer states in writing that all on-site sewage disposal requirements pursuant to the Health Act are met.*

LIST OF APPENDICES

- Appendix 1: Context Map of Subject Properties
- Appendix 2: Relevant Legal Notations on Title
- Appendix 3: Draft Subdivision Plan

CLOSING

We believe that this application will not only rectify the currently dysfunctional property situation involving both Subject Properties, but it will also benefit the agricultural capability

of both parcels going forward. Moving PID: 024-762-091 to its proposed location along with the reconfiguration of the road will allow this parcel to better function agriculturally. The relocation of the road will also allow for a more efficient traveled portion, allowing more of the area to be used for farming purposes. This proposed boundary adjustment would also situate the existing barn on one single parcel, rather than straddling two property lines. Additionally, the inclusion (should the boundary adjustment be accepted) of 421m² of PID: 024-762-091 into the ALR will supplement the agricultural capability of this parcel.

Thank you for your time and consideration. If there are any questions or concerns, please do not hesitate to contact the undersigned.

Regards,

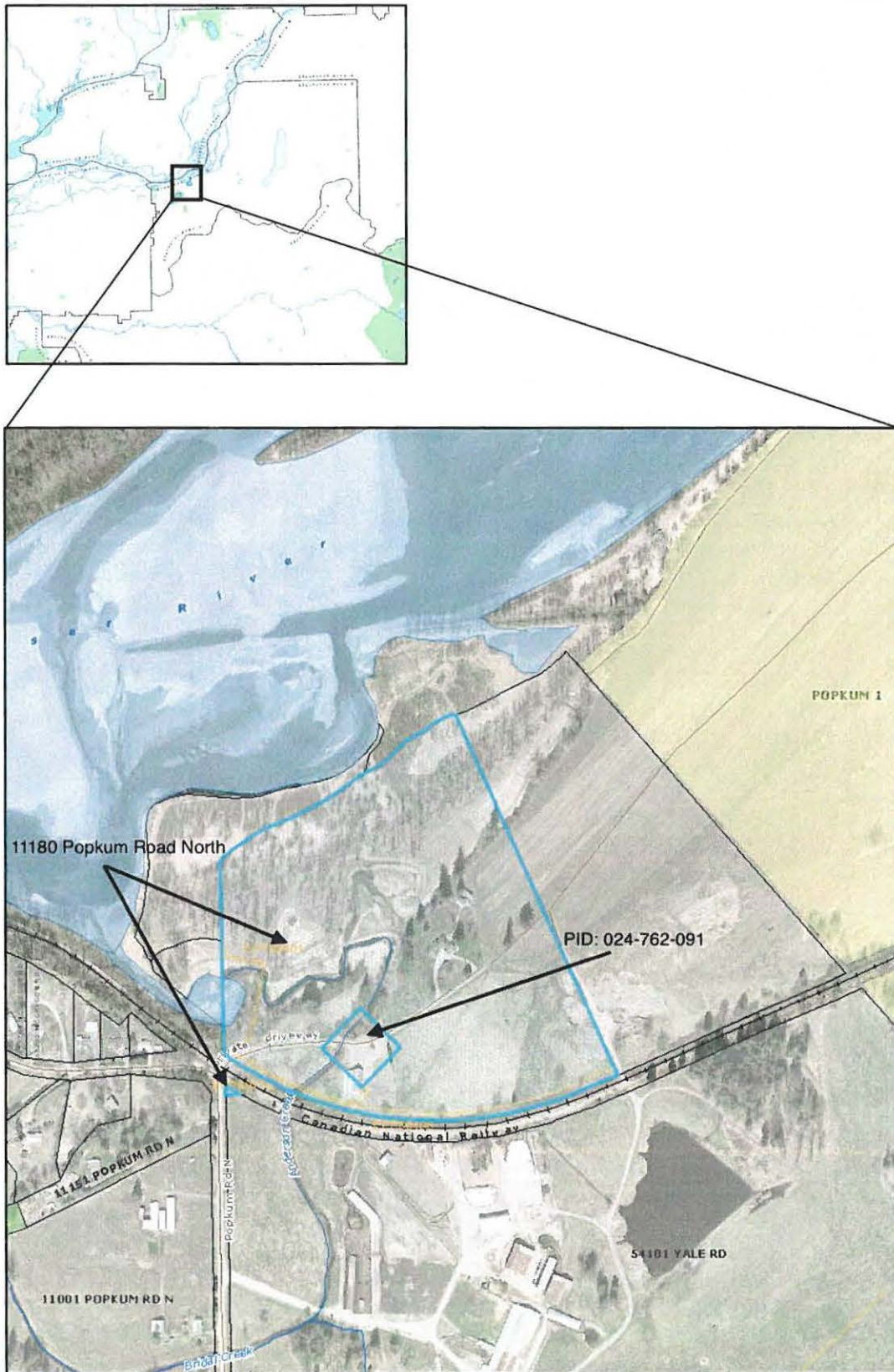
A handwritten signature in black ink, appearing to read 'Dylan Anderson', with a stylized, cursive script.

Dylan Anderson BA MUP
Development Planner/Project Manager
OTG Development Concepts
Phone: 604-556-6623
Email: dylan@otgdevelopments.com

APPENDIX 1

Context Map of Subject Properties

CONTEXT MAP OF SUBJECT PROPERTIES
(11180 POPKUM ROAD NORTH & PID 024-762-091)



APPENDIX 2

Relevant Legal Notations on Title

NEW WESTMINSTER LAND TITLE OFFICE

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

Nov-21-2016 12:00:11.006

CA5660279 CA5660281

PAGE 1 OF 9 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

Amritpal Kaur
Sidhu Q3P7GH

Digitally signed by Amritpal Kaur Sidhu
Q3P7GH
DN: o=CA, cn=Amritpal Kaur Sidhu
Q3P7GH, o=Lawyer, ou=Verify ID at
www.juricert.com/LKUP.cfm?
id=Q3P7GH
Date: 2016.11.21 11:54:32 -0800

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

WATERSTONE LAW GROUP LLP

201-45793 LUCKAKUCK WAY

CHILLIWACK

BC V2R 5S3

Document Fees: \$214.74

LTO #: 11382

PHONE #: 604-824-7777

FILE #: 140785-24

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR LOT 2 PLAN EPP66358

STC? YES

Related Plan Number: EPP66358

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

CORNER'S PRIDE FARMS LTD. (INC. NO. BC0189156) AND FARM CREDIT CANADA (AS TO PRIORITY)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

CORNER'S PRIDE FARMS LTD.

10484 MCGRATH ROAD

ROSEDALE

V0X 1X2

BRITISH COLUMBIA

CANADA

Incorporation No

BC0189156

7. ADDITIONAL OR MODIFIED TERMS:

n/a

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Amy K. Sidhu

Barrister & Solicitor

201-45793 Luckakuck Way
Chilliwack, BC V2R 5S3

Execution Date		
Y	M	D
16	10	20

Transferor(s) Signature(s)

Corner's Pride Farms Ltd. by its
authorized signatory:

Bernie Vander Meulen

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

PAGE 2 of 9 PAGES

Transferor / Borrower / Party Signature(s)

Corner's Pride Farms Ltd. by its
authorized signagory:

221

PAGE 3 of 9 PAGES

Transferor / Borrower / Party Signature(s)

Farm Credit Canada by its authorized signatory(ies):

Name: Pat Baker

Name: _____

Page 3 of 9

**LAND TITLE ACT
FORM E**

SCHEDULE

PAGE 4 OF 9 PAGES

NATURE OF INTEREST
Easement

CHARGE NO.

ADDITIONAL INFORMATION
over part on Plan EPP66400
Dominant Lands:
Lot 1 Plan EPP66358

NATURE OF INTEREST
Priority Agreement

CHARGE NO.

ADDITIONAL INFORMATION
Granting the Easement herein priority over
Mortgage No. CA658829 (extended by
CA1132441, Modified by CA1975851, Extended by
CA3036221 and Extended by CA5035383)

NATURE OF INTEREST
Priority Agreement

CHARGE NO.

ADDITIONAL INFORMATION
Granting the Easement herein priority over
Assignment of Rents No. CA658830 (extended by
CA1132442, Extended by CA3036222 and
Extended by CA5035384)

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

TERMS OF INSTRUMENT PART 2

THIS AGREEMENT dated for reference the 20th day of October, 2016,

BETWEEN:

CORNER'S PRIDE FARMS LTD., Inc. No. BC0189156,
10484 McGrath Road, RR 2
Rosedale, BC V0X 1X2

(hereinafter called the "Grantor");

AND:

CORNER'S PRIDE FARMS LTD., Inc. No. BC0189156,
10484 McGrath Road, RR 2
Rosedale, BC V0X 1X2

(hereinafter called the "Grantee");

WHEREAS:

- A. The Grantor is the registered owner of lands and premises situate, lying and being in the City of Chilliwack, in the Province of British Columbia more particularly known and described as:

PID: NPA
Lot 2 Plan EPP66358

(the "Servient Tenement")

- B. The Grantee is the registered owner of lands and premises situate, lying and being in the City of Chilliwack, in the Province of British Columbia more particularly known and described as at:

PID: NPA
Lot 1 Plan EPP66358

(the "Dominant Tenement")

- C. The Grantor has agreed to grant to the Grantee an easement over that portion of the Servient Tenement shown outlined in black on Reference Plan of Easement No. EPP66400 (the "Easement Area"), a copy of which is attached as Schedule "A" hereto for the purpose of access and the provision of manure line services to the Dominant Tenement.

THEREFORE in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration and the mutual covenants hereinafter contained, the parties hereto covenant and agree each with the others as follows:

1. The Grantee may construct and install, at its cost, manure line services and appurtenances thereto (collectively, the "Works") on, across, through, along and over the Easement Area.
2. The Grantor hereby grants unto the Grantee an easement in perpetuity for the benefit of the Dominant Tenement and to be appurtenant to and for the use and benefit of the Dominant Tenement in, over, under and upon the Easement Area and thereon by the Grantee and the owners and occupiers for the time being of the Dominant Tenement and their respective servants, agents, employees, workmen, lessees, tenants, invitees, licensees and customers and all other persons having a right to use such easement in common with the Grantor and its respective agents, servants, workers, contractors, licensees and all other persons by its authority to enter upon and to pass and repass both with and without vehicles, implements and equipment to dig, drill, excavate, lay down, install, construct, operate, maintain, alter, service, remove, replace, reconstruct, inspect, repair and otherwise deal with the Works and to perform any necessary work including without limiting the generality of the foregoing, the right to excavate any trench, provided that the Grantee shall as soon as practicable thereafter fill any excavation so made and shall restore the surface of the ground and any affected improvements as nearly as may be practicable to the level and condition before such work was done.
3. The Grantor hereby grants unto the Grantee an easement in perpetuity for the benefit of the Dominant Tenement and to be appurtenant to and for the use and benefit of the Dominant Tenement upon the Easement Area and thereon by the Grantee and the owners and occupiers for the time being of the Dominant Tenement and their respective servants, agents, employees, workmen, lessees, tenants, invitees, licensees and customers and all other persons having a right to use such easement and all other persons by its authority the full, free and uninterrupted right, liberty, privilege, permission and easement for the Grantee and its respective servants, agents, employees, workmen, lessees, tenants, invitees, licensees and customers to use the Easement Area at their will and pleasure, at all times by day and night to enter upon, occupy, pass and repass on, over, under, access and through the Easement Area with or without vehicles, equipment, supplies, materials and products of any and all kinds for the purpose of access to and ingress to and egress from the Dominant Tenement in common with the Grantor, its servants, agents, employees, workmen, lessees, tenants, invitees, licensees and customers and all other persons having a right to use such easement.
4. The Grantor will not erect any building, improvement or structure on the Easement Area or any portion thereof or do or permit anything to be done thereon to interfere with the Easement granted hereby and the rights of the Grantee in respect thereto.
5. The Works shall be kept in good condition and repair, and the cost of maintaining in good repair the Works shall be borne by the Grantee. In the event the Grantee fails to keep the Works in good condition and repair as required herein, the Grantor shall be entitled to undertake any reasonably necessary repairs and maintenance on behalf of the Grantee and the Grantee shall fully reimburse the Grantor for all such costs and expenses forthwith upon receiving written notice of same.

6. The Grantor covenants with the Grantee:
- (a) that no building, structure, fence, foundation, pavement, excavation, well, pile of material or obstruction shall be made, placed, erected or maintained on any portion of the Easement Area and that no growth shall be planted upon the Easement Area;
 - (b) that the Grantor shall not do or knowingly permit to be done any act or thing which will interfere with or obstruct the Easement Area;
 - (c) that the Grantor shall not disturb, reshape, modify or in any way alter any portion of the finished ground surface of the Easement Area; and
 - (d) that the Grantor will not diminish the soil cover over any portion of the Easement Area.
7. The Grantor and Grantee covenant and agree each with the other to save harmless and indemnify the other from any breach or default of any covenant under this Agreement until their respective rights, interest, liberties, duties, obligations and covenants are assigned, transferred, devolved or otherwise alienated.
8. Nothing contained in this Agreement shall be interpreted so as to restrict or prevent the Grantor from using the Easement Area in any manner which does not interfere with the security or efficient functioning of the Works.
9. Notwithstanding anything contained in this Agreement, the Grantor shall not be liable under any of the covenants and agreements contained herein where such liability arises by reason of an act or omission occurring after the Grantor ceases to have any further interest in the Servient Tenement.
10. Notwithstanding anything contained in this Agreement, the Grantee shall not be liable under any of the covenants and Agreement contained herein where such liability arises by reason of an act or omission occurring after the Grantee ceases to have any further interest in the Dominant Tenement.
11. The covenants contained herein shall enure to the benefit of the Grantee, as owner of the Dominant Tenement, and its successors and assigns, and all future owners of the Dominant Tenement, or any part thereof, and shall be binding on the Grantor, as owner of the Servient Tenement, and its successors and assigns and all future owners of the Servient Tenement or any part thereof, and these covenants shall be registered as annexed to and running with the Dominant Tenement and the Servient Tenement, respectively and any lands into which they may be subdivided or consolidated.

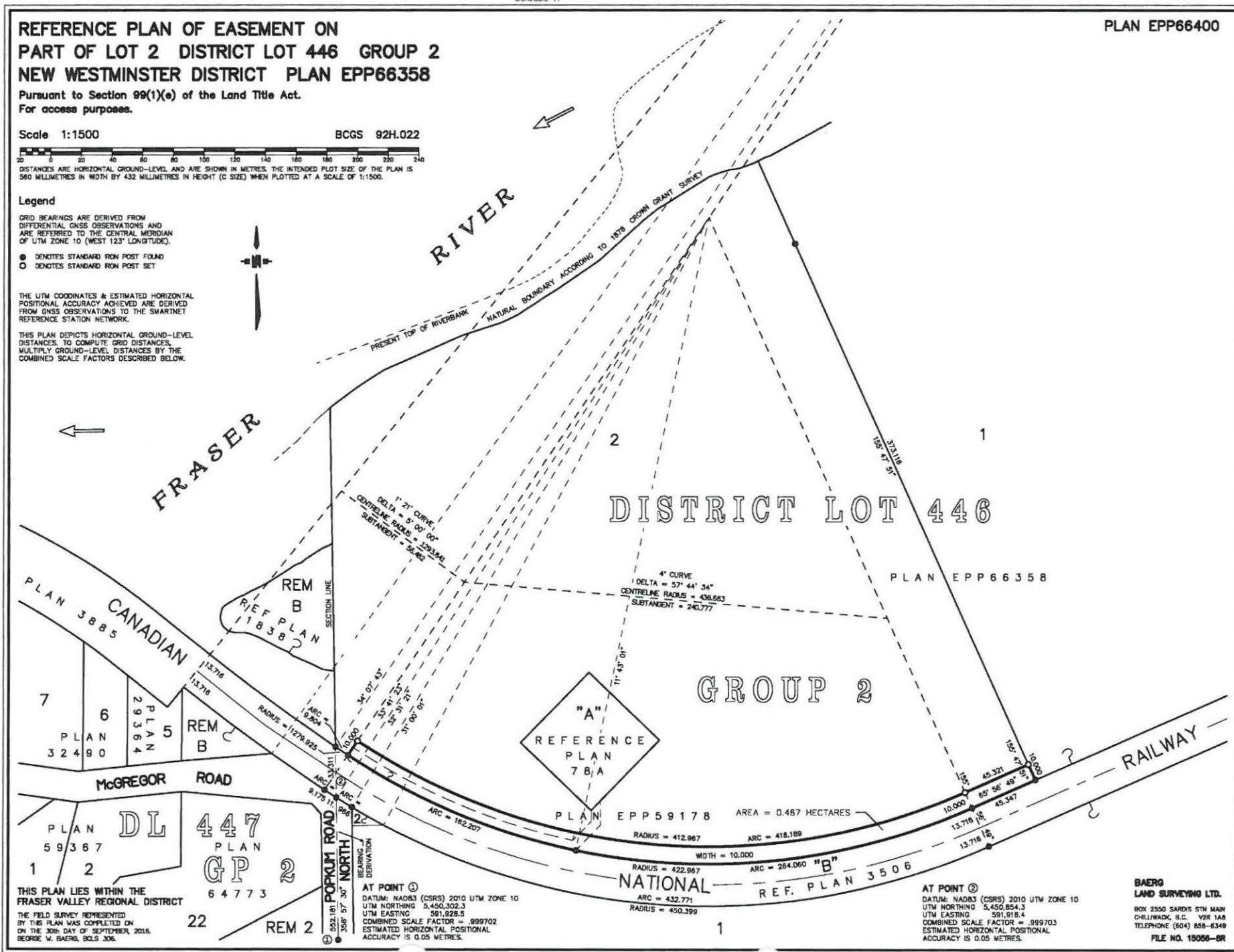
IN WITNESS WHEREOF the parties acknowledge that this Agreement has been duly executed and delivered by the parties executing the Form C and Form D attached as pages 1 and 2 hereto.

MEMORANDUM AS TO INTEREST

Mortgage No. CA658829 (extended by CA1132411, CA3036221 and CA5035383 and modified by CA1975851) and Assignment of Rents No. CA658830 (extended by CA1132442, CA3036222 and CA5035384) registered against the Lands at the New Westminster Land Title Office on the 18th day of December, 2007, in favour of Farm Credit Canada are together herein the "FCC Interest".

CONSENT TO PRIORITY

FARM CREDIT CANADA, being the holder of the FCC Interest referred to in the memorandum above written, in consideration of \$1.00 now paid to us and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby joins in and consents to the granting of this Agreement and hereby covenants that this Agreement shall bind the FCC Interest in the Lands and shall rank in priority upon the Lands over the FCC Interest as if the Agreement has been registered prior to the FCC Interest.



NEW WESTMINSTER LAND TITLE OFFICE

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

Nov-21-2016 12:00:11.009

CA5660283 CA5660285

PAGE 1 OF 10 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

Amritpal Kaur
Sidhu Q3P7GH

Digitally signed by Amritpal Kaur Sidhu
Q3P7GH
DN: c=CA, cn=Amritpal Kaur Sidhu
Q3P7GH, o=Lawyer, ou=Verify ID at
www.juricert.com/LKUP.dn?
d=Q3P7GH
Date: 2016.11.21 11:57:14 -0800

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

WATERSTONE LAW GROUP LLP

201-45793 LUCKAKUCK WAY

CHILLIWACK

BC V2R 5S3

LTO #: 11382

PHONE #: 604-824-7777

FILE #: 140785-24

Document Fees: \$214.74

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR LOT 2 PLAN EPP66358

STC? YES

Related Plan Number: EPP66358

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

CORNER'S PRIDE FARMS LTD. (INC. NO. BC0189156) AND FARM CREDIT CANADA (AS TO PRIORITY)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

FRASER VALLEY REGIONAL DISTRICT

45950 CHEAM AVENUE

CHILLIWACK

BRITISH COLUMBIA

V2P 1N6

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

n/a

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Amy K. Sidhu

Barrister & Solicitor

201-45793 Luckakuck Way
Chilliwack, BC V2R 5S3

Execution Date

Y	M	D
16	10	20

Transferor(s) Signature(s)

Corner's Pride Farms Ltd. by its
authorized signatory:

Bernie Vander Meulen

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D**

EXECUTIONS CONTINUED

PAGE 2 of 10 PAGES

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Christine Cheryl Armstrong-Mooney

Commissioner for Taking Affidavits in British Columbia

45950 Cheam Avenue
Chilliwack, BC V2P 1N6

Y	M	D
16	10	27

FRASER VALLEY REGIONAL
DISTRICT by its authorized signagory:

Name: Sharon Gaetz

Name: Paul Gipps

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

EXECUTIONS CONTINUED

PAGE 3 of 10 PAGES

Transferor / Borrower / Party Signature(s)

Y	M	D
16	10	25

Name:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E****SCHEDULE**

PAGE 4 OF 10 PAGES

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Statutory Right of Way

over part on Plan EPP66401

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Priority Agreement

Granting the Statutory Right of Way herein priority over Mortgage No. CA658829 (Extended by CA1132441, Modified by CA1975851, Extended by CA3036221 and Extended by CA5035383)

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Priority Agreement

Granting the Statutory Right of Way herein priority over Assignment of Rents No. CA658830 (Extended by CA1132442, Extended by CA3036222 and Extended by CA5035384)

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

TERMS OF INSTRUMENT – PART 2

THIS AGREEMENT dated for reference this 20th day of October, 2016.

BETWEEN:

CORNER'S PRIDE FARMS LTD., Inc. No. BC0189156,
10484 McGrath Road, RR 2
Rosedale, BC V0X 1X2

(hereinafter called the "Grantor");

AND:

FRASER VALLEY REGIONAL DISTRICT
having its office at 45950 Cheam Avenue
Chilliwack B.C. V2P 1N6

(hereinafter called the "Grantee");

WHEREAS:

- A. The Grantor is the registered owner of lands and premises situate, lying and being in the Fraser Valley Regional District, in the Province of British Columbia more particularly known and described as:

Lot 2 Plan EPP66358
(the "Lands");

- B. The Grantor has agreed to grant to the Grantee a Statutory Right of Way to allow for the construction of a public trail through a portion of the Lands and all works and things ancillary and incidental thereto (the "Public Trail"); and
- C. This Statutory Right of Way is necessary for the maintenance of the Grantee's undertaking and for public access.

THIS AGREEMENT IS EVIDENCE that in consideration of ONE (\$1.00) DOLLAR now paid by the Grantee to the Grantor and other good and valuable consideration (the receipt and sufficiency of which the Grantor hereby acknowledges) and of the mutual covenants and agreements herein set forth, the Grantor and the Grantee covenant and agree, and the Grantor hereby grants to the Grantee, as follows:

1. The Grantee covenants and agrees with the Grantor that it shall construct or cause to be constructed, at the Grantee's sole cost, the Public Trail within the Right of Way as hereinafter defined.

2. Pursuant to Section 218 of the *Land Title Act* the Grantor hereby grants, conveys and confirms to the Grantee, in perpetuity, the full, free and uninterrupted right, liberty, easement and statutory right of way, for the Grantee and its licensees, employees, agents, officials, contractors, workers and the public at all times hereafter, by day and by night at their will and pleasure, to enter, go, be on, pass and re-pass, with or without vehicles, personal property or equipment, upon, over and across those portions of the Lands outlined in heavy black on the statutory right of way plan in respect of the Lands deposited for registration, or registered, in the Land Title Office under number EPP66401 ("Right of Way") attached hereto as Schedule "A", to:

- (a) construct the Public Trail upon the Right of Way and to maintain, repair, replace or remove the Public Trail from time to time in the Grantee's discretion;
- (b) have unobstructed access to and from the Right of Way at any and all times; and
- (c) do all other things on the Right of Way as may be reasonably required in connection with the foregoing.

3. The Grantor covenants with the Grantee that:

- (a) no building, structure, fence, foundation, pavement, excavation, well, pile of material or obstruction shall be made, placed, erected or maintained on any portion of the Right of Way and that no growth shall be planted upon the Right of Way;
- (b) the Grantor shall not do or knowingly permit to be done any act or thing which will interfere with or obstruct the Right of Way;
- (c) the Grantor shall not disturb, reshape, modify or in any way alter any portion of the finished ground surface of the Right of Way; and
- (d) the Grantor will not diminish the soil cover over any portion of the Right of Way.

