

# FRASER VALLEY REGIONAL DISTRICT



## ELECTORAL AREA SERVICES COMMITTEE

### REVISED AGENDA

Tuesday, September 10, 2019

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

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#### Pages

1. CALL TO ORDER

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

**MOTION FOR CONSIDERATION**

**THAT** the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of September 10, 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 12958 Sylvester Road, Electoral Area F, Legally Described as: Lot 12 Except: Parcel A (Explanatory Plan 56487) Section 30 Township 21 New Westminster District Plan 38134 (PID: 000-533-785).

8 - 27

- Presentation by Staff
- Corporate report dated September 10, 2019 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated August 16, 2019 to Property Owner
- Letter dated July 18, 2019 to Property Owner
- Letter dated July 18, 2019 to Property Owner
- Current Title Search
- Property Information Report
- Property Information Map

## **MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code*, at 12958 Sylvester Road Electoral Area F, Fraser Valley Regional District, British Columbia, Legally described as: Lot 12 Except: Parcel A (Explanatory Plan 56487) Section 30 Township 21 New Westminster District Plan 38134 (PID: 000-533-785).

## **4. DELEGATIONS AND PRESENTATIONS**

None

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

### **5.1 Draft Minutes of the Electoral Area Services Committee Meeting - July 9, 2019** 28 - 38

#### **MOTION FOR CONSIDERATION**

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

### **5.2 Draft Minutes of EASC Priorities Setting Session - July 23, 2019** 39 - 45

#### **MOTION FOR CONSIDERATION**

**THAT** the Minutes of the Electoral Area Services Committee Priorities Setting Session of July 23, 2019 be adopted.

### **5.3 Draft Cultus Lake Advisory Planning Commission - August 21, 2019** 46 - 48

#### **FOR INFORMATION ONLY**

## **6. CORPORATE ADMINISTRATION**

No Items.

## **7. FINANCE**

### **7.1 Grant-In-Aid Request – Fraser Valley Bald Eagle Festival Society, Electoral Area C** 49 - 53

- Corporate report dated September 10, 2019 from Kristy Hodson, Manager of Financial Operations
- GIA Application
- Fraser Valley Bald Eagle Festival brochure

#### **MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to the Fraser Valley Bald Eagle Festival Society, funded from



the 2019 Electoral Area “C” grant-in-aid budget, to assist in the funding of their annual Fraser Valley Bald Eagle Festival.

## 8. ENGINEERING & UTILITIES

No Items.

## 9. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

### 9.1 Bylaw Offence Notice Enforcement Amendment Bylaw No. 1540, 2019

54 - 61

- Corporate report dated September 10, 2019 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Draft Bylaw No. 1540, 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. 1540, 2019*.

### 9.2 Application for Development Variance Permit 2019-19 to vary the off-street motor vehicle parking dimensions at 19 Lakeshore Drive, Cultus Lake Park – Electoral Area H

62 - 150

- Corporate report dated September 10, 2019 from Andrea Antifaeff, Planner I
- Draft DVP 2019-19
- Corporate report dated July 9, 2019 from Andrea Antifaeff , Planner I- background report
- Submission from Commissioner Bauer, Cultus Lake Park Board

#### MOTION FOR CONSIDERATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-19 for the property located at 19 Lakeshore Drive, Cultus Lake Park – Electoral Area H to vary the off-street motor vehicle parking dimensions for two 90 degree parking spaces from 2.8 metres (9.2 feet) wide by 5.5 metres (18 feet) long to 2.56 metres (8.4 feet) wide by 4.57 metres (15 feet) long, subject to consideration of any comments or concerns raised by the public;

**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;

**AND FURTHER THAT** the Fraser Valley Regional District Board consider deferring any future development variance permit applications for off-street parking variances until a parking study of waterfront lots in Cultus Lake Park is completed.

- 9.3 **Application for Development Variance Permit 2019-23 to vary the definition of height to allow for a three storey single family home at 47020 Snowmist Drive, Electoral Area C** 151 - 167
- Corporate report dated September 10, 2019 from Julie Mundy, Planning Technician
  - DVP Application
  - Draft DVP 2019-23
- MOTION FOR CONSIDERATION**
- THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-23 to vary the number of permitted storeys from two to three for a single family residence at 47020 Snowmist Drive, subject to consideration of any comments or concerns raised by the public
- 9.4 **Application for Development Variance Permit 2019-25 to reduce the lot line setbacks at PID: 002-404-290, Maple Falls Road, Electoral Area H** 168 - 184
- Corporate report dated September 10, 2019 from Julie Mundy, Planning Technician
  - DVP Application
  - Draft DVP 2019-25
- MOTION FOR CONSIDERATION**
- THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-25 for PID 002-404-290 Maple Falls Road, Electoral Area H, to reduce all property line setbacks from 7.62 metres (25 feet) to 4.5 metres (14.76 feet), clear to sky, to facilitate the construction of a residence, subject to consideration of any comments or concerns raised by the public.
- 9.5 **Application for Development Variance Permit 2019-27 to increase the maximum allowable area for a storage shed at #136-1436 Frost Road, Electoral Area H** 185 - 207
- Corporate report dated September 10, 2019 from Julie Mundy, Planning Technician
  - Draft Application
  - Draft DVP 2019-27
- MOTION FOR CONSIDERATION**
- THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-27 to increase the maximum allowable area of a storage shed from 6 square metres to 10.04 square metres, subject to the consideration of any comments or concerns raised by the public.
- 9.6 **Application for Development Variance Permit 2019-28 to reduce side setbacks** 208 - 223

**on corner Lot 107 from 2.5m to 1.5m in the final phase of the Creekside Mills development located at 1687 Columbia Valley Road, Electoral Area H**

- Corporate report dated September 10, 2019 from David Bennett, Planner II
- DVP Application
- Draft DVP 2019-28

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-28 to reduce the side setbacks on proposed lot 107 from 2.0m to 1.5m subject to comments or concerns raised by the public.

**9.7      Consultation Summary – Popkum-Bridal Falls Official Community Plan Update      224 - 246**

***FOR INFORMATION ONLY***

- Corporate report dated September 10, 2019 from Katelyn Hipwell, Planner II
- Appendix A - Survey Response Summary
- Appendix B - Newsletter
- Appendix C - Open House Summary
- Appendix D - Plan Review Team Summary

**10.      ELECTORAL AREA EMERGENCY SERVICES**

**10.1      Grant Application for the Volunteer and Composite Fire Department Training and Equipment Fund      247 - 248**

- Corporate report dated September 10, 2019 from Reg Dyck, Manager of Electoral Area Emergency Services

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board endorse a grant application of up to \$175,000 under UBCM's Community Emergency Preparedness Fund towards training and equipment to support our seven Electoral Area fire departments.

**11.      OTHER MATTERS**

**11.1      Proposed Community Park in Yale, Electoral Area B      249 - 250**

- Corporate report dated September 10, 2019 from David Urban, Manager of Outdoor Recreation Planning

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board support a community institutional Crown land tenure application (#100296409) to develop two Crown parcels on Front Street in Yale into a community park.

**11.2      Electoral Area Cellular and Internet Connectivity**

251 - 253

- Corporate report dated September 10, 2019 from Milly Marshall, Director of EA Special Projects

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board authorize up to \$50,000 for a cellular and internet connectivity assessment within the Electoral Areas for the purposes of identifying potential infrastructure requirements and in preparation for funding opportunities;

**AND THAT** staff be authorized to continue to engage with the respective connectivity service providers for the purposes of improved Electoral Area cell and internet service, funding applications and/or service delivery partnerships.

**12.      ADDENDA ITEMS/LATE ITEMS**

**12.1      The Use of Land for Processing Aggregates in FVRD's Electoral Area Zoning Bylaws**

254 - 261

- Corporate report dated September 10, 2019 from Graham Daneluz, Deputy Director of Planning and Development

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board direct staff to provide information and assistance to the BC Stone, Sand & Gravel Association and individual gravel operators so that they can apply for zoning amendments or temporary use permits to allow gravel processing at mine sites;

**AND THAT** the Fraser Valley Regional District Board express its preference to consider zoning amendment applications to allow gravel processing after the results of independent monitoring of noise and dust emissions associated with gravel operations in priority areas is available so that baseline data about community impacts may be considered in conjunction with any applications submitted;

**AND FURTHER THAT** staff be directed to prepare, for consideration by the FVRD Board, a policy to: 1) focus Soil Removal service resources on implementation of *FVRD Commercial Gravel Operations Bylaw No. 1181*; and, 2) not enforce zoning provisions related to processing at existing mines if the mine is in compliance with *Bylaw No. 1181*.

**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* and to consider matters pursuant to:

- Section 90(1)(i) of the *Community Charter* - the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**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 September 10, 2019 be adjourned.

To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Louise Hinton, Bylaw Compliance and Enforcement Officer File No: F02784.030

**Subject:** Building Bylaw and BC Building Code Contraventions at 12958 Sylvester Road, Electoral Area F, Legally Described as: LOT 12 Except: Parcel A (Explanatory Plan 56487) Section 30 Township 21 New Westminster District Plan 38134 (PID: 000-533-785).

## 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 12958 Sylvester Road Electoral Area F, Fraser Valley Regional District, British Columbia, Legally described as: Lot 12 Except: Parcel A (Explanatory Plan 56487) Section 30 Township 21 New Westminster District Plan 38134 (PID: 000-533-785).

## STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship  
Provide Responsive & Effective Public  
Services

## BACKGROUND

- |              |  |
|--------------|--|
| July 5, 2011 | Bylaw Officer is contacted by the RCMP that a marijuana grow operation has been dismantled on the property within an underground bunker beneath a shop structure.  |
| July 5, 2011 | Bylaw Officer conducted a site inspection and the following was identified: (1) there is a large addition to the rear of the single family dwelling in progress of being constructed without a Building Permit; (2) there is a detached shop structure, (30' x 40') is built without permits; (3) the shop structure has showering facilities and in the attic space between the trusses, there are sixteen industrial air conditioners hooked up and operating. Inside the structure is a row of shelving units, under the shelving units is a large steel trap door that leads to a 60' x 80' concrete underground bunker. Inside the bunker are two rooms used for a marijuana growing operation. Water for the growing operation is obtained from a duct running to a pond at the front of the property. The growing operation is vented |

underground through large 2' in diameter steel culvert material to a BBQ pit outside the garage; (4) FVRD Bylaw Officer posted stop work and no occupancy notices on the property.



- Oct. 11, 2011 Bylaw Officer speaks with owner by telephone – owner advises he will submit an Building Permit Application for the single family dwelling addition, and has an intention to try and remove the garage/storage structure with the underground concrete bunker.
- Oct. 12, 2011 Bylaw letter is mailed to owner – the deadline for response to FVRD is November 12, 2011.
- Oct. 12, 2011 Owner submitted an application for a Building Permit for the addition to the single family dwelling (BP012635).
- Oct. 19, 2011 Building Department sent letter to owner outlining the outstanding documents required to complete the Building Permit Application (BP012635).
- Oct. 27, 2011 Bylaw Officer speaks with owner who advises that he has a contractor on site removing the contents of the bunker, the house and the shop.
- Nov.16, 2011 Bylaw Officer speaks with owner the following is discussed: (1) owner states that the contractor has made progress -more than half of garage/storage structure and

	bunker contents have been removed; and (2) the drywall and steel studs have been removed.
Nov. 22, 2011	Bylaw Officer attempts to contact owner by telephone – no answer.
Dec. 2, 2011	Bylaw Officer attempts to contact owner by telephone – no answer, no voicemail.
Dec. 12, 2011	Bylaw Officer speaks with owner, the following is discussed: (1) the owner states he met with contractor regarding clean up; it is about 85% complete; and (2) the owner is thinking of converting the current shop/storage structure into a garage.
Dec. 20, 2011	Bylaw Officer speaks to owner – the contractor has finished emptying out the bunker and would like an on-site meeting, which is scheduled for January 3, 2012.
Jan. 11, 2012	Owner submitted an application for a Building Permit for the garage / storage building (BP012677).
Feb. 7, 2012	Building Department sent letter to owner outlining the outstanding documents required to complete the Building Permit Application (BP012677).
Jan. 13, 2013	Owner submitted an application for a Development Permit for the shop / storage building and the addition to the single Family Dwelling (DP001366).
Aug. 21, 2013	Owner submitted a Geotechnical Report and Deflection Berm Design for the existing rural single family dwelling and outbuilding on the subject property for the Development Permit Application (DP001366).
Nov. 14, 2013	Development Permit (DP001366) is completed.
<b>2013 - 2018</b>	FVRD Building Department and Planning Department staff continued to correspond with the property owner to finalize the Build Permit Applications. The Building Permit Applications were not completed and closed due to inactivity.
July 18, 2018	Two Bylaw letters mailed to property owners to let them know that the Building Permits for the addition to the single family dwelling (BP012635), and the garage/storage structure (BP012677) have been closed due to inactivity and referred back to the Bylaw Enforcement Department for follow-up.
Sept. 28, 2018	Both Bylaw letters, dated July 18, 2018 came back to FVRD returned to sender, marked as unclaimed by Canada Post.
Oct. 26, 2018	Bylaw letter mailed to stakeholders requesting an alternate mailing address for owner.



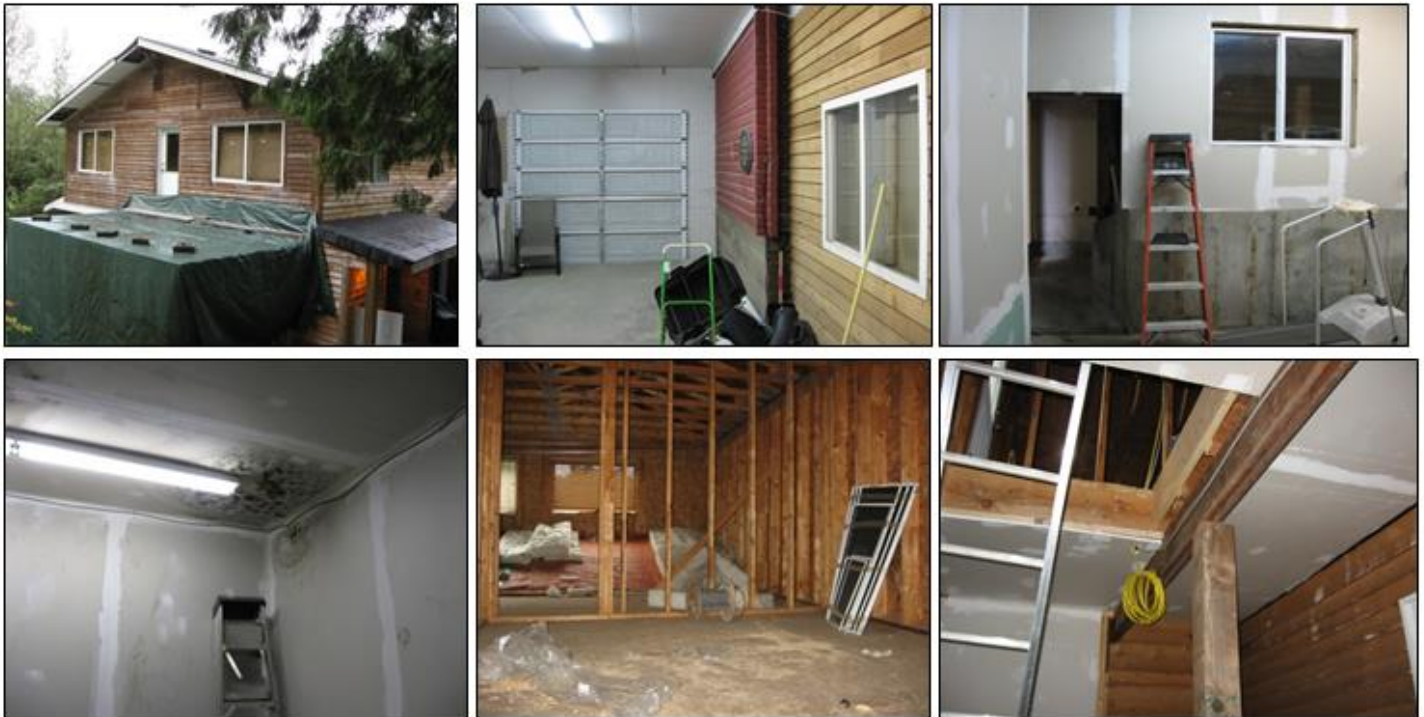
March 1, 2019

Bylaw Officer conducted a drive by inspection of the property - appears that there is little or no change on the property, however we are unable to confirm because they are unable to access the property due a metal gate at the driveway entrance.

**INSPECTION PHOTOS:**

October 5, 2011

**Addition to the Single Family Dwelling without a Permit**

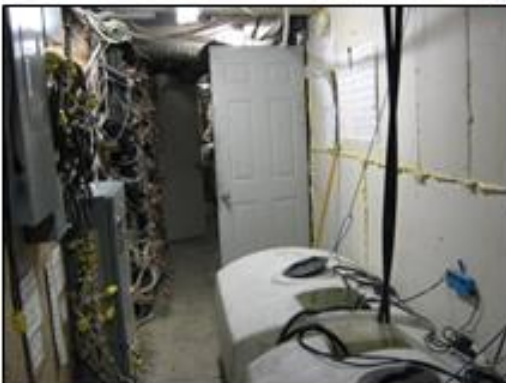


**Garage/Storage Building with underground bunker without a Permit (main floor)**





Garage/Storage Building with underground bunker without a Permit (Bunker)





January 5, 2012

**EMPTY - Underground Bunker**



March 1, 2019



## DISCUSSION

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

Staff would like you to consider the following information:

### Building Bylaw

Staff is authorized to regulate minimum construction standards within electoral areas via the *Fraser Valley Regional District Building Bylaw No. 1188, 2013* (Building Bylaw) for health, safety and the protection of persons and property. The bylaw provides that no person shall commence any construction, alternation, reconstruction, demolition, removal, relocation or change the occupancy of any building without a valid Building Permit.

The unpermitted construction works to alter the single family dwelling and the detached accessory garage/storage structure for the operation of a marijuana grow operation were first discovered in 2011 to have been done without the required Building Permits.

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

Any structure that houses a Marijuana Grow Operation requires a Building Permit to remediate the building for health purposes once the grow operation has been removed.

Two separate Building Permit Applications were made to the FVRD for these structures in 2011. However, none of the required documentation was ever been submitted to the FVRD for either of the applications. Both of the two Building Permit Applications were closed due to inactivity.

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

### Zoning Bylaw

This property is in Electoral Area F, and it is zoned Rural (R-1) of *Zoning Bylaw No. 559, 1992 for Area "G" Portions of "C" and "F"* (Bylaw 559). The primary purpose of this zone is to maintain the

existing rural character of the Plan area and to provide for residential uses that are environmentally sustainable and compatible with existing development.

The detached accessory garage/storage building that was used as a Marihuana Grow Operation. A Medical Marihuana Grow Operation is not listed as a permitted use in the R-1 zone.

**If a Marijuana Grow Use is proposed, a successful re-zoning of the property would be required to authorize the unpermitted use of the Medical Marijuana Grow Use.**

#### Official Community Plan

1. The subject property is within the *Geologic & Stream Hazard Development Permit Area 1-F* (DPA 1-F) under the *Fraser Valley Regional District Official Community Plan for Electoral Area F Bylaw No. 0999, 2010*, (Bylaw 0999). This Development Permit area is designated for the protection of development from hazardous conditions. A Development Permit must be obtained prior to alteration of land or construction of, addition to, or alteration of a building or structure.
2. The subject property is within the *Riparian Areas Development Permit Area 2-F* (DPA 2-F) under the *Fraser Valley Regional District Official Community Plan for Electoral Area F Bylaw No. 0999, 2010*, (Bylaw 0999). This Development Permit area is designated for the protection of the natural environment, its ecosystems and biological diversity. A Development Permit must be obtained prior to alteration of land or construction of, addition to, or alteration of a building or structure.

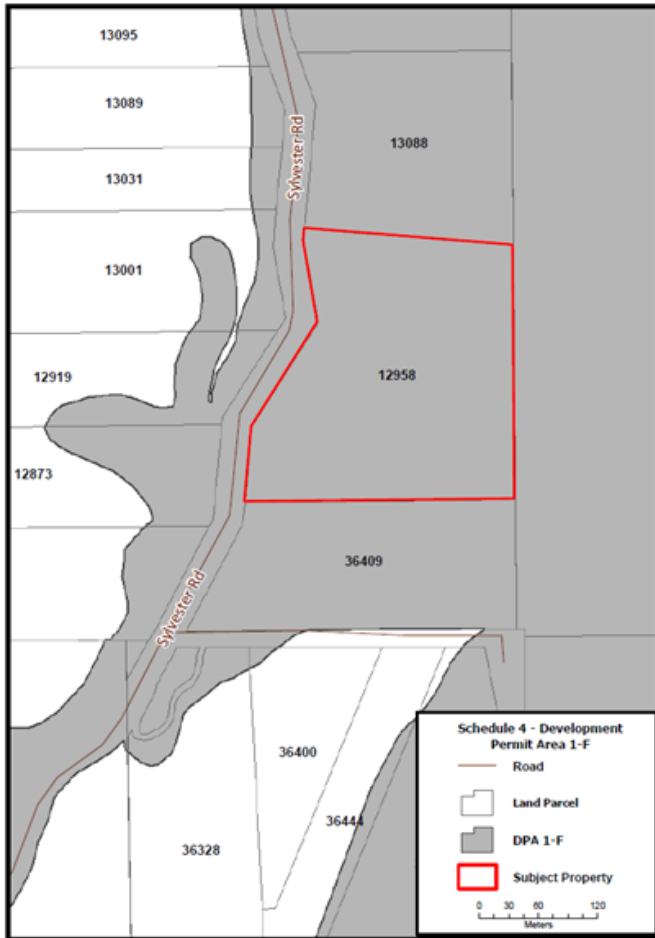
A Development Permit must be obtained prior to the alteration of land the disturbance of soil or vegetation; or construction of or addition to a building or structure within a Development Permit area or riparian assessment area.

A Development Permit for the unpermitted construction works to the single family dwelling and the garage/storage structure was completed on June 26, 2014 (DPA 001366). However, the Development Permit has now expired as the building permit for the construction works with respect to the Development Permit was not issued within two years of issuance. Additionally, it is unknown if any of the recommended mitigation works outlined in the relating to the construction works have been completed. Geo-technical

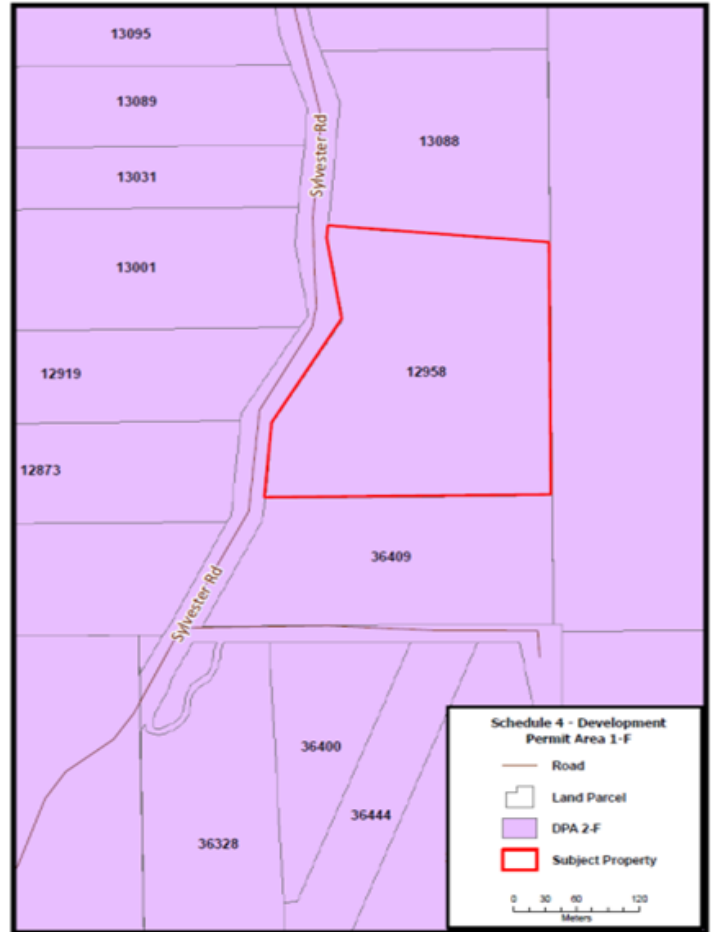
**A new completed Development Permit is required for the construction works that have taken place on the property.**

## DEVELOPMENT PERMIT AREA MAP

(DPA 1-F – Hazard Map)



DPA 2-F – RAR Map



## **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 addition to the single family dwelling and the garage/storage structure are either:

1. Demolished with two separate Building Permits issued by the FVRD, each with a successful final inspection; or
2. Two Fully completed Building Permits for the construction works to the single family dwelling and the garage/storage structure are issued by the FVRD and each receives a

successful final inspection. Prior to Building Permit issuance, application and issuance of a Development Permit for the construction is also required. If a Medical Marijuana Grow Use is proposed, a successful rezoning of the property is required to authorize the unpermitted Marijuana Grow Use.

## **CONCLUSION**

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the construction works on the addition to the single family dwelling and the garage/storage structure without Building Permits violates the *Regional District Building Bylaw*, and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of two Building Permits for the construction works to the single family dwelling and the garage/storage structure and the issuance of a Development Permit. Regrettably, but in the interest of full public disclosure and as incentive to achieving voluntary compliance, I, as an Appointed Building Inspector, believe that the filing of Notice is appropriate in this instance and submit the above recommendation in accordance with Section 57 of the Community Charter.

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

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

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

## **COMMENTS BY:**

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

Reviewed and supported.

**Mike Veenbaas, Director of Financial Services**

No further financial comments.

**Jennifer Kinneman, Acting Chief Administrative Officer**

Reviewed and supported.

August 16, 2019

**REGISTERED MAIL**

Mr. Sergio D. Papalia  
12958 Sylvester Road  
Mission BC V2V 4J1

**FILE: 4010-20- F02784.030**

CIVIC: 12958 Sylvester Road

PID: 000-533-785

LEGAL: LOT 12 Except: Parcel A (Explanatory Plan 56487) Section 30 Township 21 New  
Westminster District Plan 38134

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Dear Mr. Papalia:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Title  
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building  
without a Permit – 12958 Sylvester Road Mission BC (Electoral Area: F)**

Further to our previous correspondence dated July 18, 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 12958 Sylvester 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 **September 10, 2019 at 1:30pm**, in the Boardroom on the fourth floor of the Regional District Office at 45950 Cheam Avenue, Chilliwack, British Columbia.

The Electoral Area Services Committee will consider registration of the Section 57 Notice on the title of your property at 12958 Sylvester Road whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

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

Sincerely,



Jennifer Kinneman  
Acting Chief Administrative Officer



cc: Hugh Davidson, Electoral Area Director (F)  
Margaret-Ann Thornton, Director of Planning & Development  
Greg Price, Building Inspector / Bylaw Compliance Coordinator  
Louise Hinton, Bylaw Compliant and Enforcement Officer  
Review of Registered Property Title – Organizations with interest in property  
Scotia Mortgage Corporation incorporation No. A0085153 (Mortgage #CA5741377)

Attach: September 10, 2019 Staff Report from Bylaw and Appointed Building Inspector  
July 18, 2018, Copy of Bylaw Enforcement Letter to Property Owner (BP012677)  
July 18, 2018, Copy of Bylaw Enforcement Letter to Property Owner (BP012635)  
June 24, 2019 Land Title Search Results  
June 24, 2019 Property Information Report  
June 24, 2019 Property Information Map  
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

July 18, 2018

PAPALIA, SERGIO D  
12958 SYLVESTER RD  
MISSION BC V2V 0B1

**FILE:** 4010-20-F02784.030  
**CIVIC:** 12958 SYLVESTER RD  
**PID:** 000-533-785  
**LEGAL:** LOT 12, SECTION 30, TOWNSHIP 21, NEW WESTMINSTER DISTRICT, PLAN NWP38134 EXCEPT PLAN 56487.

Dear Property Owner;

**RE: BP012677 – Closure of BP Application for Garage/Storage Building**

As you are aware from our letter dated March 18, 2016 the following building permit application has now been closed:

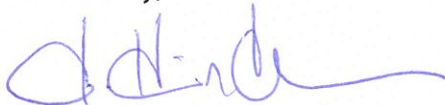
- BP012677 for the purpose of Garage/Storage Building

Your project remains incomplete and is not covered by a valid building permit as required by the [Fraser Valley Regional District Building Bylaw No.1188, 2013](#). Therefore, your file has been referred back 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 that you re-apply for a building permit or remove the illegal construction no later than **August 20, 2018**. 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. More information regarding the building permit process and downloadable application forms are available at the following web address: [www.fvrd.ca/EN/main/services/building-enforcement.html](http://www.fvrd.ca/EN/main/services/building-enforcement.html)

You may reach the Building Department at the toll-free number below, Monday through Friday from 8:30am to 4:30pm, to discuss this issue further. You may also contact me directly at 604-702-5015 or by email at [lhinton@fvrd.ca](mailto:lhinton@fvrd.ca). Thank you in advance for your co-operation.

Yours truly,



Louise Hinton  
Bylaw, Permits & Licences Technician and Appointed Building Inspector

enc:

cc: Ray Boucher, Director of Area F  
Margaret-Ann Thornton, Director of Planning & Development



**PLANNING &  
DEVELOPMENT**

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

File Number: 3800-30-BP012677F

March 18, 2016

BETTANIN, ANTONIO  
25186 59 AVE  
ALDERGROVE BC V4W 1T4

Dear Sir:

**Re: Building Permit Application No. BP012677 for the purpose of constructing a Garage / Storage on property legally described as LOT 12, SECTION 30, TOWNSHIP 21, NEW WESTMINSTER DISTRICT, PLAN NWP38134 PART SW 1/4, EXCEPT PLAN 56487. known as 12958 SYLVESTER RD.**

Further to the attached final letter of requirements sent on January 8, 2016, please be advised that the required items to fulfill the building permit application process remain outstanding and the above noted 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.

The Regional District is becoming increasingly aware of difficulties encountered by owners of property when they do not avail themselves of the full service offered by the Building Department. Apart from matters of law and safety, Occupancy Permits have value to property owners because they are frequently requested by prospective purchasers, mortgage lenders and others.

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact Jennifer Wells, Bylaw and Permits & Licences Technician, with reference to your Bylaw Enforcement file F02784.030 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,

Christine Cookson  
Building & Bylaw Clerk

cc: Ray Boucher, Director of Electoral Area F  
Margaret-Ann Thornton, Director of Planning & Development  
Bylaw Enforcement File F02784.030

July 18, 2018

PAPALIA, SERGIO D  
12958 SYLVESTER RD  
MISSION BC V2V 0B1

**FILE: 4010-20-F02784.030**  
CIVIC: 12958 SYLVESTER RD  
PID: 000-533-785  
LEGAL: LOT 12, SECTION 30, TOWNSHIP 21, NEW WESTMINSTER DISTRICT, PLAN NWP38134 EXCEPT PLAN 56487.

Dear Mr. Papalia:

**RE: BP012635 – Closure of BP Application for SFD Addition**

As you are aware from our letter dated March 22, 2016 the following building permit application has now been closed:

- BP012635 for the purpose of SFD Addition

Your project remains incomplete and is not covered by a valid building permit as required by the [Fraser Valley Regional District Building Bylaw No.1188, 2013](#). Therefore, your file has been referred back 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 that you re-apply for a building permit or remove the illegal construction no later than **August 20, 2018**. 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. More information regarding the building permit process and downloadable application forms are available at the following web address: [www.fvrd.ca/EN/main/services/building-enforcement.html](http://www.fvrd.ca/EN/main/services/building-enforcement.html)

You may reach the Building Department at the toll-free number below, Monday through Friday from 8:30am to 4:30pm, to discuss this issue further. You may also contact me directly at 604-702-5015 or by email at [lhinton@fvrd.ca](mailto:lhinton@fvrd.ca). Thank you in advance for your co-operation.

Yours truly,



Louise Hinton  
Bylaw Compliance and Enforcement Officer

enc:

cc: Ray Boucher, Director of Area F  
Margaret-Ann Thornton, Director of Planning & Development





File Number: 3800-30-BP012635F

March 22, 2016

BETTANIN, ANTONIO  
25186 59 AVE  
ALDERGROVE BC V4W 1T4

Dear Sir:

**Re: Building Permit Application No. BP012635 for the purpose of constructing an Addition to Single Family Dwelling on property legally described as LOT 12, SECTION 30, TOWNSHIP 21, NEW WESTMINSTER DISTRICT, PLAN NWP38134 PART SW 1/4, EXCEPT PLAN 56487 known as 12958 SYLVESTER RD.**

Further to the attached final letter of requirements sent on January 8, 2016, please be advised that the required items to fulfill the building permit application process remain outstanding and the above noted 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.

The Regional District is becoming increasingly aware of difficulties encountered by owners of property when they do not avail themselves of the full service offered by the Building Department. Apart from matters of law and safety, Occupancy Permits have value to property owners because they are frequently requested by prospective purchasers, mortgage lenders and others.

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact Jennifer Wells, Bylaw and Permits & Licences Technician, with reference to your Bylaw Enforcement file F02784.030 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,

Christine Cookson  
Building & Bylaw Clerk

cc: Ray Boucher, Director of Electoral Area F  
Margaret-Ann Thornton, Director of Planning & Development  
Bylaw Enforcement File F02784.030

**TITLE SEARCH PRINT**

2019-06-24, 10:25:06

File Reference:

Requestor: Louise Hinton

Declared Value \$700000

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

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

**Title Number**

From Title Number

CA5741376

CA4548681

**Application Received**

2016-12-30

**Application Entered**

2017-01-13

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

SERGIO DOMENICO PAPALIA, ELECTRICIAN  
12958 SYLVESTER ROAD  
MISSION, BC  
V2V 4J1**Taxation Authority**

New Westminister Assessment District

**Description of Land**

Parcel Identifier:

000-533-785

Legal Description:

LOT 12 EXCEPT: PARCEL A (EXPLANATORY PLAN 56487)  
SECTION 30 TOWNSHIP 21 NEW WESTMINSTER DISTRICT  
PLAN 38134**Legal Notations**THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL  
GOVERNMENT ACT, SEE BB3014950**Charges, Liens and Interests**

Nature:

COVENANT

Registration Number:

CA3649787

Registration Date and Time:

2014-03-27 12:30

Registered Owner:

FRASER VALLEY REGIONAL DISTRICT

Nature:

MORTGAGE

Registration Number:

CA5741377

Registration Date and Time:

2016-12-30 15:16

Registered Owner:

SCOTIA MORTGAGE CORPORATION  
INCORPORATION NO. A0085153

**TITLE SEARCH PRINT**

File Reference:

Declared Value \$700000

2019-06-24, 10:25:06

Requestor: Louise Hinton

**Duplicate Indefeasible Title** NONE OUTSTANDING

**Transfers** NONE

**Pending Applications** NONE

**Folio:** 775.02784.030  
**Civic:** 12958 SYLVESTER RD  
**Size:** 16.05 ACRES

**Pid:** 000-533-785  
**Legal:** LOT 12, PLAN NWP38134, SECTION 30, TOWNSHIP 21,  
 NEW WESTMINSTER LAND DISTRICT, EXCEPT PLAN  
 56487

**Owner:** PAPALIA, SERGIO D  
 12958 SYLVESTER RD  
 MISSION BC V2V 0B1  
 (CA5741376)

**2019 Taxable Assessments**

				<u>Land</u>	<u>Improvements</u>	<u>Net</u>
1	Res	GENERAL	Gross	973,000	166,000	1,139,000
			Exempt	0	0	0
			Net	973,000	166,000	1,139,000
1	Res	SCHOOL	Gross	973,000	166,000	1,139,000
			Exempt	0	0	0
			Net	973,000	166,000	1,139,000

**2019 Actual Assessments**

	<u>Land Class</u>	<u>Land</u>	<u>Impr Class</u>	<u>Impr</u>
00 - FULLY TAXABLE LAND, STRUCTURES	1 - Res	973000	1 - Res	166000

<u>Lto Number</u>	<u>Sales Price</u>	<u>Date</u>	<u>Description</u>
CA5741376	700,000.00	Dec 30, 2016	IMPROVED SINGLE PROPERTY
CA4548681	740,000.00	Jul 21, 2015	REJECT - NOT SUITABLE FOR SALES ANALYSIS
CA817998	750,000.00	Jun 16, 2008	REJECT - NOT SUITABLE FOR SALES ANALYSIS
BW279102	450,000.00	Jun 23, 2004	REJECT - NOT SUITABLE FOR SALES ANALYSIS
BN121542	163,000.00	May 14, 1999	REJECT - NOT SUITABLE FOR SALES ANALYSIS
BH346867	300,000.00	Sep 23, 1994	IMPROVED SINGLE PROPERTY CASH TRANSACTI

<u>Attribute</u>	<u>Value</u>	<u>Description</u>
ACTUAL USE	060	2 ACRES OR MORE (SINGLE FAMILY DWELLING, D
DEFINED	B	
ELECTORAL AREA	F	ELECTORAL AREA F
MANUAL CLASS	0090	1 STY SFD-AFTER 1930-STD
NEIGHBOURHOOD	803	
SCHOOL DISTRICT	75	MISSION
SERVICE	045CDF	
TENURE TYPE	01	CROWN GRANTED

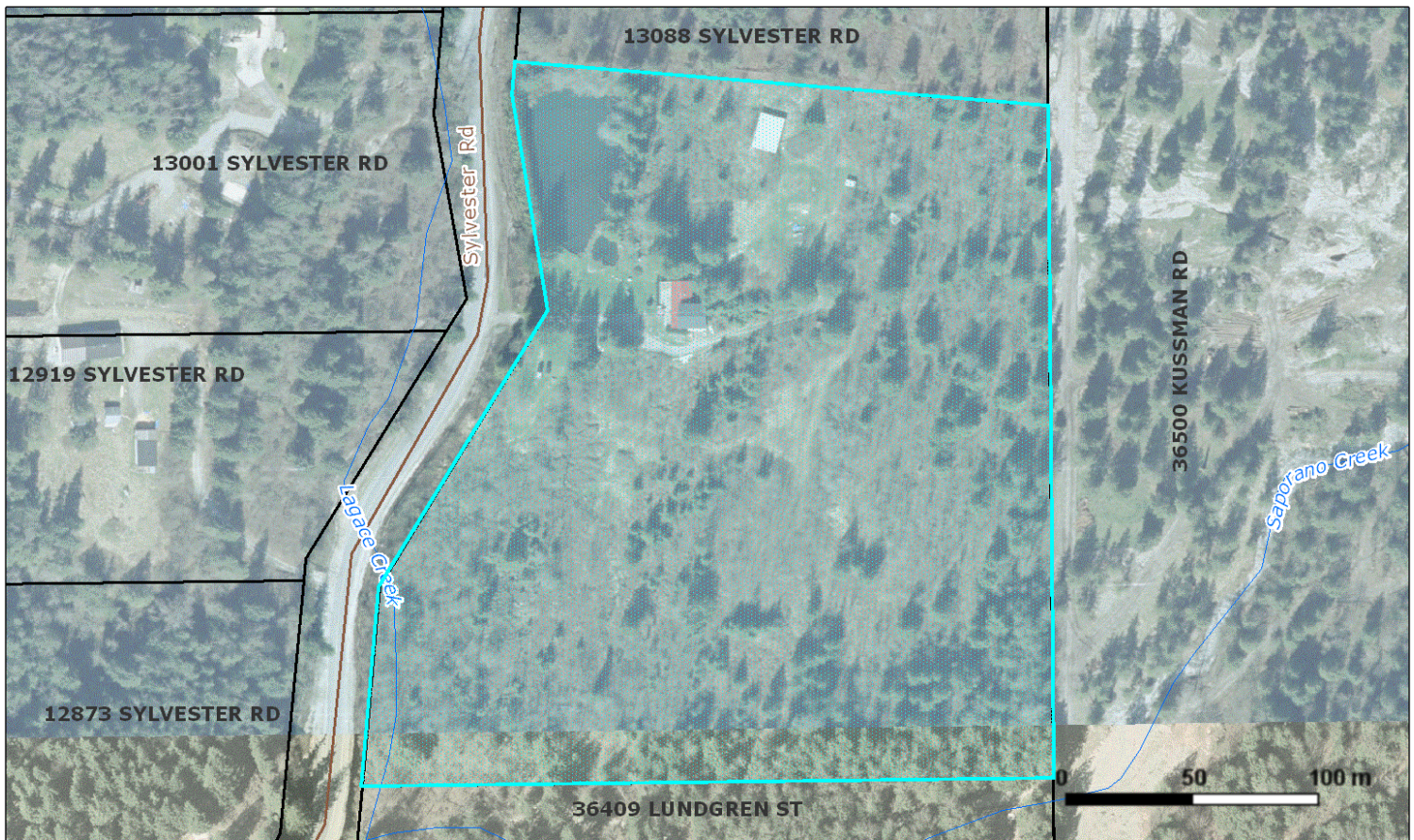
<u>Classification</u>	<u>Start Date</u>	<u>Stop Date</u>	<u>Comment</u>
BYLAW ENFORCEM	Oct 11, 2011		See BE staff for details

<u>Prop.Charge</u>	<u>Type</u>	<u>Sub Type</u>	<u>Project</u>	<u>Discharged</u>	<u>Text</u>
BB3014950	DEVELOPMENT PERMIT				DPA 1-F Geotechnical
CA3649787	COVENANT				Section 56 - Geotech
P 353	GEOTECH REPORTS	PRIMARY			Converted Charges
S 359	GEOTECH REPORTS	SECONDARY			Converted Charges



**Property Information Report**

Civic Address:	12958 SYLVESTER RD	Lot Size:	16.05 ACRES
Folio Number:	775.02784.030	Electoral Area:	F
PID:	000-533-785	Map Scale:	1:2741
Legal Description:	LOT 12, PLAN NWP38134, SECTION 30, TOWNSHIP 21, NEW WESTMINSTER LAND DISTRICT, EXCEPT PLAN 56487		



**Land-use Information**

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

**Utility Information**

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

## **ELECTORAL AREA SERVICES COMMITTEE**

### **OPEN MEETING MINUTES**

Tuesday, July 9, 2019

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

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

Staff Present: Jennifer Kinneman, Acting Chief Administrative Officer  
Mike Veenbaas, Director of Financial Services/Chief Financial Officer  
Suzanne Gresham, Director of Corporate Initiatives  
Tareq Islam, Director of Engineering & Community Services  
Milly Marshall, Director of EA Special Projects  
Graham Daneluz, Deputy Director of Planning & Development  
Kristy Hodson, Manager of Financial Operations  
Sterling Chan, Manager of Engineering & Infrastructure  
Greg Price, Building Inspector (part)  
Louise Hinton, Bylaw Compliance and Enforcement Officer  
Adriana Snashall, Bylaw Compliance and Enforcement Officer  
Andrea Antifaeff, Planner I  
Robin Beukens, Planner I  
Matthew Fang, Network Analyst I  
Tina Mooney, Executive Assistant to CAO and Board  
Chris Lee, Executive Assistant, Corporate Admin (*Recording Secretary*)

Also Present: Alternate Director Diane Rodrigue, Electoral Area C  
Roger and Rosemary Burrows (*as per item 4.1*)

#### **1. CALL TO ORDER**

Chair Dickey called the meeting to order at 1:28 p.m.



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

Moved By RAYMOND

Seconded By DAVIDSON

**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.

**CARRIED**

## 3. SHOW CAUSE HEARING(S)

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

Louise Hinton provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 43785 Ryall Road, Electoral Area C and the efforts of staff to encourage voluntary compliance by the property owners.

No comments were offered from the public.

Moved By ADAMSON

Seconded By BALES

**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)).

**CARRIED**

## 4. DELEGATIONS AND PRESENTATIONS

### 4.1 Roger and Rosemary Burrows

Roger Burrows spoke to his application for a Development Variance Permit 2019-19 with respect to 19 Lakeshore Drive, Cultus Lake Park in Electoral Area "H". He is proposing to provide two 90 degree parking spaces partly on-site and partly within the road right-of-way, and that the vehicles be parked at 90 degrees

within the bylaw-permitted space, rather than parallel. He noted that there is no benefit from providing more clearance for the street and the only impact would be on the owners losing square footage on the 'main' floor of their home, and the inconvenience of having to move the parallel parked car to access the other. He reported that they intend to build a new home after completion and occupancy in September.

Mr. Burrows further reported that at the Cultus Lake Advisory Planning Commission Meeting on June 19, 2019 the motion to support approval of the Development Variance Permit 2019-19 was defeated, and concluded his presentation by urging the Committee to vote in favour of the variance.

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

### **5.1 Draft Minutes of the Electoral Area Services Committee Meeting - June 11, 2019**

Moved By STOBART  
Seconded By RAYMOND

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

**CARRIED**

### **5.2 Draft Minutes of the Electoral Area Services Committee Meeting - June 25, 2019**

Moved By ADAMSON  
Seconded By DIXON

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

**CARRIED**

### **5.3 Draft Cultus Lake Advisory Planning Commission - June 19, 2019**

An error was identified in the draft Cultus Lake Advisory Planning Commission, and will be corrected.

## **6. CORPORATE ADMINISTRATION**

No items.

## **7. FINANCE**

### **7.1 Electoral Area Director's Remuneration**

Moved By DAVIDSON

Seconded By ADAMSON

**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.

**CARRIED**

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

Moved By DAVIDSON

Seconded By RAYMOND

**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.

**CARRIED**

## **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"**

Moved By BALES

Seconded By DAVIDSON

**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.

**CARRIED**

**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"**

**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 work plan priorities for all Electoral Areas.

Director Dixon reported that it has been an on-going challenge for the FVRD and Cultus Lake Park Board to manage the parking situation at Cultus Lake. However, she would like staff to work with the applicants to see if there are any other options they can pursue. As a result, the following revised motion was brought forward:

Moved by DIXON

Seconded by ENGAR

**THAT** the Fraser Valley Regional District Board refer Development Variance Permit 2019-19 for the property located at 19 Lakeshore Drive, Cultus Lake Park

– Area H back to FVRD staff and to the Cultus Lake Advisory Planning Commission for further consideration.

**CARRIED**

**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"**

Moved By STOBART

Seconded By ADAMSON

**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.

**CARRIED**

**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"**

Moved By STOBART

Seconded By DAVIDSON

**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.

**CARRIED**

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

Moved By STOBART

Seconded By ENGAR

**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 with support;

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

**CARRIED**

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

Moved By STOBART

Seconded By ADAMSON

**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.

**CARRIED**

**9.7 Appointment of the Chief Building Inspector**

Moved By ADAMSON

Seconded By ENGAR

**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.

**CARRIED**



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

Moved By DIXON  
Seconded By ENGAR

**THAT** the Fraser Valley Regional District Board approve the Class 1 Special Event Licence No. 2019-03 for the 17<sup>th</sup> 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.

**CARRIED**

**10.     ELECTORAL AREA EMERGENCY SERVICES**

**10.1     Electoral Area Emergency Services – Department Activity Report**

The report dated July 9, 2019 from the Manager of Electoral Area Emergency Services pertaining to activity within the Emergency Services Department was provided for information.

**10.2     Hemlock Valley Fire Department Fire Apparatus Purchase**

The report dated July 9, 2019 from the Manager of Electoral Area Emergency Services was provided for information advising that a Special Vote will need to be conducted before the July Board meeting with respect to purchasing a new fire apparatus for the Hemlock Valley fire department.

**11.     OTHER MATTERS**

**11.1     FVRD Bylaw Offence Notice Enforcement Amendment Bylaw No. 1532, 2019**

Moved By RAYMOND  
Seconded By BALES

**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*.

**CARRIED**

## **12. ADDENDA ITEMS/LATE ITEMS**

### **12.1 Official Community Plan Amendment Bylaw No. 1533, 2019 for Electoral Areas E and H**

Moved By DIXON

Seconded By ENGAR

**THAT** the Fraser Valley Regional District Board consider giving first reading to *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019*;

**THAT** *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019* be forwarded to Public Hearing;

**THAT** the Fraser Valley Regional District Board delegate the holding of the Public Hearing with respect to proposed *Bylaw No. 1533, 2019* to Director Taryn Dixon, or her Alternate in her absence;

**THAT** Director Dixon, or her Alternate in her absence, preside over and Chair the Public Hearing with respect to proposed *Bylaw 1533, 2019*;

**AND THAT** the Chair of the Public Hearing be authorized to establish procedural rules for the conduct of the Public Hearing with respect to proposed *Bylaw 1533, 2019* in accordance with the Local Government Act;

**AND FURTHER THAT** in accordance with Section 475 of the Local Government Act, the Fraser Valley Regional District Board adopt the consultation strategy for proposed *Bylaw 1533, 2019* as outlined in the Consultant Report included in the Corporate Report dated July 9, 2019;

**AND FINALLY THAT** the Fraser Valley Regional District Board consider that *Official Community Plan Amendment Bylaw No. 1533, 2019* is consistent with the FVRD financial plan and FVRD waste management plan.

**CARRIED**

## **13. REPORTS BY STAFF**

Jennifer Kinneman, Acting CAO introduced Robin Beukens, Planner 1 who has joined EA Planning Department.

#### 14. REPORTS BY ELECTORAL AREA DIRECTORS

Director Engar reported on Strathcona Regional District's resolution at UBCM regarding water preservation, noted that residents in Area E had the opportunity to provide feedback to the Province on the treaty process, and lastly noted that additional sprinklers have been installed on rooftops of homes in his area.

Director Dixon reported on Cultus Lake Day, Farmers Market on Saturdays, an emergency information session for Area H, as well as increased traffic in Cultus Lake during summer time.

Director Adamson reported that he has been in communications with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development regarding securing crown land to use as a park in Spuzzum and Yale. He further noted the successful Canada Day celebrations in Hope and provided kudos to Hope Recreation staff for their efforts. Lastly, he noted a recent Sunshine Valley Ratepayers AGM.

Director Stobbart reported that the farmers and flea markets are well received in Electoral Area G. He reported that the tennis courts have been redone, and noted traffic accidents in the area in North Fraser and would like to see more enforcement out there.

Director Raymond reported that he and the Acting CAO attended a ceremony in Lytton for the presentation of a contract to a local company to lay fibre optics for expanded broadband service from Boston Bar to Lillooet, funding to be provided from provincial and federal governments. He also regrettably reported on the passing of former Alternate Director Robert Dufresne.

Director Davidson reported on a follow-up meeting with Community Living BC.

Director Bales reported on potential utility rate increases in Hemlock Valley, issues with aggressive dogs, and garbage issues with the Leq'a:mel transfer station not accepting garbage from certain areas in Area "C". She noted her request to speak to the Premier at UBCM regarding possible policing funds for heavy tourism areas.

Director Dickey provided an update on the OCP in his area.

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

None

**16. RESOLUTION TO CLOSE MEETING**

Moved By ADAMSON  
Seconded By RAYMOND

**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*.

**CARRIED**

The Open Meeting recessed at 2:22 p.m.

**17. RECONVENE OPEN MEETING**

The Open Meeting reconvened at 2:27 p.m.

**18. RISE AND REPORT OUT OF CLOSED MEETING**

None

**19. ADJOURNMENT**

Moved By RAYMOND  
Seconded By ADAMSON

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

**CARRIED**

The Electoral Area Services Committee Open Meeting adjourned at 2:28 p.m.

MINUTES CERTIFIED CORRECT:

.....  
Director Bill Dickey, Chair

**FRASER VALLEY REGIONAL DISTRICT  
ELECTORAL AREA SERVICES COMMITTEE  
PRIORITIES SETTING SESSION**

**OPEN MINUTES**

Tuesday, July 23, 2019

4:00 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  
Milly Marshall, Director of EA Special Projects  
Tareq Islam, Director of Engineering & Community Services  
Margaret-Ann Thornton, Director of Planning & Development  
Stacey Barker, Director of Regional Services  
Graham Daneluz, Deputy Director of Planning & Development  
Sterling Chan, Manager of Engineering & Infrastructure  
Dave Roblin, Manager of Operations  
Reg Dyck, Manager of EA Emergency Services  
David Urban, Manager of Outdoor Recreation Planning  
Matthew Fang, Network Analyst I  
Tina Mooney, Executive Assistant to CAO and Board  
Chris Lee, Executive Assistant, Corporate Admin (*Recording Secretary*)

Also Present: Alternate Director Diane Rodrigue, Electoral Area C

**1. CALL TO ORDER**

Chair Dickey called the meeting to order at 4:00 p.m.

**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 Priorities Setting Session of July 23, 2019 be approved;

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

**CARRIED**

**3. PRESENTATIONS**

Mike Veenbaas, Director of Financial Services reported that staff will be presenting the 2019-2020 strategic priorities for their departments based on recommendations from the EASC Committee and also feedback from its constituents.

**3.1 Presentation by Engineering and Utilities**

Tareq Islam, Director of Engineering and Community Services and Sterling Chan, Manager of Engineering and Infrastructure provided a joint presentation on an overview of the 2019-2020 Work Plan for the Engineering and Utilities Services Department, outlining the following:

- Engineering and Community Services Department responsibilities
- Customer Service
- 2019 Operation and Maintenance Highlights
- 2019 Capital Construction Program Highlights
- 2019/2020 Work Plan Highlights for Electoral Areas “A” to “H”
- Utilities Resource Allocation
- Water System Resource Allocation
- Staff Complement

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### **3.2 Presentation by Electoral Area Emergency Services**

Reg Dyck, Manager of Electoral Area Emergency Services provided an overview of the 2019 highlights and 2019/2020 Work Plan for Electoral Area Emergency Services. The following 2019 highlights were noted:

- To date there are 152 volunteer firefighters and 564 calls for service (Jan 1<sup>st</sup> – July 16, 2019)
- Staff Complement – noting that an Emergency Management Specialist has joined the Department
- Fire Dispatch transition to Ecomm – initial challenges
- Auditor-General Local Government Audit – 1<sup>st</sup> draft of audit report expected in September
- New Apparatus projects for Yale, Chilliwack River Valley and Hemlock Fire Departments
- Highlights of Fire Department Training
- Staff Training and Emergency Management Education
- UBCM Grant Projects: Evacuation Planning and Community Wildfire Protection Plan
- Community Involvement (events) and Education

Mr. Dyck also presented the 2019/2020 Work Plan for the Electoral Area Emergency Services.

### **3.3 Presentation by Planning, Building Inspection and Bylaw Enforcement**

Margaret-Ann Thornton, Director of Planning and Development and Graham Daneluz, Deputy Director of Planning and Development gave a joint presentation, providing an overview of the 4 services areas in the EA Planning and Development:

- *Electoral Area Planning*
  - Day-to-Day Priorities
  - Project Priorities: 2019-2020
  - Potential Future Projects: 2021-2022
  - Summary: general focus, current challenges, strategic considerations and budget consideration
- *Soil Removal*
  - Staffing for implementing the Commercial Gravel Operations bylaw
  - 2018-2019 highlights
  - Soil Removal priorities

- Summary: general focus, strategic considerations and budget considerations
- *Building Inspection*
  - Day-to Day Priorities
  - Current Projects
  - Potential Future Projects (to be confirmed and ranked)
  - Summary: general focus, long term strategic considerations and budget considerations
- *Bylaw Compliance and Enforcement*
  - Priority day-to-day commitments
  - Current projects – in progress
  - Potential future projects – to be confirmed and ranked
  - Summary: general focus, long term strategic considerations and budget considerations

### **3.4 Presentation by EA Special Projects**

Milly Marshall, Director of EA Special Projects gave a presentation, providing an overview of her current role and responsibilities:

- FVRD Regional Airpark and Boston Bar Emergency Landing Strip;
- Recreation Centre – capital projects and budgeting, grant administration and liaison with District of Hope;
- Hospital District Project Management;
- First Nation Consultation and Project Coordination;
- Work in conjunction with the Director of Engineering on water/sewer, flood control and mitigation, community service and public engagement;
- Other projects – solid waste, parks and as assigned by CAO

Examples of the projects undertaken were provided.

### **3.5 Presentation by Corporate Initiatives**

Suzanne Gresham, Director of Corporate Initiatives provided a presentation, providing an overview of her current role and responsibilities:

- Position Profile;
- Responsible for undertaking and managing various corporate projects and initiatives;
- EA Services and Projects Context:



- bring added value and capacity
- collaborative approach to file/project management
- assist with complex or challenging files and relationships
- established network
- legal background
- working knowledge of the Local Government Act and Community Charter
- community engagement

Examples of the projects undertaken were provided.

### **3.6 Presentation by Electoral Area Community Parks**

Stacey Barker, Director of Regional Services provided a presentation on 'Community Parks – 2020 Priorities', outlining the following:

- Currently, there are seven community parks and five roadside trails in the Electoral Areas
- Staffing – management support and six month Park Assistant
- Current and Proposed Parks identified as follows:

#### **Area 'A'**

- *Current:* no parks
- *Proposed projects :* None

#### **Area 'B'**

- *Current:* Dogwood Valley
- *Proposed projects:* parks in Yale and Spuzzum

#### **Area 'C'**

- *Current:* Eagle Point Community Park, Morris Valley Roadside Trail and Lake Errock Community Park
- *Proposed projects:* Elbow Creek, Morris Valley, Hemlock

#### **Area 'D'**

- *Current:* Cedar Community Park, Parkrose Community Park, Popkum Community Trail, Shannon Community Trail
- *Proposed projects:* Grey Road and Caryks Road Sidewalk Connections
- Former Minter Garden

#### **Area 'E'**

- *Current:* Naturescape playground at Thompson Regional Park
- *Proposed Projects:* None

Area 'F'

- *Current:* None (no service area)
- *Proposed projects:* None

Area 'G'

- *Current:* None (no service area)
- *Proposed projects:* Dewdney Grind
- Park (Bell Road and Hess Road)

Area 'H'

- *Current:* Lakeside Trail at Cultus Lake
- *Proposed Projects:* Lakeside Trail continuation

Ms. Barker concluded that the general focus is to provide outdoor space and recreational opportunities to the community and also noted on current challenges with operations and maintenance resources.

Committee members were requested to connect with the respective staff who presented if they had any further questions. Chair Dickey thanked staff for their presentations.

**4. ADDENDA ITEMS/LATE ITEMS**

None

**5. ADJOURNMENT**

Moved By DAVIDSON  
Seconded By BALES

**THAT** the Electoral Area Services Committee Priorities Setting Session of July 23, 2019 be adjourned.

**CARRIED**

The Electoral Area Services Committee Priorities Setting Session adjourned at 6:25 p.m.

MINUTES CERTIFIED CORRECT:

.....  
Director Bill Dickey, Chair

DRAFT

## **CULTUS LAKE ADVISORY PLANNING COMMISSION**

### **OPEN MEETING MINUTES**

Wednesday, August 21, 2019

12:00 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

#### **Members Present:**

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

#### **Staff and Representatives Present:**

Margaret Thornton, Director of Planning and Development  
Jennifer Kinneman, Acting Chief Administrative Officer  
Jaime Reilly, Manager of Corporate Administration  
Andrea Antifaeff, Planner 1  
Tracey Heron, Planning Assistant

#### **Also Present:**

Taryn Dixon, Director, Electoral Area H  
Bonny Bryant, Chief Administrative Officer, Cultus Lake Park  
Two applicants with respect to item 4.1.  
One member of the public

#### **1. CALL TO ORDER by Staff**

Chair Bauer called the meeting to order at 12:02 p.m.