4. The Grantee shall and may peaceably hold and enjoy the rights, liberties and right of way hereby granted without hindrance, or interruption by the Grantor or any person, firm or corporation claiming by, through, under or in trust for the Grantor.

5. The Grantor, upon every reasonable request and at the Grantee's cost, shall do or execute or cause to be done or executed all such further and other lawful acts, deeds, things, conveyances and assurances in law whatsoever for better assuring to the Grantee the rights, liberties and statutory right of way hereby granted.

6. In the exercise of its powers hereunder, the Grantee may remove anything placed on the Right of Way by the Grantor but, except for the Public Trail, shall, so far as possible and subject to section 2 hereof, restore the Right of Way to substantially its original condition, so far as is reasonably practicable, promptly after completing the Public Trail.

7. The Grantee shall construct the Public Trail and other things hereby authorized to be done by it over, through, under and upon the Right of Way in a good and workmanlike manner so as to cause no unnecessary damage or disturbance to the Right of Way or to any improvements thereon.

8. The Grantee shall at all times indemnify and save harmless the Grantor from and against any and all loss, expense or damage arising from negligence of the Grantee, its agents, employees, contractors, subcontractors, the public and from and against all claims and demands, losses, costs, actions, suits or other proceedings by whomsoever made, brought or prosecuted, whether arising by reason of accidents, damages or injuries to persons or to property (including the Grantor's employees, agents and contractors, and including Grantor's property) or otherwise in any manner caused by, arising out of or attributable to the exercise in any manner of the rights hereby granted.

9. This Agreement shall be construed as running with the Lands but no part of the fee of soil thereof passes to or is vested in the Grantee under or by this Agreement and the Grantor may fully use the Right of Way subject only to the rights and restrictions herein set forth.

10. Waiver of any default by either party shall not be deemed to be a waiver of any subsequent default by that party.

11. This Agreement runs with the Lands and every part or parts thereof, and shall attach to and run with the Lands and each and every part to which the Lands may be divided or subdivided whether by subdivision plan, strata plan or otherwise howsoever.

12. Whenever it is required or desired that either party shall deliver or serve a notice on the other, delivery or service shall be deemed to be satisfactory if and deemed to have occurred when:

- (a) the Clerk of the Grantee or the Grantor, as the case may be, has been served personally, on the date of service; or
- (b) mailed by prepaid registered mail, on the date received or on the sixth day after receipt of mailing by any Canada post office, whichever is the earlier, so long as the notice is mailed to the party at the address provided herein or to whatever address the party may from time to time provide to the other party.

13. Wherever the singular or masculine is used in this Agreement, the same is deemed to include the plural or the feminine or the body politic or corporate as the context so requires.

14. Every reference to each party is deemed to include the heirs, executors, administrators, assigns, employees, agents, officers, and invitees of such party wherever the context so requires or allows.

15. If any section, subsection, sentence, clause or phrase in this Agreement is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be

severed and the decision that it is invalid shall not affect the validity of the remainder of the Agreement.

16. This Agreement shall enure to the benefit of and be binding on the parties hereto notwithstanding any rule of law or equity to the contrary.

17. Notwithstanding anything contained herein, neither the Grantor named herein nor any future owner of the Lands or any portion thereof shall be liable under any of the covenants and agreement contained herein where such liability arises by reason of an act or omission occurring after the Grantor named herein or any future owner ceases to have a further interest in the Lands.

18. Wherever this Agreement creates a power or obligation of the Grantee to make a decision or to exercise any contractual right or remedy, the Grantee may do so in accordance with the provisions of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice, shall have any application.

19. This agreement shall be governed and construed according to the laws of the Province of British Columbia.

IN WITNESS WHEREOF the parties have hereunto executed these presents by execution of the Form "C" and Form "D" attached hereto.

MEMORANDUM AS TO INTEREST

Mortgage No. CA658829 (extended by CA1132411, CA3036221 and CA5035383 and modified by CA1975851) and Assignment of Rents No. CA658830 (extended by CA1132442, CA3036222 and CA5035384) registered against the Lands at the New Westminster Land Title Office on the 18th day of December, 2007, in favour of Farm Credit Canada are together herein the "FCC Interest".

CONSENT TO PRIORITY

FARM CREDIT CANADA, being the holder of the FCC Interest referred to in the memorandum above written, in consideration of \$1.00 now paid to us and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby joins in and consents to the granting of this Agreement and hereby covenants that this Agreement shall bind the FCC Interest in the Lands and shall rank in priority upon the Lands over the FCC Interest as if the Agreement has been registered prior to the FCC Interest.

PLAN EPP66401

Scale 1:750 BCGS 92H.022



DISTANCES SHOWN ARE IN METRES.
THE INTENDED PLOT SIZE OF THE PLAN IS 432MILLIMETRES IN WIDTH BY
580 MILLIMETRES IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:750.

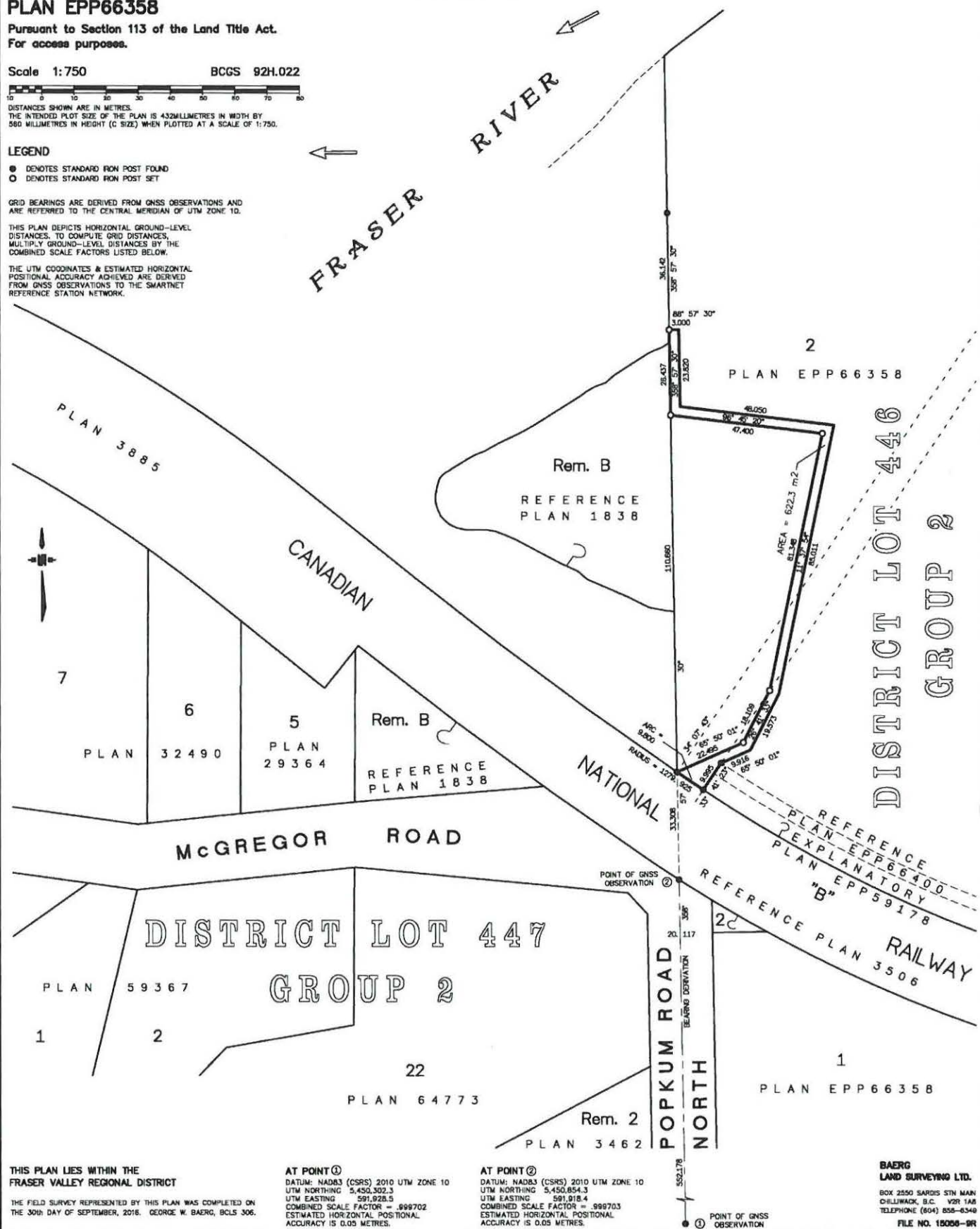
LEGEND

- DENOTES STANDARD IRON POST FOUND
○ DENOTES STANDARD IRON POST SET

GRID BEARINGS ARE DERIVED FROM GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10.

THIS PLAN DEPICTS HORIZONTAL GROUND-LEVEL DISTANCES. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE COMBINED SCALE FACTORS LISTED BELOW.

THE UTM COORDINATES & ESTIMATED HORIZONTAL POSITIONAL ACCURACY ACHIEVED ARE DERIVED FROM GNSS OBSERVATIONS TO THE SMARTNET REFERENCE STATION NETWORK.



NEW WESTMINSTER LAND TITLE OFFICE

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

Mar-10-2016 11:01:21.007

CA5035387 CA5035389

PAGE 1 OF 11 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

Amritpal Kaur
Sidhu Q3P7GH

Digitally signed by Amritpal Kaur Sidhu
Q3P7GH
DN: c=CA, cn=Amritpal Kaur Sidhu
Q3P7GH, o=Lawyer, ou=Verify ID at
www.juricert.com/LKUP.dcn?
id=Q3P7GH
Date: 2016.03.10 10:30:24 -0800

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

WATERSTONE LAW GROUP LLP

201-45793 LUCKAKUCK WAY

CHILLIWACK

BC V2R 5S3

LTO #: 11382

PHONE #: 604-824-7777

FILE #: 140785-23

Document Fees: \$214.74

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR LOT A DL 446 GP 2 NWD PLAN EPP56518

STC? YES

Related Plan Number: EPP56518

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

CORNER'S PRIDE FARMS LTD. (INC. NO. BC0189156) AND FARM CREDIT CANADA (AS TO PRIORITY)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SEE SCHEDULE

7. ADDITIONAL OR MODIFIED TERMS:

n/a

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Amy K. Sidhu

Barrister & Solicitor

201-45793 Luckakuck Way
Chilliwack, BC V2R 5S3

Execution Date

Y	M	D
16	02	03

Transferor(s) Signature(s)

CORNER'S PRIDE FARMS LTD. by
its authorized signatory:

Bernie Vander Meulen

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D**

EXECUTIONS CONTINUED

PAGE 2 of 11 PAGES

Officer Signature(s)

Sandeep Kaur Dhesa

Commissioner for Taking Affidavits in British Columbia

200-10428 153rd Street
Surrey, BC V3R 1E1

Execution Date

Y	M	D
16	02	16

Transferor / Borrower / Party Signature(s)

Her Majesty the Queen in the right of
the Province of British Columbia, as
represented by the Minister of Forests,
Lands and Natural Resource
Operations by its authorized signatory
(ies):

Name: Catherine Allard

Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D**

EXECUTIONS CONTINUED

PAGE 3 of 11 PAGES

Officer Signature(s)

John A. Christopher

Notary Public

12040-149th Street NW LAC - 2nd Fl.
Edmonton, AB T5V 1P2

Execution Date

Y	M	D
16	02	08

Transferor / Borrower / Party Signature(s)

FARM CREDIT CANADA by its
authorized signatory(ies):

Name: Melanie Clark

Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E****SCHEDULE**

PAGE 4 OF 11 PAGES

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Statutory Right of Way

over portion outlined in black on plan EPP59178

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Priority Agreement

granting the Statutory Right of Way herein priority
over CA658829 (extended by CA1132441 &
CA3036221 and modified by CA1975851)

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Priority Agreement

granting the Statutory Right of Way herein priority
over CA658830 (extended by CA1132442 &
CA3036222)

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

**LAND TITLE ACT
FORM E**

SCHEDULE

PAGE 5 OF 11 PAGES

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

6. Transferee(s):

Her Majesty the Queen in Right of the Province of British Columbia as represented by the Minister of
Forests, Lands and Natural Resource Operations
200-10428 153rd Street
Surrey, BC V3R 1E1

TERMS OF INSTRUMENT – PART 2

THIS AGREEMENT dated for reference this 26th day of January 2016.

BETWEEN:

CORNER'S PRIDE FARMS LTD. (Inc. No. BC0189156)
of 201-45793 Luckakuck Way, Chilliwack, B.C. V2R 5S3

(hereinafter called the "Grantor");

AND:

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA AS REPRESENTED BY THE MINISTER
OF FORESTS, LANDS AND NATURAL RESOURCE
OPERATIONS,**

having its office at 200-10428 153rd Street, Surrey, B.C. V3R 1E1

(hereinafter called the "Grantee");

WHEREAS:

- A. The Grantor is the registered owner of lands and premises situate, lying and being in the Fraser Valley Regional District, in the Province of British Columbia more particularly known and described as:

Lot A DL 446 GP 2 NWD Plan EPP56518

(the "Grantor's Lands").

- B. The Grantee is the owner of lands and premises situate, lying and being in the Fraser Valley Regional District, in the Province of British Columbia more particularly known and described as:

Parcel "A" Reference Plan 78A

(the "Grantee's Lands")

- C. The Grantee does not have access to the Grantee's Lands without entering upon the Grantor's Lands and it is a condition of subdivision approval by the Fraser Valley Regional District that this access issue be resolved.
- D. The Grantor has agreed to grant to the Grantee a Statutory Right of Way over a portion of the Grantor's Lands for the purpose of allowing the Grantee access to the Grantee's Lands

and all works and things ancillary and incidental thereto on the terms and conditions hereinafter contained.

THIS AGREEMENT IS EVIDENCE that in consideration of ONE (\$1.00) DOLLAR now paid by the Grantee to the Grantor and other good and valuable consideration (the receipt and sufficiency of which the Grantor hereby acknowledges) and of the mutual covenants and agreements herein set forth, the Grantor and the Grantee covenant and agree, and the Grantor hereby grants to the Grantee, as follows:

1. Pursuant to Section 218 of the *Land Title Act* the Grantor hereby grants, conveys and confirms to the Grantee, in perpetuity, the full, free and uninterrupted right, liberty, easement and statutory right of way, for the Grantee and its licensees, employees, agents, officials, contractors, and workers at all times hereafter, by day and by night at their will and pleasure, to enter, go, be on, pass and re-pass, with or without vehicles, personal property or equipment, upon, over and across that portion of the Grantor's Lands shown outlined in black on Explanatory Plan of Statutory Right of Way No. EPP59178 (the "Right of Way"), a copy of which is attached as Schedule "A" for the purpose of providing the Grantee access to the Grantee's Lands.
2. The Grantor covenants and agrees with the Grantee that:
 - (a) no building, structure, fence, foundation, pavement, excavation, well, pile of material or obstruction shall be made, placed, erected or maintained on any portion of the Right of Way and that no growth shall be planted upon the Right of Way;
 - (b) the Grantor shall not do or knowingly permit to be done any act or thing which will interfere with or obstruct the Right of Way;
 - (c) the Grantor shall not disturb, reshape, modify or in any way alter any portion of the finished ground surface of the Right of Way; and
 - (d) the Grantor will not diminish the soil cover over any portion of the Right of Way.
3. The Grantee covenants and agrees with the Grantor that in the event that the Grantee ceases to have any interest in the Grantee's Lands, that the Grantee will apply to release the Right of Way from the Grantor's Lands at the Grantee's expense.
4. The Grantee shall and may peaceably hold and enjoy the rights, liberties and right of way hereby granted without hindrance, or interruption by the Grantor or any person, firm or corporation claiming by, through, under or in trust for the Grantor.
5. The Grantor, upon every reasonable request and at the Grantee's cost, shall do or execute or cause to be done or executed all such further and other lawful acts, deeds, things, conveyances and assurances in law whatsoever for better assuring to the Grantee the rights, liberties and statutory right of way hereby granted.

6. The Grantee shall at all times indemnify and save harmless the Grantor from and against any and all loss, expense or damage arising from negligence of the Grantee, its agents, employees, contractors, subcontractors and from and against all claims and demands, losses, costs, actions, suits or other proceedings by whomsoever made, brought or prosecuted, whether arising by reason of accidents, damages or injuries to persons or to property (including the Grantor's employees, agents and contractors, and including Grantor's property) or otherwise in any manner caused by, arising out of or attributable to the exercise in any manner of the rights hereby granted.

7. This Agreement shall be construed as running with the Grantor's Lands but no part of the fee of soil thereof passes to or is vested in the Grantee under or by this Agreement and the Grantor may fully use the Right of Way subject only to the rights and restrictions herein set forth.

8. Waiver of any default by either party shall not be deemed to be a waiver of any subsequent default by that party.

9. This Agreement runs with the Grantor's Lands and every part or parts thereof, and shall attach to and run with the Grantor's Lands and each and every part to which the Grantor's Lands may be divided or subdivided whether by subdivision plan, strata plan or otherwise howsoever.

10. Whenever it is required or desired that either party shall deliver or serve a notice on the other, delivery or service shall be deemed to be satisfactory if and deemed to have occurred when:

- (a) the clerk of the Grantee or the Grantor, as the case may be, has been served personally, on the date of service; or
- (b) mailed by prepaid registered mail, on the date received or on the sixth day after receipt of mailing by any Canada post office, whichever is the earlier, so long as the notice is mailed to the party at the address provided herein or to whatever address the party may from time to time provide to the other party.

11. Wherever the singular or masculine is used in this Agreement, the same is deemed to include the plural or the feminine or the body politic or corporate as the context so requires.

12. Every reference to each party is deemed to include the heirs, executors, administrators, assigns, employees, agents, officers, and invitees of such party wherever the context so requires or allows.

13. If any section, subsection, sentence, clause or phrase in this Agreement is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the Agreement.

14. This Agreement shall enure to the benefit of and be binding on the parties hereto notwithstanding any rule of law or equity to the contrary.

15. Notwithstanding anything contained herein, neither the Grantor named herein nor any future owner of the Grantor's Lands or any portion thereof shall be liable under any of the covenants and agreement contained herein where such liability arises by reason of an act or omission occurring after the Grantor named herein or any future owner ceases to have a further interest in the Grantor's Lands.

16. Wherever this Agreement creates a power or obligation of the Grantee to make a decision or to exercise any contractual right or remedy, the Grantee may do so in accordance with the provisions of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice, shall have any application.

17. This agreement shall be governed and construed according to the laws of the Province of British Columbia.

IN WITNESS WHEREOF the parties have hereunto executed these presents by execution of the Form "C" and Form "D" attached hereto.

MEMORANDUM AS TO INTEREST

Mortgage No. CA658829 (Extended by CA1132441 & CA3036221 and Modified by CA1975851) and Assignment of Rents No. CA658830 (Extended by CA1132442 & CA3036222) registered against the Lands at the New Westminster Land Title Office on the 18th day of December, 2007, in favour of Farm Credit Canada are together herein the "FCC Interest".

CONSENT TO PRIORITY

FARM CREDIT CANADA, being the holder of the FCC Interest referred to in the memorandum above written, in consideration of \$1.00 now paid to us and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby joins in and consents to the granting of this Agreement and hereby covenants that this Agreement shall bind the FCC Interest in the Lands and shall rank in priority upon the Lands over the FCC Interest as if the Agreement has been registered prior to the FCC Interest.



APPENDIX 3

Draft Subdivision Plan

EXPLANATORY PLAN OF STATUTORY RIGHT OF WAY OVER PART OF LOT A DISTRICT LOT 446 GROUP 2 NWD PLAN EPP56518

Pursuant to Section 99(1)(e) of the Land Title Act.
For access purposes.

Scale 1:1500

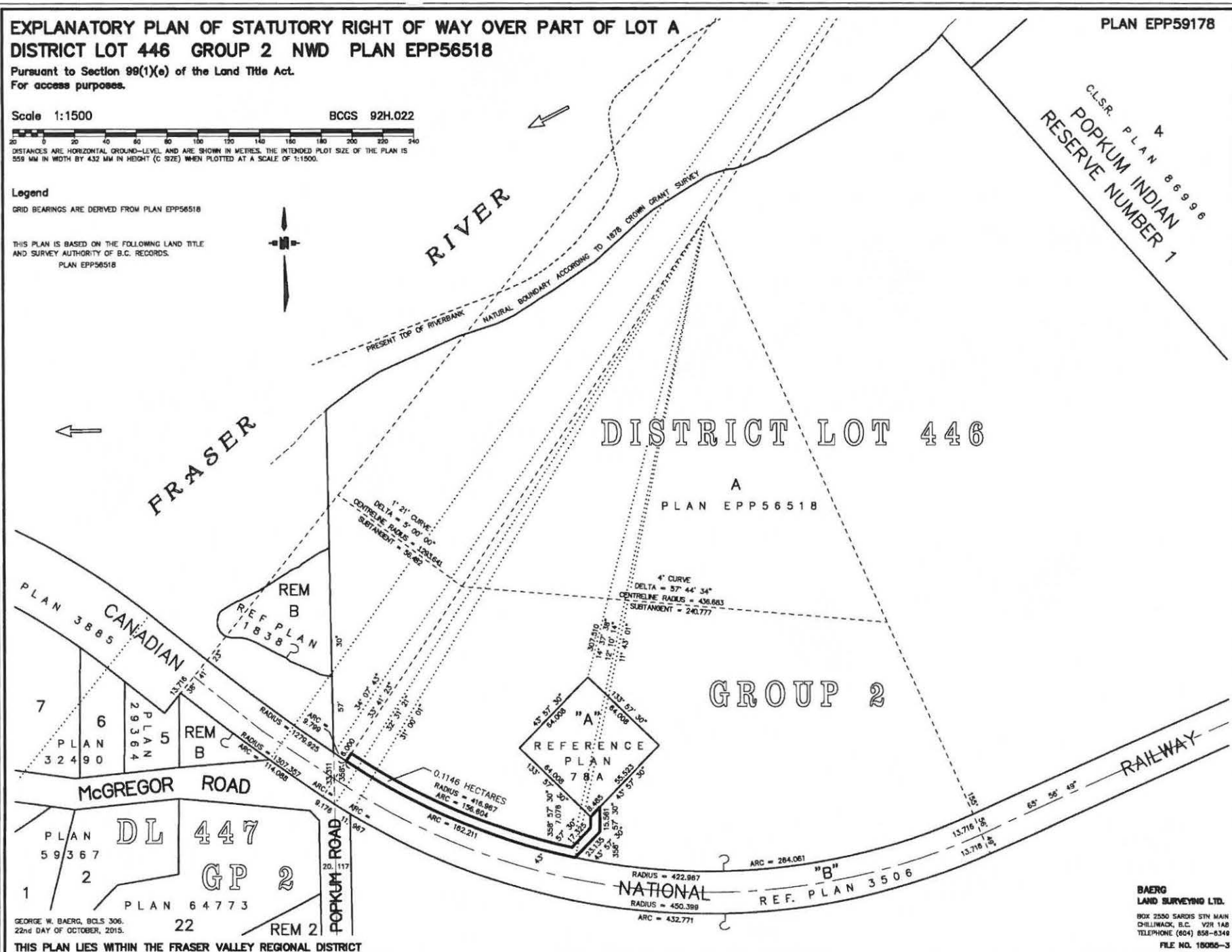
BCGS 92H.022

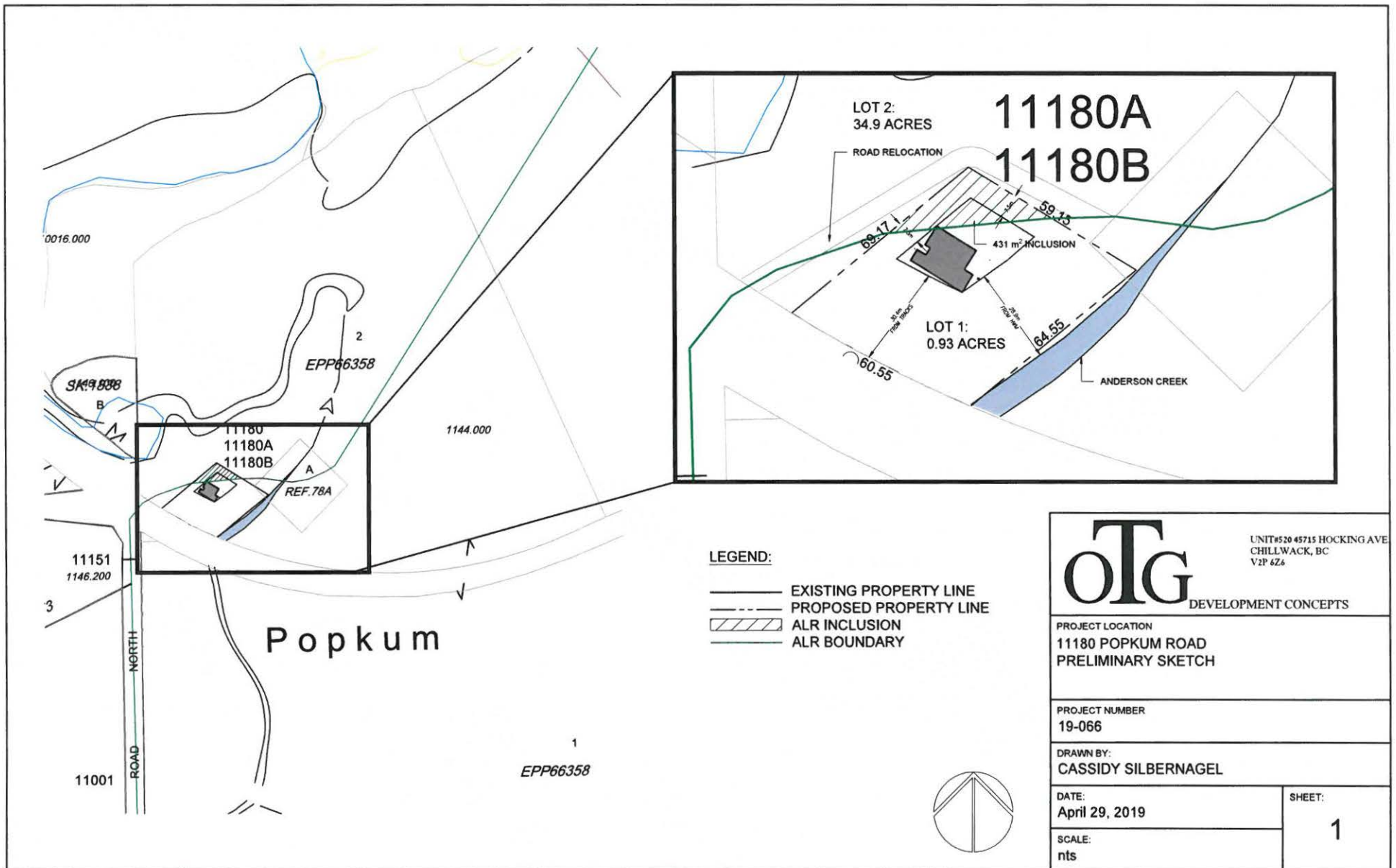
DISTANCES ARE HORIZONTAL GROUND-LEVEL AND ARE SHOWN IN METRES. THE INTENDED PLOT SIZE OF THE PLAN IS 559 MM IN WIDTH BY 432 MM IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:1500.