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

LAMB/RENWICK

**THAT** the Agenda, Addenda and Late Items for the Cultus Lake Advisory Planning Commission Meeting of August 21, 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 – June 19, 2019

LAMB/PAYEUR

**THAT** the Minutes of the Cultus Lake Advisory Planning Commission of June 19, 2019 be adopted.

**CARRIED**

### 4. NEW BUSINESS

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

Andrea Antifaeff, Planner I, provided a PowerPoint presentation highlighting the previous parking proposal which was presented at the June 19, 2019 Cultus Lake APC meeting and the new proposed parking plan to be considered at this meeting. It was noted that the applicants had worked with FVRD staff after direction from the Electoral Area Services Committee and submitted a revised parking proposal. The revised parking proposal is to vary *Table 1: Off-Street Motor Vehicle Parking Dimensions - Section 13. 13 Off-Street Parking Standards of the Cultus Lake Park Zoning Bylaw No. 1375, 2016* as follows:

Angle (Degree)	Space Width	Space Length
90	8.4 feet (2.56 metres)	15 feet (4.57 metres)

Discussion ensued regarding encroachment of cars onto Park property, the narrow width of Lakeshore drive, and access for emergency vehicles and snow plows.

A member of the public provided comments to the Commission, speaking in support of the application.

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

SMIT/PAYEUR

**THAT** Development Variance Permit 2019-19 to vary *Table 1: Off-Street Motor Vehicle Parking Dimensions - Section 13. 13 Off-Street Parking Standards of the Cultus Lake Park Zoning Bylaw No. 1375, 2016* as follows:

Angle (Degree)	Space Width	Space Length
90	8.4 feet (2.56 metres)	15 feet (4.57 metres)



be recommended for approval.

**CARRIED**  
**Bauer and Renwick Opposed**

## **5. ADJOURNMENT**

LAMB/SMIT

**THAT** the Cultus Lake Planning Advisory Commission Open Meeting of August 21, 2019 be adjourned.

**CARRIED**

The Cultus Lake Planning Advisory Commission Open Meeting adjourned at 1:10 p.m.

MINUTES CERTIFIED CORRECT:

.....  
Darcy Bauer, Chair

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

Date: 2019-09-10  
File No: 1850-20 / 007

**Subject: 2019 Grant-In-Aid Request – Fraser Valley Bald Eagle Festival Society, Electoral Area “C”**

---

### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to the Fraser Valley Bald Eagle Festival Society, funded from the 2019 Electoral Area “C” grant-in-aid budget, to assist in the funding of their annual Fraser Valley Bald Eagle Festival.

### STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community  
Support Environmental Stewardship

### PRIORITIES

Priority #4 Tourism

### BACKGROUND

This request for funding is eligible under the “promotion of volunteer participation and citizen involvement” and “activities/programs which are accessible to a large portion of the electoral area” options.

### DISCUSSION

The Fraser Valley Bald Eagle Festival Society is a registered charity, whose purpose is to host the Fraser Valley Bald Eagle Festival, which offers an opportunity for the public to explore, participate in activities and visit venues at no cost.

The Fraser Valley Bald Eagle Festival spans from Mission to Harrison Mills, including Kilby Historic Site. This event is attended by 5,000+ visitors, and helps to create awareness of the local ecosystems, specifically with their relationship to the bald eagle and salmon cycle. This festival also helps showcase the incredible natural surroundings of the Fraser Valley.

Director Bales is in support of this request.

## **COST**

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

## **CONCLUSION**

The Fraser Valley Bald Eagle Festival has submitted a grant-in-aid request for \$2,500 to help fund their annual festival.

## **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: Fraser Valley Bald Eagle Festival Society  
Mailing Address: c/o 34033 Lougheed Hwy  
Mission B.C. V2V 5X8  
Email Address: jochadwick@ymail.com

**Contact:**

Jo-Anne Chadwick  
Name

604-302-9579

Telephone/Fax Number

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

The Fraser Valley Bald Eagle Festival is a NFP local charity that creates a two day free local event in the Fraser Valley. The event occurs from Mission to Harrison Mills and includes several land and water based activities. The event attracted over 5000 people during the two day event and hundreds more to area before and after as the eagles and other wildlife were in present for a much longer period of time.

### APPLICATION SUMMARY:

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

The FVBEF Society is put on by a dedicated group of volunteers, from the volunteer Board of Directors to the many hands that participate over the weekend. The event occurs the third weekend of November and provides families and wildlife enthusiasts many learning opportunities and first hand experiences with nature. The event includes the Visitor Centre, hatchery, local businesses, historic sites and wildlife org.

Attached is a copy of the printed tear-map that we produce each year to promote the weekend. Funds would go to adding signage, washroom facilities and volunteer training (a certificate through the Chamber & Go2hr, Destination Ambassador )

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

As the organization strives to provide free "edu-tainment" to showcase the valley's natural and unspoiled areas we have played an integral part of helping protect the area so that future generations will be able to continue to enjoy it. The area once was very quiet in November, December and January and now, thanks in part to the positive light shone on it, the local businesses have a longer prosperous season. Two examples are Sandpiper Resort and Kilby Historic Site both have extended their seasons due to increased demand in the area.

Amount of Grant Requested: \$ 2500.00

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

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

Jo-Anne Chadwick, President

Signature of Authorized Signatory and Title

Amount Approved:

\_\_\_\_\_

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

Signature of Electoral Area Director



**Kilby Historic Site & Campground**

Café,  
Gift Shop  
& Vendors

Outdoor BBQ  
& Walking  
Tours

[www.kilby.ca](http://www.kilby.ca) - 604-796-9576  
215 Kilby Road, Harrison Mills, BC

**HANCOCK WILDLIFE FOUNDATION**

LIVE STREAMING EAGLE CAMS

[www.hancockwildlife.org](http://www.hancockwildlife.org)

SUPPORT OUR EAGLES!  
For books on Eagles, BC History, Natural History, etc. please go to:  
[www.hancockhouse.com](http://www.hancockhouse.com)

**Harrison**  
HOT SPRINGS RESORT

HARRISONRESORT.COM  
1-800-663-2266  
HARRISON HOT SPRINGS, BC

escape with us

**Sasquatch Inn**

Watch the Eagles soar from our beautiful patio!

Home of BC's best burger and world famous pizza!

Newly renovated accommodation available

Valid November 17th & 18th 2018

10% off Coupon  
Receive 10% off any appetizer  
\$1 coupon per person per appetizer

**Designated Eagle Viewing Site**

- Secluded eagle observation gazebo.
- Enjoy our salmon menu at the Clubhouse Restaurant.
- Spend the night in a cottage or inn room.
- See our packages.
- Book a tee time and explore wildlife.
- Small and large groups are welcome.
- Free parking.
- Tour operators and busses welcome.

14282 Morris Valley Road, Harrison Mills, BC  
Coming from Mission: Take a left at the Sasquatch Inn and follow the road.  
Coming from Harrison: Take a right at the Sasquatch Inn and follow the road.

For more information, call 604.796.1000 or visit [sandpiperresort.ca](http://sandpiperresort.ca)

SANDPIPER RESORT

**FRASER VALLEY BALD EAGLE FESTIVAL NOVEMBER 17<sup>th</sup>-18<sup>th</sup>, 2018**

**2018 FVBEF FESTIVAL SITES**

**1** **Fraser River Safari Eagle Viewing Tours**  
3 trips daily - Best way to get up close to the eagles in the estuary - [www.fraseriversafari.com](http://www.fraseriversafari.com)

**2** **Land Based Eagle Viewing at Tapadera Estates**  
Celestron Scopes & interpreters on site - Speakers - Souvenirs - Q.W.L. & Sonnie on site.

**3** **Land Based Eagle Viewing at Sandpiper Golf Resort**  
Viewing gazebo, restaurant and other food options

**4** **Exhibitor's Fair at Harrison Hall**  
Educational & Wildlife Displays - Exhibitors - Souvenirs - Raffle Tickets - Food!

**5** **Activity Centre Kilby Historic Site**  
Nature Walks - Museum - Restaurant - Souvenirs - [www.kilby.ca](http://www.kilby.ca)

**6** **Activity Centre - Inch Creek Hatchery**  
\*see large map below  
Home to 2 adult live sturgeon - educational displays

**Eagle Point** - Additional Viewing Area.  
10 min walk. Parking extremely limited.

For full descriptions, directions and info please see reverse and visit us at [www.FVBEF.ca](http://www.FVBEF.ca)

**23<sup>rd</sup> ANNUAL FRASER VALLEY Bald Eagle Festival NOVEMBER 17<sup>th</sup>-18<sup>th</sup>, 2018**

**Harrison Hot Springs**

Year round wild life viewing, eco tours, hiking, biking, golfing, paddling and the world famous hot springs. Accommodations to suit every budget, we are just 10 minutes from where the eagles soar & 90 minutes from Vancouver

[www.tourismharrison.com](http://www.tourismharrison.com)

**EAGLE VIEWING**  
Oct 15 - Jan 15  
Daily 1.5 hour tours  
Custom tours available  
Tour and hotel packages  
Heated and covered boats

**HARRISON ECO TOURS** 604-316-4460  
[www.HarrisonEcoTours.com](http://www.HarrisonEcoTours.com)

Celebrating the Season of the Eagles and Salmon for 23 years!  
See more info on reverse of map and [FVBEF.ca](http://FVBEF.ca) for the latest info

**OWL**  
Orphaned Wildlife

RESCUE. REHABILITATE. RELEASE.

Dedicated to the survival of raptors, made possible by the generous support of people like you.

[www.OwlRehab.org](http://www.OwlRehab.org)



23<sup>RD</sup> ANNUAL  
FRASER VALLEY  
**Bald Eagle Festival**  
NOVEMBER 17<sup>TH</sup>-18<sup>TH</sup>, 2018



Photo © Kelly Kirsch

Celebrating the season of the eagle and the salmon for 23 years!  
Just follow the Scenic 7 Highway - Mission, BC to the Harrison River/Harrison Mills, BC

## WELCOME

Don't miss the fastest growing eagle festival in BC – November 17-18, 2018.

Amazing eagle viewing, educational displays, expert speakers, giant sturgeon, Sonsie the Eagle and boat tours. Come on out to this free family-friendly event as we celebrate together the wonders of nature. Activities from Mission to Harrison Mills, BC. Join the celebration and view hundreds, if not thousands, of eagles in their natural environment.

## SUPPORT THE FESTIVAL

Enter the Draw at Harrison Mills Hall!

**GRAND PRIZE:** once again generously donated by Celestron (Ron Skogland) – Thank you! A Hummingbird Micro Spotting Scope + a NexYX Smartphone Adapter



**OTHER PRIZES:** We have prints donated by Tom Higgs, and a basket full of festival souvenirs to round out the draw!

**TICKETS:** \$2 each or 3/\$5.

All proceeds go toward the costs of putting on the festival.

## IMPORTANT

### PETS

Please be courteous and leave all pets at home or in your vehicle while visiting these environmentally sensitive sites.

### KEEP IT GREEN

Join us this year as an active member in helping the environment by bringing along your own coffee cup to reduce the use of Styrofoam.

### BUS GROUPS

Parking is limited at some sites

**CHARTER BUSES** can be accommodated at Harrison Hall, Inch Creek Hatchery, Sandpiper Golf Resort and Kilby Historic Site.

**QUESTIONS?** Please contact the Info Centre office at 604-826-6914.

### BRING CASH

Not all sites and vendors are set up to take credit/debit cards.



## INFO CENTRE



Mission Regional Chamber of Commerce  
**Visitor Information Centre**

**LOCATION:** 34033 Lougheed Hwy, Mission BC V2V 5X8  
**TEL:** (604)-826-6914  
**EMAIL:** info@missionchamber.bc.ca  
**WEBSITE:** www.missionchamber.bc.ca

Just east of Mission on the Scenic 7 Highway, also known as the Lougheed Hwy, the Visitor Centre will open its doors on the festival weekend:  
SAT & SUN 10am- 2pm

### Wildlife Viewing Etiquette:

For information on viewing wildlife from water and land, please visit our website at

[fvbef.ca/wildlife](http://fvbef.ca/wildlife)

## 2018 Fraser Valley Bald Eagle Festival ~ November 17<sup>th</sup> & 18<sup>th</sup>, 2018



Eagle Viewing ■ Eagle Viewing Boat Tours ■ Exhibitor's Hall ■ Expert Speakers  
Wildlife Displays ■ Green Businesses ■ Delicious Food ■ Festival Souvenirs ■ and more!

### EAGLE VIEWING



Land-based sites equipped with scopes, and experts to answer questions. Boat tours will take you into the Estuary up close to the eagles.

### EVENTS & ACTIVITIES



Educational & Wildlife Displays, Draws, Environmental Experts, Festival Souvenirs and delicious food options at various sites.

### WALKS & TALKS



Learn from the experts by sitting in or walking with one of the free talks about wildlife and nature happening this weekend.

1



### FRASER RIVER SAFARI

**LOCATION:** Under the train bridge past the dead end of Kilby Rd. (not at the Park)  
**TICKETS REQUIRED:** Can be purchased at [fvbef.ca](http://fvbef.ca)  
**HIGHLIGHTS:** Eagle viewing, expert interpretation in a cozy environment

2



### TAPADERA ESTATES

**LOCATION:** 14600 Morris Valley Rd, Harrison Mills, BC  
**HOURS:** 9 am – 3 pm  
**SCOPES AVAILABLE:** Celestron on site, with Ron Skogland  
**HIGHLIGHTS:** Speakers David Hancock, Ross Davies & Aimee Mitchell; Sonsie the Eagle, Artisans, souvenirs, food!

3



### SANDPIPER GOLF RESORT

**LOCATION:** 14282 Morris Valley Rd, Harrison Mills, BC  
**HOURS:** 9 am – 8 pm  
**SCOPES AVAILABLE:** On the waterfront viewing observation deck  
**HIGHLIGHTS:** Clubhouse Restaurant, covered waterfront observation deck, first aid on site.



**Eagle Point Park:** Alternative viewing area. Parking is extremely limited. 10 min walk.

4



### EXHIBITORS FAIR AT HARRISON MILLS HALL

**LOCATION:** 11995 School Rd, Harrison Mills, BC  
**HOURS:** SAT: 9 am – 4 pm  
SUN: 10 am – 3 pm  
**HIGHLIGHTS:** Wildlife and Educational Displays, Souvenirs, delicious food, prize draws!!

5



### KILBY HISTORIC SITE

**LOCATION:** 215 Kilby Rd, Harrison Mills, BC  
**HOURS:** 9 am – 4 pm  
**HIGHLIGHTS:** Displays, walks & talks, vendors, gift shop, food!!

6



### INCH CREEK HATCHERY

**LOCATION:** 38620 Bell Rd, Box 61, Dewdney BC  
**HOURS:** 9 am – 3 pm  
**HIGHLIGHTS:** Salmon hatchery and two 6ft white sturgeons on site.

### SPEAKERS:

### Walks + Talks

Various locations

### DAVID HANCOCK

SAT 10am On board Fraser River Safari  
SAT 1pm Tapadera Estates  
SUN 10am On board Fraser River Safari  
SUN 1pm Tapadera Estates

### KILBY NATURE WALKING TOUR

Kilby Historic Site:  
SAT 10am, 12noon, 2pm  
SUN 10am, 12noon, 2pm

### AIMEE MITCHELL

SAT 11am Tapadera Estates

### ROSS DAVIES

SUN 11am Tapadera Estates



### Can't Make the Festival?

Fraser River Safari tours will be running tours all season long. For more information visit [www.FraserRiverSafari.com](http://www.FraserRiverSafari.com)



**NO DRONE ZONE**  
This is a Wildlife Management Area.

Drone usage could cause unintended disturbance to the eagles, which is considered an offence under the Wildlife Act.

For the latest info  
& more details visit  
**FVBEF.CA**



The Fraser Valley Bald Eagle Festival: Celebrating the beauty and biodiversity of the Fraser River Valley by honouring the majestic Bald Eagle and the Cycle of the Salmon. – [www.fvbef.ca](http://www.fvbef.ca)

Support The Fraser Valley Bald Eagle Festival – a non-profit society

Please support the Society by purchasing festival souvenirs, draw tickets or by becoming a volunteer! – [www.fvbef.ca](http://www.fvbef.ca)

To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Louise Hinton, Bylaw Compliance and Enforcement Officer

File No: 3920-20

**Subject: Bylaw Offence Notice Enforcement Amendment Bylaw No. 1540, 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. 1540, 2019*

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

### BACKGROUND

The Bylaw Offence Notice Enforcement Bylaw (BONE) is being updated to include the Commercial Gravel Operations Bylaw No. 1181, 2014 to allow for tickets to be issued for contraventions to this bylaw as well as to add new ticketable offences related to Building Bylaw No. 1181, 2013.

### DISCUSSION

In order to enforce the Commercial Gravel Operations Bylaw No. 1181, 2014, Schedule A-12 is to be added to the Bylaw Offence Notice Enforcement Bylaw to provide for enforcement by means of violation tickets. Some examples listed in this schedule include: removal of aggregate without a permit; causing nuisances such as dust and noise; non-payment of applicable fees; operation in violation of permit terms; not keeping accurate records and not submitting required reports.

During field inspections, Building and Bylaw staff identified a number of different offences relating to construction safety, fencing around swimming pools and concealed building works that were not previously ticketable offences. The addition of these offences would allow staff to issue tickets when voluntary compliance is not able to be reached.

## **COST**

None

## **CONCLUSION**

Proposed *Fraser Valley Regional District Bylaw Offence Notice Enforcement Bylaw Amendment Bylaw No. 1540, 2019* amends Bylaw No. 1415, 2017 to include Commercial Gravel Operations regulations and add offences related to the Building Bylaw.

## **COMMENTS BY:**

**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.

**FRASER VALLEY REGIONAL DISTRICT**

**BYLAW NO. 1540, 2019**

**A bylaw to amend the Bylaw Offence Notice Enforcement Bylaw**

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**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. 1540, 2019*.

**2) ENACTMENTS**

That Fraser Valley Regional District Bylaw No. 1415, 2017 be amended by:

- a. adding, under Section 12, "Schedule A – Designated Bylaw Contraventions and Penalties", reference to Schedule A-12 – Commercial Gravel Operations Regulations;
- b. deleting Schedule A-1 (Building Bylaw) in its entirety and replacing it with Schedule A-1 attached hereto and forming an integral part of this bylaw;
- c. adding Schedule A-12 (Commercial Gravel Operations Regulations) 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. 1540, 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. 1540, 2019****Schedule A-1****DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES****Building Bylaw**

<b>Bylaw Notice bylaw citation</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>Building Bylaw No. 1188, 2013</b>	6.1	Construction without a permit	\$500	\$490	\$510	Yes
	6.1	Change of occupancy	\$500	\$490	\$510	Yes
	6.2	Occupancy Without Approval	\$500	\$490	\$510	Yes
	6.3	False or misleading information	\$500	\$490	\$510	No
	6.5	Work contrary to permit	\$500	\$490	\$520	Yes
	6.4	Interfere with Notice	\$500	\$490	\$510	No
	6.6	Obstruction	\$500	\$490	\$510	No
	16.1	Construction in contravention of <i>BC Building Code</i>	\$500	\$490	\$510	No
	17.4	Fail to obtain inspection	\$300	\$290	\$310	No
	17.5	Concealed works	\$500	\$490	\$510	No
	19.2	Swimming pool without a fence	\$500	\$490	\$510	No
	21.5	Disobey a Stop Work order	\$500	\$490	\$510	No
	21.7	Disobey a No Occupancy notice	\$500	\$490	\$510	No

**FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1540, 2019****Schedule A-12****DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES****Commercial Gravel Operations**

<b>Bylaw Notice bylaw citation</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>Commercial Gravel Operations Bylaw No. 1181, 2014</b>	11	Unauthorized removal or processing of aggregate	500	490	510	Yes
	12	Removal of aggregate without permit	500	490	510	Yes
	13	Processing of aggregate without permit	500	490	510	Yes
	16	Remove or process aggregate in restricted area	500	490	510	No
	39-41	Failure to appoint Coordinating Professional	500	490	510	Yes
	44	Failure to screen aggregate removal or processing	500	490	510	Yes
	45	Aggregate removal causing danger	500	490	510	Yes
	46	Aggregate removal causing lower ground elevation	500	490	510	Yes
	47	Stockpile causing nuisance	500	490	510	Yes
	48	noise emissions exceeding daytime limits	500	490	510	Yes
	49	noise emissions exceeding nighttime limits	500	490	510	Yes

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
<b>Commercial Gravel Operations Bylaw No. 1181, 2014 (con't)</b>	52	Cause or permit nuisance dust	500	490	510	Yes
	53(a)	Cause or permit excess Dust fall	500	490	510	Yes
	53(b)	Cause or Permit excess Particulate Matter	500	490	510	Yes
	54	Cause or Permit Obstruction of drinking water source	500	490	510	Yes
	55	Cause or Permit Contamination of drinking water source	500	490	510	Yes
	86	Failure to provide Schedule B-3 report(s)	500	490	510	Yes
	87	Failure to submit Annual extraction volume report	500	490	510	Yes
	88	Failure to submit accurate volume report	500	490	510	Yes
	89	Failure to maintain accurate records	500	490	510	Yes
	90	Failure to pay removal fees	500	490	510	Yes
	94	Failure to pay additional fees	500	490	510	Yes
	96	Failure to pay fees for unpermitted aggregate removal	500	490	510	Yes
	99	Failure to provide written notice	500	490	510	Yes

Bylaw Notice bylaw citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
<b>Commercial Gravel Operations Bylaw No. 1181, 2014 (con't)</b>	100(a)	Failure to provide final statement	500	490	510	Yes
	100(b)	Failure to pay outstanding removal fees	500	490	510	Yes
	100(c)	Failure to provide professional report	500	490	510	Yes
	110	Failure to comply with stop work order				No
	117(a)	Fail to comply with Permit terms	500	490	510	yes
	117 (b)	Remove or process without permit	500	490	510	Yes
	117(c)	Failure to comply with stop work order	500	490	510	No
	117(d)	Obstruction	500	490	510	No
	117(e)	Tamper with notice	500	490	510	No
	117(f)	Submit False or misleading information	500	490	510	No

To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Andrea Antifaeff, Planner I

File No: 3090-20-2019-19

**Subject: Application for Development Variance Permit 2019-19 to vary the off-street motor vehicle parking dimensions at 19 Lakeshore Drive, Cultus Lake Park – Electoral Area H**

---

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-19 for the property located at 19 Lakeshore Drive, Cultus Lake Park – Electoral Area H to vary the off-street motor vehicle parking dimensions for two 90 degree parking spaces from 2.8 metres (9.2 feet) wide by 5.5 metres (18 feet) long to 2.56 metres (8.4 feet) wide by 4.57 metres (15 feet) long, subject to consideration of any comments or concerns raised by the public;

**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;

**AND FURTHER THAT** the Fraser Valley Regional District Board consider deferring any future development variance permit applications for off-street parking variances until a parking study of waterfront lots in Cultus Lake Park is completed.

## 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 off-street motor vehicle parking dimensions as outlined in *Cultus Lake Park Zoning Bylaw No. 1375, 2016*.

---

### PROPERTY DETAILS

<b>Electoral Area</b>	H – Cultus Lake Park
<b>Address</b>	19 Lakeshore Drive

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<b>PID</b>	N/A		
<b>Folio</b>	733.07000.019		
<b>Lot Size</b>	1,750 sq. feet		
<b>Owner</b>	Robert Mitchell	<b>Agent</b>	Roger Burrows
<b>Current Zoning</b>	Waterfront Residential (R-3)	<b>Proposed Zoning</b>	No change
<b>Current OCP</b>	Plan Cultus – Residential	<b>Proposed OCP</b>	No change
<b>Current Use</b>	Residential - SFD	<b>Proposed Use</b>	No change
<b>Development Permit Areas</b>	N/A		
<b>Agricultural Land Reserve:</b>	No		

#### ADJACENT ZONING & LAND USES

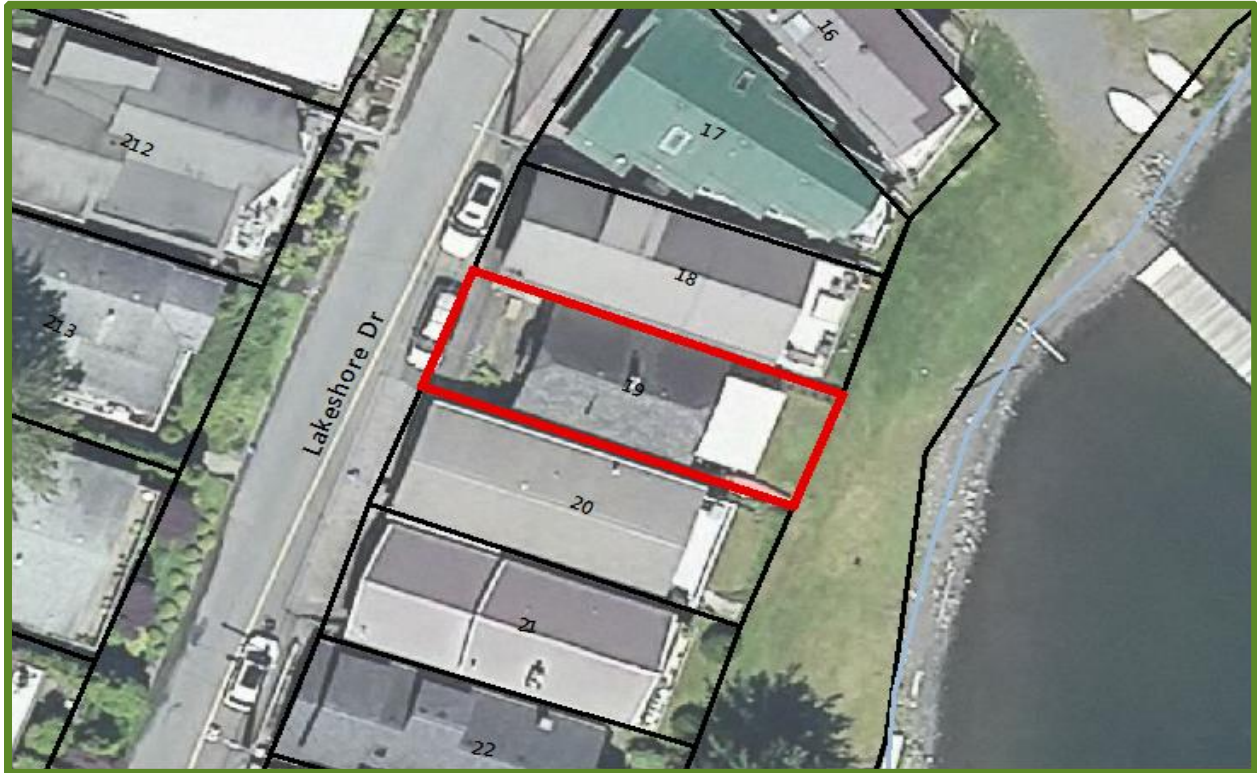
<b>North</b>	^	Waterfront Residential (R-3); Residential
<b>East</b>	>	Cultus Lake
<b>West</b>	<	Hillside Residential (R-4); Residential
<b>South</b>	v	Waterfront Residential (R-3); Residential

#### NEIGHBOURHOOD MAP





## PROPERTY MAP



## DISCUSSION

The applicants, who have a contract to purchase the property made a development variance permit application in June 2019 to reduce the number of required on-site parking spaces. The applicants proposed zero (0) fully off-street parking spaces and instead provide two (2) spaces partly on-site and partly within the road right-of-way.

In August 2019, the applicants revised their original development variance permit application to reduce the parking dimension requirements for off-street motor vehicle parking. Staff see the revised application as an improvement over parked vehicles extending on the road right-of-way to the yellow line (abutting the travelled portion of the road).

### Electoral Area Services Committee Meeting July 9, 2019

Development Variance Permit 2019-19 was considered at the July 9, 2019 meeting of the Electoral Area Services Committee. The Electoral Area Directors made a motion to refer the application for Development Variance Permit 2019-19 back to staff and the Cultus Lake Advisory Planning Commission to work with the applicants to find a better approach. Then bring the matter back to the Cultus Lake APC so that the recommendations of the APC could be considered by EASC/FVRD Board.

### Meeting with Applicants

After the EASC meeting on July 9, 2019 staff met with the applicants to identify an approach for parking that was acceptable to them and that minimized the impacts to the use and safety of the road. The applicants submitted a revised Development Variance Permit proposal on August 2, 2019.

### **Variance Requested DVP 2019-19**

#### Application Rationale

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

- provides parking for two vehicles within the lot lines;
- permits access to both vehicles; and,
- provides for future electric vehicle charging of both vehicles.

#### On-site Parking Variance

The applicants are seeking a reduction in the length and width of the two on-site 90 degree parking spaces required.

<b>On-Site Parking Requirement</b>			
<b>90 Degree Parking Space</b>	<b>Width</b>	<b>Length</b>	<b>Area</b>
Permitted (zoning)	2.8 metres (9.2 feet)	5.5 metres (18 feet)	165.6 ft <sup>2</sup> (15.38 m <sup>2</sup> )
Proposed	2.56 metres (8.4 feet)	4.57 metres (15 feet)	126 ft <sup>2</sup> (11.71 m <sup>2</sup> )
<b>Requested Variance</b>	<b>0.24 metres (0.8 feet)</b>	<b>0.93 metres (3 feet)</b>	<b>39.6 ft<sup>2</sup> (3.68 m<sup>2</sup>)</b>

- The proposed parking plan would fit the average size car;
- Provides minimal impact to the road;
  - There is room for garbage cans behind the vehicles outside the travel portion of the road; and,
  - Pedestrians can maneuver outside the travelled portion of the road.
- Longer vehicles will extend outside the lease lot somewhat, but much less than they would have under the previous development variance permit proposal.