Legend

GRID BEARINGS ARE DERIVED FROM PLAN EPP56518

THIS PLAN IS BASED ON THE FOLLOWING LAND TITLE
AND SURVEY AUTHORITY OF B.C. RECORDS.
PLAN EPP56518





To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Andrea Antifaeff, Planner I

File No: 3015-20 2019-07

Subject: Agricultural Land Commission Application – Non-Adhering Residential Use (proposed employee residence) at 41379 Nicomen Island Trunk Road, Electoral Area “G”

RECOMMENDATION

THAT the application for non-adhering residential use (employee residence) within the Agricultural Land Reserve for the property located at 41379 Nicomen Island Trunk Road, Electoral Area “G” be forwarded to the Agricultural Land Commission for consideration;

AND FURTHER THAT the Agricultural Land Commission consider the staff report dated July 9, 2019 under file number 3015-20 2019-07 and the attached Secondary Dwellings in the Electoral Areas policy.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Foster a Strong & Diverse Economy

Support Healthy & Sustainable Community

BACKGROUND

The Fraser Valley Regional District has received an application for a non-adhering residential use (employee residence) in the Agricultural Land Reserve for the property located at 41379 Nicomen Island Trunk Road, Electoral Area “G”.

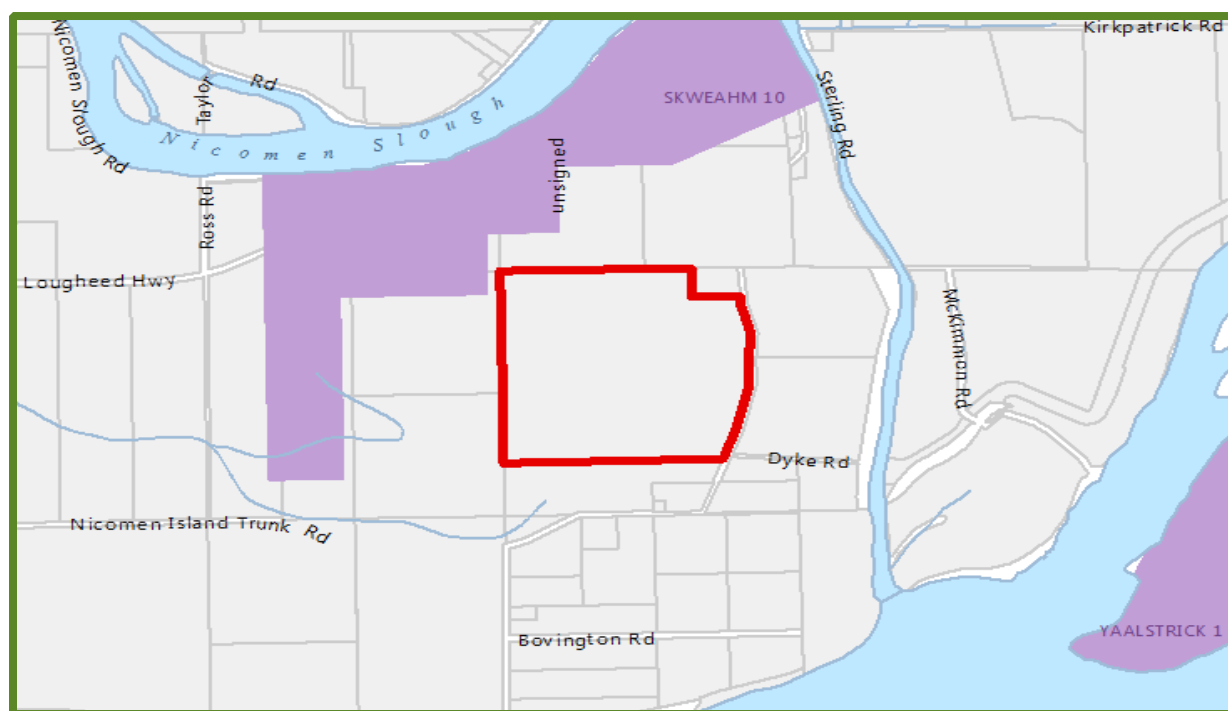
PROPERTY DETAILS			
Electoral Area	G		
Address	41379 Nicomen Island Trunk Rd		
PID	001-325-035		
Folio	775.03530.005		
Lot Size	100 acres		
Owner	Peter & Renee Jonker & Jonker Holsteins Ltd.	Agent	N/A
Current Zoning	Floodplain Agriculture (A-2)	Proposed Zoning	No change
Current OCP	Agricultural (Ag)	Proposed OCP	No change
Current Use	Agricultural & Residential	Proposed Use	No change

Development Permit Areas	2-G RAR
Agricultural Land Reserve	Yes

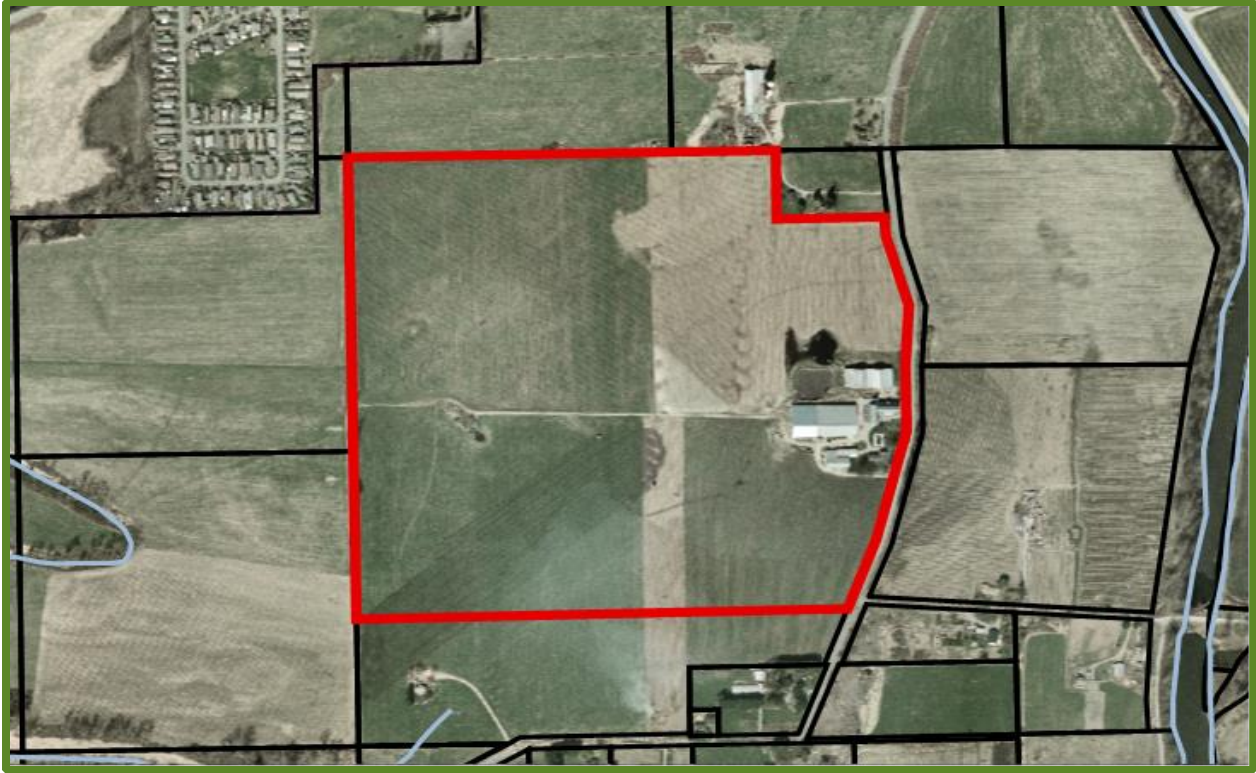
ADJACENT ZONING & LAND USES

North	^	Floodplain Agriculture (A-2); Agricultural
East	>	Floodplain Agriculture (A-2); Agricultural
West	<	Floodplain Agriculture (A-2); Agricultural
South	v	Floodplain Agriculture (A-2); Agricultural

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

ALC Regulations

The Agricultural Land Commission (ALC) is the provincial agency responsible for administering the Agricultural Land Reserve (ALR). Effective February 22, 2019, the Province amended the *Agricultural Land Commission Act (ALCA)* and ALR regulations with Bill 52 removing local government's authority to approve additional residences for farm use. Through Bill 52, all property owners must now apply to the ALC for approval of any additional residence. As per section 25 of the *ALCA* when the commission is making determinations with respect to an application for a non-adhering residential use, the commission must consider the prescribed criteria, if any, and must not grant permission for an additional residence unless the additional residence is necessary for a farm use.

ALC non-adhering residential use applications are referred to local governments and require a resolution from the Fraser Valley Regional District Board to forward the application to the ALC before the application may be considered by the ALC.

The Agricultural Land Commission Act and regulations has previously contained provisions facilitating the construction of additional dwellings for farm help, manufactured homes for immediate family members, accommodation above an existing farm building, or (in parts of the province) a second single family dwelling. These provisions were removed from the *ALCA* and the *ALR Use Regulation*, though the *ALCA* provides some grandfathering protection for pre-existing structures of these kinds.

If the owners of the property had submitted a building permit application for the construction of the accessory employee residence and started construction prior to February 22, 2019 this application would not be required as the proposal is consistent with FVRD zoning regulations.

Property Description

The owners of the property have made an application for a non-adhering residential use (employee residence) at 41379 Nicomen Island Trunk Road.

The property is located within the Agricultural Land Reserve (ALR) and is currently classified as farm by BC Assessment. The property is 100 acres (40.5 hectares), flat, and is currently used for a dairy farm operation. The dairy farm operation (including a single family dwelling) currently uses 5 acres of the property and the remaining 95 acres are used for producing hay crops.

Proposed Employee Residence

The property owners are proposing to construct a 4,019 sq. foot (373 sq. metres) accessory employee residence. The proposed residence is designed as a four bedroom rancher with a bonus room above. Square footage summary of the proposed employee residence:

Area of House		Size
Indoor living space		2,509 sq. feet (233 sq. metres)
Decks		850 sq. feet (79 sq. metres)
Attached double car garage		660 sq. feet (61 sq. metres)
Total		4,019 sq. feet (373 sq. metres)

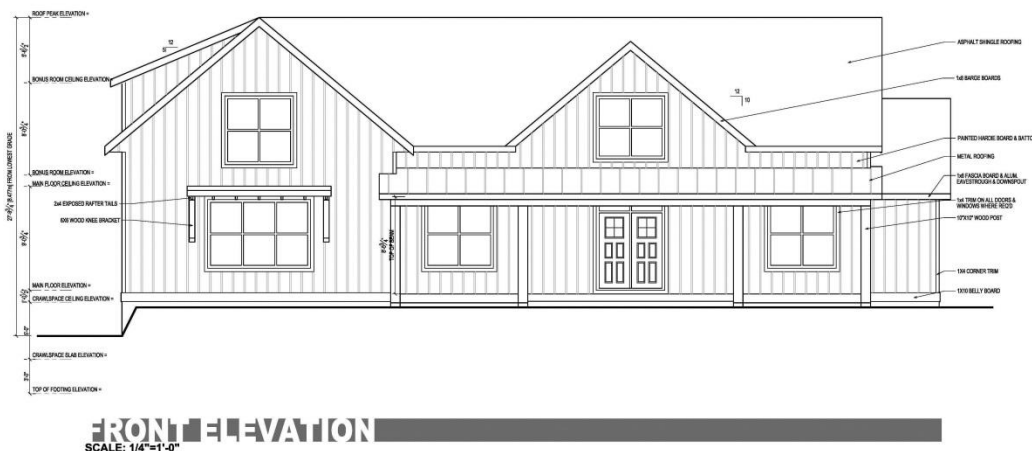
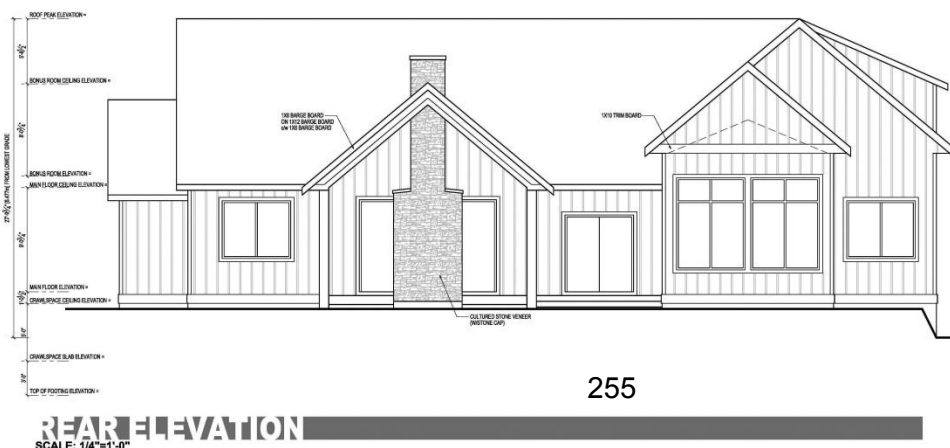


Image 1:
Construction
drawings of
proposed
employee
residence



FVRD Policies and Regulations

Zoning

The subject property is zoned Floodplain Agriculture (A-2) as per *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*. The proposed accessory employee residence is consistent with the zoning regulations provided for in the bylaw. Zoning excerpt below.

Accessory Employee Residential Use

- a. Shall be permitted in the R-3 zone; and
- b. Except as restricted by the *Agricultural Land Commission Act*, shall be permitted in the A-1 and A-2 zones; and
- c. Shall be permitted only on a parcel classified as farm land for the purposes of assessment and taxation pursuant to the *Assessment Act*, R.S.B.C. 1979, c.21; and
- d. Shall not be permitted on a parcel of less than 7.5 hectares in area; and
- e. Shall be limited to one accessory employee dwelling unit for parcels between 7.5 hectares and 15.0 hectares in area; and
- f. Shall be limited to a maximum of two accessory employee dwelling units on parcels greater than 15.0 hectares in area.

Secondary Dwellings in the Electoral Areas

Recently the FVRD Board adopted a policy regarding secondary dwellings in the electoral areas. The policy was developed 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. This policy only applies to lands that are outside of the Agricultural Land Reserve. Although the policy doesn't apply to accessory employee residences on farms in the ALR, the policies on form and design of second dwellings could be considered by the ALC:

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 second 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 additional or alternative access for a secondary dwelling. Secondary dwellings should be accessed from the same access as the principle dwelling, whichever is lesser.

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 the parcel.

The proposed construction drawings are not consistent with the size, access and siting policies in the secondary dwellings in the electoral areas policy.

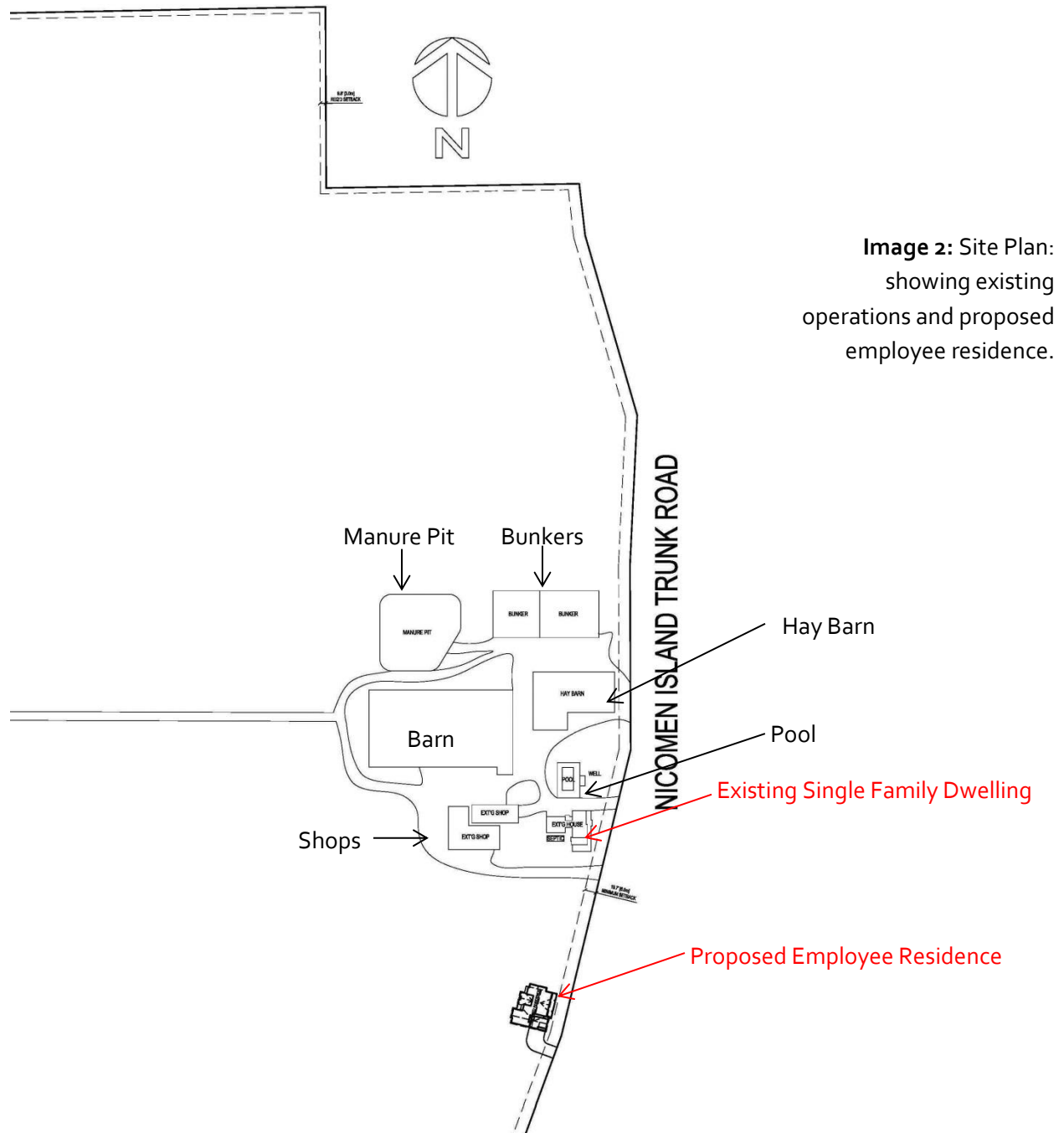


Image 2: Site Plan:

showing existing operations and proposed employee residence.

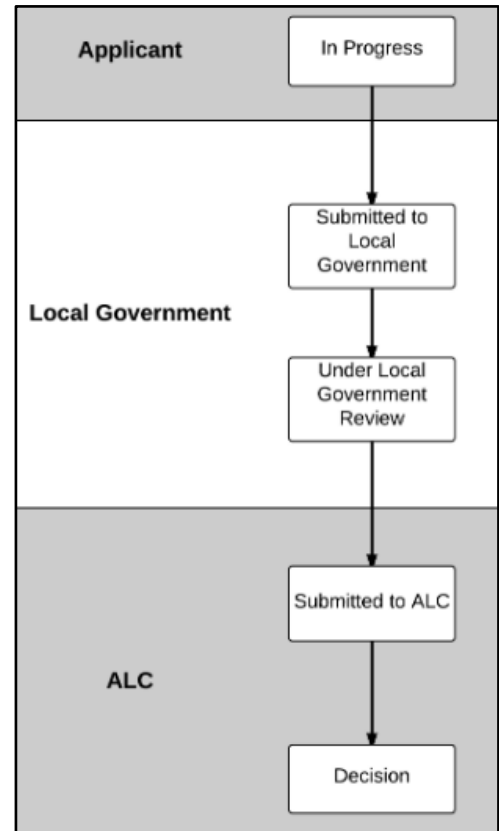
Process

Non-adhering residential use applications are submitted by the applicant to the ALC Application Portal and the application is sent directly to the FVRD. The process is shown in the flowchart below.

The FVRD Board may either:

1. Forward the application – with any comments it deems appropriate – to the ALC (by way of an authorizing resolution) so that the ALC may make a decision on it; or,
2. Not forward the application to the ALC, in which case the application will not proceed.

If the application proceeds to the ALC and it is approved, the FVRD may then issue a building permit for the construction of the accessory employee residence. Flood protection, setbacks, and building code matters will be addressed through the building permit process.



COST

The application fee of \$1,500.00 has been received by the applicant. A remittance of \$1,200.00 will be forwarded to the Agricultural Land Commission.

CONCLUSION

Staff recommend that the FVRD Board resolve to forward the application to the ALC as the proposed land use (accessory employee residential use) is consistent with the zoning bylaw and ask that the Agricultural Land Commission consider the FVRD's Secondary Dwellings in Electoral Areas policy when considering the application.

OPTIONS

Option 1 **Forward to the ALC (Staff Recommendation)**

THAT the Fraser Valley Regional District Board forward the application for the ALR non-adhering residential use (employee residence) to the Agricultural Land Commission.

AND FURTHER THAT the Agricultural Land Commission consider the staff report dated July 9, 2019 under file number 3015-20 2019-07 and the attached Secondary Dwellings in the Electoral Areas policy.