This approach reflects a compromise to find a solution to concerns that FVRD staff raised about the road uses on lakefront lots.

#### Cultus Lake Advisory Planning Commission (APC)

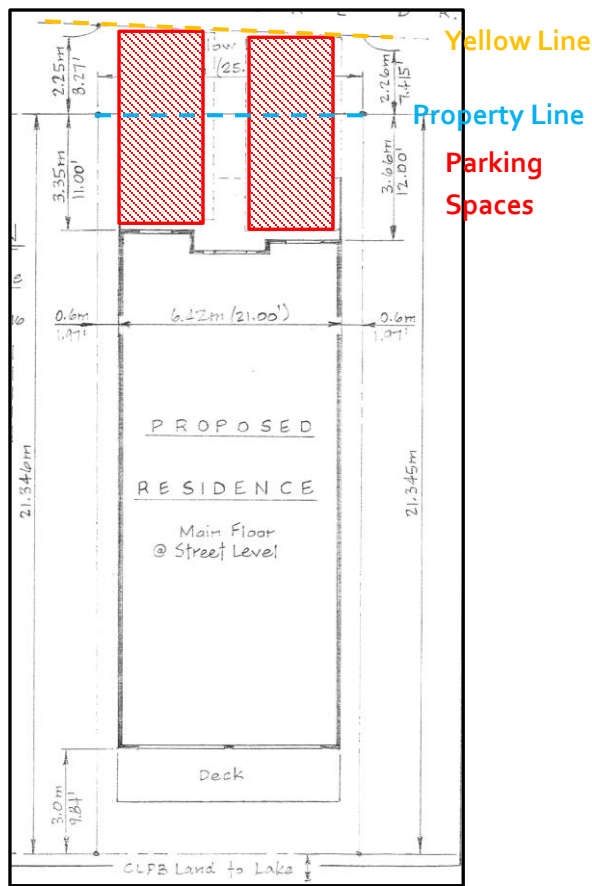
The Cultus Lake APC met on August 21, 2019 to consider the revised parking proposal and the motion to support the approval of Development Variance Permit 2019-19 was approved. The Cultus Lake APC meeting minutes are attached as Appendix B.

Discussion ensued regarding the encroachment of vehicles onto Cultus Lake Park Board property, the narrow width of Lakeshore Drive, and access for emergency vehicles and snow plows. Comments were offered regarding the need to address road width issues (encroachment of retaining walls on the north side of Lakeshore Drive), the yellow painted line and the need for an updated bylaw to provide a more comprehensive approach to parking with the Cultus Lake Park area.

### Comparison of Parking Plans

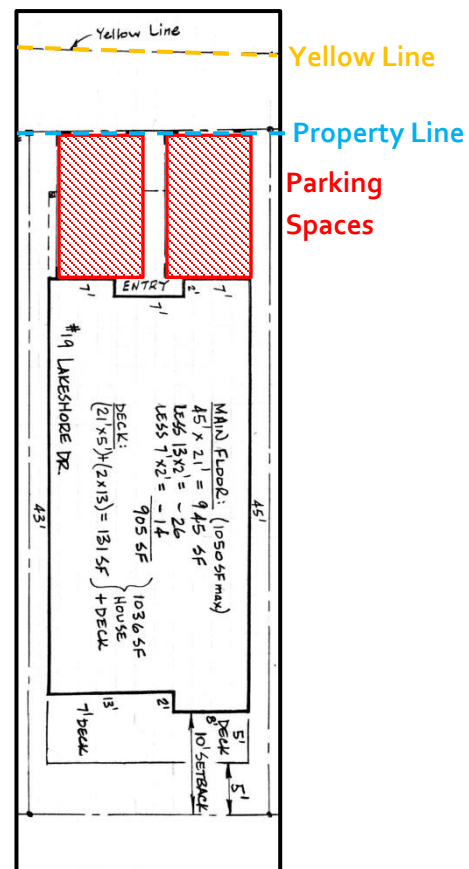
#### Previous

- Parking spaces to the yellow line abutting the travelled portion of the road.
- 11 feet of vehicle parked on-site.



#### New

- Parking spaces are entirely on-site.
- 15 feet of vehicle parked on-site.
- 10.4% reduction in main floor Footprint (excludes deck).



### 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 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.

Two mailouts have occurred with regards to Development Variance Permit 2019-19. The FVRD received five (5) letters of support and one (1) letter of opposition in response to the original parking proposal. After the recent mailout of the new proposed parking plan, the FVRD received five (5) letters of support prior to the Cultus Lake APC meeting. All of these submissions are included as part of the Cultus Lake APC meeting minutes, please see Appendix B.

### **COST**

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

### **CONCLUSION**

Staff recommend that the FVRD Board issue Development Variance Permit 2019-19 to vary the off-street motor vehicle parking dimensions. The proposed parking plan is an improvement from the previously proposed parking plan.

### **OPTIONS**

#### **Option 1 – Issue (Staff and Cultus Lake APC Recommendation)**

Staff recommend that the FVRD Board issue Development Variance Permit 2019-19 for the property located at 19 Lakeshore Drive, Cultus Lake Park – Electoral Area H to vary the off-street motor vehicle

parking dimensions for two 90 degree parking spaces from 2.8 metres (9.2 feet) wide by 5.5 metres (18 feet) long to 2.56 metres (8.4 feet) wide by 4.57 metres (15 feet) long, subject to consideration of any comments or concerns raised by the public.

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;

AND FURTHER THAT the Fraser Valley Regional District Board consider deferring any future development variance permit applications for off-street parking variances until a parking study of waterfront lots in Cultus Lake Park is completed.

#### **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 2019-19 for the property located at 19 Lakeshore Drive, Cultus Lake Park – Electoral Area H.

#### **COMMENTS BY:**

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

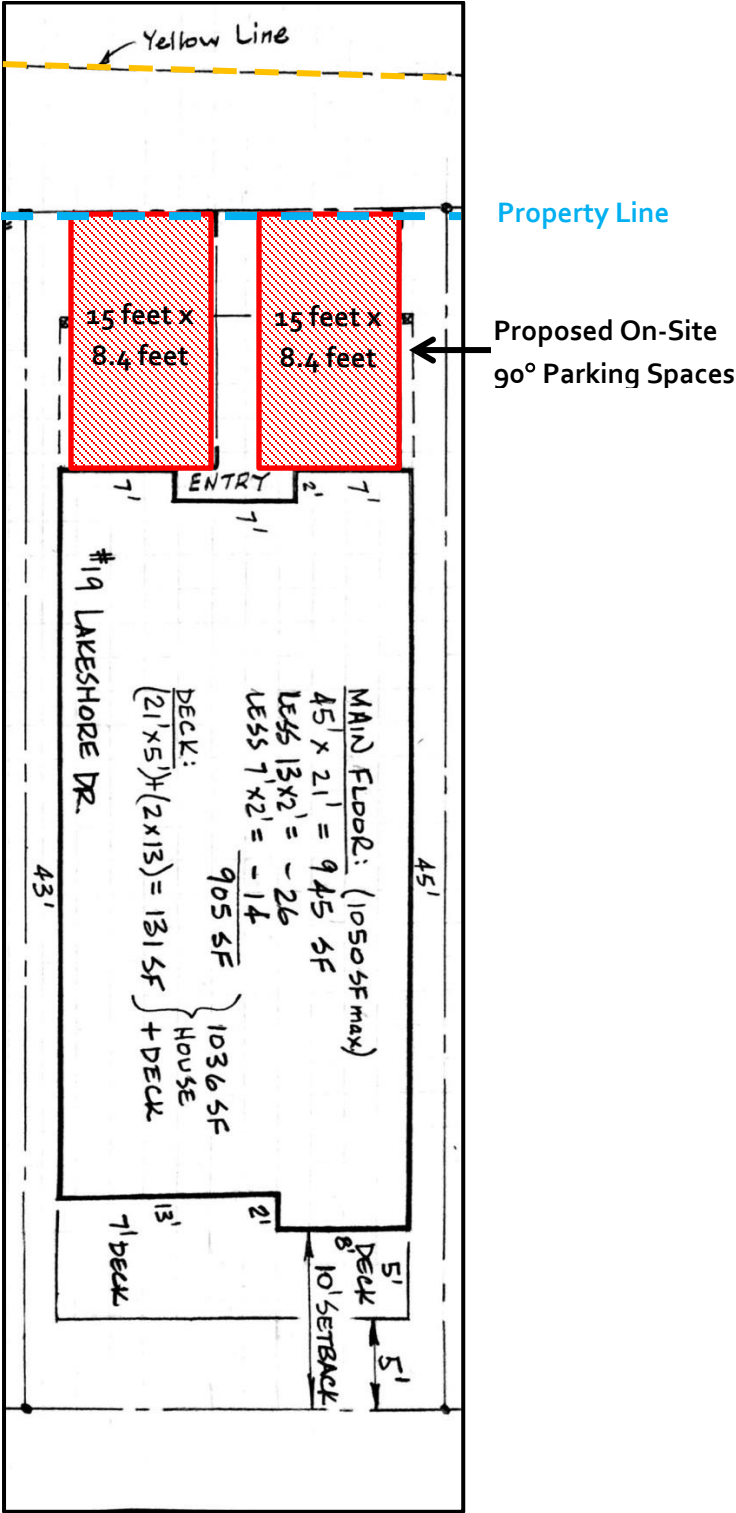
**Margaret Thornton, Director of Planning & Development:** Reviewed and supported.

**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  
Cultus Lake APC Agenda & Minutes**

**CULTUS LAKE ADVISORY PLANNING COMMISSION**



**OPEN MEETING AGENDA**

Wednesday, August 21, 2019  
12:00 pm  
Meeting Room 224, 2nd Floor, FVRD  
45950 Cheam Avenue, Chilliwack, BC

	<b>Pages</b>
<b>1. CALL TO ORDER</b>	
<b>2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS</b>	
<b><u>MOTION FOR CONSIDERATION</u></b>	
<b>THAT</b> the Agenda, Addenda and Late Items for the Cultus Lake Advisory Planning Commission Meeting of August 21, 2019 be approved;	
<b>AND THAT</b> all delegations, reports, correspondence and other information set to the Agenda be received for information.	
<b>3. MINUTES/MATTERS ARISING</b>	
<b>3.1 <u>Cultus Lake Advisory Planning Commission - June 19, 2019</u></b>	<b>2</b>
<b><u>MOTION FOR CONSIDERATION</u></b>	
<b>THAT</b> the Minutes of the Cultus Lake Advisory Planning Commission of June 19, 2019 be adopted.	
<b>4. NEW BUSINESS</b>	
<b>4.1 <u>Development Variance Permit - 19 Lakeshore Drive - Off-Street Parking</u></b>	<b>5</b>
• Application	
<b>5. ADJOURNMENT</b>	
<b><u>MOTION FOR CONSIDERATION</u></b>	
<b>THAT</b> the Cultus Lake Advisory Planning Commission Meeting of August 21, 2019 be adjourned.	



## **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  
Taryn Dixon, Director, Electoral Area H

### **Staff and Representatives Present:**

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

## Tracey Heron

---

**From:** Roger Burrows  
**Sent:** August-02-19 1:10 PM  
**To:** Andrea Antifaeff  
**Cc:** Rosemary Burrows  
**Subject:** Revised Parking Variance for #19 Lakeshore Dr., Cultus Lake  
**Attachments:** Site Plan.pdf; Parking Area Detail.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Andrea:-- As discussed, please accept the following as a revision to DVP 2019-19, the variance for parking at 19 Lakeshore Drive, Cultus Lake, B.C.

### **Background:**

At the FVRD EASC meeting of July 09, the Area Directors voted to refer the variance back to FVRD staff and to the Cultus Lake Advisory Planning Commission for reconsideration.

FVRD Planning staff and the applicants reviewed several alternatives and the applicants have accepted a proposal made by FVRD Planning. This DVP revision is based upon that FVRD proposal.

### **Revised Variance:**

To vary the size of 90 degree parking spaces to 15 feet long by 8.4 feet wide, as proposed by FVRD Planning staff.

### **Reasons in Support of Application:**

1. Provides parking for two vehicles within the lot lines.
2. Permits access to both vehicles.
3. Provides for future EV charging of both vehicles.
4. "maintains a desirable road width" [July 24 email, Andrea Antifaeff, FVRD Planning]

### **Revised Drawings:**

1. Site Plan
2. Parking Area Detail

Please let us know if you need anything further.

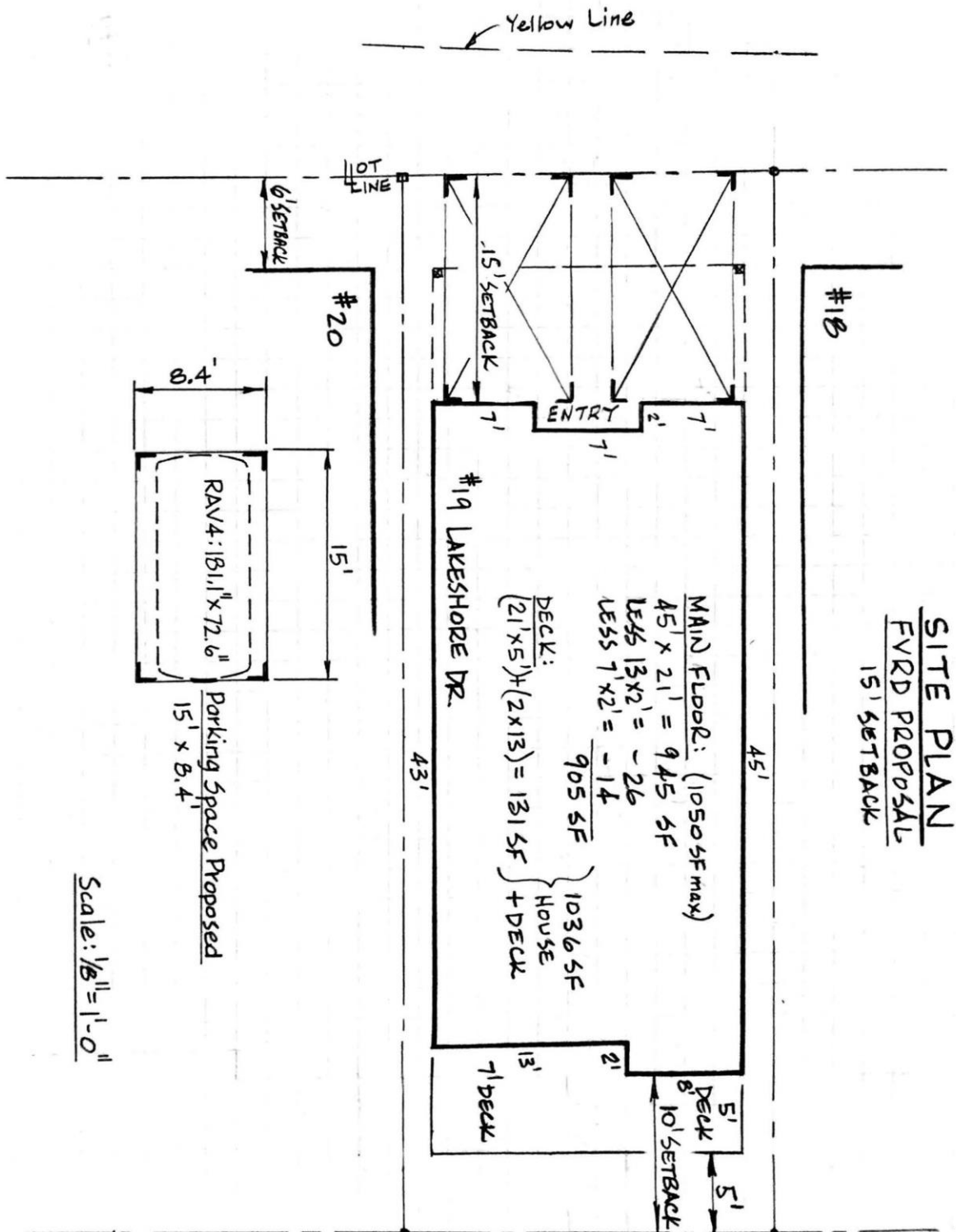
Thank-you

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



Virus-free. [www.avg.com](http://www.avg.com)



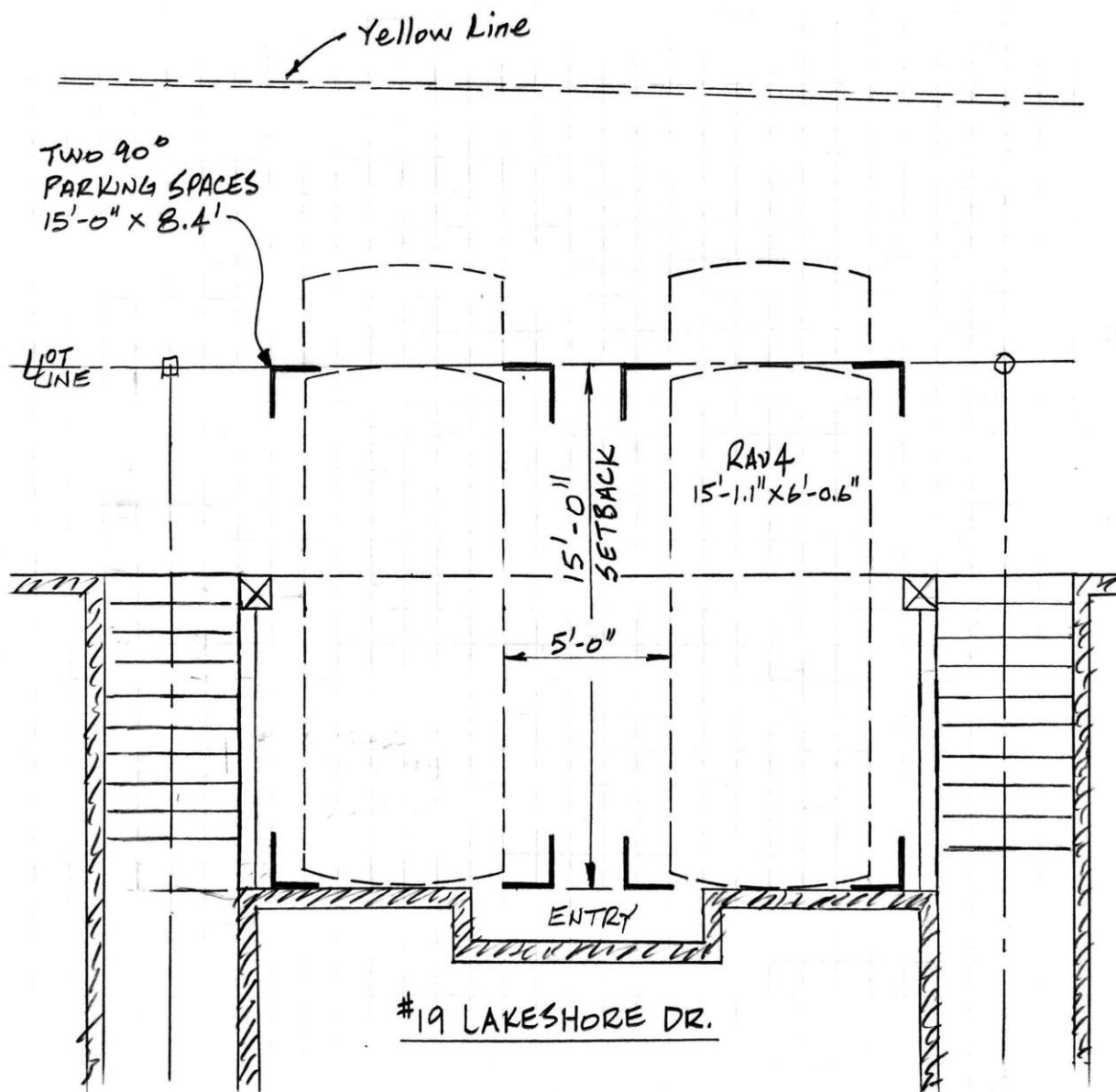


# PARKING AREA DETAIL

## FURD PLANNING PROPOSAL

15' SETBACK WITH TWO 90°  
PARKING SPACES 15'-0" x 8.4'

Scale: 1/4" = 1'-0"



**From:** [lesley.kirkness](#)  
**To:** [Planning Info](#)  
**Subject:** re:DVP2019-19  
**Date:** August-18-19 4:10:28 PM

---

To whom it may concern,  
We as lease holders of 16 Lakeshore Drive support the current 15 ft parking variance for 19  
Lakeshore Drive  
Lesley Kirkness

**From:**  
**To:** [Planning Info](#)  
**Subject:** Re DVP 2019-19 - file no. 3090-20 2019-19  
**Date:** August-18-19 2:01:46 PM

---

Attention FVRD Planning and Development

We would like to submit our support for the Developmental Variance Permit 2019-19 requested by Roger and Rosemary Burrows. As permanent residents of the Cultus Lake community we recognize the unique building/developmental challenges that are faced by both the FVRD and individual home owners. Our recent construction of #8 Lakeshore Drive during 2017/2018 year had us fully understand the need for balance within the community. Our parking template has been presented by the Burrows as an example of 2 car parking in small space living and it is our feeling that it works well respecting the need to not overhang the yellow line of the roadway and ensure easy access for 2 car parking.

As residents, of Cultus Lake we respect the need of FVRD overseeing of building standards but support this amended variance to achieve the balance needed for our unique community.

Sincerely

Laurel and Brad Shears  
8 Lakeshore Drive

Sent from my iPad

**From:**  
**To:** [Planning Info](#)  
**Subject:** DVP 2019-19  
**Date:** August-17-19 2:24:28 PM

---

This is to advise that we support the variance DVP 2019-19 at 19 Lakeshore Drive.

Lloyd Warnes  
20 Lakeshore Drive

**From:**  
**To:** [Planning Info](#)  
**Subject:** variance  
**Date:** August-18-19 3:50:33 PM

---

I approve the second variance for #19 lakeshore drive. M. Christiansen 21 Lakeshore Drive



**From:**  
**To:** [Planning Info](#)  
**Subject:** Roger and Rosemary Burrows' Development Variance Permit 2019-19  
**Date:** August-19-19 7:52:08 PM

---

I support Roger and Rosemary Burrows' Development Variance Permit 2019-19.

Sincerely, Andrea Clyne,  
2 Lakeshore Drive

**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

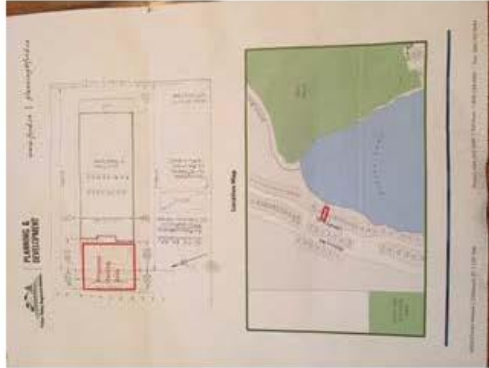
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>> Attn: Planning and Development  
>> FVRD  
>> We support the application for a parking area variance for 19 Lakeshore Drive.  
>>  
>> Dave and Andrea Clyne  
>>  
>> Lakeshore Drive  
>

**From:** [Natalie Chew](#)  
**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:** [Brian Sims](#)  
**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  
**From:** Brian Sims  
**To:** [planning@fvrd.ca](mailto:planning@fvrd.ca)  
**CC:** Rosemary Burrows

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



Virus-free. [www.avast.com](http://www.avast.com)

**From:** [Nan Vye](#)  
**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:** [F. PAULS](#)  
**To:** [Planning 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

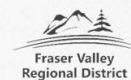


# CULTUS LAKE PARK DEVELOPMENT VARIANCE PERMIT 2019-19

## 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

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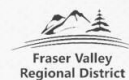
- 19 Lakeshore Drive
  - Demolish existing single family dwelling and construct a new single family dwelling.
  - To vary the size of each of the two - 90° parking spaces from 2.8m (9.2 ft) wide by 5.5m (18 ft) long to 2.56m (8.4 ft) wide by 4.57m (15 ft) long.



## LETTERS OF SUPPORT/OPPOSITION

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- Recent mailout re: revised proposed parking plan
  - 5 letters of support and no letters of opposition.
- Previous mailout re: proposed parking plan
  - 5 letters of support and 1 letter of opposition.



## STAFF COMMENTS

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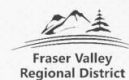
- July 2019 the Electoral Area Services Committee referred the application back to staff:
  - Work with the applicants to find a better approach
  - Bring the matter back to the Cultus Lake APC so that the recommendations of the APC can be considered by the EASC/Board.



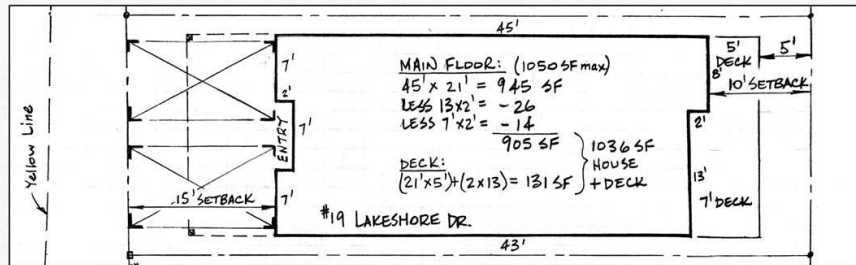
## STAFF COMMENTS

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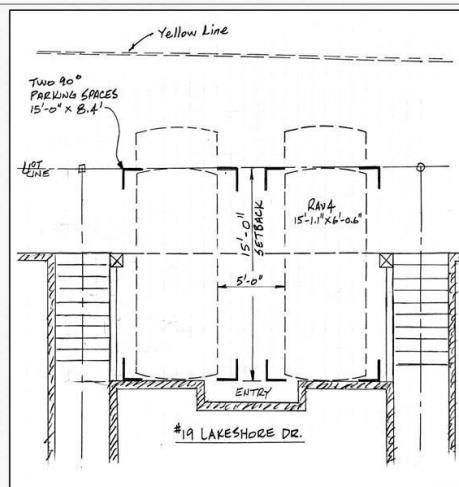
- We have worked with the applicants to identify an approach that is acceptable to them and that minimizes the impacts to the use and safety of the road.
  - The current proposal provides two on-site parking spaces with moderately reduced dimensions.



## PROPOSED SITE PLAN



## PROPOSED PARKING DETAIL

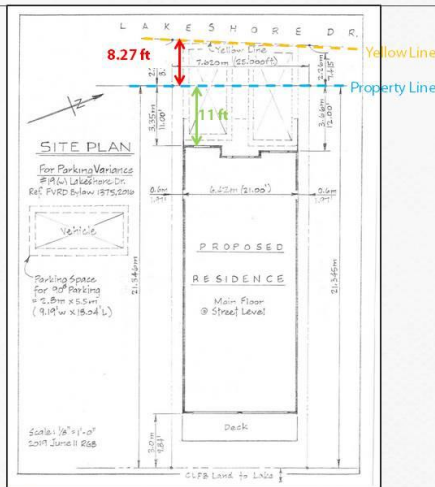




# COMPARISON OF PARKING PLANS

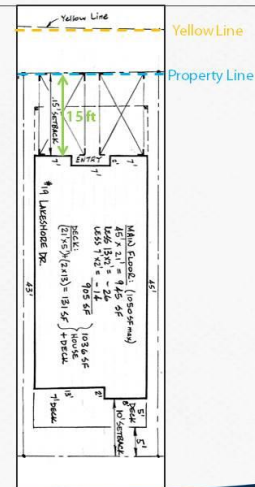
## Previous

- Parking spaces were to the yellow line abutting travelled portion of the road.
- 11 feet of vehicle previously parked on-site.

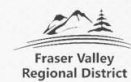


## Current

- Parking spaces are on-site.
- 15 feet of vehicle parked on-site.
- 10.4% reduction in main floor footprint (excludes deck)



Thank you







## **CULTUS LAKE ADVISORY PLANNING COMMISSION OPEN MEETING MINUTES**

Wednesday, August 21, 2019  
12:00 pm  
FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

### **Members Present:**

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

### **Staff and Representatives Present:**

Margaret Thornton, Director of Planning and Development  
Jennifer Kinneman, Acting Chief Administrative Officer  
Jaime Reilly, Manager of Corporate Administration  
Andrea Antifaef, Planner 1  
Tracey Heron, Planning Assistant

### **Also Present:**

Taryn Dixon, Director, Electoral Area H  
Bonny Bryant, Chief Administrative Officer, Cultus Lake Park  
Two applicants with respect to item 4.1.  
One member of the public

### **1. CALL TO ORDER by Staff**

Chair Bauer called the meeting to order at 12:02 p.m.

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

LAMB/RENWICK

**THAT** the Agenda, Addenda and Late Items for the Cultus Lake Advisory Planning Commission Meeting of August 21, 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 – June 19, 2019**

LAMB/PAYEUR

**THAT** the Minutes of the Cultus Lake Advisory Planning Commission of June 19, 2019 be adopted.

**CARRIED**

4. **NEW BUSINESS**

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

Andrea Antifaef, Planner I, provided a PowerPoint presentation highlighting the previous parking proposal which was presented at the June 19, 2019 Cultus Lake APC meeting and the new proposed parking plan to be considered at this meeting. It was noted that the applicants had worked with FVRD staff after direction from the Electoral Area Services Committee and submitted a revised parking proposal. The revised parking proposal is to vary *Table 1: Off-Street Motor Vehicle Parking Dimensions - Section 13. 13 Off-Street Parking Standards of the Cultus Lake Park Zoning Bylaw No. 1375, 2016* as follows:

Angle (Degree)	Space Width	Space Length
90	8.4 feet (2.56 metres)	15 feet (4.57 metres)

Discussion ensued regarding encroachment of cars onto Park property, the narrow width of Lakeshore drive, and access for emergency vehicles and snow plows.

A member of the public provided comments to the Commission, speaking in support of the application.

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

SMIT/PAYEUR

**THAT** Development Variance Permit 2019-19 to vary *Table 1: Off-Street Motor Vehicle Parking Dimensions - Section 13. 13 Off-Street Parking Standards of the Cultus Lake Park Zoning Bylaw No. 1375, 2016* as follows:

Angle (Degree)	Space Width	Space Length
90	8.4 feet (2.56 metres)	15 feet (4.57 metres)

be recommended for approval.

**CARRIED**  
**Bauer and Renwick Opposed**

**5. ADJOURNMENT**

LAMB/SMIT

**THAT** the Cultus Lake Planning Advisory Commission Open Meeting of August 21, 2019 be adjourned.

**CARRIED**

The Cultus Lake Planning Advisory Commission Open Meeting adjourned at 1:10 p.m.

MINUTES CERTIFIED CORRECT:

.....  
Darcy Bauer, Chair



## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

---

**Permit No.** 2019-19

**Folio No.** 733.07000.019

---

**Issued to:** Robert Mitchell

---

**Address:** 323-1120 Tsatsu Shores Drive, Tsawwassen, B.C. V4M 4G3

---

**Applicant:** Roger and Rosemary Burrows

---

**Site Address:** 19 Lakeshore Drive, Cultus Lake Park – Electoral Area H

---

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 19W, NEW WESTMINSTER LAND DISTRICT, LEASE CULTUS LAKE PARK

---

### 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

Cultus Lake Park Zoning Bylaw No. 1375, 2016 is **varied** as follows:

3.13.1 The minimum parking space dimensions for motor vehicles, not including commercial vehicles is varied as below:

Angle (Degree)	Space Width	Space Length
90	2.56 m (8.4 ft)	4.57 m (15 ft)

---

### SPECIAL TERMS AND CONDITIONS

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

4. All new construction shall be generally in compliance with Building Permit No. 014709.

---

## 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 2019-19. 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 18<sup>th</sup> DAY OF SEPTEMBER, 2019.

---

Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

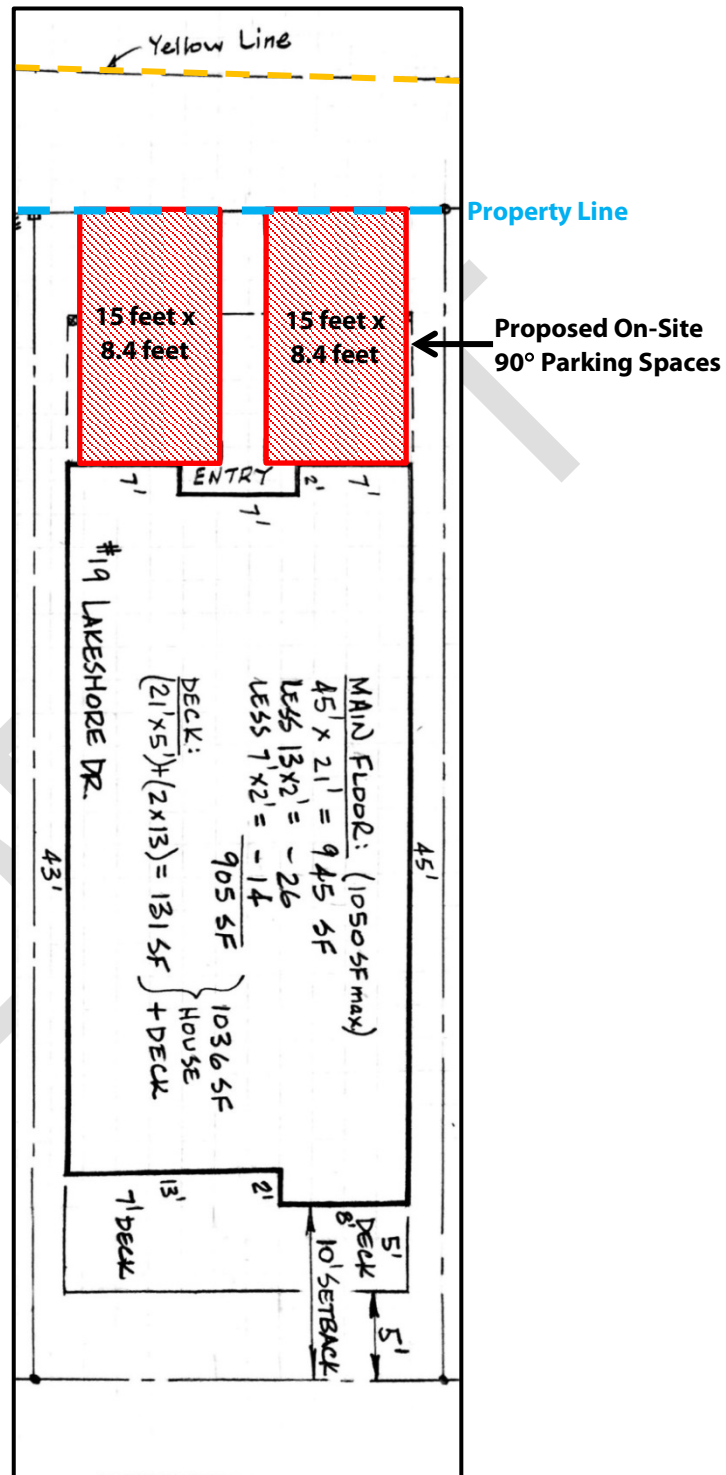
DRAFT

**DEVELOPMENT VARIANCE PERMIT 2019-19**  
**SCHEDULE A**  
**Location Map**





**DEVELOPMENT VARIANCE PERMIT 2019-19**  
**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

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

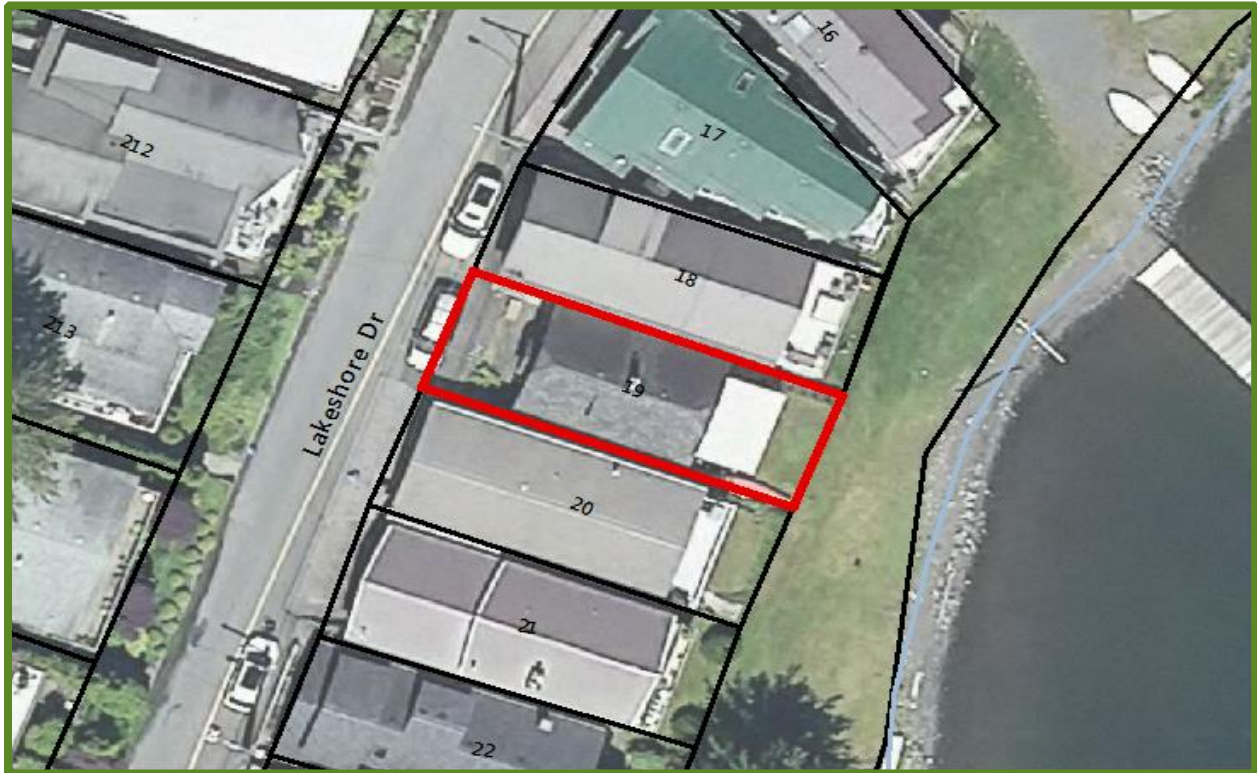
#### ADJACENT ZONING & LAND USES

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

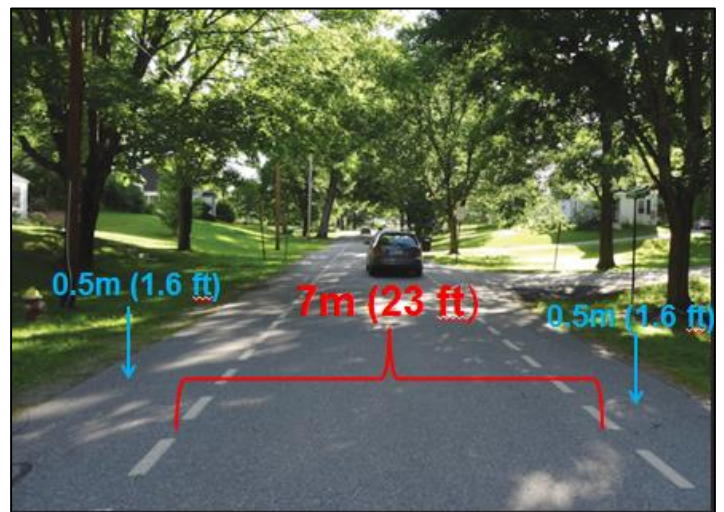


Image 1: Lakeshore Drive (Road Width)



### 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**

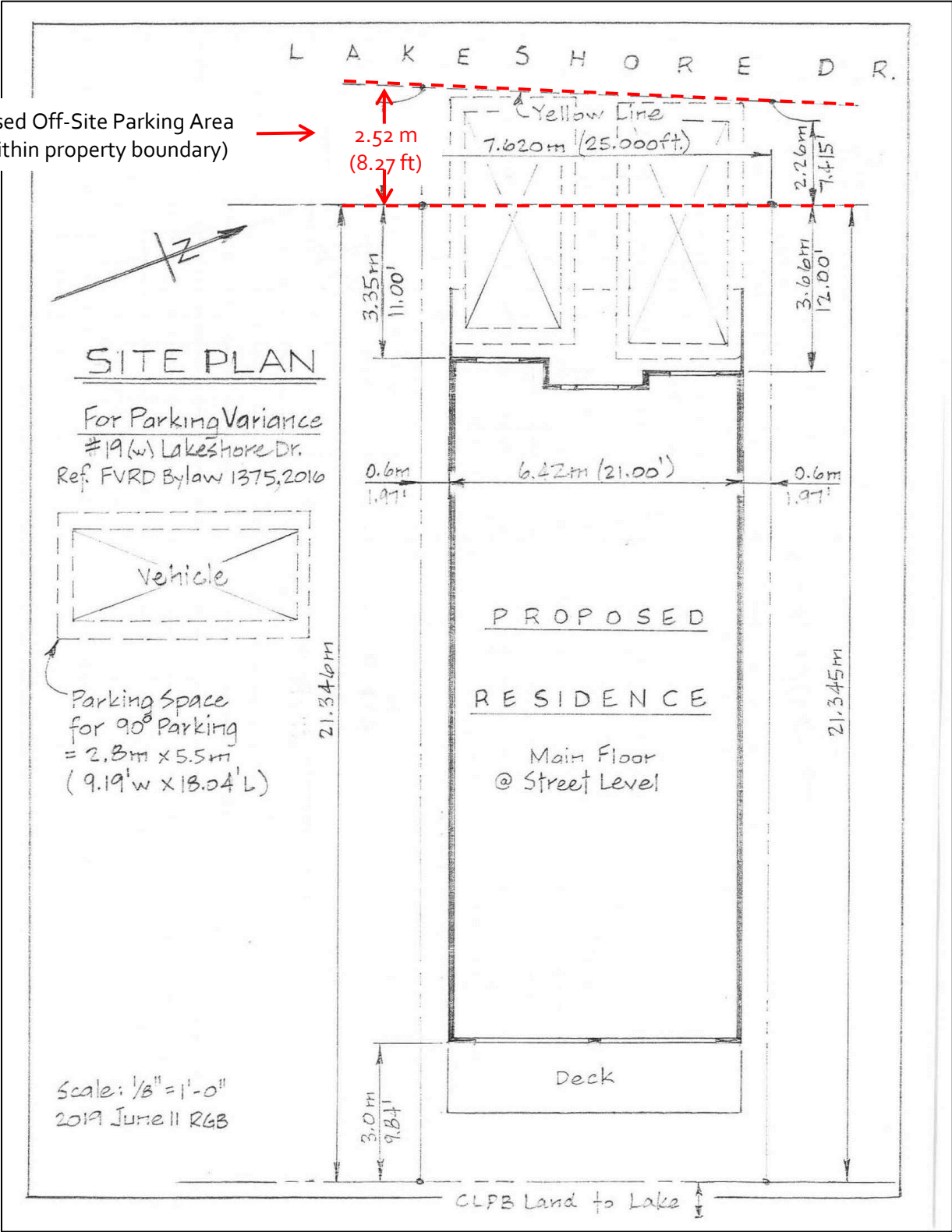
Not available for comment.

**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

	<b>Pages</b>
1. CALL TO ORDER	
2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS	
<b><u>MOTION FOR CONSIDERATION</u></b> <b>THAT</b> the Agenda, Addenda and Late Items for the Cultus Lake Advisory Planning Commission Meeting of June 19, 2019 be approved;  <b>AND THAT</b> 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
<b><u>MOTION FOR CONSIDERATION</u></b> <b>THAT</b> 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	
<b><u>MOTION FOR CONSIDERATION</u></b> <b>THAT</b> 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 12:04pm*)

### **Regrets:**

Casey Smit

### **Staff Present:**

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

### **Also Present:**

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

### **1. CALL TO ORDER by Staff**

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

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

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

Mr. Lamb nominated Mr. Bauer.

Mr. Bauer accepted the nomination.

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

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

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

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

Mr. Lamb nominated Mr. Payeur.

Mr. Payeur accepted the nomination.

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

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

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

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

PAYEUR/LAMB

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

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

**Carried**

5. **MINUTES/MATTERS ARISING**

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

PAYEUR/LAMB

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

Carried

6. **NEW BUSINESS**

*Item 6.3 was heard at this time.*

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

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

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

6.1 **Residential Parking Policy**

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

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

RENWICK/PAYEUR



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

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

Carried

**6.2 Issues Arising from Imperial to Metric Conversion**

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

PAYEUR/RENWICK

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

Carried

**7. OTHER MATTERS**

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

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

Comments were offered regarding the importance of community fire awareness.

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

**8. ADJOURNMENT**

RENEWICK/LAMB

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

**Carried**

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

MINUTES CERTIFIED CORRECT:

.....

Darcy Bauer, Chair



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

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

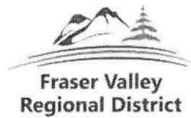
The current by-law requires parking for two vehicles. The by-law also calls for a parallel parking space of 7.3 metres (23.95 ft), while the lot is only 7.620 m (25.00 feet) wide. This would "trap" one vehicle, requiring the other to be moved before any use.

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>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>RGBurrows</u>	Date <u>2019 June 11</u>
--	-----------------------------

ROGER G. BURROWS

## Variance Details

Property Size 162.738 Present Zoning R-3  
(m<sup>2</sup> 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

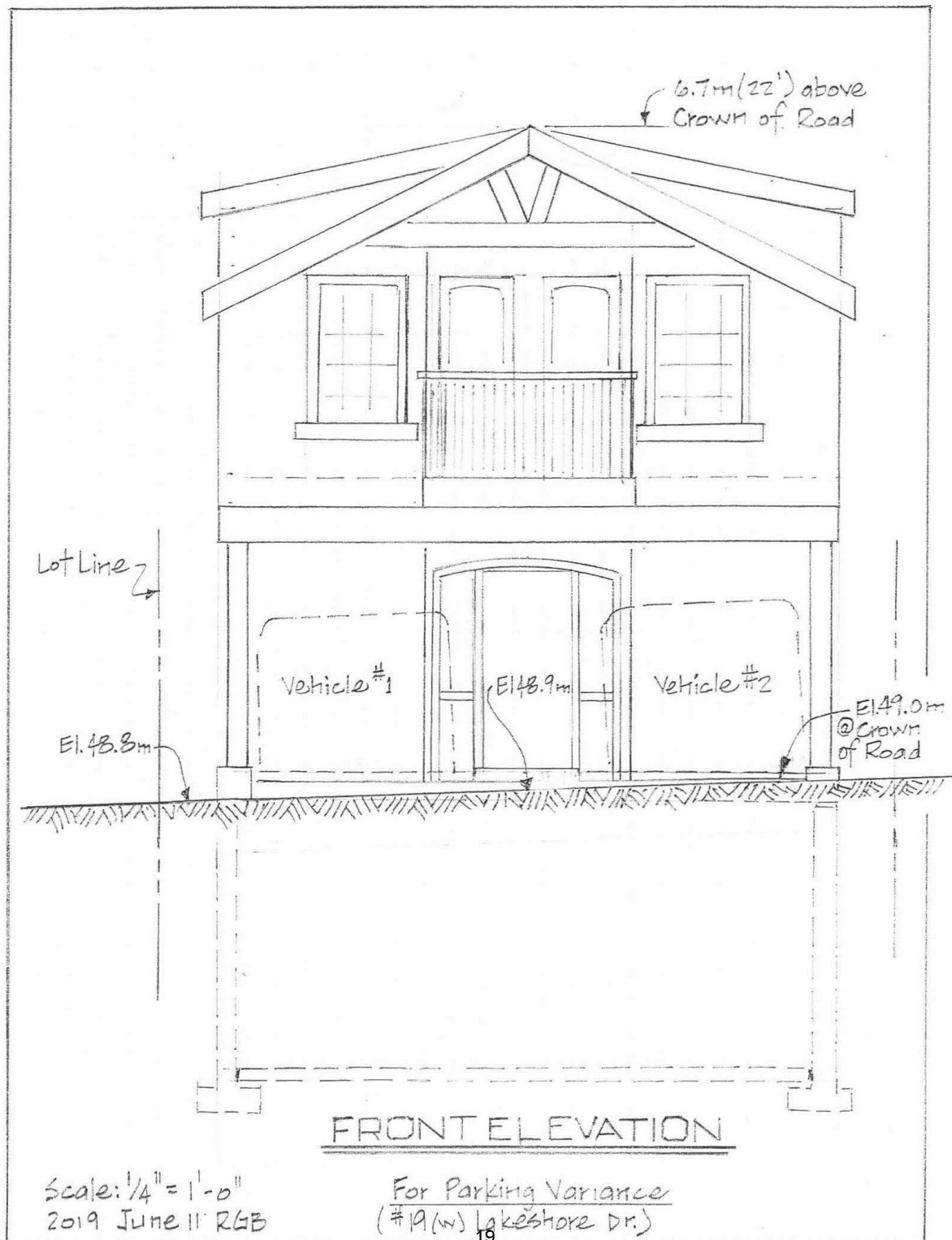


17

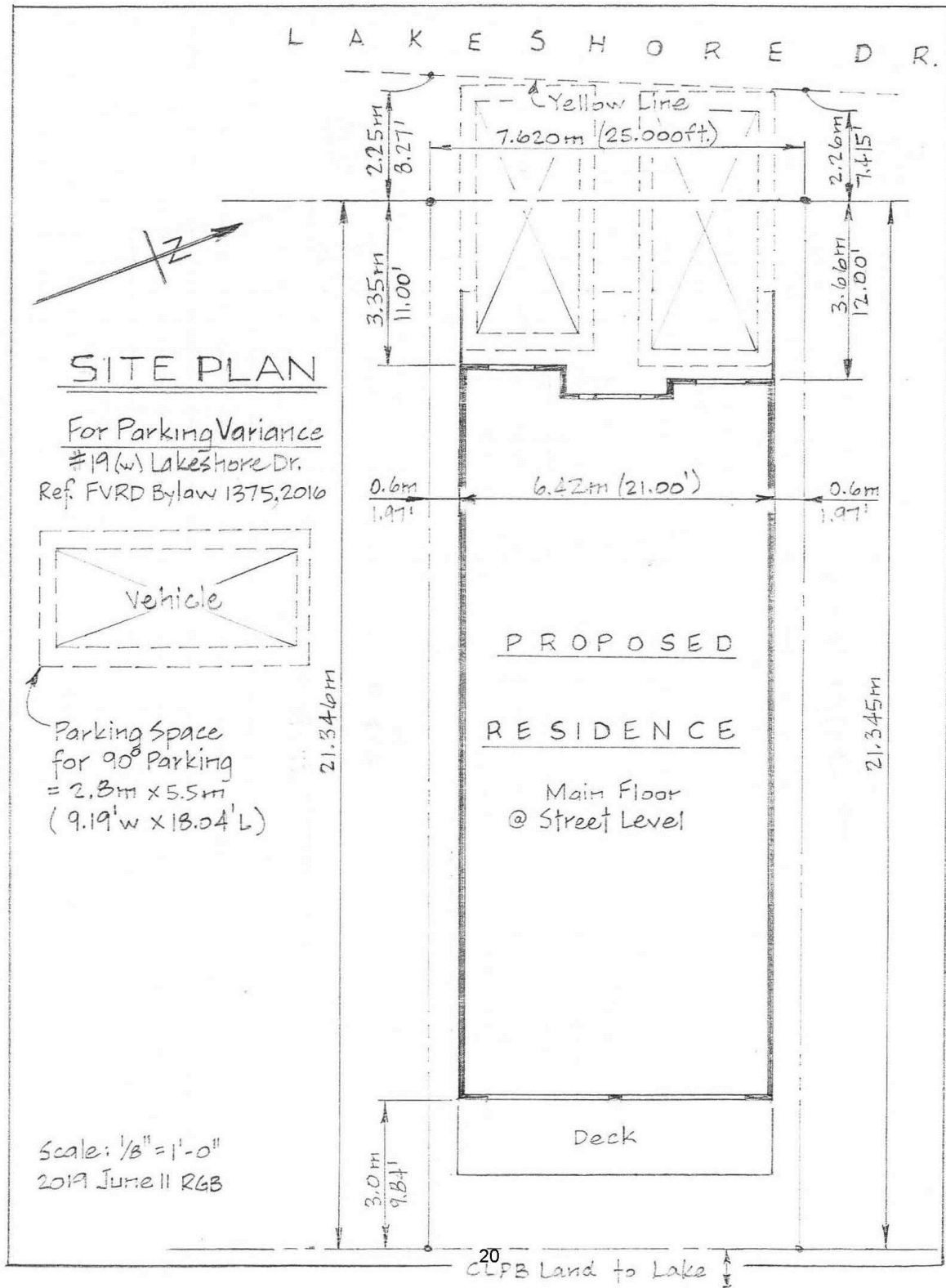
*example parking*



18





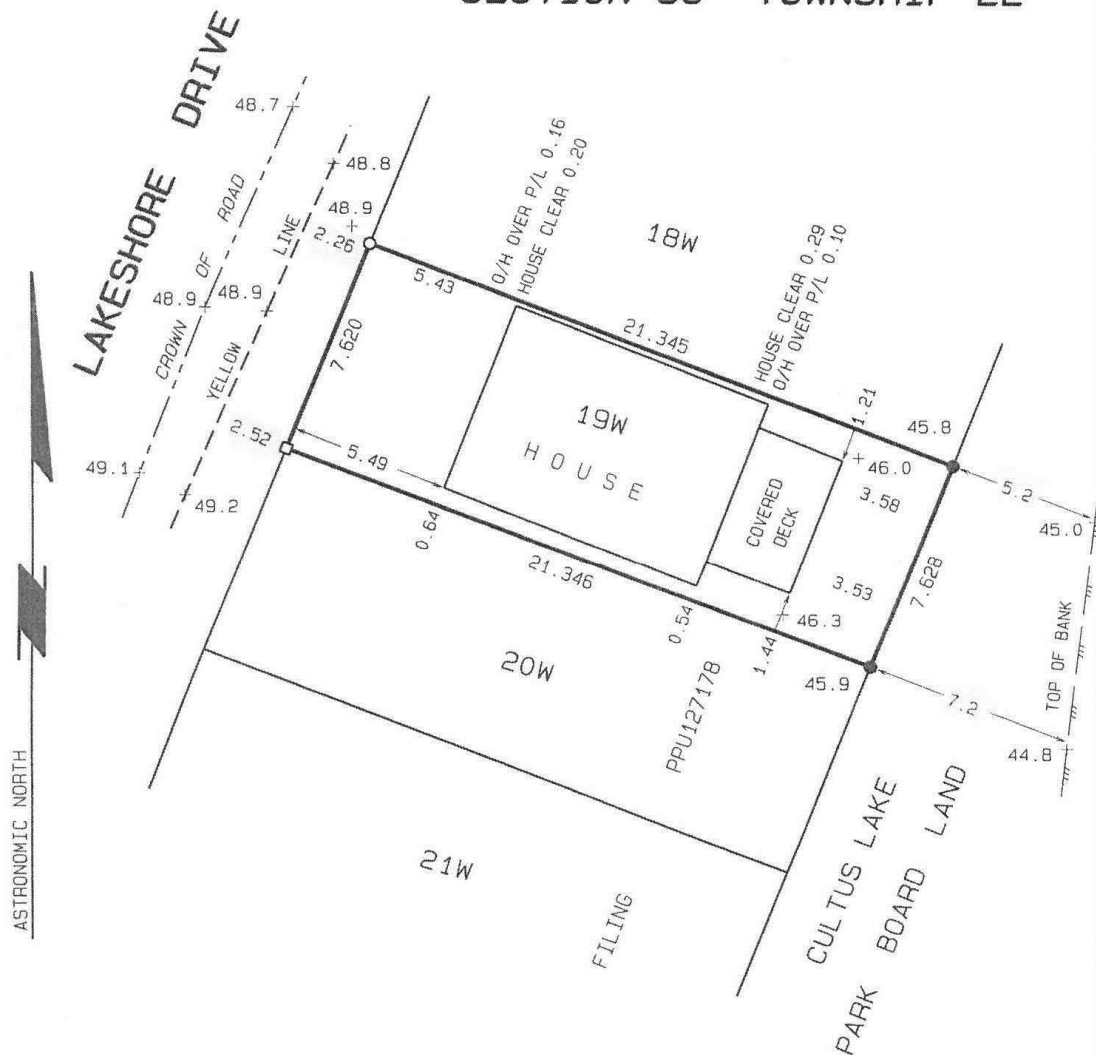


BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION

LEASED LOT 19W LAKESHORE DRIVE  
CULTUS LAKE BC

SCALE 1: 200 (METRIC)

SECTION 36 TOWNSHIP 22



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

ALLAN WILLIAM  
LAND SURVEYOR  
NO. 7178

- 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

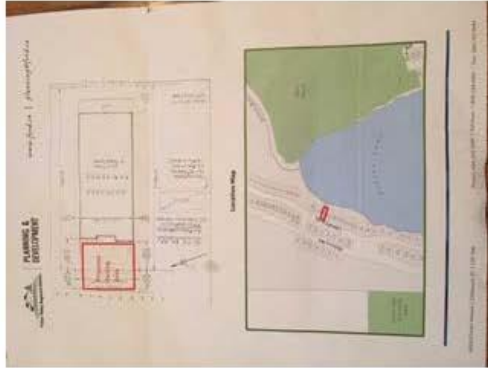
---

>> 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](http://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:**  
**Subject:** [Info](#)  
**Date:** DVP 2019-19  
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



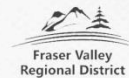
# CULTUS LAKE PARK DEVELOPMENT VARIANCE PERMIT 2019-19

*June 19, 2019*

## DVP FOR 19 LAKESHORE DRIVE

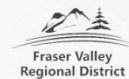


Address	19 Lakeshore Drive
Registered Lease Holder	Robert Mitchell
Applicant	Roger Burrows
Lot Area	162 sq. m. (1,743 sq. ft.)
Zoning	Waterfront Residential (R-3)



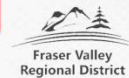
## DVP 2019-19 APPLICATION

- 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).



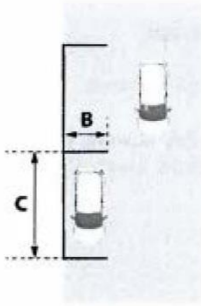
## PARKING REQUIREMENTS

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

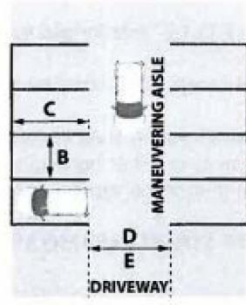


# PARKING REQUIREMENTS

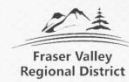
**PARALLEL PARKING (0°)**



**90° PARKING**

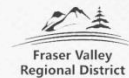


Parking Angle	Space Width	Space Length
0° (Parallel)	2.1 m (6.9 ft)	7.3 m (24 ft)
90°	2.8 m (9.2 ft)	5.5 m (18 ft)

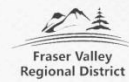


## LETTERS OF SUPPORT/OPPOSITION

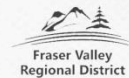
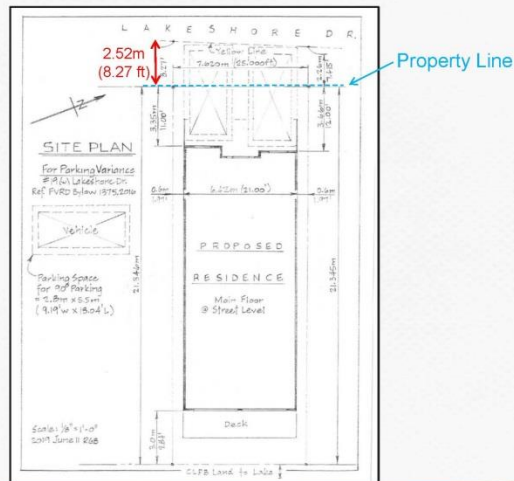
- To date we have received 5 letters of support and 1 letter of opposition from surrounding property owners.