Option 2 Refuse

THAT the Fraser Valley Regional District Board refuse the application for the ALR non-adhering residential use (employee residence) and not forward the application to the Agricultural Land Commission.

COMMENTS BY:

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

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

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

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



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 59216

Application Status: Under LG Review

Applicant: Jonker Holsteins Ltd.

Local Government: Fraser Valley Regional District

Local Government Date of Receipt: 05/27/2019

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: We propose to build a second residence on the legal property (Lot 9, NWP32600, Section 31, Township, Part SE 1/4) in order for our son and family to live on the farm property and be close to main farm. My son is actively working full-time at our dairy farm on a daily basis.

Mailing Address:

41379 Nicomen Island Trunk Road

Deroche, BC

V0M 1G0

Canada

Primary Phone:

Mobile Phone:

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 001-325-035

Legal Description: Lot 9, Plan NWP32600, Part SE1/4, Section 31, Township 23, New Westminster Land District

Parcel Area: 40.5 ha

Civic Address: 41379 Nicomen Island Trunk Road, Deroche, BC V0M 1G0

Date of Purchase: 04/01/1967

Farm Classification: Yes

Owners

1. **Name:** Jonker Holsteins Ltd.

Address:

41379 Nicomen Island Trunk Road

Deroche , BC

V0M 1G0

Canada

Phone:

Email:

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple
Parcel Identifier: 006-746-055
Owner with Parcel Interest: Jonker Holsteins Ltd.
Parcel Area: 8.5 ha
Land Use Type: Agricultural/Farm
Interest Type: Full Ownership

2. **Ownership Type:** Fee Simple
Parcel Identifier: 013-580-736
Owner with Parcel Interest: Jonker Holsteins Ltd.
Parcel Area: 13.6 ha
Land Use Type: Agricultural/Farm
Interest Type: Full Ownership

3. **Ownership Type:** Fee Simple
Parcel Identifier: 013-581-031
Owner with Parcel Interest: Jonker Holsteins Ltd.
Parcel Area: 1.4 ha
Land Use Type: Agricultural/Farm
Interest Type: Full Ownership

Current Use of Parcels Under Application

1. **Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**
5 acres of dairy barns and 95 acres of hay.

2. **Quantify and describe in detail all agricultural improvements made to the parcel(s).**
100 acres irrigation, partially fenced

3. **Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**
There is non-agricultural activity taking place

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: Dairy Farm

East

Land Use Type: Agricultural/Farm
Specify Activity: Blueberry Farm

South

Land Use Type: Agricultural/Farm

Specify Activity: Dairy Farm

West

Land Use Type: Agricultural/Farm

Specify Activity: Blueberry/Dairy Farm

Proposal

1. What is the purpose of the proposal?

We propose to build a second residence on the legal property (Lot 9, NWP32600, Section 31, Township, Part SE 1/4) in order for our son and family to live on the farm property and be close to main farm. My son is actively working full-time at our dairy farm on a daily basis.

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

No - our son needs to live close to main barns on our dairy farm as the animals require 24 hour care.

3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

2,471 square feet - main family home

4. What is the total floor area of the proposed additional residence in square metres?

373 m²

5. Describe the rationale for the proposed location of the additional residence.

For our son and family to live on the property to work on the dairy farm

6. What is the total area of infrastructure necessary to support the additional residence?

2,000 square feet of gravel driveway to access the home

7. Do you need to import any fill to construct the additional residence or infrastructure?

Yes

Proposal dimensions

Total fill placement area (to one decimal place) *0.5 ha*

Maximum depth of material to be placed as fill *1.5 m*

Volume of material to be placed as fill *917 m³*

Estimated duration of the project. *1 Years*

Describe the type and amount of fill proposed to be placed.

Structural fill for foundation and to meet flood construction level for residence construction

Briefly describe the origin and quality of fill.

Deroche gravel

Applicant Attachments

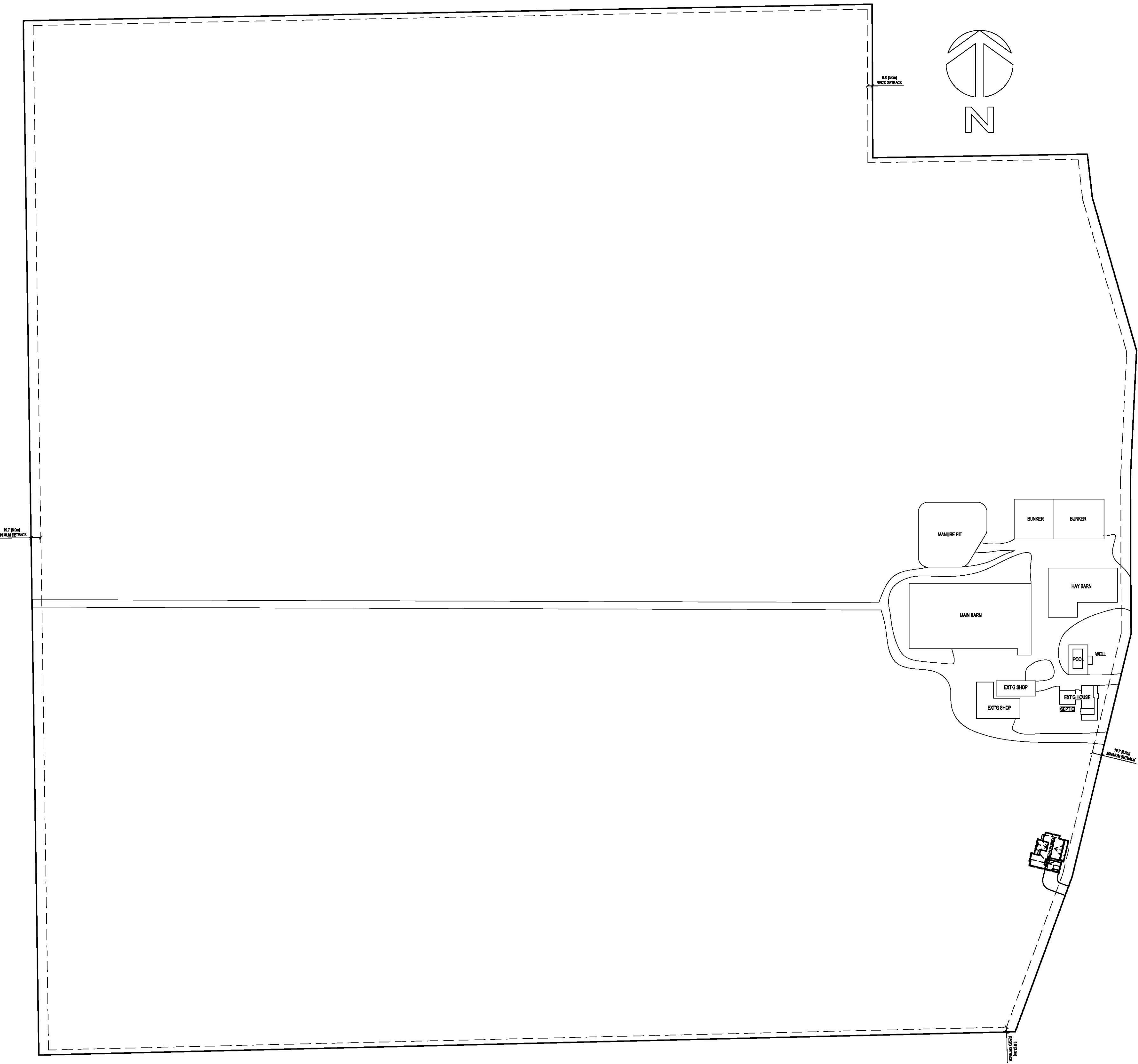
- Proposal Sketch - 59216
- Certificate of Title - 001-325-035

ALC Attachments

None.

Decisions

None.

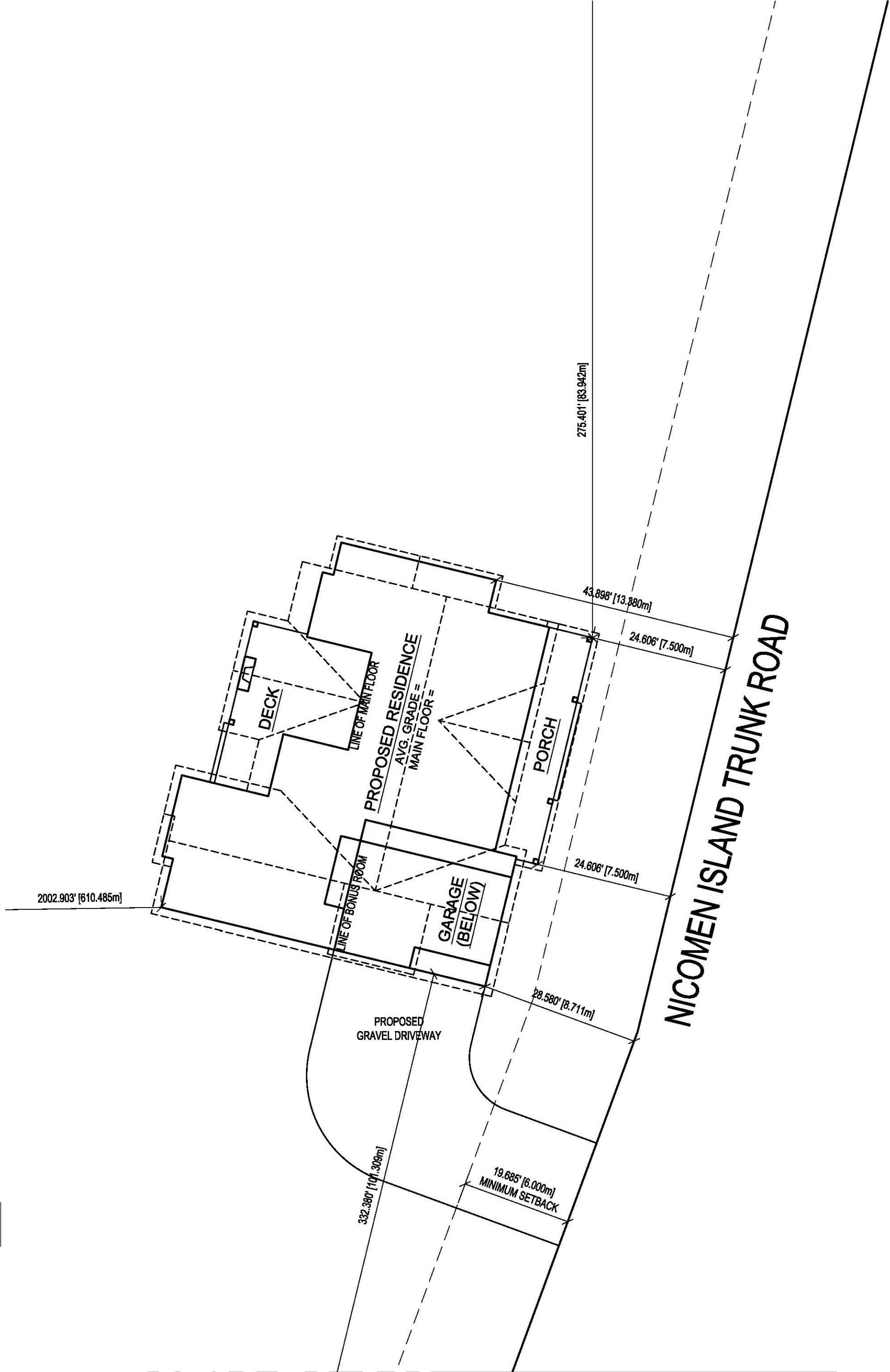


SITE PLAN
SCALE: 1/128"=1'-0"
4,348,112.91 SQ.FT.

ZONING ANALYSIS REVIEW		
LEGAL DESCRIPTION:	LOT 9, PLAN 32600	
ZONING BYLAW:	A-2	
CIVIC ADDRESS:	41379 NICOMEN ISLAND DEROCHE, B.C	
SETBACKS:	REQ'D	PROPOSED (GARAGE)
FRONT:	6.0M	7.50M
REAR:	6.0M	610.49M
SIDE (interior)	3.0M	101.31M
FLANKING (local road)	6.0m	N/A
FLANKING (arterial)	N/A	N/A
LOT COVERAGE:	40% MAX.	1.69%
BUILDING AREA:	EXISTING BUILDINGS/PROPOSED DWELLING 69,269 sq.ft./4,019 sq.ft.	
LOT AREA:	4,348,113 sq. ft.	
BUILDING HEIGHTS:	11.0M EAVE @ 9.0M	8.477M

PROPOSED FINISHED GRADE

EXISTING GRADE



KEY PLAN
SCALE: 1/16"=1'-0"

NOTE:
BUILDER AND/OR OWNER IS TO
VERIFY ALL ON SITE CONDITIONS,
DIMENSIONS AND STRUCTURE
PRIOR TO CONSTRUCTION. 4TH
DIMENSION DESIGN & DRAFTING
SERVICES DOES NOT ACCEPT
ANY RESPONSIBILITY
FOR DISCREPANCIES BETWEEN
THESE DRAWINGS AND ON SITE
CONDITIONS.

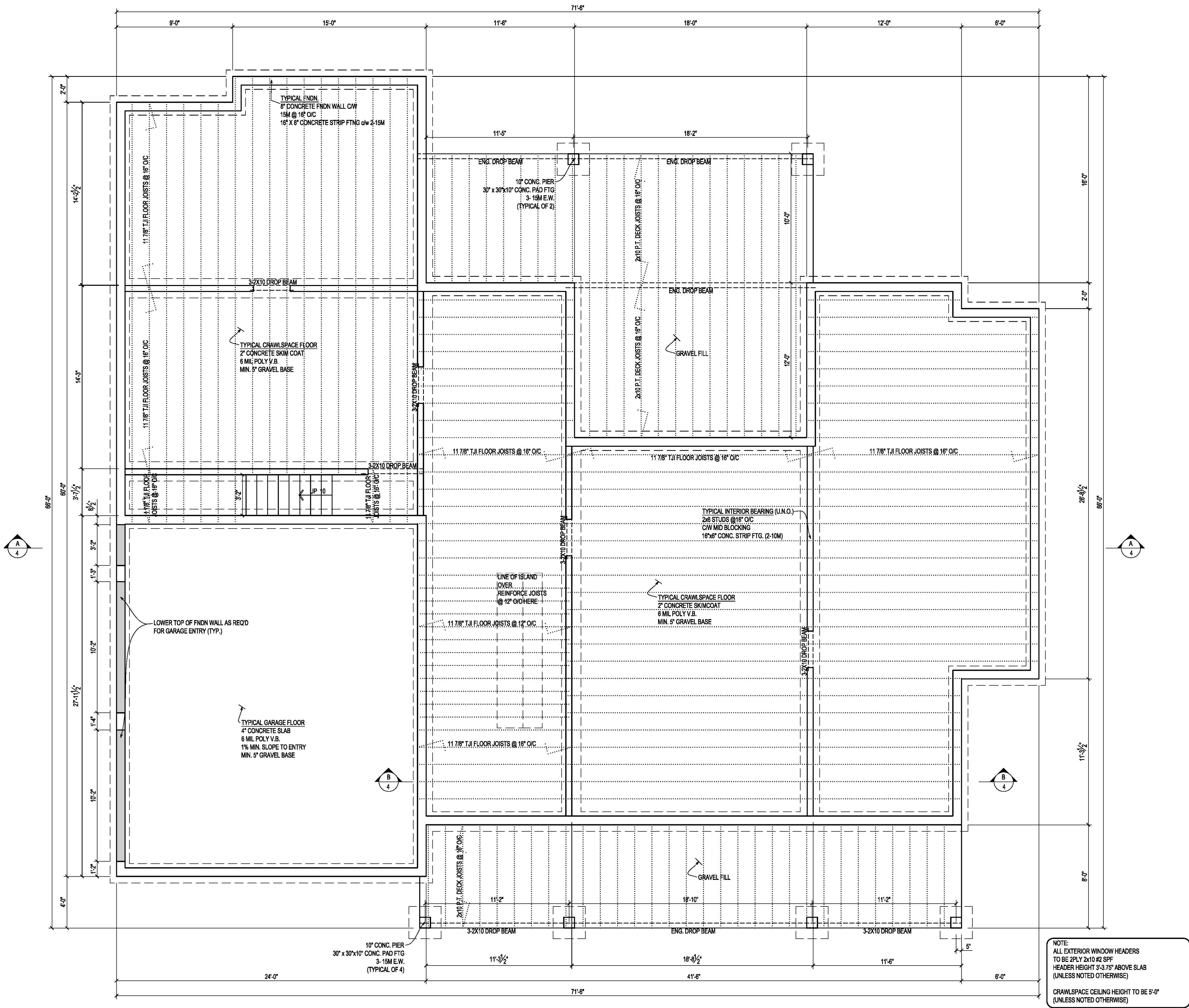
REV.	DATE	DESCRIPTION

PROJECT TITLE:
**41379 NICOMEN ISLAND
DEROCHE, BC**

4TH DIMENSION DESIGN + DRAFTING
33082 1ST AVE. MISSION, BC, V2V 1G2
P 604.557.9465 C.604.832.8811
www.4ddrafting.com info@4ddrafting.com

SHEET TITLE:
**SITE PLAN
ZONING ANALYSIS
PLANTING DETAIL**

DATE:	4.23.2019
PROJECT:	RN-19-72
DESIGNED/CHECKED:	JJM
DRAWN:	KJ



FOUNDATION PLAN

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

NOTE:
BUILDER AND/OR OWNER IS TO
VERIFY ALL ON SITE CONDITIONS,
DIMENSIONS AND STRUCTURE
PRIOR TO CONSTRUCTION. 4TH
DIMENSION DESIGN & DRAFTING
SERVICES DOES NOT ACCEPT
ANY RESPONSIBILITY
FOR DISCREPANCIES BETWEEN
THESE DRAWINGS AND ON SITE
CONDITIONS.

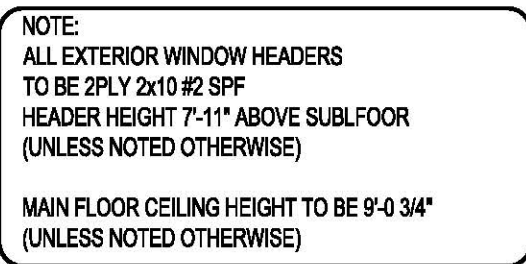
REV.	DATE	DESCRIPTION

4TH DIMENSION DESIGN + DRAFTING

33082 1ST AVE. MISSION, BC, V2Y 1G2
P 604.557.9465 C 604.832.8811
www.4ddrafting.com info@4ddrafting.com

FOUNDATION PLAN

DATE: 4.23.2019
PROJECT: RN-19-72
DESIGNED/CHECKED: JIM
DRAWN: KJ



**41379 NICOMEN ISLAND
DEROCHE, BC**

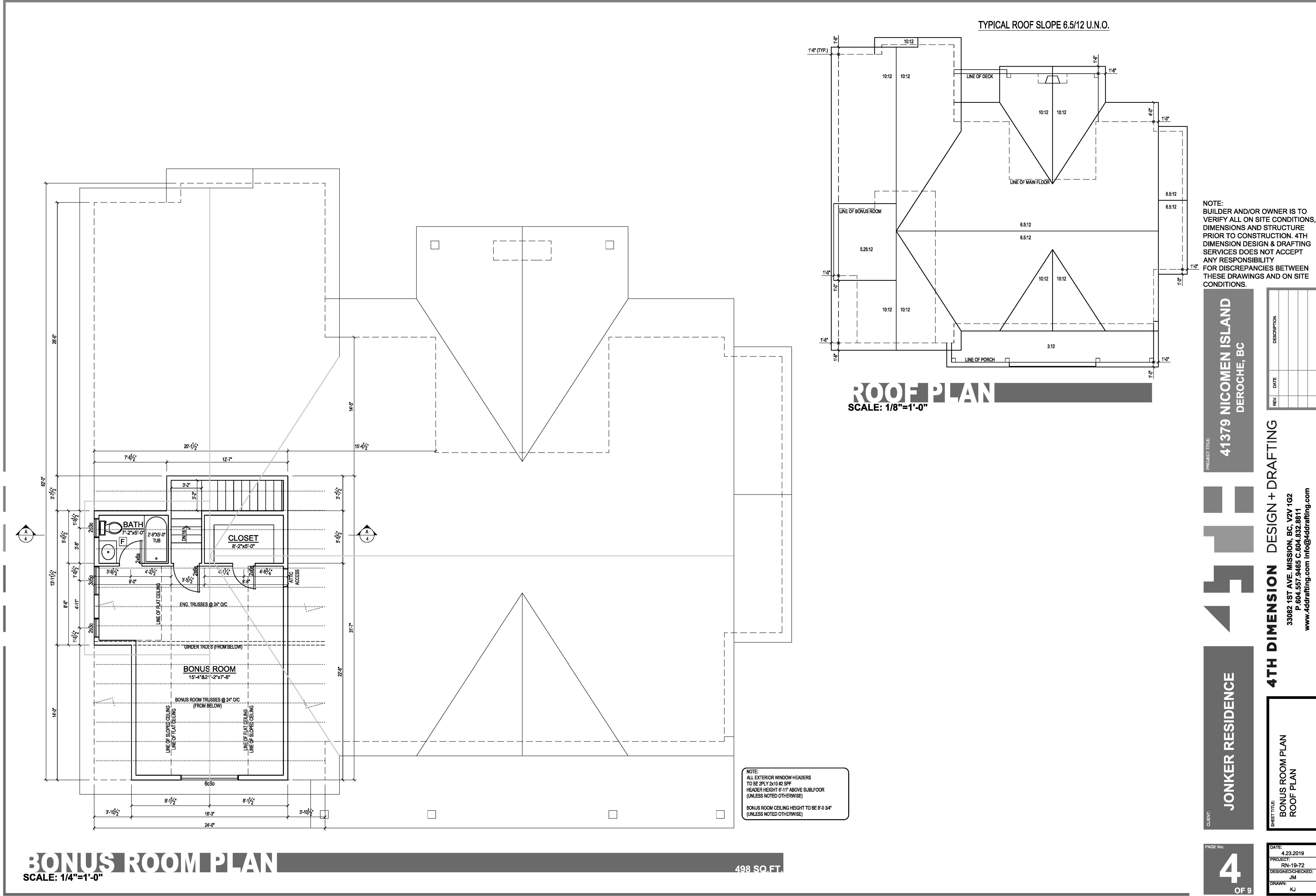
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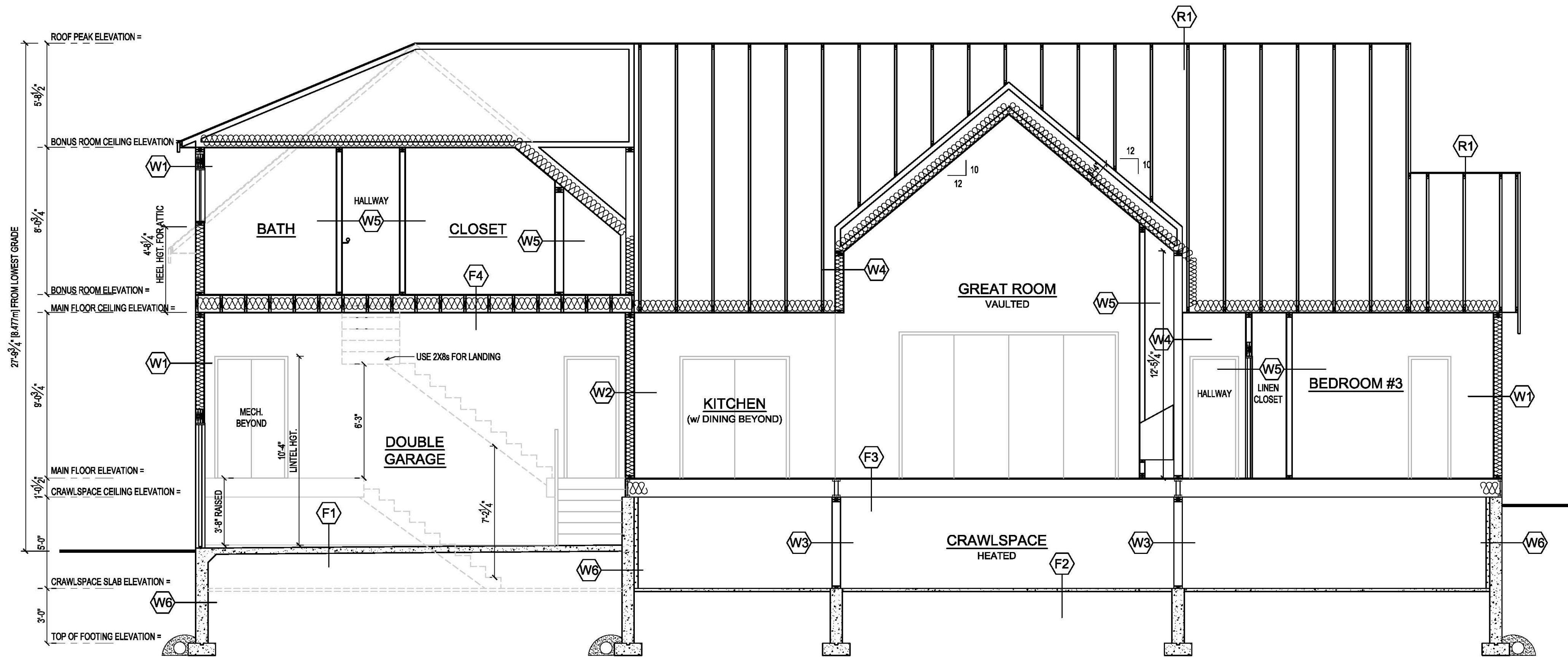
4TH DIMENSION DESIGN+DRAFTING