# PROPOSED FRONT ELEVATION DRAWING



# PROPOSED SITE PLAN

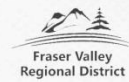




The image contains two side-by-side photographs of townhomes. The left photograph shows a two-story townhome with dark grey horizontal siding and a dark roof. A dark grey sedan is parked in front of the house. To the right of the car are two blue recycling bins. The right photograph shows a two-story townhome with light grey horizontal siding and a dark roof. A dark grey SUV is parked in front of the house. To the right of the car is a blue recycling bin. Both photographs are labeled 'example parking' in the top left corner.

[illegible]

## STREETSCAPE – CURRENT SFD



## STREETSCAPE – NEIGHBOURING SFD

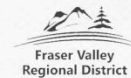




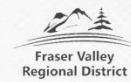
## STREETSCAPE – NEIGHBOURING SFD



## STREETSCAPE – NEIGHBOURING SFD

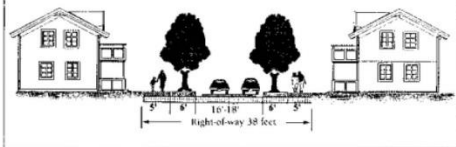


## ROAD WIDTH AT 19 LAKESHORE DRIVE



## ROAD STANDARD EXAMPLES

### Street Design Guidelines for Healthy Neighbourhoods



#### Lane

Purpose: Provides access to single-family homes

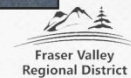
##### Street Features

- 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

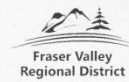
### MOTI Road Standard



## AVERAGE VEHICLE SIZES

---

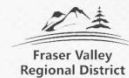
- Average car width 6ft -6.5ft (1.8m-2m)
  - Small Car 5.9 ft(1.79m)
  - Large Pickup 6.8 ft (2m)
- Average car length 15 ft (4.5m)
  - Small Car 13.8 ft (4.2m)
  - Large Pickup 18.4 ft (5.6m)



## 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

**From:** Darcy Bauer <[darcy.bauer@cultuslake.bc.ca](mailto:darcy.bauer@cultuslake.bc.ca)>  
**Date:** September 3, 2019 at 8:00:58 AM PDT  
**To:** Taryn Dixon <[tdixon@fvrld.ca](mailto:tdixon@fvrld.ca)>  
**Cc:** Joe Lamb <[joe.lamb@cultuslake.bc.ca](mailto:joe.lamb@cultuslake.bc.ca)>, Bill Dickey <[bdickey@fvrld.ca](mailto:bdickey@fvrld.ca)>  
**Subject: Re: Variance**

Hi Taryn no the CLPB has not met any further on this matter however Joe, David and myself feel that the concerns I am bringing forward should be considered by the EA directors before granting this variance. When we met last time Joe and I did express that there would not be consensus on this matter whether the vote was 3-2 in favour or against. I don't believe all the factors were considered carefully enough by certain APC members especially if when they are friends and neighbors of the applicants. On July 16 Graham's stated that the EA directors place a great deal of importance on the recommendations of the APC and there will be instances where the FVRD Board will make decisions that aren't consistent with the recommendations of the APC. I believe this is one of those instances. It looks like you will also be absent for the next EASC meeting where this variance will be considered. If possible could we then meet with you Bill some time Thursday or Friday. Thanks Darcy

Sent from my iPhone

On Sep 2, 2019, at 7:22 PM, Darcy Bauer  
<[darcy.bauer@cultuslake.bc.ca](mailto:darcy.bauer@cultuslake.bc.ca)<<mailto:darcy.bauer@cultuslake.bc.ca>>> wrote:

Hi Taryn and Bill, Joe and I would like to meet with you either Thursday or Friday this week to go over some concerns with the Variance being proposed on 19 Lakeshore drive and a few other matters coming forward over the next few months. I will be sending this letter to the FVRD board for consideration

Sent from my iPhone

Begin forwarded message:

From: DarcyBauer  
Date: September 1, 2019 at 12:33:47 PM PDT  
To: Darcy Bauer  
Subject: Fwd: Variance

The FVRD and the CLPB have gone through an extensive collaborative, consultative process to develop the current bylaws. It now appears that some of these bylaws need to be modified. As an interim solution, and prior to rewriting bylaws, the CLPB has agreed to develop a policy around parking requirements along First avenue. We have also requested the FVRD provide information on similar size lots elsewhere in the Park to help develop this policy. This information is still forthcoming.



Granting of variances along Lakeshore Drive for reduced parking area requirements is premature until the policy has been adopted for the following reasons:

- 1) Lakeshore Drives properties, and in particular Lot 19, are larger in size - 25ft x 70 ft vs 25ft x 60 ft on First Avenue.
- 2) Lot 19 accommodates the ability to build three floors above ground, totalling up to 3000 sq ft of living space.
- 3) The road width along Lakeshore Dr is less than the MOTI legal standard regulations of 28 ft, and as a result, restricts the ability for vehicles to pass, requiring them to back up to allow passage. This creates safety issues for pedestrians, and access problems for emergency, maintenance, waste management and residential vehicles. When new construction occurs, it affords the opportunity to increase the street width in this area on Park property.
- 4) By granting the requested variance for Lot 19, the FVRD will cause an encroachment to occur on Park Lands if any vehicle other than a small car is parked in that location. The current bylaw already addresses the minimum standard of 18 ft to accommodate two vehicles. By changing the minimum standard to 15 ft you will be shifting 3 ft of that area onto Park Land. Do we want to start granting future variance's based on the length of a vehicle an applicant is currently driving? If the FVRD were to grant this type of variance, the CLPB would then become responsible to address such an encroachment. As a result the CLPB now needs time to develop a policy around such an encroachment before a variance can be approved, as this will set a precedent for any other new builds in this area.
- 5) For any variance to occur the applicant should be required to demonstrate hardship. All that has been provided to date, is a diagram of the main floor dimensions, which fails to confirm hardship. A complete plan of all three floors should be provided before any decision can be reached.
- 6) The applicants are claiming hardship because they have purchased a lot that only allows for 60% lot coverage and they have to allow for parking within this area. Maximum 60% lot coverage has always been the requirement for the lots with this zoning and the set backs are no different than any other lot. Prior to recently purchasing Lot 19, the applicant should have been well aware of the current zoning bylaws.
- 7) Many homes along this stretch of Lakeshore Dr already conformed to the new Bylaw even before it was introduced.
- 8) The CLPB is in the process of making recommendations to improve the issues along Lakeshore Dr for the long term. The FVRD and the CLPB have an opportunity at this juncture to start the process that the bylaw was intended for, and this variance should be either denied or deferred until such a plan is implemented.

To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-23

**Subject: Application for Development Variance Permit 2019-23 to vary the definition of height to allow for a three storey single family home at 47020 Snowmist Drive, Electoral Area C**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-23 to vary the number of permitted storeys from two to three for a single family residence at 47020 Snowmist Drive, subject to consideration of any comments or concerns raised by the public

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

## BACKGROUND

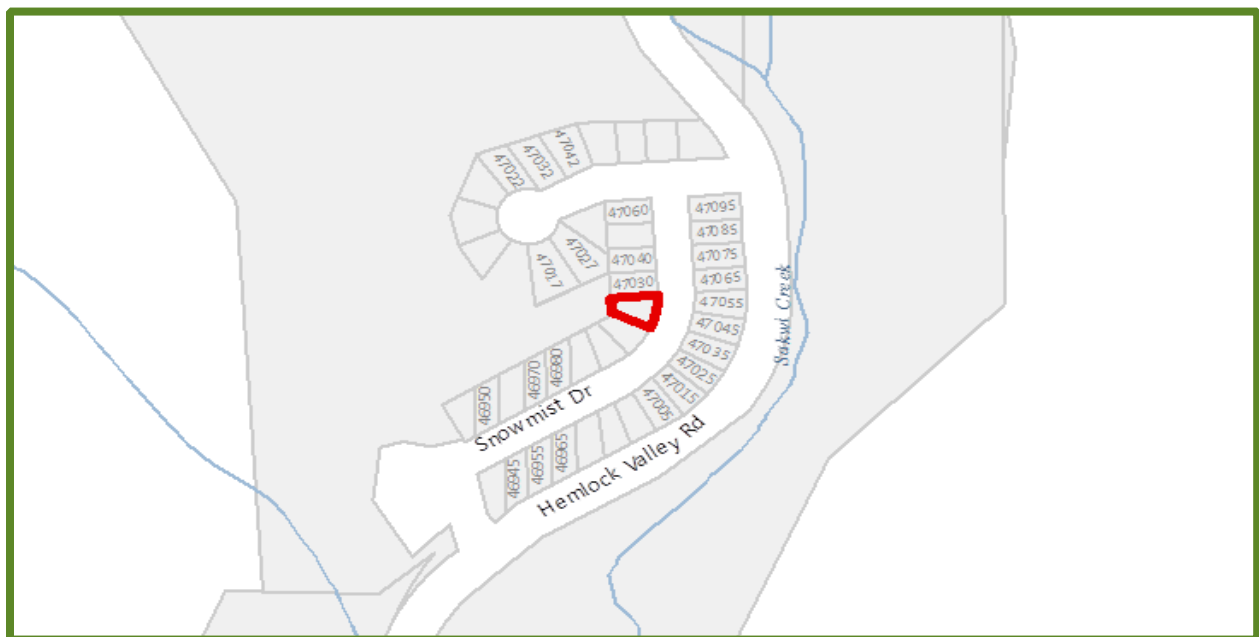
The property owner has applied for a Development Variance Permit (DVP) to vary the number of permitted storeys for a single family residence. The proposed building has three storeys, instead of the two permitted in the in the *Fraser Valley Regional District Zoning Bylaw 100, Morris Valley-Harrison Mills, portion Area "C"*. The maximum allowable height set out in the zoning bylaw will be not varied.

PROPERTY DETAILS			
<b>Electoral Area</b>	C		
<b>Address</b>	47020 Snowmist Drive		
<b>PID</b>	005-654-734		
<b>Folio</b>	776.01444.032		
<b>Lot Size</b>	0.14 acres		
<b>Owner</b>	Tyler Helders	<b>Agent</b>	---
<b>Current Zoning</b>	Resort Residential 3 (RST-3)	<b>Proposed Zoning</b>	No change
<b>Current OCP</b>	Cottage Residential (CR)	<b>Proposed OCP</b>	No change
<b>Current Use</b>	Residential	<b>Proposed Use</b>	No change
<b>Development Permit Areas</b>	5-HV (Riparian Areas)		
<b>Hazards</b>	Flood proofing requirements		
<b>Agricultural Land Reserve</b>	---		

ADJACENT ZONING & LAND USES		
North	^	Resort Residential 3 (RST-3); Single-family Residential
East	>	Resort Residential 2 (RST-2); Snowmist Drive, Single-family Residential
West	<	Limited Use (L-1); Forest (Crown land)
South	v	Resort Residential 3 (RST-3); Single-family Residential

<b>North</b>	^	Resort Residential 3 (RST-3); Single-family Residential
<b>East</b>	>	Resort Residential 2 (RST-2); Snowmist Drive, Single-family Residential
<b>West</b>	<	Limited Use (L-1); Forest (Crown land)
<b>South</b>	v	Resort Residential 3 (RST-3); Single-family Residential

## NEIGHBOURHOOD MAP



## PROPERTY MAP



## DISCUSSION

The property owner is proposing to construct a new single family dwelling at 47020 Snowmist Drive. The lot is currently bare land and is located at the base of Sasquatch Mountain Resort. There is Crown land the west of the property, an undeveloped residential lot to the north, and an existing residence to the south.

### Variance Request – DVP 2019-09

The property owner has applied for a Development Variance Permit to increase the number of storeys permitted under Zoning Bylaw 100.

#### Height Definition Variance

The Zoning Bylaw states “the maximum height of buildings and structures shall not exceed 12.0 metres (39.37 feet), or two storeys, whichever is lesser”. The property owner wishes to construct a building of 11.53 metres (37.83 feet) which has three storeys. This proposal adheres to the maximum building height, but adds an additional storey.

Height Requirement	
Permitted (zoning)	12.0 metres (39.37 feet), or two storeys
Proposed	11.53 metres (37.83 feet), three storeys
<b>Requested Variance</b>	<b>0 metres, <u>1 storey</u></b>

#### Explanation of a Storey and a Basement

The applicant has submitted plans in which the entry floor is as at grade, and not sunk into the ground. This means the entry floor qualifies as a storey, and not as a basement. Refer to Appendix A diagrams.

Zoning Bylaw 100 defines a storey as the space between the ceiling and the floor where the floor level is not more than 0.6m (2 feet) below the ground elevation. Basements are not counted as a ‘storey’ if the basement floor level is between 0.6m (2 feet) and 1.2m (4 feet) below the finished ground level. This distinction enables property owners to construct a full size house on lots that may have an uneven grade.

#### Application rationale

The applicant provides the following rational to support the application: 1) the building will be the same height whether it is two or three storeys, 2) the third storey is a small loft space (approx. 390 square feet), 3) the house design provides ample on-site parking to accommodate the additional bedroom, 4) multiple neighbours have been granted a variance for a third storey.

### History of Related Variances in Hemlock

In the last twenty years, there have been two variance requests for building height in the Hemlock Area. Both variances were approved in 2018, and are higher up the mountain than the subject property. There have not been any DVP requests for height in the immediate vicinity of the subject property.

<b>DVP for Residential Building Height – Sasquatch Mountain</b>			
<b>Address</b>	<b>Permit</b>	<b>Conditions of Permit</b>	<b>Status</b>
20934 Snowflake Cres	DVP 2018-17	Increase the height from 12m to 13.5, and Increase the number of storeys from 2 to 3	Approved
20917 Snowflake Cres	DVP 2018-14	Increase the height from 12m to 14m	Approved

If the variance is not approved the property owner would have to alter the house design to remove one storey. This could be achieved by 1) not constructing the loft space, or 2) by sinking the entry level floor 0.6m (2 feet) into the ground so that it qualifies as a basement.

### Snow Shedding Impacts

Buildings in Hemlock are prone to accumulating large amounts of snow which results in snow shedding from roofs. The height variance is not anticipated to increase snow shedding impacts.

### Building Permits

A building permit application was submitted on June 13, 2019 and is currently under review. The proposed structure will meet all other siting and zoning bylaw requirements.

### **Neighbourhood Notification and Input**

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

### **COST**

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

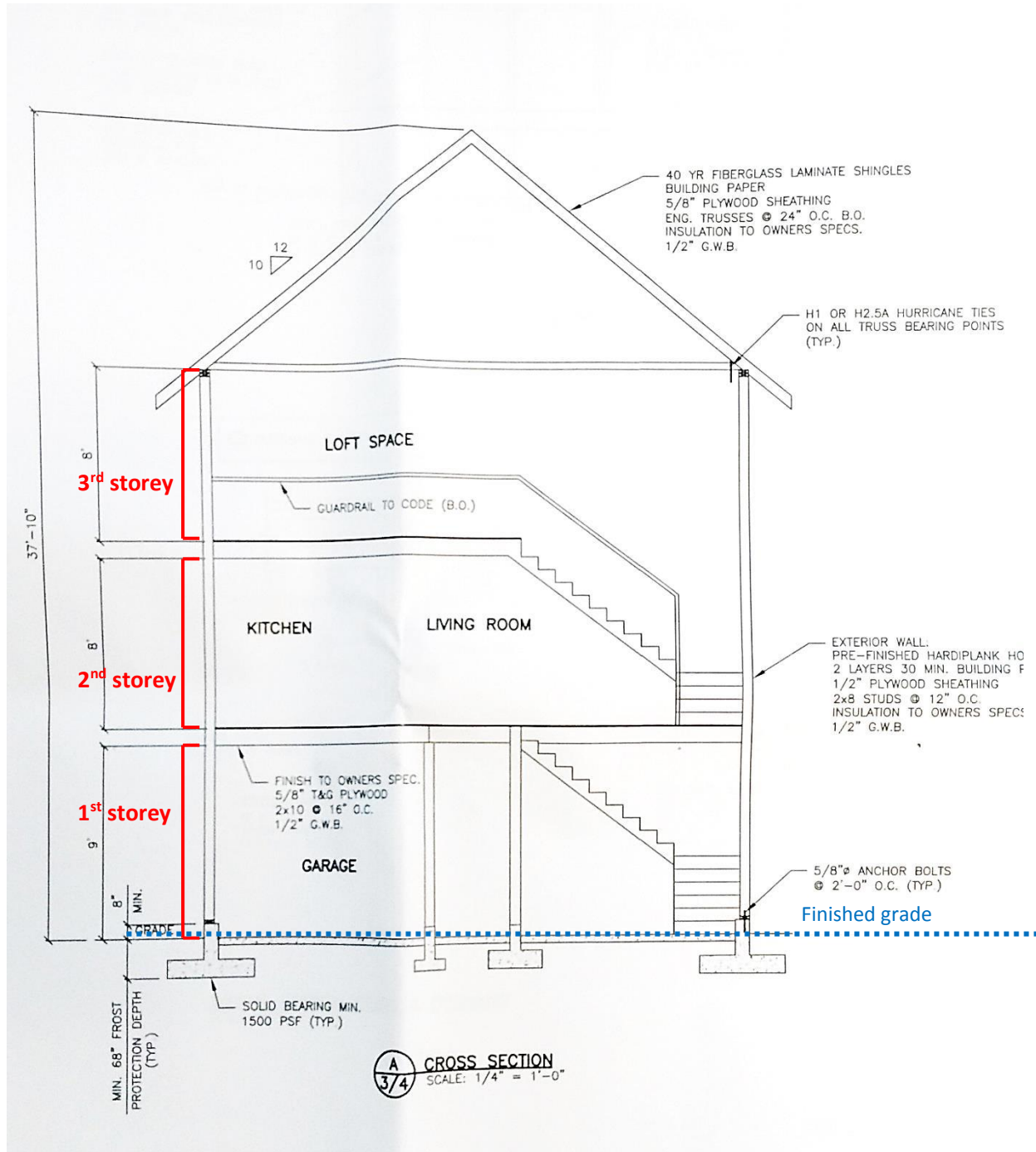
### **CONCLUSION**

Staff recommend the FVRD Board issue Development Variance Permit 2019-23 to vary height requirements for the construction of a residence at 47020 Snowmist Drive. The maximum allowable height of a structure will not change with the variance, and no adverse health and safety impacts are anticipated.

**COMMENTS BY:**

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

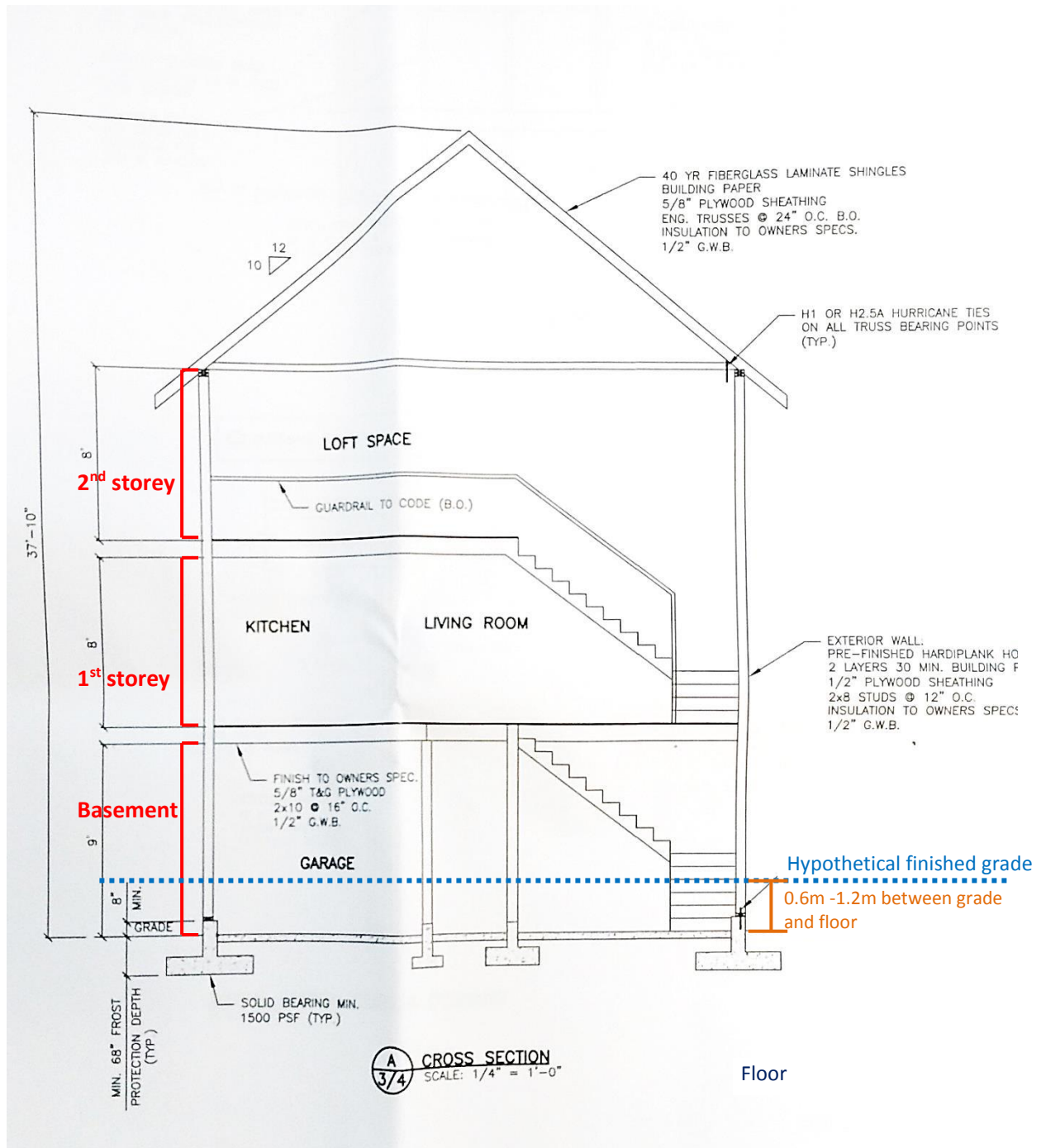
## Appendix A Building Cross Section (as submitted)



The submitted plans show the garage and habitable space to be at grade. The entry level is classified as the 1<sup>st</sup> storey with the 2<sup>nd</sup> and 3<sup>rd</sup> storeys above. A Development Variance Permit is needed to allow the third storey.



Labelling of floor levels, if the entry floor is sunk 0.6m – 1.2m below the finished grade



If the floor of the level with the garage were sunk into the ground 0.6m – 1.2m (2-4 feet), the entry level would be classified as a basement, with the 1<sup>st</sup> and 2<sup>nd</sup> storeys above. In this case, the house would meet the zoning regulations and a Development Variance Permit would not be required.



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

## Receipt

Date June 25, 2019

Received from Tyler C. Heldeners

Description of Payment and GL Code \_\_\_\_\_

DVP - 47020 Snowmist Place

GST #89221 4750 RT0001

**For Office Use Only**  
**Do not write in the space below**

Fraser Valley Regional District

Receipt: 8978/1 Jun 25, 2019  
Dated: Jun 25, 2019 02:25:10 PM  
Station: EA SERVICE/CASH2

1 PLANNING DVP - 47020 SNOWMIST 350.00

Total 350.00  
VISA TYLER C. HELDERS -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 47020 SNOWMIST DRIVE PID \_\_\_\_\_

Legal Description Lot 32 Block 4132 Section 1 Township N/W/M Range \_\_\_\_\_ Plan 58157

*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>TYLER HELDERS</u>	Signature of Owner 	Date <u>June 18, 2019</u>
Name of Owner (print)	Signature of Owner	Date

Owner's  
Contact  
Information

Address <u>14966 BRYDON CRES.</u>	City <u>LANGLEY</u>
	Postal Code <u>V3A 4A5</u>
	Fax

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

Agent

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

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

Signature of Owner	Date
Signature of Owner	Date

Agent's contact information and declaration

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

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

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

#### Development Details

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

Existing Use Building lot

Proposed Development CABIN

Proposed Variation / Supplement \_\_\_\_\_

- Building a 3 story cabin in HEMLOCK VALLEY

(use separate sheet if necessary)

Reasons in Support of Application \_\_\_\_\_

- Neighboring buildings had a variance to allow  
3 floors

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

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

## Julie Mundy

---

**From:** Ty Helders  
**Sent:** Thursday, August 01, 2019 6:56 AM  
**To:** Julie Mundy  
**Subject:** Re: Development Variance Permit 2019-23 - 47020 Snowmist Drive  
**Attachments:** image001.jpg

**Follow Up Flag:**

**Flag Status:**

Hey there.. Hope this works

Building will be same height whether 2 floors or 3  
Third story is just a small loft space  
Ample parking for an extra room  
Multiple neighbours successfully had a variance for a third story

On Mon, 29 Jul 2019, 9:22 am Julie Mundy, <[JMundy@fvrld.ca](mailto:JMundy@fvrld.ca)> wrote:

Hi Tyler,

I am following up on my previous email and our phone conversation about your application for a Development Variance Permit at 47020 Snowmist Drive.

I am requesting additional information about the rational/reasons to support your variance request. A few bullet points would be sufficient. The reasons that you provide will be included in my staff report to the Electoral Area Services Committee.

Sincerely,

*Julie Mundy*

Planning Technician, Fraser Valley Regional District

45950 Cheam Ave, Chilliwack, BC V2P 1N6

P 604.702.5484 || W [www.fvrld.ca](http://www.fvrld.ca)





## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

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**Permit No.** Development Variance Permit 2019-23      **Folio No.** 776.01444.032

---

**Issued to:** Tyler Helders

---

**Address:**

---

**Applicant:** Tyler Helders

---

**Site Address:** 47020 Snowmist Drive, 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 32 DISTRICT LOT 4132 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 58157  
PID: 005-654-734

---

### 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:

Division 19, Section 1905 the maximum height of building shall not exceed 12.00 metres (39.37 feet).  
The maximum number of storeys is increased from two to three storeys.

---

### SPECIAL TERMS AND CONDITIONS

1. No variances other than those specifically set out in this permit are implied or to be construed.
2. If the holder of this permit does not commence the construction with respect to which the Permit was issued within two (2) years after the date of the permit, this permit shall lapse.
3. Development of the site shall be undertaken in accordance with the Site Plan attached hereto as Schedule "B".
4. All new construction shall be generally in compliance with Building Permit No. BP014666.

---

## 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> .

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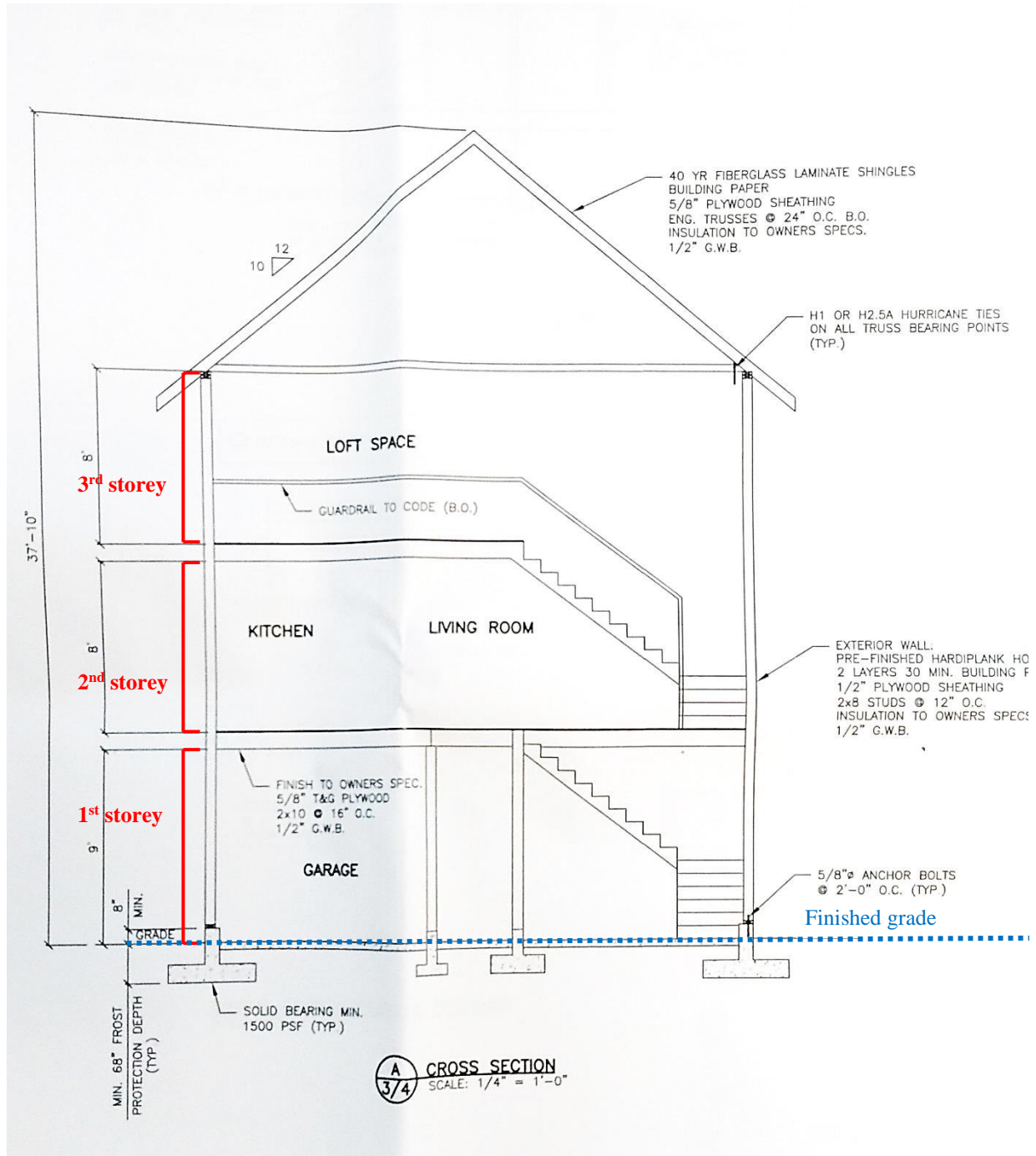
Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2019-23. The notice shall take the form of Appendix I attached hereto.