33082 1ST AVE. MISSION, BC, V2V 1G2
P.604.557.9465 C.604.832.8811
www.4ddrafting.com info@4ddrafting.com

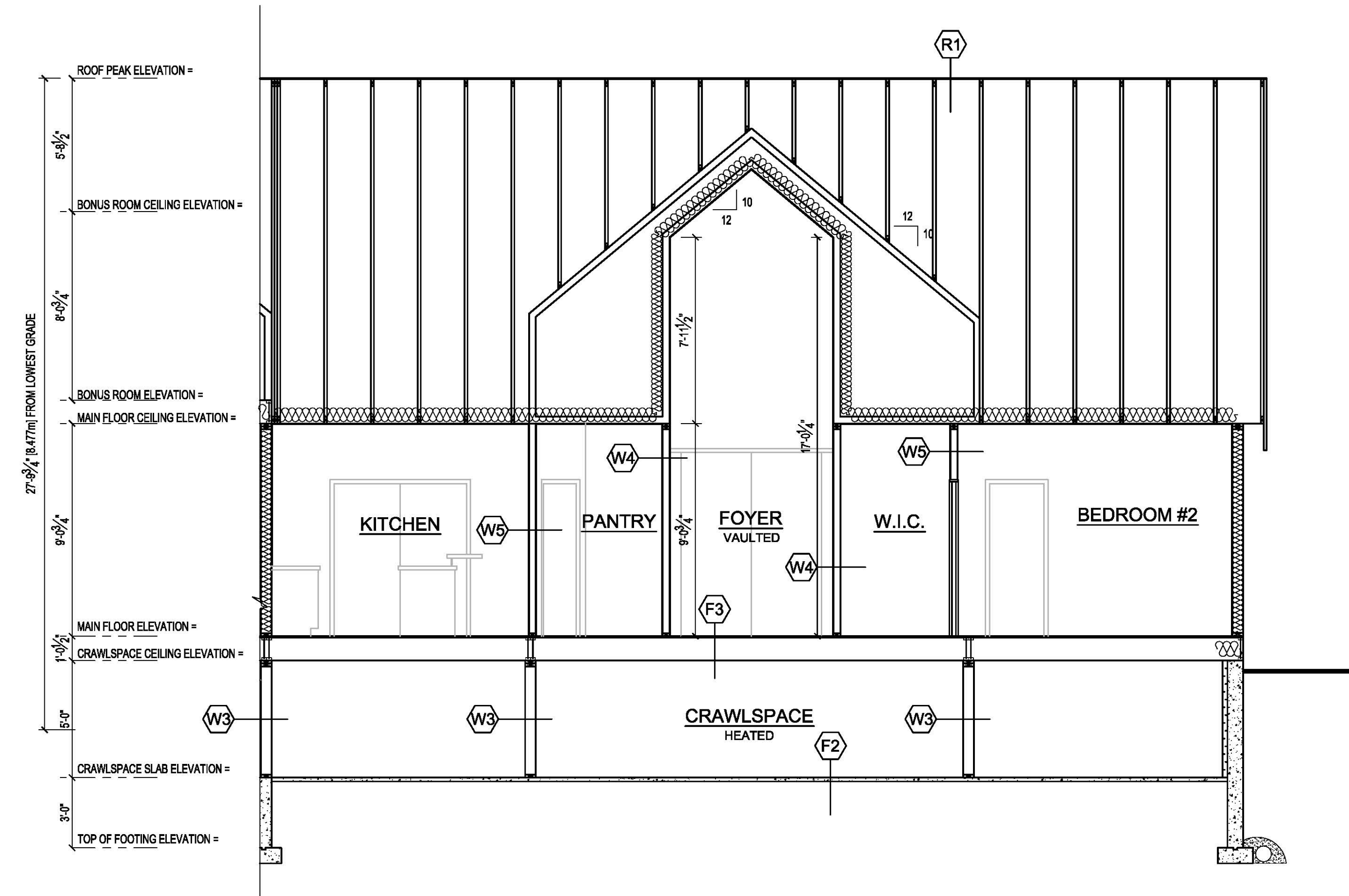
MAIN FLOOR PLAN

DATE:	4.23.2019
PROJECT:	RN-19-72
DESIGNED/CHECKED:	JM
DRAWN:	KJ





SECTION 'A'
SCALE: 1/4"=1'-0"



SECTION 'B'
SCALE: 1/4"=1'-0"

SPECIFICATIONS

WALL ASSEMBLIES

- (W1) EXTERIOR WALL**
EXTERIOR FINISH (SEE ELEVATIONS)
RAINSCREEN
15LB. BUILDING PAPER
1/2" PLYWOOD SHEATHING
2x6 STUDS @ 16" O.C.
R-20 BATT INSULATION
6 MIL POLY V.B.
1/2" PAINTED GYPROC
- (W2) INTERIOR WALL - GARAGE**
HARDPLANK SIDING
RAINSCREEN
15LB. BUILDING PAPER
2x6 STUDS @ 16" O.C.
R-20 BATT INSULATION
6 MIL POLY VAPOUR BARRIER
5/8" PAINTED GYPROC
- (W3) BEARING WALL - CRAWLSPACE**
2x6 STUDS @ 16" O.C.
2x6 BLOCKING @ MID HEIGHT
- (W4) BEARING WALL**
1/2" GYPSUM BOARD - PAINTED
2x4 OR 2x6 STUDS @ 16" O.C.
2x4 OR 2x6 BLOCKING @ MID HEIGHT
1/2" GYPSUM BOARD - PAINTED
- (W5) PARTITION WALL**
1/2" GYPSUM BOARD - PAINTED
2x4 OR 2x6 STUDS @ 16" O.C.
1/2" GYPSUM BOARD - PAINTED
- (W6) FOUNDATION WALL**
DRAINAGE COMPOSITE (BELOW FINISHED GRADE)
ASPHALT WATERPROOFING
8" CONCRETE WALL c/w 15M REINF. @ 24" O.C. EW c/w
18"x8" CONCRETE STRIP FOOTING
ASPHALT WATERPROOFING
R-10 RIGID INSULATION (WHERE REQUIRED)

ROOF ASSEMBLIES

- (R1) TRUSS ROOF**
REINFORCED FIBERGLASS ASPHALT ROOF SHINGLES
15 LBS UNDERLAYMENT
1/2" PLYWOOD SHEATHING c/w 1" CLIPS
ENGINEERED WOOD TRUSSES @ 24" O.C.
ATTIC SPACE VENTED 1:300
14" GLASS FIBRE INSULATION
6 MIL POLY VAPOUR BARRIER
5/8" GYPSUM BOARD - PAINTED
- (R2) RAFTER ROOF**
METAL ROOFING
15 LBS UNDERLAYMENT
2x4 STRAPPING
2x6 RAFTERS @ 24" O.C.
6 MIL POLY VAPOUR BARRIER
SOFFIT
*NOTE: MIN. 2% SLOPE REQUIRED

FLOOR ASSEMBLIES

- (F1) GARAGE FLOOR SLAB**
4" CONCRETE SLAB
4" SLOPE TO ENTRY
6 MIL POLY V.B.
MIN. 5" GRAVEL BASE
- (F2) CONCRETE SKIM COAT**
2" CONCRETE SKIM COAT
6 MIL POLY VAPOUR BARRIER
MIN. 5" GRAVEL BASE
- (F3) WOOD FLOOR**
FINISHED FLOOR ON UNDERLAYMENT
5/8" T&G PLYWOOD SUBFLOOR (GLUED & SCREWED)
11 7/8" T&I FLOOR JOISTS @ 16" O.C.
- (F4) WOOD FLOOR - OVER UNHEATED**
FINISHED FLOOR ON UNDERLAYMENT
5/8" T&G PLYWOOD SUBFLOOR (GLUED & SCREWED)
2X12 FLOOR JOISTS @ 16" O.C.
R32 BATTS INSULATION
6MIL POLY VAPOUR BARRIER
5/8" PAINTED GYPROC
- (F5) DECK WOOD FLOOR**
5/4" WOOD DECKING
2X10 P.T. DECK JOISTS @ 16" O.C.

NOTE:
BUILDER AND/OR OWNER IS TO
VERIFY ALL ON SITE CONDITIONS,
DIMENSIONS AND STRUCTURE
PRIOR TO CONSTRUCTION. 4TH
DIMENSION DESIGN & DRAFTING
SERVICES DOES NOT ACCEPT
ANY RESPONSIBILITY
FOR DISCREPANCIES BETWEEN
THESE DRAWINGS AND ON SITE
CONDITIONS.

PROJECT TITLE:
**41379 NICOMEN ISLAND
DEROCHE, BC**



CLIENT:
JONKER RESIDENCE

4TH DIMENSION DESIGN + DRAFTING

33082 1ST AVE. MISSION, BC, V2V 1G2
P. 604.557.9465 C. 604.832.8811
www.4ddrafting.com info@4ddrafting.com

REV.	DATE	DESCRIPTION

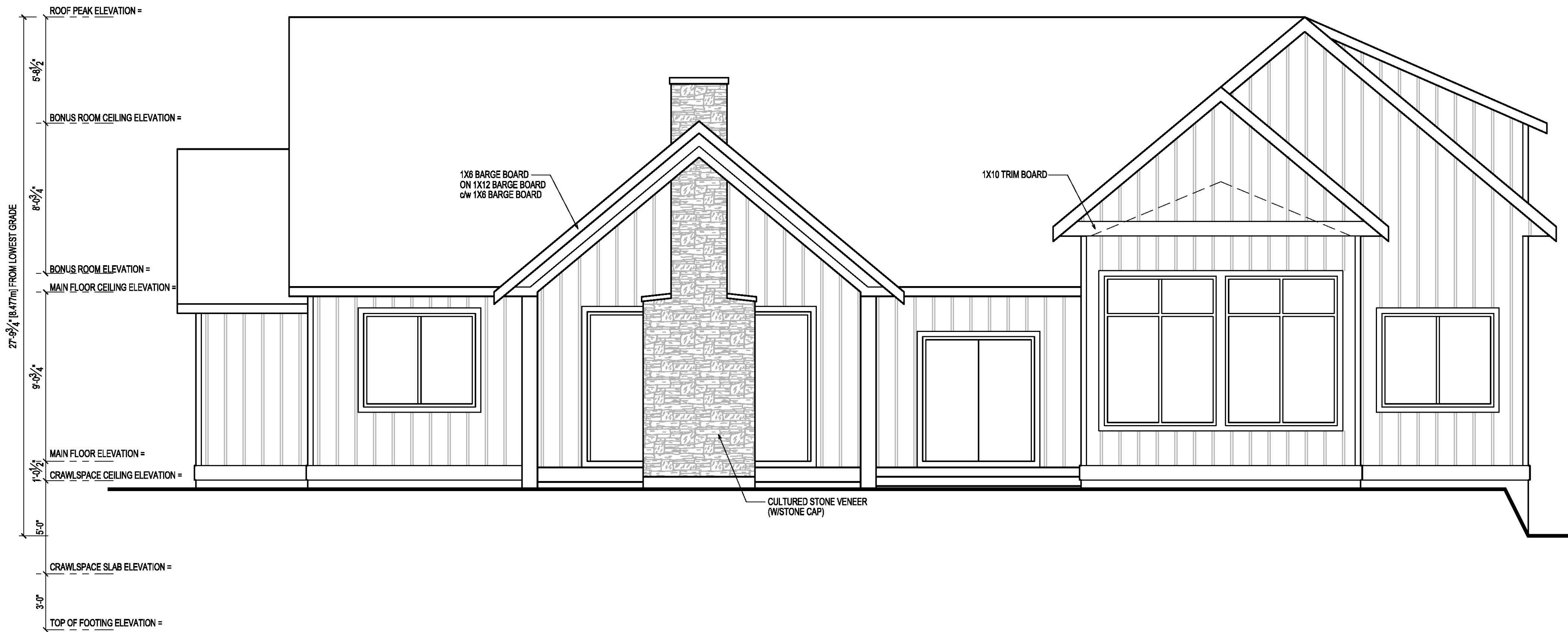
SHEET TITLE:
**SECTION 'A'
SECTION 'B'
SPECIFICATIONS**

PAGE No:
5
OF 9

DATE:
4.23.2019
PROJECT:
RN-19-72
DESIGNED/CHECKED:
JM
DRAWN:
KJ



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



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

NOTE:
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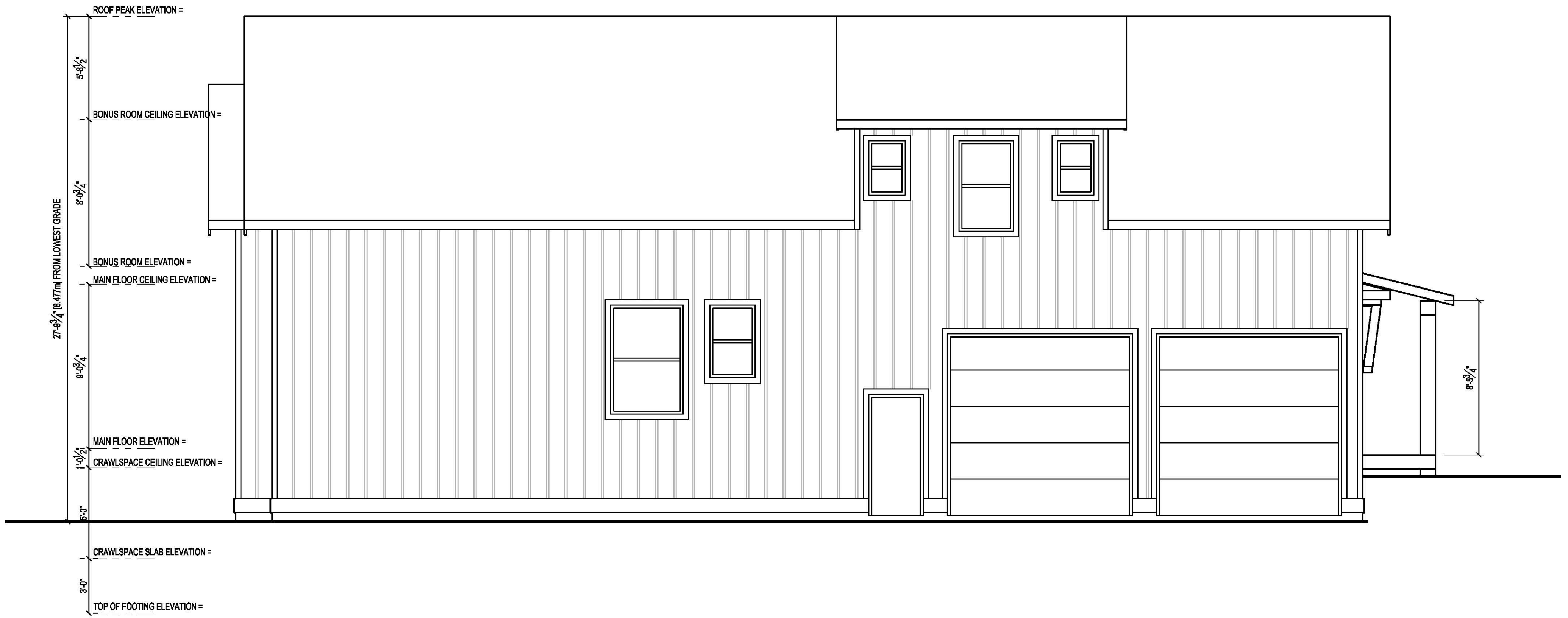
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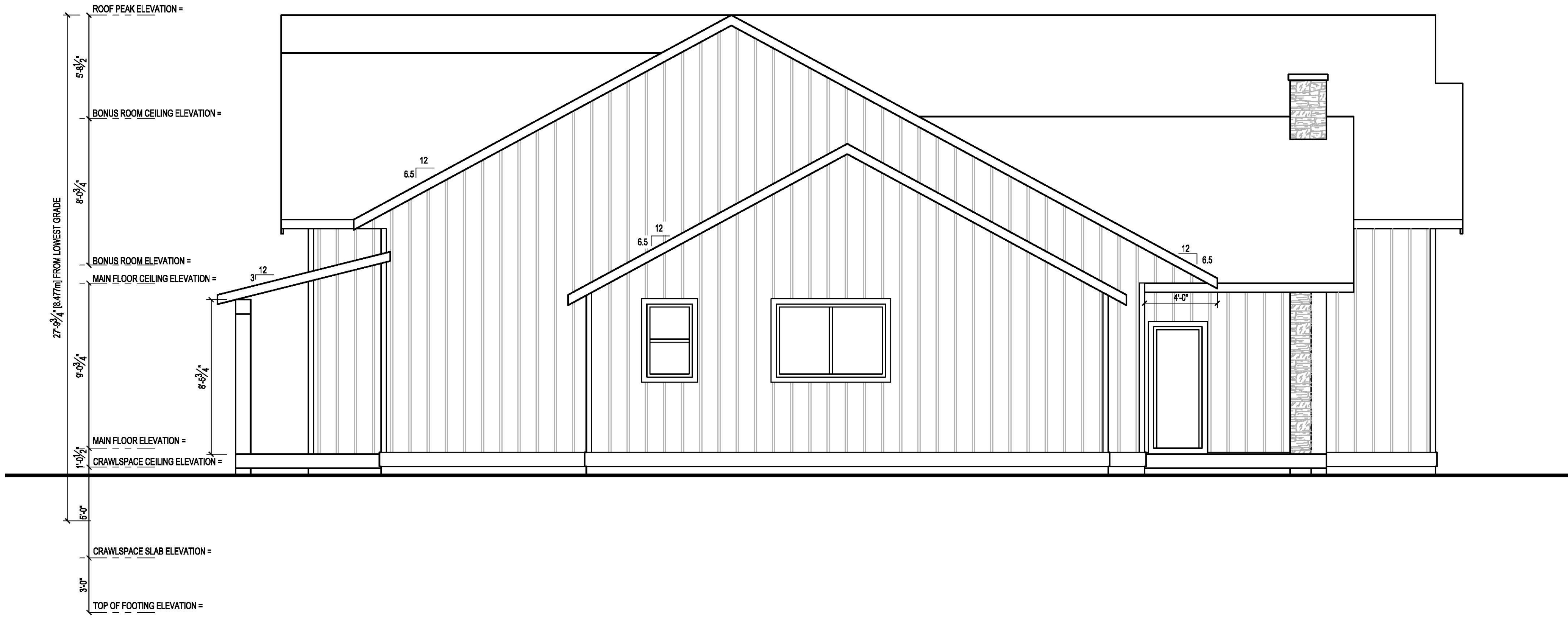
SHEET TITLE:
FRONT ELEVATION
REAR ELEVATION

PAGE No:
6
OF 9

DATE: 4.23.2019
PROJECT: RN-19-72
DESIGNED/CHECKED: JM
DRAWN: KJ



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

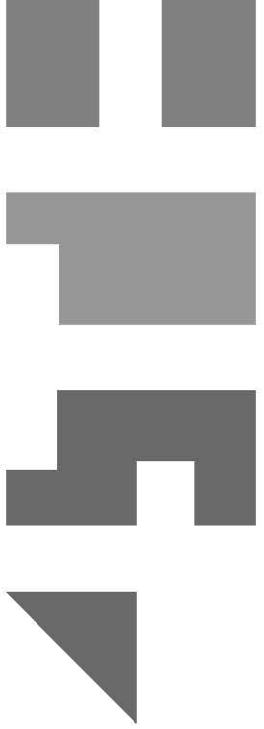


LEFT ELEVATION
SCALE: 1/4"=1'-0"

NOTE:
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PRIOR TO CONSTRUCTION. 4TH
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CLIENT:
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SHEET TITLE:
RIGHT ELEVATION
LEFT ELEVATION

PAGE No:
7
OF 9

DATE:	4.23.2019
PROJECT:	RN-19-72
DESIGNED/CHECKED:	JM
DRAWN:	KJ

FLOORS OVER UNHEATED SPACES (CARPET FLOORING)		
DESCRIPTION	NOMINAL	EFFECTIVE
R-28 NATT INSULATION IN 2X10 WOOD FRAMING @ 12" O/C	RSI 4.93 (R-28)	RSI 4.06 (R-23.0)
R-28 NATT INSULATION IN 2X10 WOOD FRAMING @ 16" O/C	RSI 4.93 (R-28)	RSI 4.14 (R-23.5)
OTHER BUILDING ENCLOSURE LAYERS THAT CONTRIBUTE TO EFFECTIVE INSULATION:		
1. INTERIOR AIR FILM	0.12	
2. FLOORING MATERIAL	0.22	
3. CARPET & RUBBER PAD	0.14	
3. 5/8" X 1/2" WOOD SUBFLOOR	0.18	
4. 3/4" AIR BARRIER	0.18	RSI 0.79 (R-4.5)
5. POLYETHYLENE	0.10	
6. 5/8" GYPSSUM CEILING BOARD	0.10	
7. EXTERIOR AIR FILM	0.03	
TOTAL EFFECTIVE INSULATION VALUE (12" O/C FRAMING)		RSI 4.85 (R-27.5)
TOTAL EFFECTIVE INSULATION VALUE (16" O/C FRAMING)		RSI 4.93 (R-28.0)
MINIMUM EFFECTIVE THERMAL RESISTANCE FOR FLOORS ABOVE UNHEATED SPACES		RSI 4.67 (R-26.5)

ABOVE GRADE WALL ASSEMBLY (6.35MM FIBRE-CEMENT BOARD SIDING)		
DESCRIPTION	NOMINAL	EFFECTIVE
3" XPS INSULATION IN 2X6 WOOD FRAMING @ 19" O.C	RSI 2.94 (R-15)	RSI 2.52 (R-14.3)
OTHER BUILDING ENCLOSURE LAYERS THAT CONTRIBUTE TO EFFECTIVE INSULATION:		
1. EXTERIOR AIR FILM	0.03	
2. 6.35MM FIBRE-CEMENT BOARD SIDING	0.03	
3. 1/2" AIR SPACE FOR RAIN SCREEN	0.16	
4. SHEATHING MEMBRANE	0.03	
5. 1/2" F. WOOD SHEATHING	0.11	RSI 0.683 (R-3.86)
6. 1/2" AIR CAVITY	0.16	
7. POLYURETHANE	0.16	
8. 1/2" GYPSUM WALL BOARD	0.08	
INTERIOR AIR FILM	0.12	
TOTAL EFFECTIVE INSULATION VALUE		RSI 3.203 (R-18.16)
MINIMUM EFFECTIVE THERMAL RESISTANCE FOR ABOVE GRADE WALLS		RSI 2.78 (R-15.6)

AS PER SECTION 9.36.2.10.-NOTES PERTAINING TO LEAKAGE PATHS IN PROBLEMATIC AREAS

FOUNDATION TO SILL PLATE AND RIM JOISTS

ALL JOINTS AT THE TRANSITION BETWEEN THE FOUNDATION WALL AND THE ABOVE GRADE WALL MUST BE MADE AIR TIGHT BY SEALING ALL JOINTS AND JUNCTIONS BETWEEN THE STRUCTURAL COMPONENTS, OR COVERING THE STRUCTURAL COMPONENTS WITH AN AIR BARRIER MATERIAL.

INTERIOR WALL INTERFACE

INTERIOR WALLS THAT MEET EXTERIOR WALLS OR CEILINGS WITH AN INTERIOR PLANE OF AIR TIGHTNESS MUST BE MADE AIR TIGHT BY EITHER SEALING ALL JUNCTIONS BETWEEN THE STRUCTURAL COMPONENTS, COVERING THE STRUCTURAL COMPONENTS WITH AN AIR BARRIER MATERIAL, OR MAINTAINING THE CONTINUITY OF THE AIR BARRIER SYSTEM THROUGH THE INTERIOR WALL.

RIM JOIST

ALL JOINTS AT THE RIM JOIST ASSEMBLY MUST BE MADE AIR TIGHT BY SEALING ALL JOINTS AND JUNCTIONS BETWEEN THE STRUCTURAL COMPONENTS, OR COVERING THE STRUCTURAL COMPONENTS WITH AN AIR BARRIER MATERIAL.

CANTILEVERED FLOOR

CANTILEVERED FLOORS AND FLOORS OVER UNHEATED SPACES EXTERIOR SPACE MUST BE MADE AIR TIGHT BY SEALING ALL JOINTS AND JUNCTIONS BETWEEN THE STRUCTURAL COMPONENTS AND/OR COVERING THE STRUCTURAL COMPONENTS WITH AN AIR BARRIER MATERIAL AND SEALING IT TO THE ADJACENT AIR BARRIER MATERIAL.

WINDOW HEAD

THE INTERFACE BETWEEN WINDOW HEAD/UMB AND WALL ASSEMBLY MUST BE MADE AIR TIGHT BY SEALING ALL JOINTS AND JUNCTIONS BETWEEN THE AIR BARRIER IN THE WALL AND WINDOW. THE REQUIREMENT ALSO APPLIES TO DOORS AND SKYLIGHTS

WINDOW SILL

THE INTERFACE BETWEEN WINDOW SILL AND WALL ASSEMBLY MUST BE MADE AIR TIGHT BY SEALING ALL JOINTS AND JUNCTIONS BETWEEN THE AIR BARRIER MATERIAL IN THE WALL AND WINDOW. THE REQUIREMENT ALSO APPLIES TO DOORS AND SKYLIGHTS

MECHANICAL FLUES AND CHIMNEYS

STEEL-LINED CHIMNEYS THAT PENETRATE THE BUILDING ENVELOPE MUST BE MADE AIR TIGHT BY BLOCKING THE VOID BETWEEN REQUIRED CLEARANCES FOR METAL CHIMNEYS AND SURROUNDING CONSTRUCTION WITH SHEET METAL AND SEALANT CAPABLE OF WITHSTANDING HIGH

PLUMBING STACKS

PLUMBING VENT STACK PIPES THAT PENETRATE THE BUILDING ENVELOPE MUST BE MADE AIR TIGHT BY EITHER SEALING THE AIR BARRIER MATERIAL TO THE VENT STACK PIPE WITH A COMPATIBLE MATERIAL, OR SHEATHING TAP OR INSTALLING A RUBBER GASKET OR PREPARED/ABRATED ROOF FLASHING AT THE PENETRATION OF THE PLANE OF AIR TIGHTNESS AND SEALING IT TO THE TOP PLATE

SKYLIGHTS

THE INTERFACE BETWEEN THE SKYLIGHT AND WALL ASSEMBLY MUST BE MADE AIR TIGHT BY SEALING ALL JOINTS AND JUNCTIONS BETWEEN THE AIR BARRIER MATERIAL IN THE WALL AND THE SKYLIGHT

WALL TO CEILING

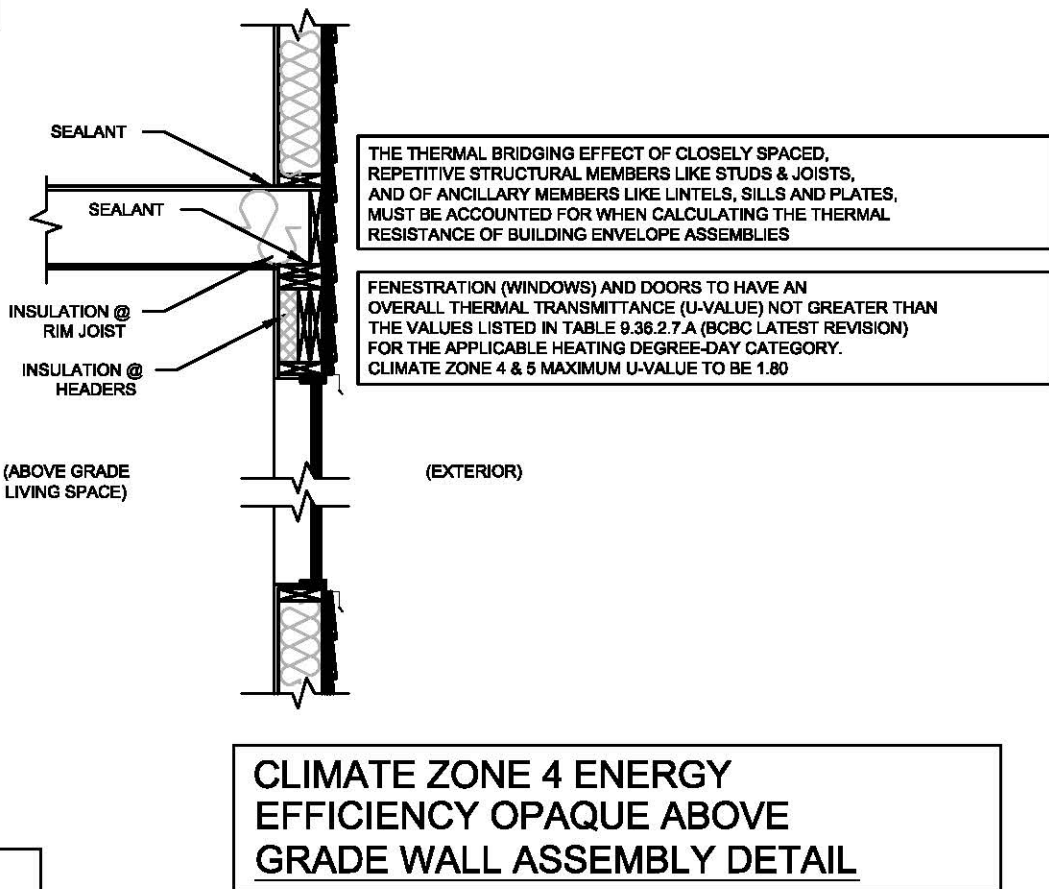
ALL JOINTS AT THE TRANSITION BETWEEN THE ABOVE GRADE WALL AND CEILING MUST BE MADE AIR TIGHT BY SEALING ALL JOINTS AND JUNCTIONS BETWEEN THE STRUCTURAL COMPONENTS AND/OR COVERING THE STRUCTURAL COMPONENTS WITH AN AIR BARRIER MATERIAL.

WALL VENTED DUCTS

DUCT PENETRATIONS THROUGH THE BUILDING ENVELOPE MUST HAVE AN AIR TIGHT SEAL

ELECTRICAL PENETRATION IN WALLS

ELECTRICAL PENETRATIONS IN WALLS, INCLUDING ELECTRICAL OUTLETS, WIRING, SWITCHES, AND RECESSED FIXTURES THROUGH THE PLANE OF AIR TIGHTNESS MUST BE AIR TIGHT, OPTIONS INCLUDE USING A COMPONENT THAT IS DESIGNED TO BE AIR TIGHT AND SEALING IT TO THE ADJACENT AIR BARRIER MATERIAL, OR BY COVERING THE COMPONENT WITH AN AIR BARRIER MATERIAL AND SEALING IT TO THE ADJACENT AIR BARRIER MATERIAL.



BONUS ROOM WALLS		
ATTIC TRUSS WEB WALLS @ 24" O.C.		
DESCRIPTION	NOMINAL	EFFECTIVE
R 20 BATT INSULATION IN 2X6 WOOD FRAMING @ 24" OC	RSI 3.51 (R-20)	RSI 2.68 (R-15.2)
OTHER BUILDING ENCLOSURE LAYERS THAT CONTRIBUTE TO EFFECTIVE INSULATION		
1. INTERIOR AIR FILM	0.12	
2. 12.7MM GYPSUM BOARD INT. FINISH	0.08	
3. 6 MIL POLY (GEL PLASTIC - NEGIGIBLE)	0.00	
4. 11MM ORIENTED STRAND BOARD	0.00	
5. AIR CAVITY	0.00	RSI 0.20 (R-1.14)
6. 20MM OS-BUM AIR CAVITIES	0.00	
7. EXTERIOR AIR FILM	0.00	
TOTAL EFFECTIVE INSULATION VALUE		RSI 2.88 (R-16.37)
MINIMUM EFFECTIVE THERMAL RESISTANCE FOR ABOVE GRADE WALLS		RSI 2.78 (R-15.80)

ABOVE GRADE WALL ASSEMBLY (6.35MM FIBRE-CEMENT BOARD SIDING)		
DESCRIPTION	NOMINAL	EFFECTIVE
3"XPS INSULATION IN 2X6 WOOD FRAMING @ 16" O.C.	RSI 2.64 (R-15)	RSI 2.52 (R-14.3)
OTHER BUILDING ENCLOSURE LAYERS THAT CONTRIBUTE TO EFFECTIVE INSULATION:		
1. EXTERIOR AIR FILM	0.03	
2. 6.35MM FIBRE-CEMENT BOARD SIDING	0.029	
3. 1/2" AIR SPACE FOR RAIN SCREEN	0.16	
4. SHEATHING MEMBRANE	0.11	RSI 0.063 (R-3.88)
5. 1/2" PLYWOOD SHEATHING	0.16	
6. 2 1/4" AIR CAVITY	0.11	
7. POLYETHYLENE	0.08	
8. 1/2" GYPSUM WALL BOARD	0.08	
9. INTERIOR AIR FILM	0.12	
TOTAL EFFECTIVE INSULATION VALUE		RSI 3.202 (R-18.18)
MINIMUM EFFECTIVE THERMAL RESISTANCE FOR ABOVE GRADE WALLS		RSI 2.78 (R-15.6)

BELOW GRADE WALL ASSEMBLY		
DESCRIPTION	NOMINAL	EFFECTIVE
8" POURED-IN-PLACE CONCRETE WALL R-14 BATT INSULATION IN 2x4 WOOD FRAMING @ 24" O/C	RSI 2.46 (R-14)	RSI 1.91 (R-10.85)
OTHER BUILDING ENCLOSURE LAYERS THAT CONTRIBUTE TO EFFECTIVE INSULATION:		
1. DAMPROOFING	0.21	
2. 1" AIR SPACE	0.10	
3. POLYETHYLENE	0.08	
4. 1/2" GYPSUM WALL BOARD	0.12	
5. INTERIOR AIR FILM		RSI 0.57 (R-3.23)
TOTAL EFFECTIVE INSULATION VALUE		RSI 2.46 (R-14.06)
MINIMUM EFFECTIVE THERMAL RESISTANCE FOR BELOW GRADE WALLS		RSI 1.99 (R-11.3)

CEILINGS BELOW CATHEDRAL & FLAT ROOFS		
DESCRIPTION	NOMINAL	EFFECTIVE
R-26 BATT INSULATION IN 2X12 WOOD FRAMING @ 24" O/C	RSI 4.93 (R-26)	RSI 4.47 (R-25.4)
R-26 BATT INSULATION IN 2X10 WOOD FRAMING @ 16" O/C	RSI 4.93 (R-26)	RSI 4.14 (R-23.5)
OTHER BUILDING ENCLOSURE LAYERS THAT CONTRIBUTE TO EFFECTIVE INSULATION:		
1. EXTERIOR AIR FILM	0.03	
2. POLYETHYLENE	-	
3. 5/8" GYPSUM CEILING BOARD	0.10	
4. INTERIOR AIR FILM	0.11	RSI 0.24 (R-1.36)
TOTAL EFFECTIVE INSULATION VALUE		RSI 4.71 (R-26.78)
MINIMUM EFFECTIVE THERMAL RESISTANCE FOR FLOORS ABOVE UNHEATED SPACES		RSI 4.67 (R-26.5)

HVAC PERFORMANCE REQUIREMENTS		
EQUIPMENT TYPE	SIZE	PERFORMANCE REQUIREMENT
SPACE HEATING EQUIPMENT		
GAS FIRED FURNACE	LESS THAN 220,000 BTU/Hr (86 kW)	ANNUAL FUEL EFFICIENCY (AFUE) MUST BE GREATER OR EQUAL TO 92%
GAS FIRED BOILER	LESS THAN OR EQUAL TO 300,000 BTU/Hr (86 kW)	ANNUAL FUEL EFFICIENCY (AFUE) MUST BE GREATER OR EQUAL TO 90%
AIR COOLED UNITARY AIR CONDITIONER AND HEAT PUMP SPLIT SYSTEM	LESS THAN OR EQUAL TO 65,000 BTU/Hr (19 kW)	SEASONAL ENERGY EFFICIENCY RATING (SEER) OF 14.5 OR ENERGY EFFICIENCY RATING (EER) OF 11.5
GAS FIRED TANKLESS	LESS THAN 220,000 BTU/Hr (86 kW)	ENERGY FACTOR (EF) MUST BE GREATER THAN OR EQUAL TO 0.8
SERVICE WATER HEATING EQUIPMENT		
ELECTRIC STORAGE	13-71 GAL (50 TO 270L)	STANBY LOSS LESS THAN OR EQUAL TO: 25+ 0.20V (TOP INLET) 40+ 0.20V (BOTTOM INLET) WHERE V=THE TANK VOLUME (N LITRES)
GAS FIRED STORAGE	LESS THAN 75,000 BTU/Hr (22 kW)	ENERGY FACTOR (EF) MUST BE GREATER THAN OR EQUAL TO 0.67-0.000V WHERE V=THE TANK VOLUME (N LITRES)
GAS FIRED TANKLESS	LESS THAN OR EQUAL TO 250,000 BTU/Hr (73.2 kW)	ENERGY FACTOR MUST BE GREATER THAN OR EQUAL TO 0.8

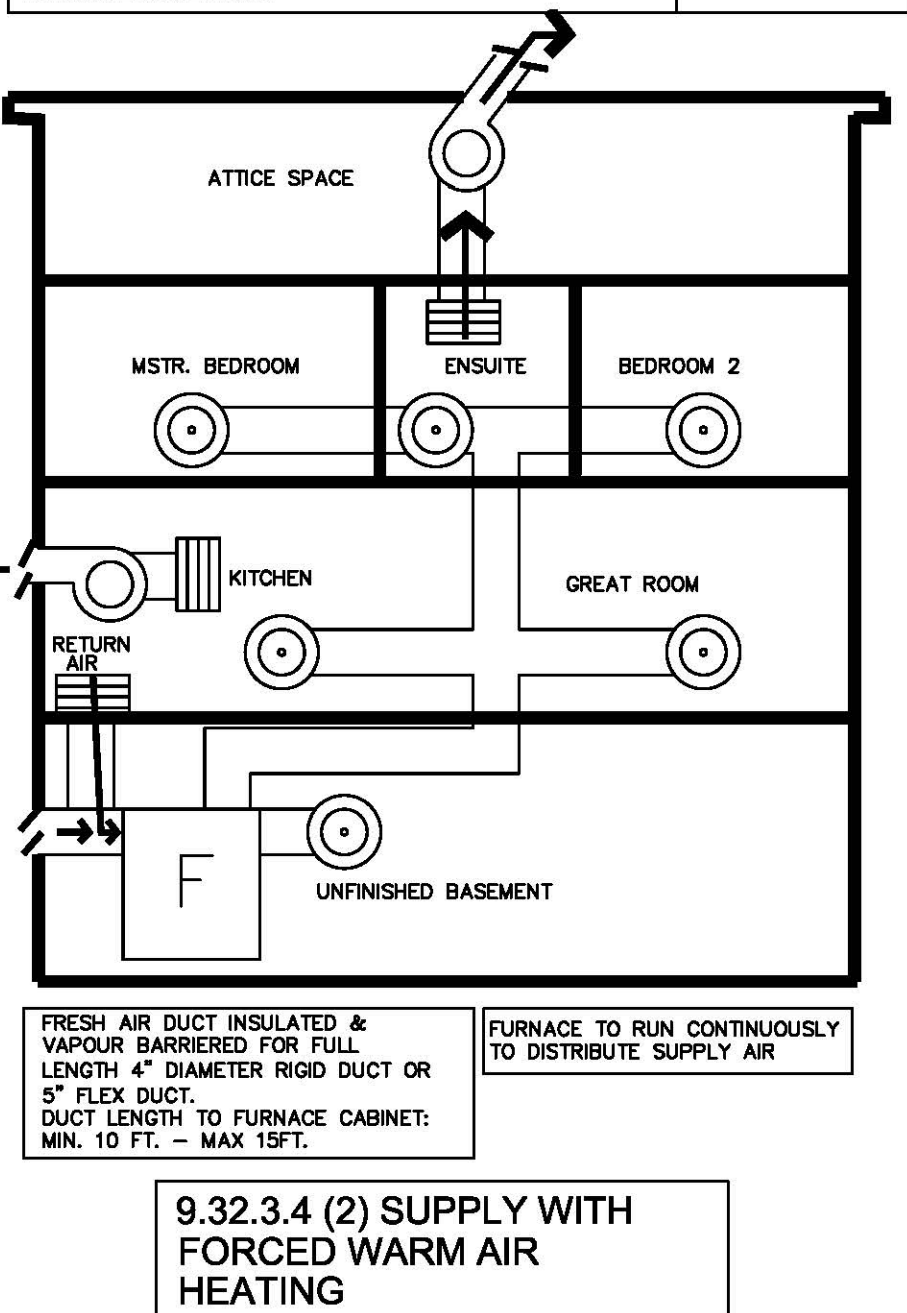
HEATED FLOOR

(EXTERIOR INSULATION)

SLAB ON GRADE AT FOUNDATION WALL WITH EXTERIOR INSULATION TO THE FOOTING

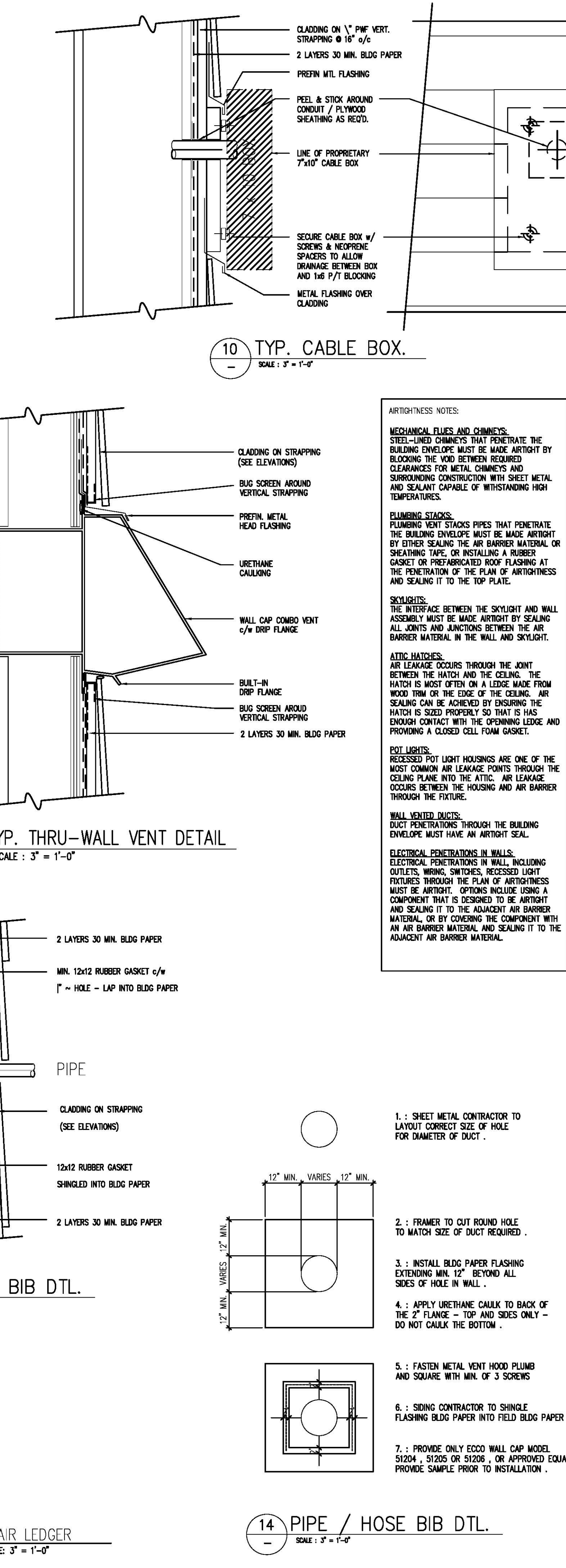
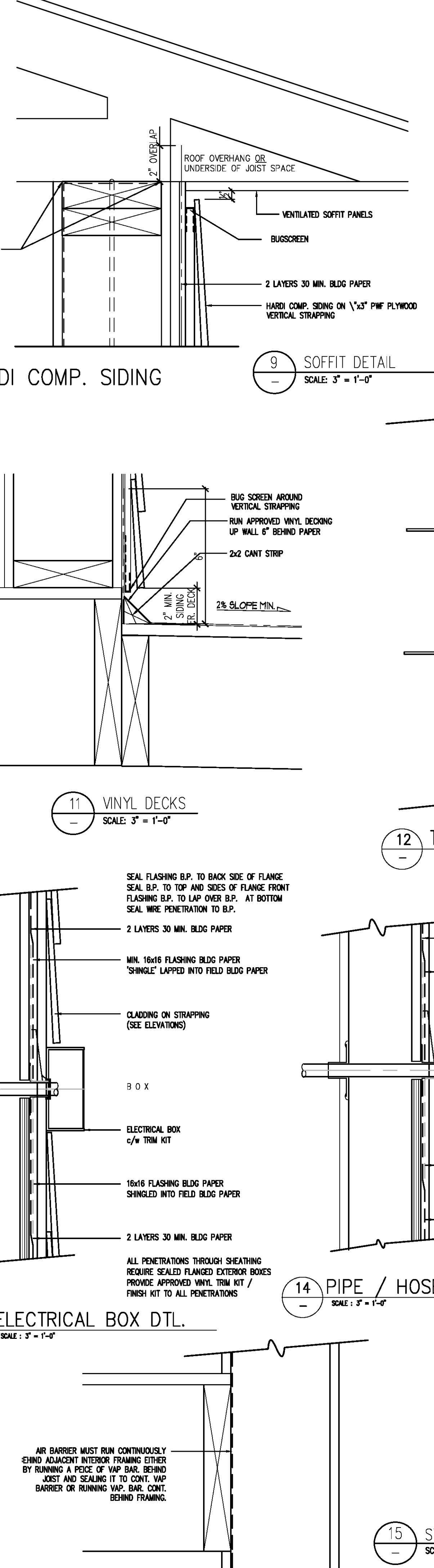
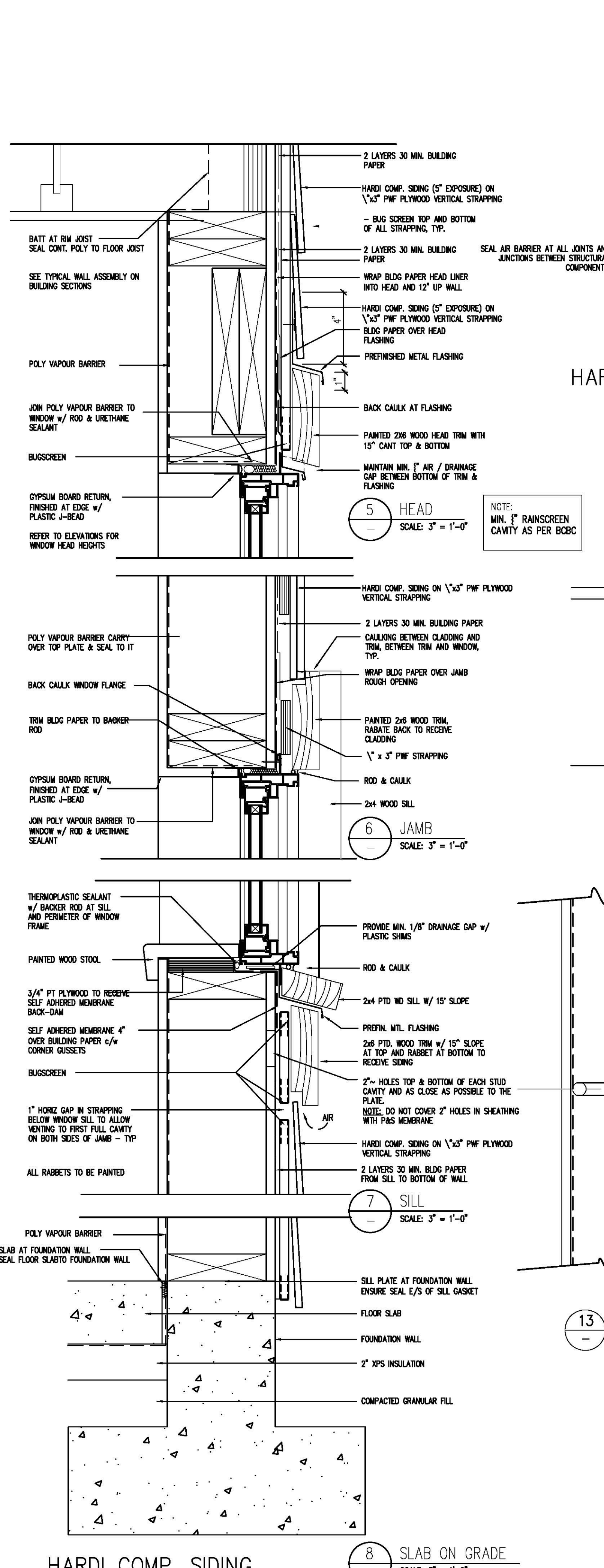
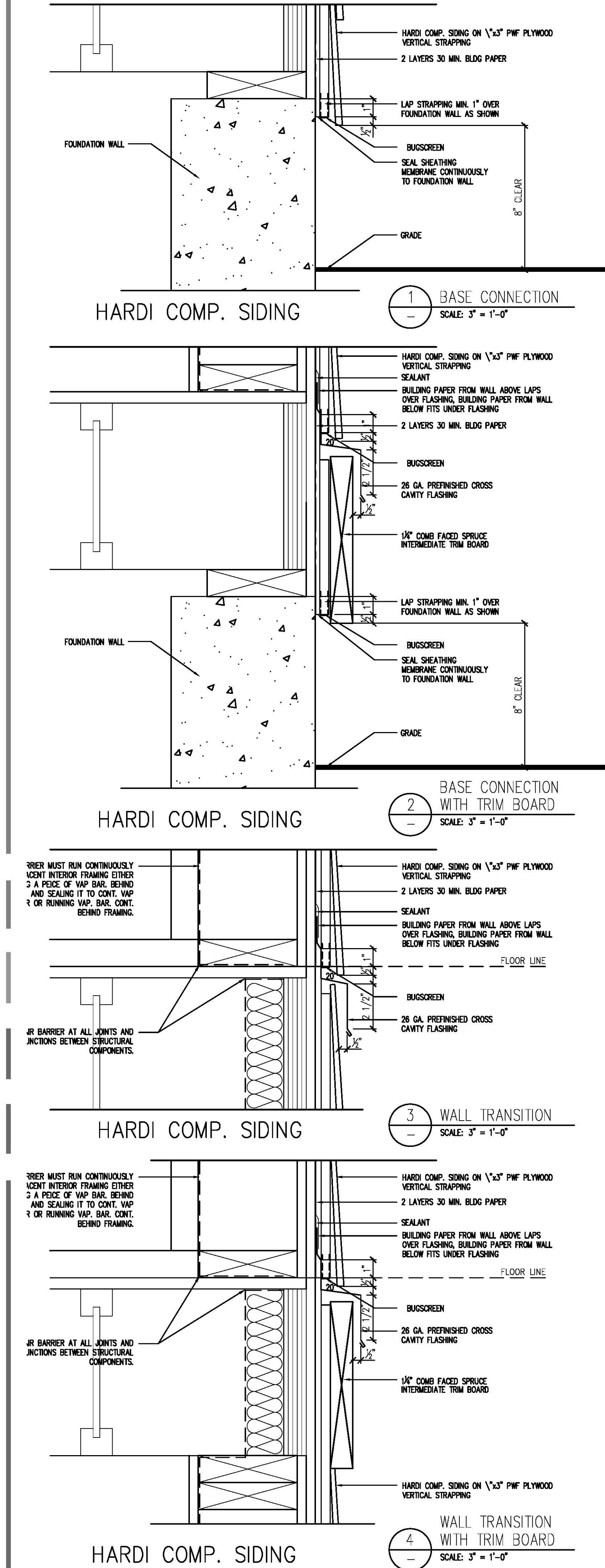
VENTILATION AIR