---

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

THIS IS NOT A BUILDING PERMIT

**DEVELOPMENT VARIANCE PERMIT 2019-23**  
**SCHEDULE "B"**  
**Site Plan**



To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-25

**Subject: Application for Development Variance Permit 2019-25 to reduce the lot line setbacks at  
PID: 002-404-290, Maple Falls Road, Electoral Area H**

## RECOMMENDATION

**THAT** the FVRD District Board issue Development Variance Permit 2019-25 for PID 002-404-290 Maple Falls Road, Electoral Area H, to reduce all property line setbacks from 7.62 metres (25 feet) to 4.5 metres (14.76 feet), clear to sky, to facilitate the construction of a residence, subject to consideration of any comments or concerns raised by the public.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

## BACKGROUND

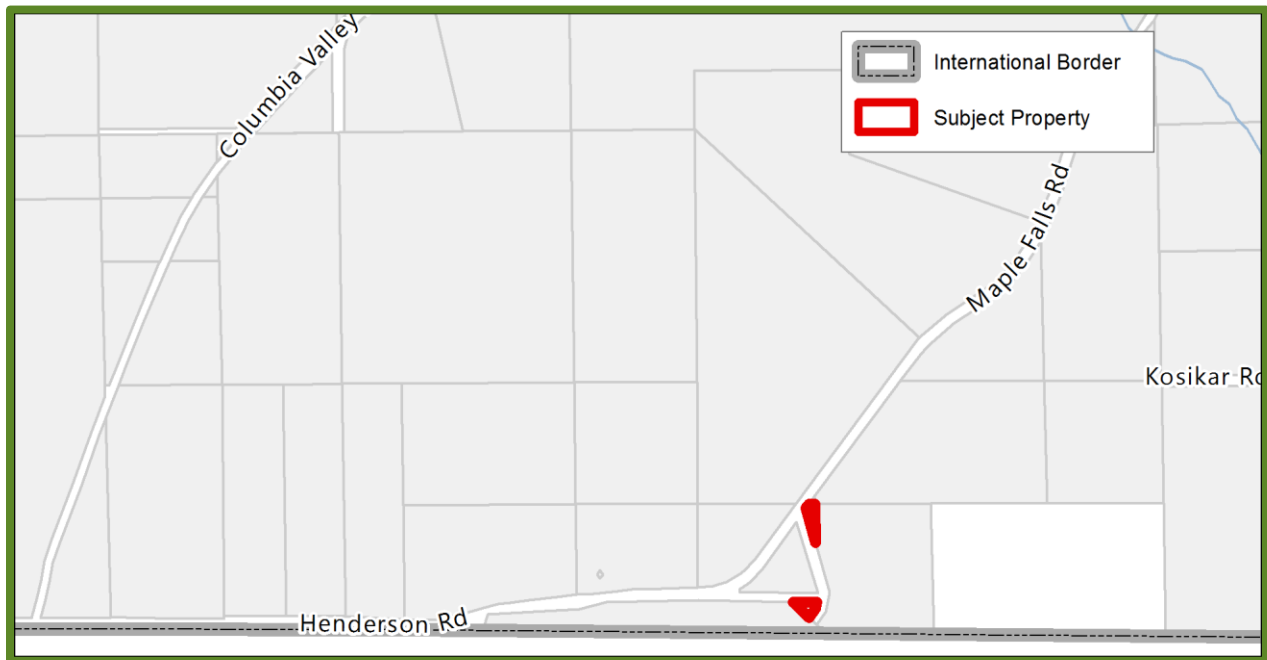
The property owners have applied for a Development Variance Permit to reduce the front, rear, and side lot line setbacks to facilitate the construction of a single family residence. The property is zoned Rural-Agricultural (R-Ag) under *Zoning Bylaw for Electoral Area 'E', 1976 of the Regional District of Fraser-Cheam* and construction is required to be setback 7.62m (25 feet) from all property lines.

PROPERTY DETAILS			
Electoral Area	H		
Address	Maple Falls Rd		
PID	002-404-290		
Folio	733.02913.010		
Lot Size	0.264 acres		
Owner	Fred & Brigitte Mackenzie	Agent	n/a
Current Zoning	Rural Agriculture (R-Ag)	Proposed Zoning	No change
Current OCP	Agriculture (Ag)	Proposed OCP	No change
Current Use	Bare Land	Proposed Use	No change
Development Permit Areas	5-BC Riparian Area		
Hazards	---		
Agricultural Land Reserve	Yes		

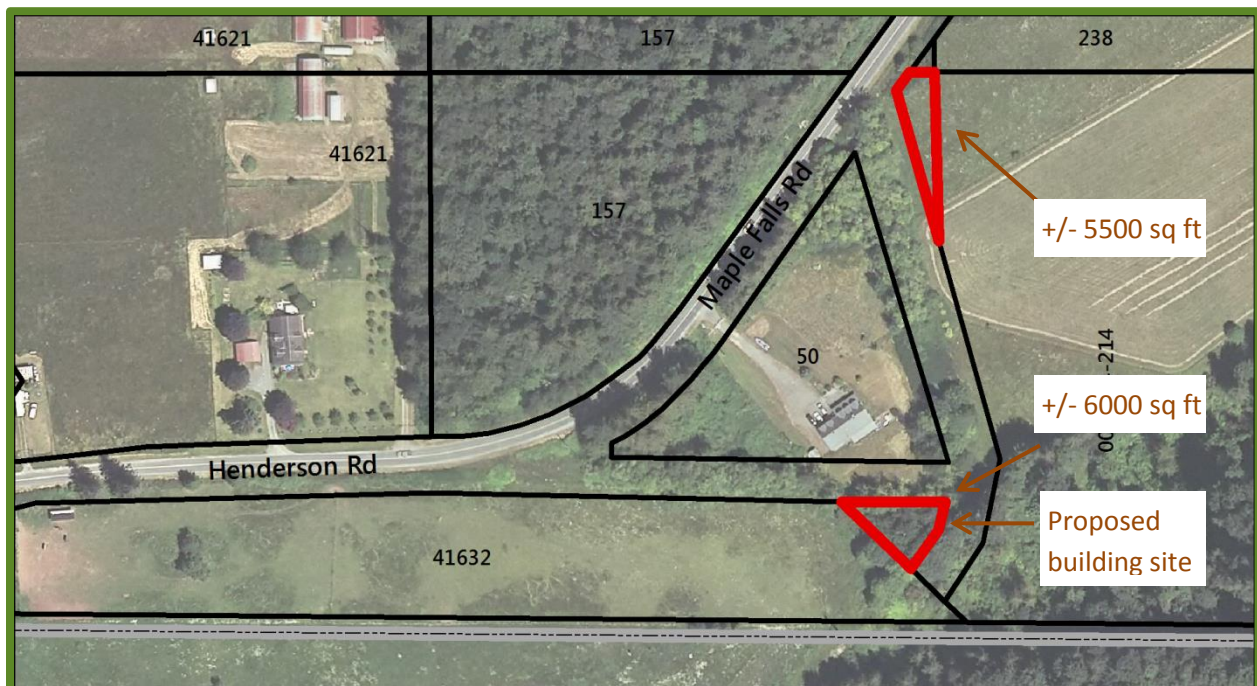
### ADJACENT ZONING & LAND USES

North	^	Rural Agriculture (R-Ag); Single-family residence
East	>	Rural Agriculture (R-Ag); Unconstructed road, forested hillside
West	<	Rural Agriculture (R-Ag); Agriculture
South	v	Rural Agriculture (R-Ag); International border

### NEIGHBOURHOOD MAP



### PROPERTY MAP



The property is within the Agricultural Land Reserve and is comprised of two small pieces separated by a road right of way (see map above). The undedicated road served as a border crossing from the early 1920's until the 1940's. In 1974, the former crossing was officially dedicated as "road", which resulted in the creation of the subject property. The right of way is now overgrown and is no longer recognisable as a former road.

FVRD records indicate the current property owner has owned the subject lot since at least 1987. FVRD does not have clear ownership records for this area prior to 1987.

## DISCUSSION

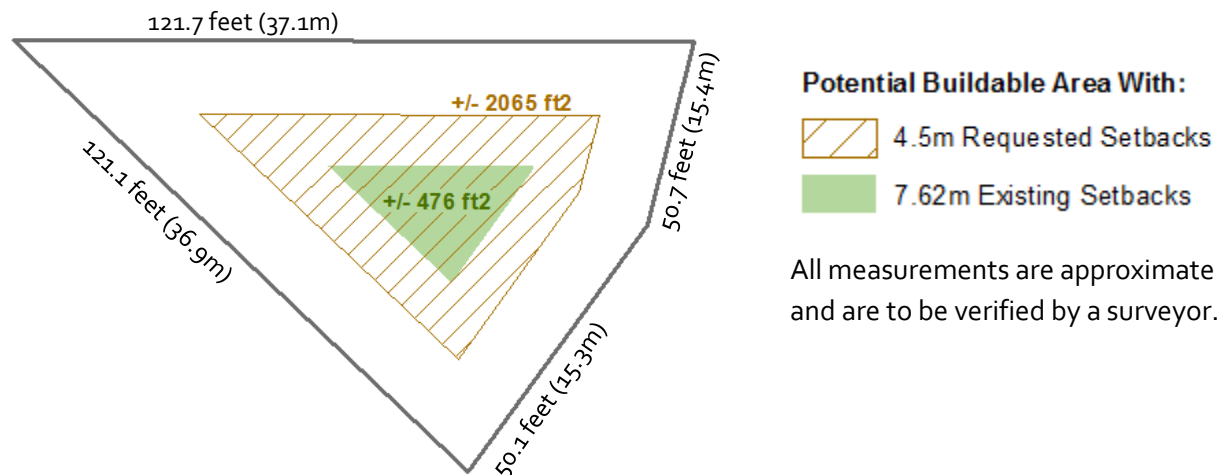
### Variance Request

The applicant is seeking a 3.12 metres (10.24 feet) relaxation from the required front, rear and side lot line setbacks. This will reduce the setbacks from 7.62 metres (25 feet) to 4.5 metres (14.76 feet).

Front, Rear, and Side Lot Line Setbacks	
Required (zoning)	7.62 metres (25 feet)
Proposed	4.5 metres (14.76 feet)
<b>Requested Variance</b>	<b>3.12 metres (10.24 feet)</b>

The applicant advises the reason for the variance is to create a building envelope for a single family dwelling on the property. The applicant states the building envelope is too small for a residence without the variance.

The required setbacks leave a potential building area of approximately 476 square feet, while the requested setbacks result in a potential building area of approximately 2065 square feet.



If the variance is not granted, the applicant could construct a small cabin, but would be restricted to a building area of 476 square feet. The buildable area is triangular in shape which increases the challenges of building efficiently, and will likely reduce the actual buildable area. The buildable area is likely to be further constrained by the placement of a well and septic system.



### Septic & Well Servicing Requirements

No water or sewer services are available in this area, and the property is required to have an on-site well and septic disposal field.

The provincial *Health Hazards Regulation* requires wells to be placed at least 30 metres from any probable source of contamination. Examples of contamination sources include septic systems, agricultural fields (fertilizer runoff), and roads (salt runoff). Staff anticipate there will be challenges with siting a well and septic field on a property of this size and directed the property owner to consult an engineer. A preliminary opinion from a Professional Engineer has been provided saying that design of a well and septic field with appropriate setbacks should be achievable. This opinion has not yet been validated by thorough detailed design work.

A Professional Engineer will be required to design the well and septic field, and to certify both have been properly installed. The engineer will also be required to provide a report certifying the well is safe for use and that the placement of well and septic field will not result in environmental contamination on the subject property or on the adjacent properties.

The *Fraser Valley Regional District Subdivision and Development Servicing Bylaw No 1319, 2015* includes specifications for servicing requirements on new parcels, including:

- Parcels less than 1 ha (2.47 acres) are required to connect to a community water system, and
- Parcels less than 0.225 ha (0.55 acres) are required to connect to a community sewer system.

The subject property is not required to adhere to the Subdivision and Servicing Bylaw specifications as it is an existing lot, however, servicing requirements provide useful context on minimum standards. The building site is approximately 0.14 acres (6000 square feet). If the building site were a new parcel, FVRD would require connections to both community water and sewer systems.

The Building Department will ensure septic and well requirements are met through the issuance of a building permit.

### Ministry of Transportation and Infrastructure (MOTI)

The subject property is accessed via an unconstructed provincial road right of way. A Works Permit from MOTI will be required for the property owner to build a driveway within the right of way. MOTI has indicated this permit will be granted upon application with a satisfactory driveway design.

### BC Building Code

The proposed residence is required to adhere to the BC Building Code. The reduction of property line setbacks may impact the percentage of glazed openings (e.g. windows) permitted on each wall. The applicant has been advised to discuss requirements with the Building Department before undertaking any design work. All construction drawings will be reviewed for BC Building Code compliance when a building permit application is submitted.

### International Boundary Commission

The property is adjacent to the USA/Canada border. The International Boundary Commission maintains the boundary line between the countries, and prohibits construction, expansion, or excavation within 3 metres (10 feet) of the border without authorization. The property boundary is 20 metres from the boundary at its closest point, and no additional approvals are required from the Commission.

### Parcel Size and Neighbouring Land Uses

The subject property is zoned Rural-Agriculture (R-Ag), which generally describes the landscape. The average parcel size in the R-Ag zone in Columbia Valley is 6.1 ha (15.1 acres), which is much larger than the proposed building site. Construction on a lot of 6000 square feet is not typical of the development in Columbia Valley, however, it is permitted if servicing and BC Building Code requirements are met.

To the west of the proposed building site is an agricultural field used for livestock grazing and previously used for hay. To the north of the building site is a vegetated road right of way and a cleared back yard of a neighbouring lot. Input from the adjacent neighbours will be considered important in determining the appropriateness of the proposed variance.

### **Neighbourhood Notification and Input**

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

### **COST**

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

### **CONCLUSION**

The property owners are attempting to create a buildable area on a very small lot. There are no concerns with site access, and any health and safety concerns will be addressed through the design of the well and septic field prior to the submission of a building permit.

### Reasons to support the variance

- The existing setbacks allow for a very small building area (476 square feet)
- A Professional Engineer has offered a preliminary opinion that a well and septic field servicing can be accommodated on the lot
- MOTI does not have any concerns with access to the proposed building site

Reasons to not support the variance

- Reducing the setbacks in this location may lead to conflict between the neighbouring residential and agricultural uses
- The building site is much smaller than would be permitted for a newly created lot with no community water and no community sewer service.

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

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-25 to reduce the front, rear and side lot line setback from 7.62 metres (25 feet) to 4.5 metres (14.76 feet), clear to sky, to facilitate the construction of a residence on PID 002-404-290, Maple Falls Road, Electoral Area H, subject to the consideration of any comments or concerns raised by the public.

**Option 2 – Refuse**

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-25 for PID 002-404-290, Maple Falls Road, Electoral Area H.

**Option 3 – Refer to Staff**

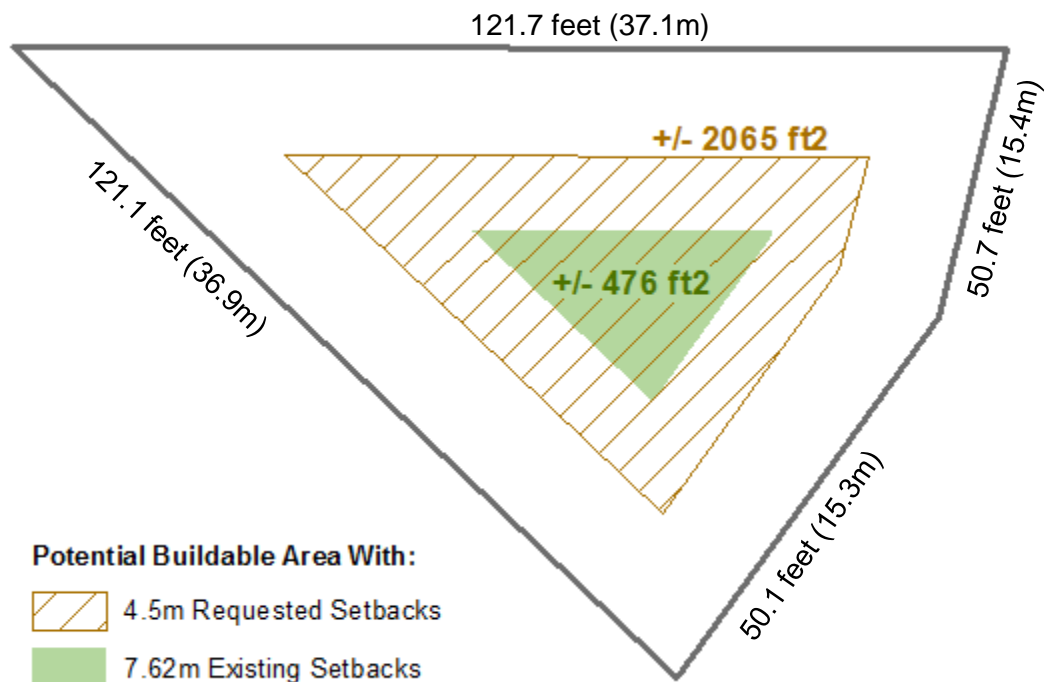
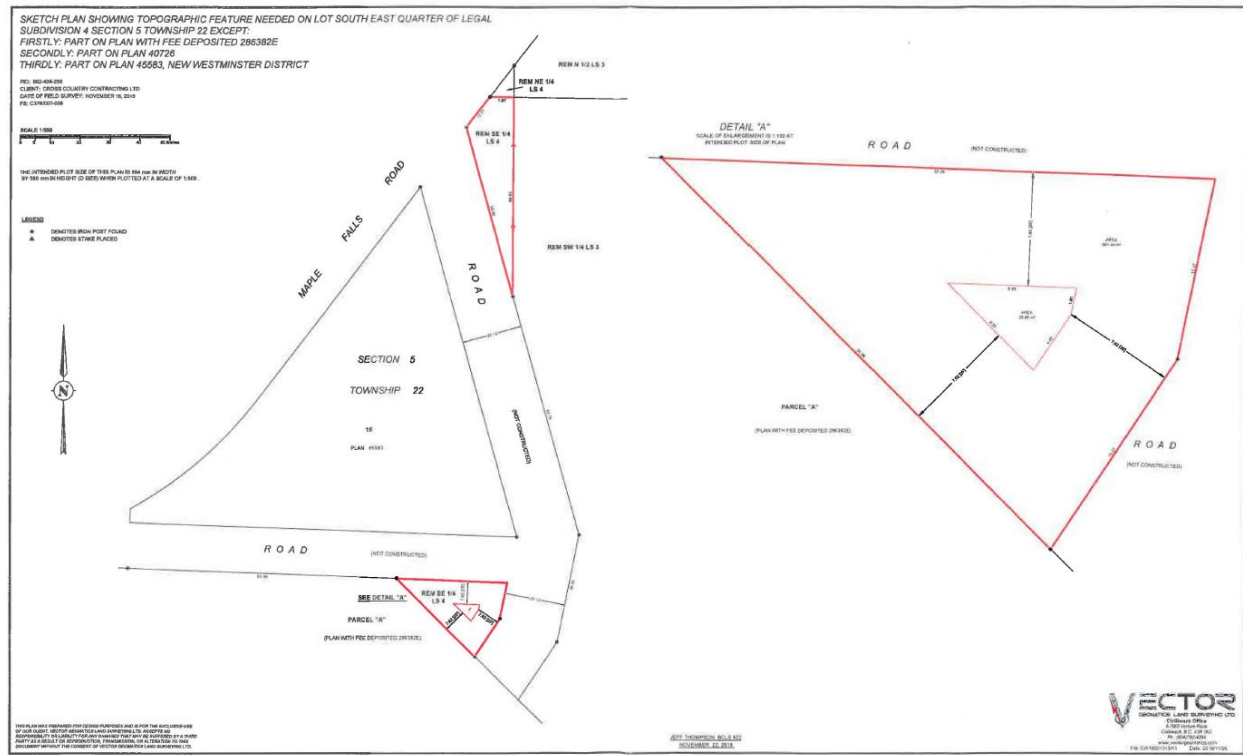
If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-12 for PID 002-404-290, Maple Falls Road, Electoral Area H to FVRD Staff.

**COMMENTS BY:**

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

## Appendix A Site Plan



All measurements are approximate and are to be verified by a surveyor.

**SCHEDULE A-4**

**Permit Application**

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

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

Civic Address 238 Maple Falls Rd Lindell Beach PID \_\_\_\_\_

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

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

Owner's  
Declaration

Name of Owner (print) <u>Bryette Mackenzie</u>	Signature of Owner <u>Bryette Mackenzie</u>	Date <u>July 5, 2019</u>
Name of Owner (print) <u>Frederick Mackenzie</u>	Signature of Owner <u>Frederick Mackenzie</u>	Date <u>July 5, 2019</u>

Owner's  
Contact  
Information

Address <u>238 Maple Falls Rd</u>	City <u>Lindell Beach, BC</u>
	Postal Code <u>V2R 4X6</u>
	Fax _____

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

**Agent**

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

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

Signature of Owner	Date
Signature of Owner	Date

Agent's contact information and declaration

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

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

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

**Development Details**

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

Existing Use \_\_\_\_\_

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

Proposed Variation / Supplement \_\_\_\_\_

- constrained by 2 unconstructed roads.  
VARY all properties boundary to 4 1/2 metres  
Both roads are unconstructed  
- building envelope as too small  
for buildable single family dwelling.  
single family dwellin

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

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

PID: 002-404-290  
CLIENT: CROSS COUNTRY CONTRACTING LTD  
DATE OF FIELD SURVEY: NOVEMBER 16, 2018  
FB: C376/007-008

SCALE 1:500

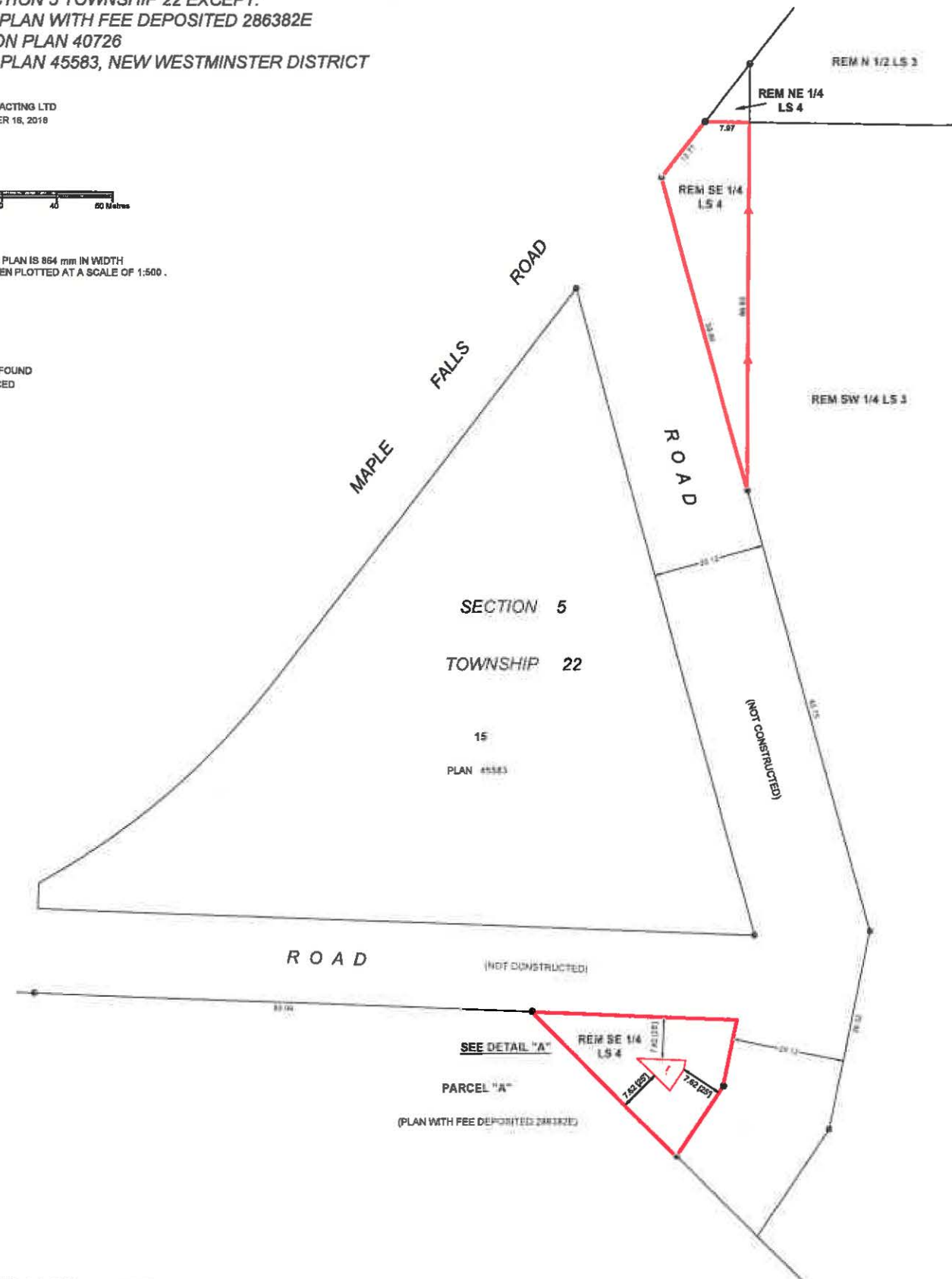


0 5 10 20 30 40 50 Metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 864 mm IN WIDTH  
BY 560 mm IN HEIGHT (D SIZE) WHEN PLOTTED AT A SCALE OF 1:500.

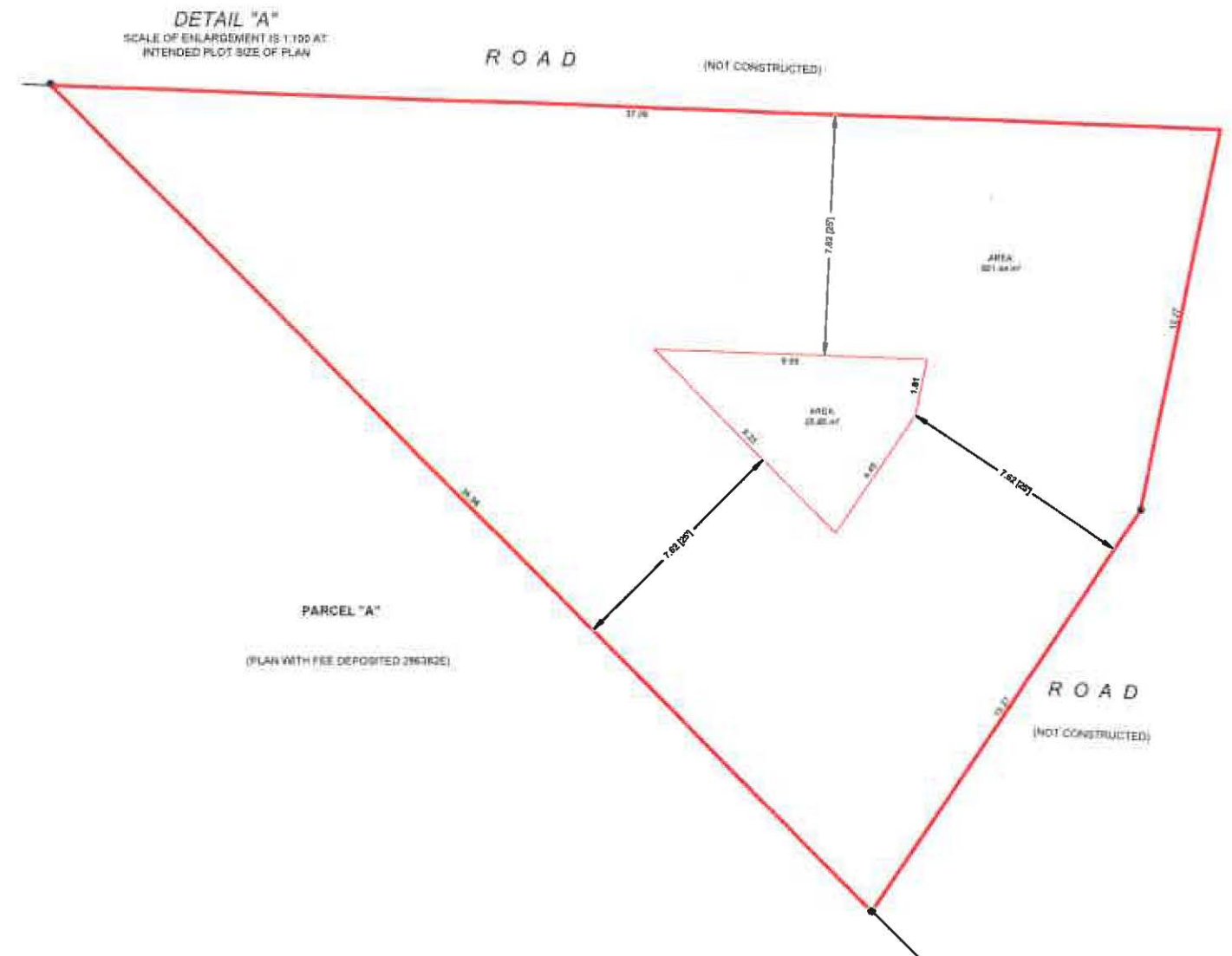
**LEGEND**

-  DENOTES IRON POST FOUND  
 DENOTES STAKE PLACED



THIS PLAN WAS PREPARED FOR DESIGN PURPOSES AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT. VECTOR GEOMATICS LAND SURVEYING LTD. ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OR REPRODUCTION, TRANSMISSION, OR ALTERATION TO THIS DOCUMENT WITHOUT THE CONSENT OF VECTOR GEOMATICS LAND SURVEYING LTD.