HEATED AND
THE FROST LINE



POCKET BEAM INSULATION R. VALUE		
1" XPS = .035 X 25.4MM		RSI 0.89
5" FRAMING = .0085 X 127MM		RSI 1.08
TOTAL R VALUE REQ. = 60% OF 2.78 = 1.67		RSI 1.97

FLOOR AREA, m ²	MINIMUM AIR-FLOW RATE, L/s					
	NUMBER OF BEDROOMS					
	0-1	2-3	4-5	6-7	> 7	
< 140	14	21	28	35	42	
140-200	21	28	35	42	49	
201-260	28	35	42	49	56	
421-560	35	42	49	56	64	
561-700	42	49	56	64	71	
> 700	49	56	64	71	78	



NOTE:
USE ONLY APPROVED SEALANTS
AT SELF ADHERED MEMBRANE
ALL PRESSURE TREATED PLYWOOD WALL
SHEATHING TO BE FASTENED WITH
GALVANIZED NAILS.
ALL BORATE TREATED WOOD STRAPPING,
CEDAR SHINGLES, AND HARDIPLANK
TO BE FASTENED WITH HOT DIP GALVANIZED
NAILS.

REV.	DATE	DESCRIPTION

PROJECT TITLE:
**41379 NICOMEN ISLAND
DEROCHE, B.C.**

CLIENT:
JONKER RESIDENCE

PAGE No:
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OF 9

DATE:
4/23/2019
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RN-19-72
DESIGNED/CHECKED:
JIM
DRAWN:
KJ



FRASER VALLEY REGIONAL DISTRICT POLICY AND PROCEDURES

SUBJECT: Secondary Dwellings in the Electoral Areas

EFFECTIVE DATE: June 25, 2019

REVISION DATE: June 25, 2019

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

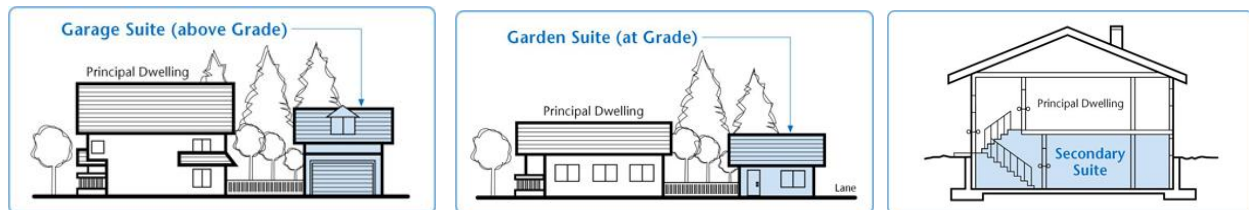
- 3.3.1 Where appropriate levels of service exist to a property, the FVRD Board generally supports establishing a secondary dwelling.
- 3.3.2 The FVRD Board generally supports the following minimum levels of service for properties where secondary dwellings are proposed:

	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 <i>or</i> 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.

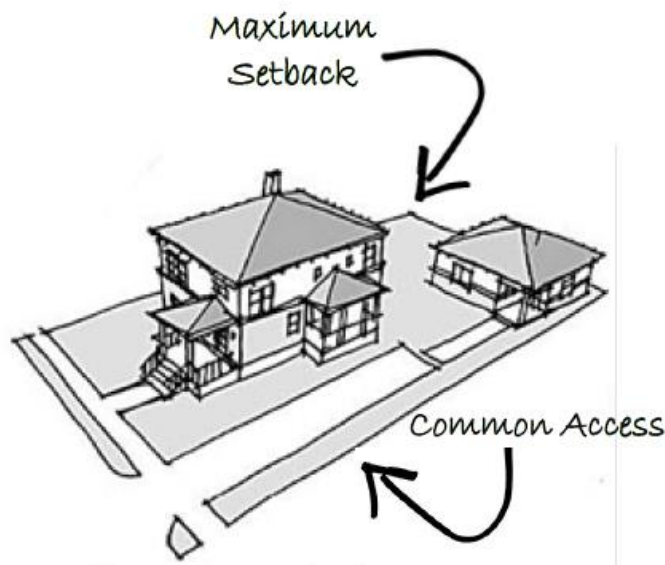
3.4 Form and Design

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.

To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Margaret-Ann Thornton, Director of Planning and Development

File No: 0110-01

Subject: Appointment of the Chief Building Inspector

RECOMMENDATION

THAT the Fraser Valley Regional District Board appoint the Manager of Building Inspection as the Fraser Valley Regional District Chief Building Official/Chief Building Inspector effective immediately.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND & DISCUSSION

With the departure of Paul Gipps, Chief Administrative Officer and Chief Building Inspector, a new "Chief Building Inspector" is required to be designated. It is recommended that the position of "Manager of Building Inspection" be designated as "Chief Building Inspector". Ian Crane is the current Manager of Building Inspection. This designation must be made by appointment of the Fraser Valley Regional District Board. There is no legal requirement for this appointment under the FVRD Building Bylaw, Community Charter, Local Government Act or the British Columbia Building Code. This designation is for best practices only.

COST

There are no direct costs associated with this report.

CONCLUSION

Staff recommend that the Regional Board appoint the Manager of Building Inspection as the Fraser Valley Regional District Chief Building Official/Chief Building Inspector effective immediately.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services:

No further financial comments.

Jennifer Kinneman, Acting Chief Administrative Officer:

Reviewed and supported.

To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Louise Hinton, Bylaw Compliance & Enforcement Officer

File No: 4300-70-2019-03

Subject: Special Event Permit – Around the Lake Trail Race, Cultus Lake - Electoral Area “H”

RECOMMENDATION

THAT the Fraser Valley Regional District Board approve the Class 1 Special Event Licence No. 2019-03 for the 17th Annual Around the Lake Trail Race to be held on October 19, 2019, at Cultus Lake, in Electoral Area H, subject to the receipt of all required documentation necessary to complete the application;

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

AND FURTHER THAT the Fraser Valley Regional District Board authorize FVRD signatories to execute all legal instruments associated with the Special Event Licence No. 2019-03.

STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy
Support Environmental Stewardship
Support Healthy & Sustainable Community

PRIORITIES

Priority #4 Tourism
Priority #5 Outdoor Recreation

BACKGROUND

The event is hosted by the Vedder Running Club and is expected to draw approximately 325 participants, volunteers, and supporters. Events of more than 200 people require a Special Event Licence per *Fraser Valley Regional District Special Events Bylaw No. 0111, 1997*.

DISCUSSION

The 17th Annual Around the Lake Trail Race is scheduled for Saturday October 19, 2019 at Cultus Lake, in Electoral Area H. An application has been received on behalf of the host of the event, The Vedder Running Club (Schedule “A”). The applicant must still submit the following items in order for the application to be considered complete:

1. Ministry of Forests Lake and Natural Resources Approval
2. Ministry of Transportation (MOTI) Approval
3. Cultus Lake Parks Board Approval
4. RCMP Approval
5. Fraser Health Approval
6. FVRD Emergency Services Approval
7. Cultus Lake and Columbia Valley Fire Services Approvals; and

8. Certificate of Insurance

The applicant must submit the remaining items no later than 30 days prior to the event. The Special Event Licence (Appendix “B”) may be given preliminary approval per s. 11 of the Bylaw subject to receipt of the remaining items.

Event Details

Approximately 325 people are expected to attend the event. As such, the event is classified as a Class 1 Special Event per s.6 of the Bylaw:

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

The approximately 30 kilometre Trail Race around Cultus Lake begins and ends at Main Beach in the Cultus Lake Park Board. The route, shown in Appendix “A”, is located primarily on forested trails around the lake, requiring access to Crown Lands, private properties within the FVRD, Ministry of Transportation roads, and the Cultus Lake Park Board. (Note: the map shown in Appendix “A” shows the new, slightly altered route that that was updated just prior to last year’s Event). There will be six (6) aid stations located along the race route, crewed by volunteers to provide first aid, and an opportunity for participants to refuel and hydrate. The permanent washrooms located at Main Beach are available for race attendees. First Aid will be provided by St. John’s Ambulance.

In addition to the FVRD Special Event Licence, the applicant Vedder Running Club also requires approval from Ministry of Forests, Lands, and Natural Resource Operations; FVRD Emergency Services, Columbia Valley and Cultus Lake Fire Services, Chilliwack Royal Canadian Mounted Police (RCMP), Ministry of Transportation and Infrastructure, Cultus Lakes Park Board, and the Fraser Health Authority.

As Per *Bylaw No. 0111*, a security of \$7,500 may be required from the applicant at the discretion of the Fraser Valley Regional Board. Due to the annual reoccurrence of the event without incident, staff recommends waiving the requirement for a security fee from the applicant.

COST

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

CONCLUSION

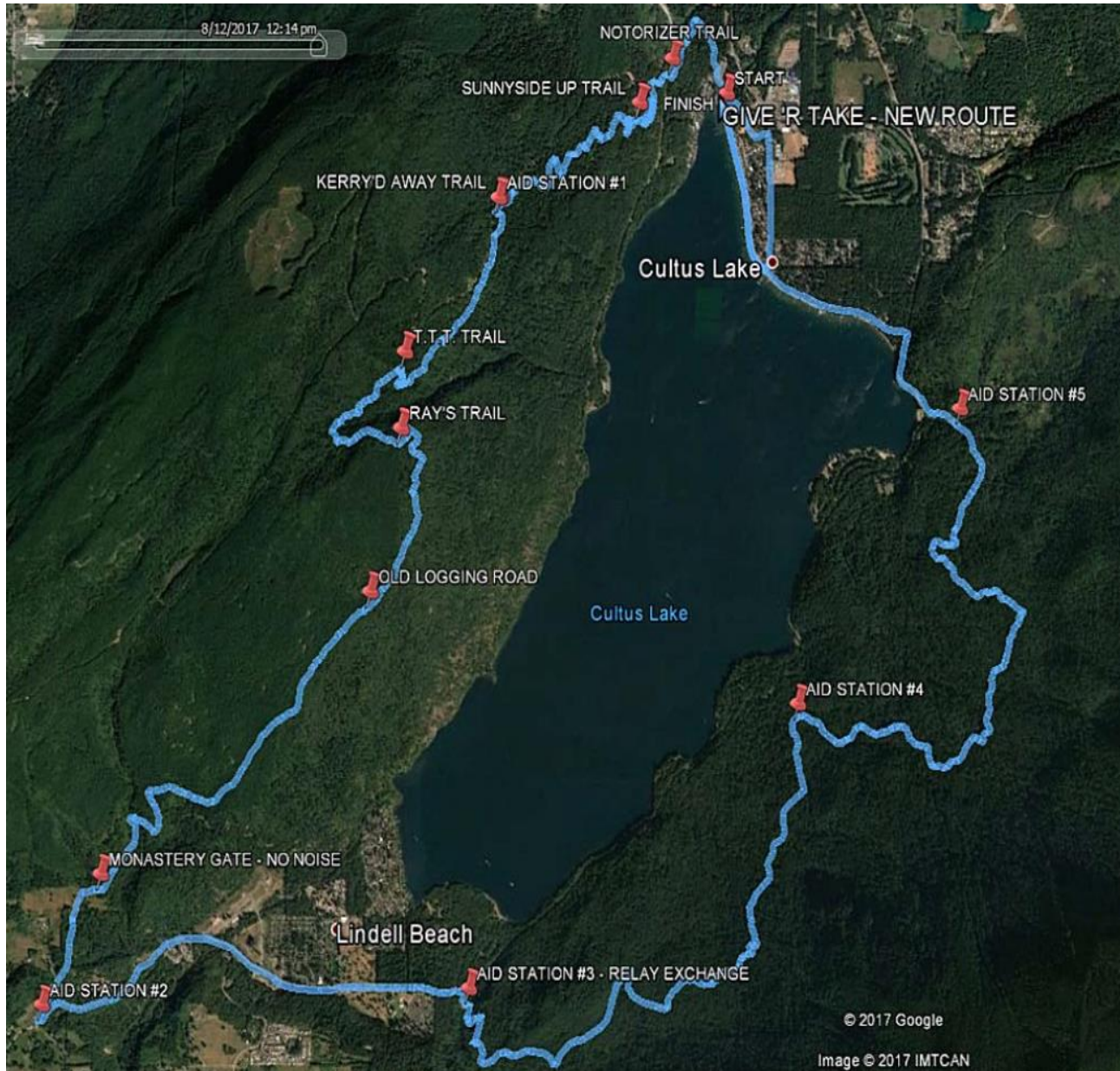
Staff recommends preliminary approval of Special Event Licence No. 2019-03 subject to the receipt of all required documentation necessary to complete the application and without a security fee.

COMMENTS BY:

Margaret Thornton, Director of Planning & Development	Not available for comment
Mike Veenbaas, Director of Financial Services	Not available for comment
Jennifer Kinneman, Acting Chief Administrative Officer	Reviewed and supported.

Appendix "A"

Trail Race Route Map



Elevation Profile:



Appendix "B"
Draft Special Event Licence



**PLANNING &
DEVELOPMENT**

www.fvrd.bc.ca | planning@fvrd.bc.ca

Schedule "B"

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events"
in all electoral areas of the Fraser Valley Regional District

SPECIAL EVENT LICENCE

License Number:	2019-03
Date Issued:	TBA
Promoter:	Lynda Farris representing the Around the Lake Trail Race Society S-65710
Property Owner(s) with Civic Address:	Description of Land:
1. Nan Pu To Monastery Inc No. S41425 1615 Robinson Road	Parcel "A" Section 16 Township 22 and of District Lot 5975 Group 1 New Westminster District Reference Plan 86813; PID 016-727-703
2. Cultus View Properties Inc No. 450034 1610 Columbia Valley Road	Legal Subdivision 2 Section 16 Township 22 Except Part Subdivided by Plan 38256 New Westminster District; PID 013-494-627
Nature of Special Event:	17 th Annual Around the Lake Trail Race
Date of Special Event:	October 19, 2019
Hours of Event:	5:00 am – 3:00 pm
Maximum Number of Persons Permitted:	499

Jason Lum
FVRD Board Chair

Jennifer Kinneman
Acting Chief Administrative Officer

Schedule "A"

Special Events Bylaw No. 0111, 1997

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

APPLICATION FOR SPECIAL EVENT LICENCE

Application No.: _____ Date of Application: June 3, 2019

Owner: Around the Lake Trail Race Society

Mailing Address: 2-45590 Market Way, Chilliwack

Business Phone: _____ Residence Phone: 604-819-2507

Promoter (if different from owner): Janet Vink-Race Dir, Lynda Ferris

Mailing Address: Same as above Permit Co-ordinator

Business Phone: _____ Residence Phone: _____

Legal Description of Land(s) to be used for Special Event: ① PID 016-727-703
Cultus Lake - Main Beach, ② PID 013-494-627

Street Address of Land(s): ① Nan Pu To Monastery Inc. 1615 Robinson
② Cultus View Properties Inc. 1610 Columbia Rd.

Date of Special Event: Saturday, October 19, 2019 Valley Rd.

Hours of Operation: 5am - 3pm

Anticipated number of participants per day: 450

Is liquor to be available: ☐ Yes ☒ No

Brief description of Event: 17th annual Around the Lake
Trail Race (Relay + 30 Km events)

Are special structures to be installed: ☒ Yes ☐ No

If so, briefly describe: Pop up tents, self supported
start/finish line/banner

ARRANGEMENT STATEMENT

Re: Around the Lake Trail Race, October 19, 2019

Access & Egress:

Event starts and ends at Main Beach, in Cultus Lake Park. Race route crosses two properties in the FVRD: 1610 Columbia Valley Road and 1615 Robinson Road; annual permission is received from property owners. As well the route runs beside a third property: 1505 Columbia Valley Road; this property owner is advised.

Garbage:

All items brought in for the event will be removed following completion of event. This is a top priority for organizers; we have never received a complaint re: left over garbage. As well, for 2019 we will continue as a 'cupless' race after initial year in 2018, i.e. no paper/plastic cups handed out at aid stations.

Sanitation:

Fraser Health provides opinion and approval regarding sanitation, including food.

First Aid:

Will be provided by St. John's Ambulance personnel on-site.

Power:

Only required at Main Beach (site of start/finish line).

Fire Protection & Emergency Services:

Fire Chiefs (Cultus Lake & Columbia Valley) and FVRD Manager of Electoral Area Emergency Service will be informed in advance of the event, date and times.

Cooking Facilities:

None used.

Security/Crowd Control:

Provided by volunteers and Race Committee members on site.

Signed: _____

(Lynda Ferris)

Date: _____

June 3, 2019

ARRANGEMENT STATEMENT

Re: Around the Lake Trail Race, October 19, 2019

Access & Egress:

Event starts and ends at Main Beach, in Cultus Lake Park. Race route crosses two properties in the FVRD: 1610 Columbia Valley Road and 1615 Robinson Road; annual permission is received from property owners. As well the route runs beside a third property: 1505 Columbia Valley Road; this property owner is advised.

Garbage:

All items brought in for the event will be removed following completion of event. This is a top priority for organizers; we have never received a complaint re: left over garbage. As well, for 2019 we will continue as a 'cupless' race after initial year in 2018, i.e. no paper/plastic cups handed out at aid stations.

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Fraser Health provides opinion and approval regarding sanitation, including food.

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Will be provided by St. John's Ambulance personnel on-site.

Power:

Only required at Main Beach (site of start/finish line).

Fire Protection & Emergency Services:

Fire Chiefs (Cultus Lake & Columbia Valley) and FVRD Manager of Electoral Area Emergency Service will be informed in advance of the event, date and times.

Cooking Facilities:

None used.

Security/Crowd Control:

Provided by volunteers and Race Committee members on site.

Signed:  (Lynda Ferris)

Date: June 3, 2019

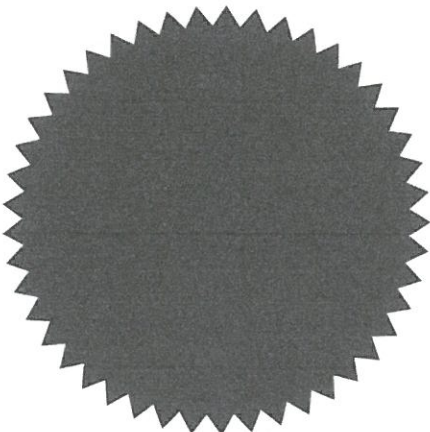


F.V.R.D. BLDG. DEPT
Number: S-0065710
NOV 29 2015

CERTIFICATE OF INCORPORATION

SOCIETY ACT

I Hereby Certify that AROUND THE LAKE TRAIL RACE SOCIETY was incorporated under the Society Act on July 5, 2016 at 02:46 PM Pacific Time.



*Issued under my hand at Victoria, British Columbia,
on July 5, 2016*

CAROL PREST
Registrar of Companies
PROVINCE OF BRITISH COLUMBIA
CANADA

To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Reg Dyck, Manager of Electoral Area Emergency Services

File No: 7200-01

Subject: Electoral Area Emergency Services – Department Activity Report

INTENT

This report is intended to advise the Electoral Area Services Committee of information pertaining to activity within the Emergency Services Department. Staff are not looking for a recommendation and has forwarded this information should members want more clarification to discuss the item further.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

DISCUSSION

The following is a brief overview of the activity for the Electoral Area Emergency Services Department between January 2019 and June 2019:

Volunteer Fire Departments:

ECOMM Transition:

On February 19th, the FVRD Dispatch Centre closed and all dispatch duties went to ECOMM. There were some initial challenges with the transition with the fire department adjusting to the new system however, the fire departments have adjusted well and are comfortable with the new processes.

Training and Conferences:

Several firefighters from various halls attended the 2019 Wildfire Symposium held in Penticton the first weekend in May. Here they learned about new wildfire mitigation tactics and methodology and had the opportunity to network with other firefighters from around the province. The BC Fire Expo was

held the first week of June. This conference provided an opportunity for me and several of our Chiefs to learn about new technology and equipment as well as the latest safety concerns for both our citizens and our firefighters. Firefighter mental health was a key focus of the conference.

Individual Fire hall Activities:

Jan 2019 June 24th 2019

Boston Bar / North Bend:

- Responded to 25 calls for service
- 1 resignation

Chilliwack River Valley

- Responded to 71 calls for service
- 2 resignation, 1 leave of absence
- Acquired 3 new recruits and a junior firefighter
- New rescue truck RFP awarded

Columbia Valley

- Responded to 23 calls for service
- 3 resignations and 1 leave of absence

Hemlock Valley

- Chief Marty McKinney resigned on May 6th and Ken Harbord was appointed Chief.
- Responded to 7 calls for service
- Acquired 2 new recruits and had 1 resignation
- Held a "Meet the Fire Department" event in April.

North Fraser

- Responded to 251 calls for service
- Acquired 2 new recruits and 1 returning fire fighter
- Held a live fire training exercise on June 15th.
- Hosted a community Pancake Breakfast which included a Show and Shine and kids activities on June 1st.

Popkum

- Responded to 96 calls for service
- 3 resignations
- Held a live fire training exercise in April with Yale and District VFD in attendance.
- Hosted a community Pancake Breakfast on June 1st.

Yale and District

- Responded to 18 calls for service
- Acquired 1 Junior Fire Fighter

Emergency Support Services:

Our ESS Area Coordinators are actively working on securing sites for reception centres and group lodging. To that end they are working with local businesses to build their supply resources lists for food and lodging of evacuees. It is imperative that we grow our ESS teams so that we have the capacity to ensure proper support to the members of the public. We are reliant on our neighboring ESS groups for support as we do not have the manpower in some of the Electoral Areas.

Emergency Program:

The FVRD hosted the EMBC Spring Readiness Workshop on April 10th with representatives from several provincial and local government entities available to answer questions from the participants. The workshop was well attended with just over 50 people from the FVRD, other local governments and First Nations taking part.

On May 28th & 29th, we hosted the EMBC Conducting Hazard, Risk and Vulnerability Analysis course. This was well attended by several staff members as well as members from other local governments and First Nations.

Also, on June 5th, we hosted the EMBC EOC Planning course which was also well attended by staff and members from other local governments.

We have had 3 more staff members successfully complete a course in EOC Essentials.

Two community information sessions have been attended by the Emergency Services Department, April 4th for Area C and May 11th for area E, two more are scheduled for area H on Saturday July 6th at the Cultus Lake and Columbia Valley fire halls.

Auditor General for Local Government Performance Audit "Emergency Management in Local Government":

Members of the AGLG Audit team have been interviewing members of the Board and Staff and reviewing various documents and plans since early February. The final report should be ready late this year.

COST

There are no costs associated with this report.

COMMENTS BY:

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

Mike Veenbaas, Director of Financial Services:

No further financial comments.

Jennifer Kinneman, Acting Chief Administrative Officer:

Reviewed and supported.

To: CAO for the Electoral Area Services Committee

Date: 2019-07-09

From: Reg Dyck, Manager of Electoral Area Emergency Services

File No: 7200-40

Subject: Hemlock Valley Fire Department Fire Apparatus Purchase

INTENT

This report is intended to advise the Electoral Area Services Committee that the Emergency Services Department will be asking for a special vote, before the July Board meeting, in regards to purchasing a new fire apparatus for the Hemlock Valley fire department.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The closing date for the Request for Proposal (RFP) for the new Hemlock Valley fire apparatus was extended by one week. The prices quoted are only guaranteed for 30 days. This extension would cause the report to EASC to be delayed until the August meeting which will be past the 30 day deadline.

DISCUSSION

The RFP for a new fire apparatus (engine) for Hemlock Valley closing date had been June 21st 2019 so the proposals could be reviewed before the July EASC meeting deadline and a recommendation put forward. One manufacturer asked for an extension of one week, which was granted. This has created a delay in the project plan.

Due to the specialized nature of this apparatus (shorter wheelbase and request for a rear mounted pump panel) we may receive limited responses to this RFP. It was determined, that to have as many as

possible proposals to review and choose from, an extension would be in the best interest of the Hemlock Valley fire department and the Fraser Valley Regional District.

As it takes some time to review these proposals with the fire department and make an educated decision, the Emergency Services Department is asking for a special vote by the Electoral Area Services Committee on a recommended proposal before the July board meeting. This would enable us to award the contract, if so decided, before the proposals pricing guarantee deadline.

COST

There are no costs associated with this report.

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:	Reviewed and supported.

To: CAO for the Regional and Corporate Services Committee

Date: 2019-07-09

From: Pam Loat, Legislative Coordinator

File No: 3920-20

Subject: Bylaw Offence Notice Enforcement Amendment Bylaw No. 1532, 2019

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as *Fraser Valley Regional District Bylaw Offence Notice Enforcement Amendment Bylaw No. 1532, 2019*

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

Bylaw Offence Notice Enforcement Bylaw No.1415, 2017 requires updating with respect to some recently adopted regulatory bylaws, namely:

- *Sub-Regional Animal Control Regulations Amendment Bylaw No. 1527;*
- *Electoral Areas Dangerous and Aggressive Dog Regulation Amendment Bylaw No. 1531;*
- *Parks Regulations, Fees and Other Charges Establishment Bylaw No. 1500;*
- *Cultus Lake Park Zoning Bylaw No. 1375;*

DISCUSSION

ANIMAL CONTROL: Recently adopted *Sub-Regional Animal Control Regulation Amendment Bylaw No. 1527, 2019* and *Electoral Areas Dangerous and Aggressive Dog Regulation Amendment Bylaw No 1531, 2019* clarified the wording for several contraventions and added specific provisions for aggressive incidences that result in dog mortality in order to allow for the implementation of greater fines. The following changes to the Bylaw Notice Enforcement Bylaw are recommended to reflect these amendments.

Animal Control Bylaw No. 1206, 2013 – the following wording changes and new fines are to be added:

Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
17(e)	Dog Attacking or Causing Injury	\$250	\$240	\$260	Yes
17(f)	Dog Aggressively Pursuing or Harassing	\$250	\$240	\$260	Yes
17(g)	Dog Causing Death	\$500	\$490	\$510	Yes
32	Hitched or Tied for Extended Period of Time as Primary Means of Confinement	\$100	\$90	\$110	Yes
35	Animal Kept in Prohibited Area Where Not Permitted	\$100	\$90	\$110	Yes

Sub Regional Animal Control Bylaw No. 1206, 2013 – The following penalty amount is to be increased to serve as a deterrent and to reflect fine rates being applied in other jurisdictions:

Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
30	Animal Confined Without Proper Ventilation	\$200 500	\$190 490	\$210 510	Yes

Electoral Area Dangerous and Aggressive Dog Regulation Bylaw No. 1247, 2013– the following wording changes and new fines are to be added:

Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
1(a)	Dog Attacking or Causing Injury	\$250	\$240	\$260	Yes
1(c)	Dog Causing Death	\$500	\$490	\$510	Yes
13	Hitched or Tied for Extended Period of Time as Primary Means of Confinement	\$100	\$90	\$110	Yes

Sub Regional Animal Control Bylaw No. 1206, 2013 – The following penalty amount is to be increased to serve as a deterrent and to reflect fine rates being applied in other jurisdictions:

Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
11	Animal Confined Without Proper Ventilation	\$100 500	\$90 490	\$110 510	Yes

PARKS: Adopted Parks Regulation Bylaw No. 1500, 2018 repealed Parks Regulation Bylaw No. 1273, 2014. The Bylaw Notice Enforcement Bylaw requires housekeeping updates to reflect small changes in wording and numbering and to remove fines for contraventions which are no longer prohibited. Fines have been removed for using snow sliding devices, having more than 3 domestic animals in a park and operating a public address system.

The following new fines are to be added:

Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
7.13	Standing, climbing, sitting on fences and railings	\$100	\$90	\$110	No
8.7	Traveling in a park where posted notice prohibits travel	\$100	\$90	\$110	No
9.4	Dog off leash outside of designated off leash areas	\$100	\$90	\$110	No
10.7	Unauthorized parking in designated accessible or emergency personnel parking	\$100	\$90	\$110	No
11.2	Use of vessel to interfere with safe and free use of boat launch	\$100	\$90	\$110	No
11.3	Mooring of boat in non-authorized area	\$100	\$90	\$110	No

The following penalty amounts have increased due to the potential for severe environmental impacts associated with these actions:

Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
8.1 (g)	Feed wildlife	\$100 500	\$90 490	\$110 510	No
8.1 (h)	Introduce contaminant	\$200 500	\$190 490	\$210 510	No

CULTUS LAKE PARK ZONING: Cultus Lake Park Zoning Bylaw No. 1375, 2016 was adopted in 2018. Adding this Bylaw to Schedule B of the Bylaw Offence Notice Enforcement Bylaw will allow for the issuing of fines for zoning contraventions in Cultus Lake Park. Fine amounts will be consistent with the amounts for all other zoning contraventions.

COST

None

CONCLUSION

Proposed *Fraser Valley Regional District Bylaw Offence Notice Enforcement Bylaw Amendment Bylaw No. 1532, 2019* amends Bylaw No. 1415, 2017 to incorporate changes in recent amended regulatory bylaws and to include Cultus Lake Park in the schedule for zoning contraventions.

COMMENTS BY:

Jaime Reilly, Manager of Corporate Administration:	Reviewed and supported.
Stacey Barker, Director of Regional Services:	Reviewed and supported.
Margaret-Ann Thornton, Director of Planning and Development:	Reviewed and supported.
Mike Veenbaas, Director of Financial Services:	Not available for comment.
Jennifer Kinneman, Acting Chief Administrative Officer:	Not available for comment.

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1532, 2019

A bylaw to amend the Bylaw Offence Notice Enforcement Bylaw

WHEREAS the Board of Directors of the Fraser Valley Regional District has deemed it advisable to amend *Fraser Valley Regional District Bylaw Offence Notice Enforcement Bylaw No. 1415, 2017*.

THEREFORE the Board of Directors of the Fraser Valley Regional District, in open meeting assembled, enacts as follows:

1) CITATION

This bylaw may be cited as *Fraser Valley Regional District Bylaw Offence Notice Enforcement Amendment Bylaw No. 1532, 2019*.

2) ENACTMENTS

That Fraser Valley Regional District Bylaw No. 1415, 2017 be amended by:

- a. deleting Schedule A-3 (Animal Control Regulations) in its entirety and replacing it with Schedule A-3 attached hereto and forming an integral part of this bylaw;
- b. deleting Schedule A-4 (Electoral Areas Dangerous and Aggressive Dog Regulations) in its entirety and replacing it with Schedule A-4 attached hereto and forming an integral part of this bylaw;
- c. deleting Schedule A-5 (Parks Regulations) in its entirety and replacing it with Schedule A-5 attached hereto and forming an integral part of this bylaw;
- d. deleting "Schedule B Land Use Bylaw Contraventions and Penalties" in its entirety and replacing it with Schedule B attached hereto and forming an integral part of this bylaw.

3) SEVERABILITY

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

4) READINGS AND ADOPTION

READ A FIRST TIME THIS _____ day of _____

READ A SECOND TIME THIS _____ day of _____

READ A THIRD TIME THIS _____ day of _____

ADOPTED THIS _____ day of _____

Chair/Vice-Chair

Corporate Officer/Deputy

5) CERTIFICATION

I hereby certify that this is a true and correct copy of *Fraser Valley Regional District Bylaw Offence Notice Enforcement Amendment Bylaw No. 1532, 2019* as adopted by the Board of Directors of the Fraser Valley Regional District on the _____

Dated at Chilliwack, BC this _____

Corporate Officer/Deputy

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1415, 2017**Schedule A-3****DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES****Animal Control**

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Animal Control Bylaw No. 1206, 2013	1	No Dog Licence	\$200	\$190	\$210	Yes
	D	Excess Pets	\$100	\$90	\$110	Yes
	16	Barking or Howling Dog	\$100	\$90	\$110	Yes
	17(a)	Dog at Large	\$100	\$90	\$110	Yes
	17(b)	Dog Trespassing	\$100	\$90	\$110	Yes
	17(c)	Dog Not Contained on Private Property	\$100	\$90	\$110	Yes
	17(d)	Dog Not Restrained in Public Place	\$100	\$90	\$110	Yes
	17(e)	Dog Attacking or Causing Injury	\$250	\$240	\$260	Yes
	17(f)	Dog Aggressively Pursuing or Harassing	\$250	\$240	\$260	Yes
	17(g)	Dog Causing Death	\$500	\$490	\$510	Yes
	18	Fail to Remove Excrement	\$75	\$65	\$85	Yes
	20	In Heat Dog Not Securely Confined	\$100	\$90	\$110	Yes
	24(a)	Aggressive Dog not Securely Confined	\$500	\$490	\$510	Yes
	24(b)(i)	Aggressive Dog Not on a Leash	\$500	\$490	\$510	Yes
	24(b)(ii)	Aggressive Dog No Competent Person	\$500	\$490	\$510	Yes
	24(b)(iii)	Aggressive Dog No Muzzle	\$500	\$490	\$510	Yes

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Animal Control Bylaw No. 1206, 2013 (con't)	24(c)	Aggressive Dog No Microchip	\$500	\$490	\$510	Yes
	24(e)	Aggressive Dog No Photo	\$500	\$490	\$510	Yes
	27	Animal with Infectious Disease Not Confined	\$200	\$190	\$210	Yes
	28(a)	No Clean Water and Sufficient Food	\$100	\$90	\$110	Yes
	28(b)	No Sanitary Food Water Receptacles	\$100	\$90	\$110	Yes
	28(c)	No Sufficient Exercise	\$100	\$90	\$110	Yes
	28(d)	No Sufficient Bedding	\$100	\$90	\$110	Yes
	28(e)	No Necessary Veterinary Care	\$100	\$90	\$110	Yes
	29	Animal Outside Without Shelter	\$100	\$90	\$110	Yes
	30	Animal Confined Without Proper Ventilation	\$500	\$490	\$510	Yes
	31	Hitched With Chain or Rope Around Neck	\$100	\$90	\$110	Yes
	32	Hitched or Tied as Primary Means of Confinement	\$100	\$90	\$110	Yes
	33(a)	More Than One Animal in Cage	\$200	\$190	\$210	Yes
	33(b)	Aggressive Dog with Other Animals	\$500	\$490	\$510	Yes
	33(c)	Keeping pups with adults	\$100	\$90	\$110	Yes
	33(d)	Communicable Disease with Other Animals	\$100	\$90	\$110	Yes
	34(a)(i)	Insufficient Heating or Cooling System	\$100	\$90	\$110	Yes

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Animal Control Bylaw No. 1206, 2013 (con't)	34(a)(ii)	Insufficient Cage or Pen Size	\$100	\$90	\$110	Yes
	34(a)(iii)	Insufficient Light and Ventilation	\$100	\$90	\$110	Yes
	34(a)(iv)	Insufficient Cleaning or Sanitizing	\$100	\$90	\$110	Yes
	34(b)	Insufficient Exercise Area	\$100	\$90	\$110	Yes
	35	Animal Kept Where Not Permitted	\$100	\$90	\$110	Yes
	36	Livestock or Poultry at Large	\$200	\$190	\$210	Yes
	38	Keeping Exotic Animal	\$500	\$490	\$510	Yes
	39	Exotic Animal at large	\$500	\$490	\$510	Yes
	44	Unauthorized Possession of Impounded Animal	\$500	\$490	\$510	Yes
	51	Interfere with or Obstruct Entry	\$200	\$190	\$210	Yes

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1415, 2017
Schedule A-4

DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES
Electoral Areas Dangerous and Aggressive Dog Regulations

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Electoral Areas Dangerous and Aggressive Dog Regulation Bylaw No. 1247, 2013	1(a)	Dog Attacking or Causing Injury	\$250	\$240	\$260	Yes
	1(b)	Dog Pursuing or Harassing	\$250	\$240	\$260	Yes
	1(c)	Dog Causing Death	\$500	\$490	\$510	Yes
	6(a)	Aggressive Dog not Securely Confined	\$500	\$490	\$510	Yes
	6(b)(i)	Aggressive Dog Not on a Leash	\$500	\$490	\$510	Yes
	6(b)(ii)	Aggressive Dog No Competent Person	\$500	\$490	\$510	Yes
	6(b)(iii)	Aggressive Dog No Muzzle	\$500	\$490	\$510	Yes
	6(c)	Aggressive Dog No Microchip	\$500	\$490	\$510	Yes
	6(e)	Aggressive Dog No Photo	\$500	\$490	\$510	Yes
	9(a)	No Clean Water and Sufficient Food	\$100	\$90	\$110	Yes
	9(b)	No Sanitary Food Water Receptacles	\$100	\$90	\$110	Yes
	9(c)	No Sufficient Exercise	\$100	\$90	\$110	Yes
	9(d)	No Sufficient Bedding	\$100	\$90	\$110	Yes
	9(e)	No Necessary Veterinary Care	\$100	\$90	\$110	Yes
	10	Animal Outside Without Shelter	\$100	\$90	\$110	Yes
	11	Animal Confined Without Proper Ventilation	\$500	\$490	\$510	Yes

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Electoral Areas Dangerous and Aggressive Dog Regulation Bylaw No. 1247, 2013 (con't)	12	Hitched With Chain or Rope Around Neck	\$100	\$90	\$110	Yes
	13	Hitched or Tied as Primary Means of Confinement	\$100	\$90	\$110	Yes
	22	Interfere with or Obstruct Entry	\$200	\$190	\$210	Yes

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1532, 2019**Schedule A-5****DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES****Parks Regulations**

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Parks Regulations Bylaw No. 1500, 2018	7.1	Obstruction of authorized personnel	\$150	\$140	\$160	No
	7.4	Possession of alcohol	\$100	\$90	\$110	No
	7.5	Urination or defecation in a park	\$100	\$90	\$110	No
	7.6	Enter closed park	\$100	\$90	\$110	No
	7.8	Cause a disturbance	\$100	\$90	\$110	No
	7.9	Disturb the peace	\$100	\$90	\$110	No
	7.10	Unauthorized camping	\$100	\$90	\$110	No
	7.11	Unauthorized interference	\$100	\$90	\$110	No
	7.12	Use of remote controlled device	\$100	\$90	\$110	No
	7.13	Standing, climbing, sitting on fences and railings	\$100	\$90	\$110	No
	7.14	Smoking in a park	\$100	\$90	\$110	No
	8.1 (a)	Damage a natural park feature	\$200	\$190	\$210	No
	8.1 (b)	Build or alter a trail	\$200	\$190	\$210	No
	8.1 (c)	Deface a structure	\$200	\$190	\$210	No
	8.1 (d)	Build a structure	\$100	\$90	\$110	No
	8.1 (e)	Deposit plant or animal material	\$100	\$90	\$110	No
	8.1 (f)	Disturb wildlife	\$200	\$190	\$210	No

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Parks Regulations Bylaw No. 1500, 2018 (con't)	8.1 (g)	Feed wildlife	\$500	\$490	\$510	No
	8.1 (h)	Introduce contaminant	\$500	\$490	\$510	No
	8.2	Angle within Cheam Lake	\$100	\$90	\$110	No
	8.3	Angle near or from boat launch	\$100	\$90	\$110	No
	8.5	Deposit on-site refuse	\$100	\$90	\$110	No
	8.6 (a)	Dispose of off-site waste in a park	\$200	\$190	\$210	No
	8.6 (b)	Deposit off-site refuse in park garbage cans	\$100	\$90	\$110	No
	8.7	Traveling in a park where posted notice prohibits travel	\$100	\$90	\$110	No
	9.1	Animal off-leash and/or not under control	\$100	\$90	\$110	No
	9.2 (a)	dog not under control in off leash area	\$100	\$90	\$110	No
	9.2 (b)	Absent leash and/or collar	\$100	\$90	\$110	No
	9.3	Animal in a park where posted notice prohibits animals	\$100	\$90	\$110	No
	9.4	Dog off leash outside of designated off leash areas	\$100	\$90	\$110	No
	9.5	Unauthorized animal	\$100	\$90	\$110	No
	9.6	Fail to remove feces	\$100	\$90	\$110	No
	9.8	Unauthorized horse	\$100	\$90	\$110	No
	10.1	Travel off road	\$200	\$190	\$210	No
	10.2	No licence or registration	\$100	\$90	\$110	No

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Parks Regulations Bylaw No. 1500, 2018 (con't)	10.3	Unauthorized parking	\$100	\$90	\$110	No
	10.4	Unauthorized parking in boat launch	\$100	\$90	\$110	No
	10.5	Obstruct park use with motor vehicle	\$100	\$90	\$110	No
	10.6	Parking in front of gate	\$100	\$90	\$110	No
	10.7	Unauthorized parking in designated accessible or emergency personnel parking	\$100	\$90	\$110	No
	10.8	Fail to display pass	\$100	\$90	\$110	No
	10.9	Motor vehicle maintenance	\$100	\$90	\$110	No
	10.10	Motor vehicle in closed park	\$100	\$90	\$110	No
	10.11	Unauthorized use of aircraft	\$100	\$90	\$110	No
	11.1	Operate a vessel in a prohibited area	\$100	\$90	\$110	No
	11.2	Use of vessel to interfere with safe and free use of boat launch	\$100	\$90	\$110	No
	11.3	Mooring of boat in non-authorized area	\$100	\$90	\$110	No
	12.1 (a)	Sale of goods or services	\$100	\$90	\$110	No
	12.1 (b)	Conduct business	\$100	\$90	\$110	No
	12.1 (c)	Advertise	\$100	\$90	\$110	No
	13.1	Prohibited flame	\$100	\$90	\$110	No
	13.3	Excessive fire	\$100	\$90	\$110	No

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
Parks Regulations Bylaw No. 1500, 2018 (con't)	13.4	Deposit burning substance	\$100	\$90	\$110	No
	13.5	Prohibited flame producing device	\$100	\$90	\$110	No
	13.6	Possession of firearm	\$100	\$90	\$110	No
	13.7	Possession of fireworks	\$100	\$90	\$110	No
	14.3	Fail to provide information	\$100	\$90	\$110	No
	14.4	Motor vehicle without pass	\$100	\$90	\$110	No
	15.2	Fail to obtain permit	\$100	\$90	\$110	No
	15.6	Fail to comply with permit	\$100	\$90	\$110	No
	15.8 (a)	Fail to remove property	\$100	\$90	\$110	No
	15.8 (b)	Fail to restore area	\$100	\$90	\$110	No

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1532, 2019**Schedule B****LAND USE BYLAW CONTRAVENTIONS AND PENALTIES**

1) All bylaw contraventions under the following bylaws may be dealt with by bylaw offence notice:

Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992
Zoning Bylaw for the Rural Portions of Electoral Area "A", Regional District of Fraser-Cheam Bylaw No. 823, 1989
Zoning Bylaw for the Rural Portions of Electoral Area "B" Regional District of Fraser-Cheam Bylaw No. 801, 1989
Zoning Bylaw for the Community Plan Areas of Electoral Area "B" of the Regional District of Fraser-Cheam. (Bylaw No. 90, 1977)
Zoning Bylaw for Electoral Area "C", 1977 of the Regional District of Fraser-Cheam. (Bylaw No. 85, 1977)
Zoning Bylaw for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam. (Bylaw No. 75)
Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser-Cheam. (Bylaw No. 66)
Zoning Bylaw for Electoral Area "F", 1978 of the Regional District of Fraser-Cheam. (Bylaw No. 100)
Cultus Lake Park Zoning Bylaw No. 1375, 2016

2) The penalties for any contravention under the above bylaws shall be:

A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
\$200	\$190	\$210	No