JEFF THOMPSON, ECLS 522  
NOVEMBER 22, 2018



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## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

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**Permit No.** Development Variance Permit 2019-25      **Folio No.** 733.02913.010

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**Issued to:** Fred and Brigitte Mackenzie

---

**Address:**

---

**Applicant:** Fred and Brigitte Mackenzie

---

**Site Address:** PID 002-404-290

---

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:

THE SOUTH EAST QUARTER OF LEGAL SUBDIVISION 4 SECTION 5 TOWNSHIP 22 EXCEPT:  
FIRSTLY: PART ON PLAN WITH FEE DEPOSITED 286382E  
SECONDLY: PART ON PLAN 40726  
THIRDLY: PART ON PLAN 45583,  
NEW WESTMINSTER DISTRICT

PID: 002-404-290

---

### LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

---

### AUTHORITY TO ISSUE

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

---

### BYLAWS SUPPLEMENTED OR VARIED

Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser is **varied** as follows:

1. Division 5, Section 5.3.2 (a), the highway setback requirement from the right of way boundary of any road allowance is reduced from 7.62m (25 feet) to 4.5m (14.76 feet), clear to sky.
  2. Division 5, Section 5.3.2 (b), the side and rear property line setbacks are reduced from 7.62m (25 feet) to 4.5m (14.76m), clear to sky.
- 

### SPECIAL TERMS AND CONDITIONS

1. No variances other than those specifically set out in this permit are implied or to be construed.

2. If the holder of this permit does not commence the construction with respect to which the Permit was issued within two (2) years after the date of the permit, this permit shall lapse.
3. Development of the site shall be undertaken in accordance with the Site Plan attached hereto as Schedule "B".
4. A building permit shall be issued by the Fraser Valley Regional District prior to any construction on the property.
5. The well and septic field systems are to be located and designed by a Professional Engineer (P.Eng). The P.Eng. must provide a report that addresses the well and septic location and that certifies the well and septic field are safe for use and will not result in environmental contamination on the subject property or on adjacent properties. The report must be submitted prior to the issuance of a building permit.

---

#### 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 licenses applicable to the undertaking.
4. Nothing in this permit shall in any way relieve the developer's 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 2019-25. The notice shall take the form of Appendix I attached hereto.

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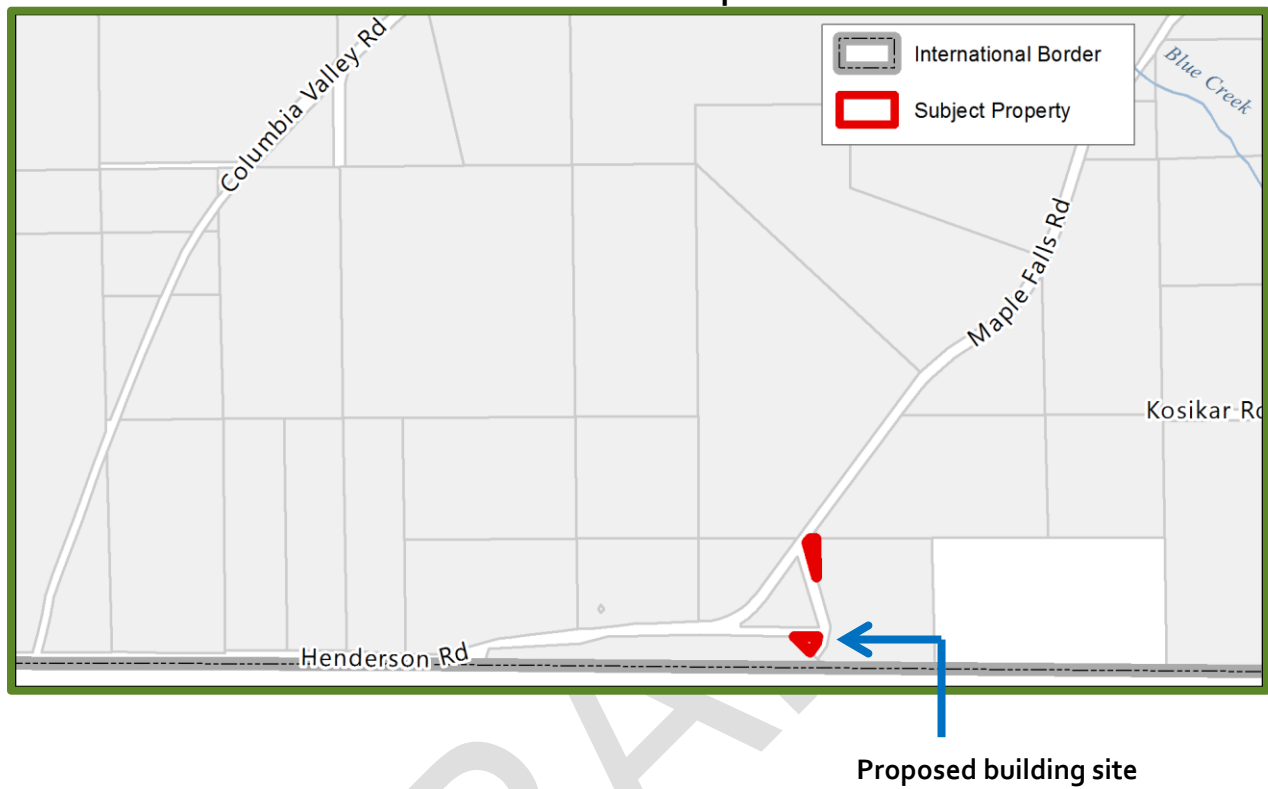
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, <YEAR>

---

Chief Administrative Officer / Deputy

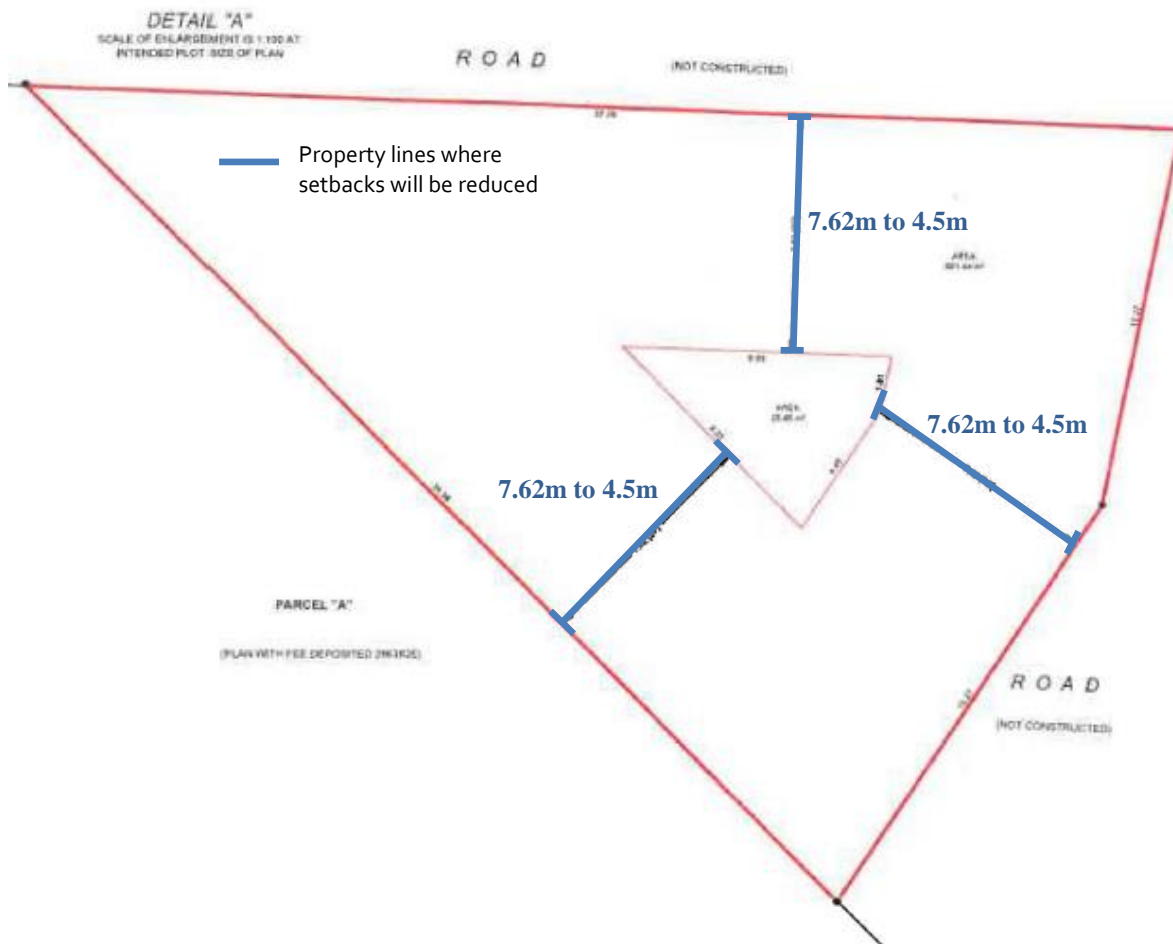
THIS IS NOT A BUILDING PERMIT

**DEVELOPMENT VARIANCE PERMIT 2019-25**  
**SCHEDULE "A"**  
**Location Map**





DEVELOPMENT VARIANCE PERMIT 2019-25  
SCHEDULE "B"  
Site Plan





To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-27

**Subject: Application for Development Variance Permit to increase the maximum allowable area for a storage shed at #136-1436 Frost Road, Electoral Area H**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-27 to increase the maximum allowable area of a storage shed from 6 square metres to 10.04 square metres, subject to the consideration of any comments or concerns raised by the public.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

## BACKGROUND

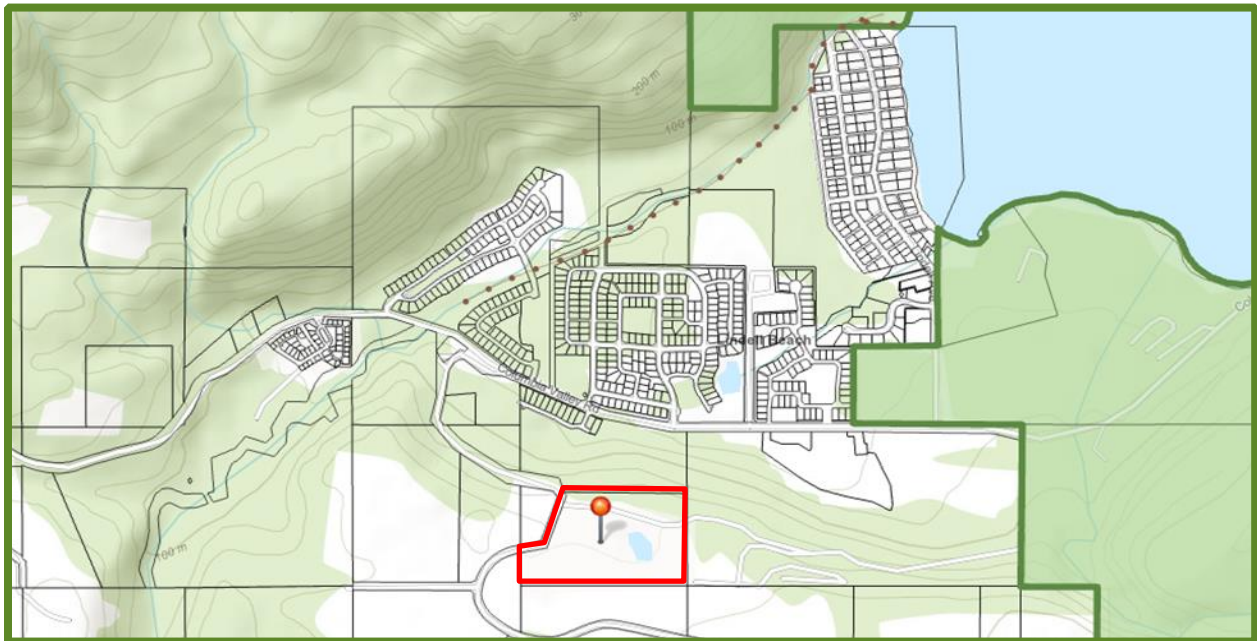
Cultus Lake Holiday Park is a 222 unit Campground Holiday Park at 1436 Frost Road, Electoral Area H. The property is owned by the Cultus Lake Holiday Park Association (CLHP), a non-profit association. An application has been made for a Development Variance Permit (DVP) to increase the allowable size of a storage shed on user lot #136. The Campground Holiday Park zone in Zoning Bylaw 66 for Electoral Area "E" restricts the size of a storage shed to a maximum of 6.0 square metres (64 square feet).

PROPERTY DETAILS			
<b>Electoral Area</b>	H		
<b>Address</b>	1436 Frost Road		
<b>PID</b>	027-082-610		
<b>Folio</b>	733.02962.300		
<b>Lot Size</b>	20 acres		
<b>Owner</b>	Cultus Lake Holiday Park Association	<b>Agent</b>	Greg Schellenberg
<b>Current Zoning</b>	Campground Holiday Park (CHP)	<b>Proposed Zoning</b>	No change
<b>Current OCP</b>	Resort (RT)	<b>Proposed OCP</b>	No change
<b>Current Use</b>	Holiday Park	<b>Proposed Use</b>	No change
<b>Development Permit Areas</b>	DPA 4-E (Form & Character), 5-E (RAR), & 7-E (Water Quality)		
<b>Agricultural Land Reserve</b>	No		

### ADJACENT ZONING & LAND USES

<b>North</b>	^	Campground Holiday Park (CHP), Cultus Lake Cottages
<b>East</b>	>	Campground Holiday Park (CHP), Lindell Beach Holiday Resort
<b>West</b>	<	Rural Agriculture (R-Ag), Single-family Dwelling
<b>South</b>	v	Rural Agriculture (R-Ag), Farm / Single-family Dwelling

### NEIGHBOURHOOD MAP



### PROPERTY MAP



## DISCUSSION

The applicant is proposing to construct a detached storage shed on lot #136 which exceeds the maximum allowable area for a shed in the Campground Holiday Park (CHP) zone under *Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser-Cheam*.

### Size Variance

The applicant wishes to increase the allowable size of a shed from 6 square metres (64 square feet) to 10.04 square metres (108 square feet) to enable the construction of 12 x 9 foot shed. This is a size variance of 4 square metres (43.5 square feet).

Shed Size in the CHP Zone	
Maximum (zoning)	6.0 metres <sup>2</sup> (64.5 feet <sup>2</sup> )
Proposed	10.0 metres <sup>2</sup> (108 feet <sup>2</sup> )
<b>Requested Variance</b>	<b>4 metres<sup>2</sup> (43.5 feet<sup>2</sup>)</b>

The applicant advises there have been several thefts of patio furniture, propane tanks, and recreation equipment from the site. The nature of the Holiday Park means the applicant does not reside full time at this location and is not always present to protect personal property. The applicant advises the larger shed will provide sufficient room to lock up belongings and to alleviate concern about theft.

If the variance is not granted, the applicant has the option of constructing a smaller shed which complies with the zoning regulation.

### Key Variances for Cultus Lake Holiday Park

There have been several historic DVPs and Board of Variance siting approvals for recreational vehicles and recreational camping sites in the Cultus Lake Holiday Park. The past decisions were primarily to resolve issues related to construction which occurred prior to the zoning regulations coming into force. None of the past decisions have varied the permitted size of a storage shed in the park. The following approvals apply to all lots in the park:

- July 1988 – DVP 1988-04 reduced the setback from a structure to a side site line from 0.9 metres (3.0 ft) to 0.457 metres (1.5 ft), if a 1.37 metre (4.5 ft) area on the adjacent site remains free of development. In essence, this DVP specified a total minimum lateral separation between structures on adjacent sites of 1.84 metres (6.0 ft). This DVP applies to all sites at Cultus Lake Holiday Park.
- September 1988 - A Board of Variance resolution reduced the side or rear site line setback for open-sided ramadas from 0.9 metres (3.0 ft) to 0.47 metres (1.5 ft), provided ramadas were not located closer than 3.0 metres (9.8 ft) to an adjacent trailer. This resolution applies to all sites at Cultus Lake Holiday Park.

- July 2005 – DVP 2005-08 reduced the setback from a storage shed to a structure on an adjacent lot from 3.0 metres (9.8 ft) to 1.8 metres (5.9 ft.). This DVP applies to all sites at Cultus Lake Holiday Park.

### Potential concerns

The size and placement of structures in a holiday park can impact the ability of other users to meet both setback and fire separation requirements. The proposed shed location on lot #136 has a green space to the north and east, the applicants' recreational vehicle to the west, and a road to the south. The shed location will meet fire separation requirements, and is unlikely to impact other site users. The location of the site within the development and the presence of the greenspace adjacent to the shed location are central to the staff support of this application because these factors reduce the risk that the shed could act as a bridge to spread fire to adjacent sites.

Although the reasons to support the variance may be valid, the provided reasons are not necessarily unique to lot #136. There is a risk that granting this variance may encourage additional variance requests from other lot users in Cultus Lake Holiday Park. If this were to occur staff would want to review the matter of shed sizes for the entire park rather than issue many individual variances. Sheds are often used to store bar-b-cue tanks, fuel containers and other flammable materials. They can provide a bridge to spread fire from one trailer to trailers on adjacent sites. Fire separations and access for firefighting are critical concerns when considering variance applications.

### Building Permit Requirements

Under the *Fraser Valley Regional District Building Bylaw*, a building permit is not required for an accessory building less than 20 square metres (215 square feet), provided the building is not used for residential occupancy. As the proposed shed is 10.04 square metres (108 square feet), a building permit will not be required. The property owner is still obligated to meet zoning requirements including building height and siting 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 speak at the Board meeting. FVRD staff encourage the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification. One letter of support has been received from the Director in charge of Buildings and Roads for Cultus Lake Holiday Park Association.

### **COST**

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

## **CONCLUSION**

The proposed shed is not anticipated to negatively impact surrounding users and can be sited to meet all setbacks and fire separation requirements. Additionally, one letter of support from the Holiday Park has been received. Staff recommend the FVRD Board issue Development Variance Permit 2019-27 to increase the maximum permitted size of a storage shed for #136-1436 Frost Road.

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

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-27 to increase the maximum permitted size of a storage shed from 6 square meters to 10.04 square meters at lot #136-1436 Frost Road, Electoral Area H, 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 2019-27 for the property at #136-1436 Frost Road, Electoral Area H.

### **Option 3 – Refer to Staff**

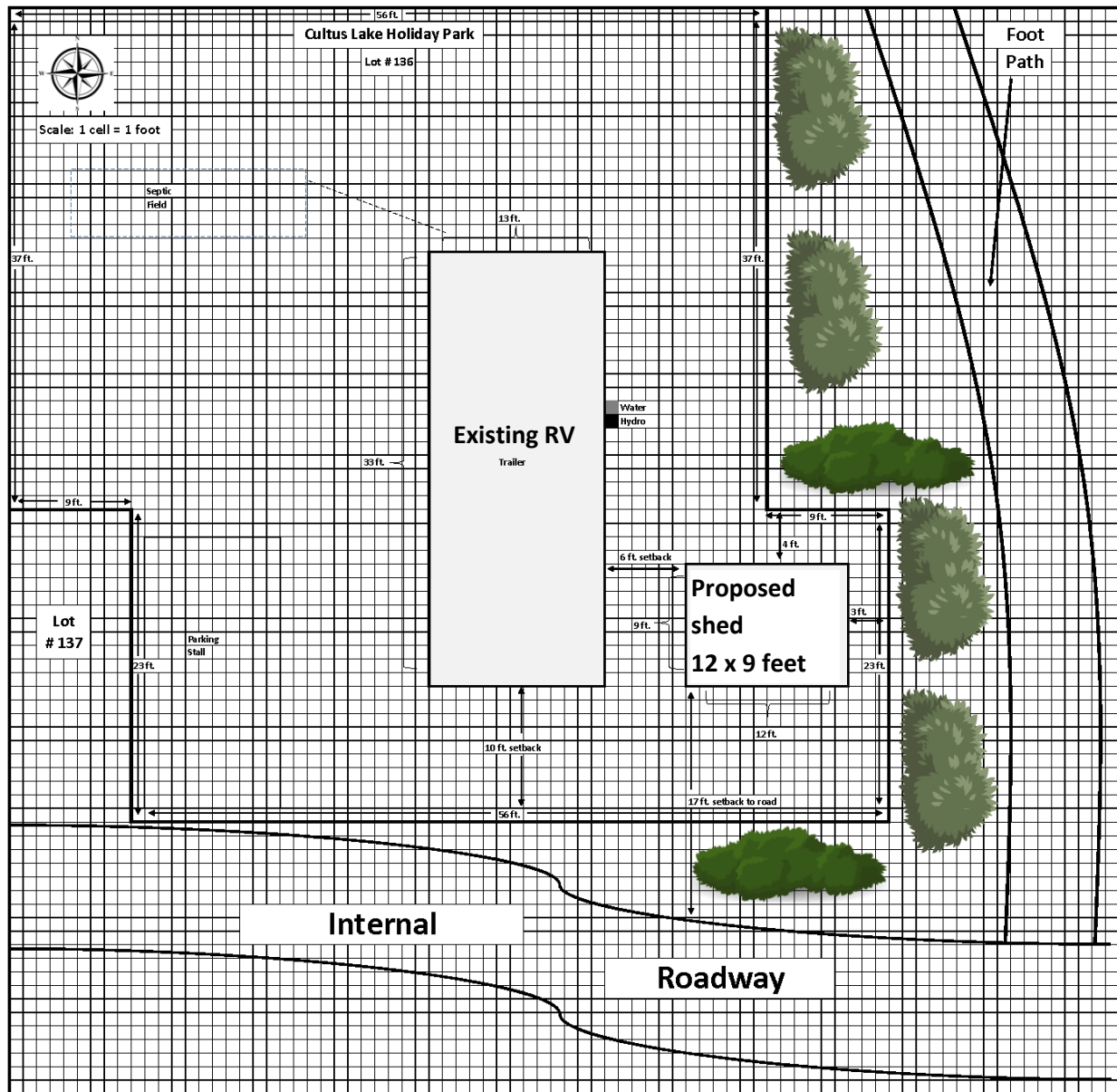
If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-27 for #136-1436 Frost Road, Electoral Area H to FVRD Staff.

## **COMMENTS BY:**

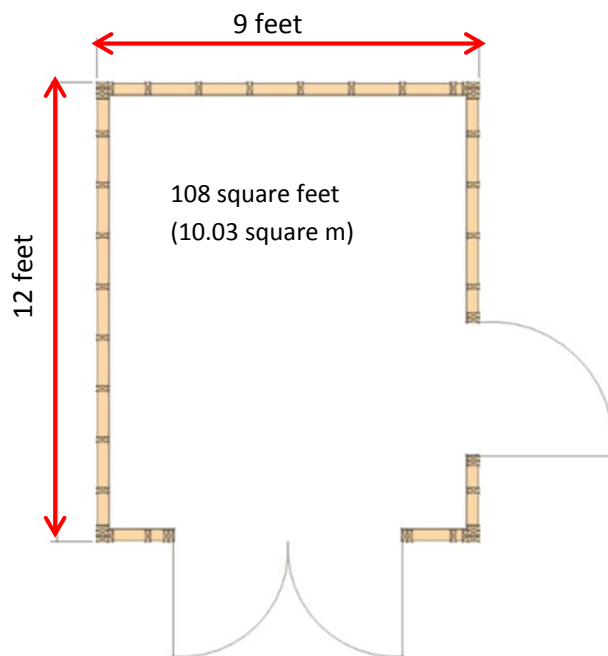
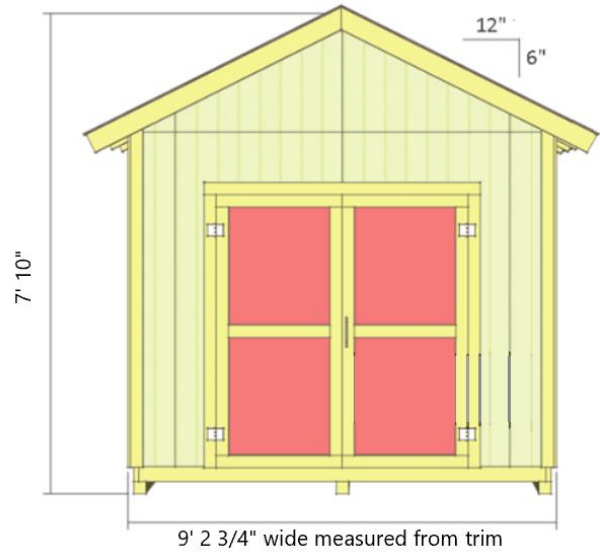
<b>Graham Daneluz, Deputy Director of Planning &amp; Development:</b>	Reviewed and supported
<b>Margaret Thornton, Director of Planning &amp; Development:</b>	Reviewed and supported
<b>Mike Veenbaas, Director of Financial Services:</b>	No further financial comment
<b>Jennifer Kinneman, Acting Chief Administrative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

## Appendix A – Site Plan



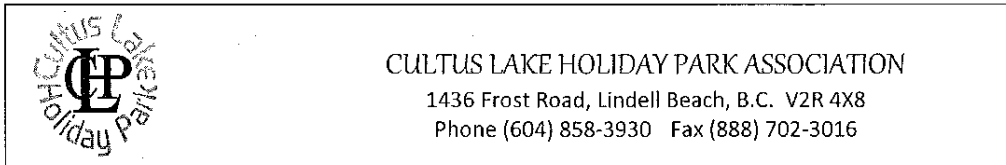


## Appendix B – Shed Design





## Appendix C – Letter of Support



26 July 2019

**Re: Development Variance Permit – Lot 136**

To Whom It May Concern:

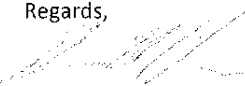
The Cultus Lake Holiday Park bylaws are aligned with the Fraser Valley Regional District bylaws with respect to building dimension regulations. As such, "a storage shed shall have a floor area of not less than 2.8 square metres and not more than 6.0 square metres, and shall not exceed a height of 2.4 metres."

I have reviewed site #136 belonging to Greg Schellenberg and see no reason why a 12' x 9' storage shed would not work on his site. There is ample space on the site for a shed of this size.

In spite of fencing around the perimeter of the park, we have seen a rise in property theft over the past 18 months. It is understandable that Greg would want to build a shed to store his patio furniture and other property.

If you would like to discuss this matter further, please contact me @ 778-889-4408.

Regards,

  
Bruce Mclean  
Buildings and Roads – Board of Directors  
Cultus Lake Holiday Park

**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

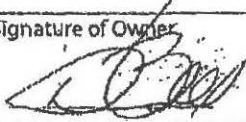

An Application Fee in the amount of \$ 350 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 1436 Frost Rd. Lindell Beach PID 027-082-610

Legal Description Lot 10 Block 22 Section 22 Township NWP50104 Range 22 Plan NWP50104

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) Cultus Lake Holiday Park Association - Derek Bell (Chairman - Board of Directors)	Signature of Owner 	Date 30 July 2019
Name of Owner (print) Jerry Fletcher (Water Works - Board of Directors)	Signature of Owner 	Date 22 July 2019

Owner's  
Contact  
Information

Address 1436 Frost Rd.		City Lindell Beach
Email		Postal Code V2R 4X8
Phone	Cell	Fax

Office Use Only	Date <u>July 30, 2019</u>	File No.
	Received By <u>JM</u>	Folio No.
	Receipt No.	Fees Paid: \$ <u>350</u>

Agent I hereby give permission to Greg Schellenberg 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 Greg Schellenberg		Company
Address 20149 Ashley Crescent		City Maple Ridge
Email		Postal Code V2X 0P4
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 29 July 2019
---	----------------------

#### Development Details

Property Size 3900 sq. ft. Present Zoning Area E - Zoning Bylaw No. 66

Existing Use Holiday park with recreational vehicle

Proposed Development Storage shed

Proposed Variation / Supplement

Build a 108 sq. ft. (12' x 8') storage shed.  
(12' x 9')

(use separate sheet if necessary)

Reasons In Support of Application

There have been several thefts of patio furniture, propane tanks, and recreational equipment recently.

I would like to build a storage shed so that I can lock up and store my patio table/chairs, conversation set, and propane fire without having to worry about it being stolen.

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

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



## LETTER OF AUTHORIZATION

### Registered Authority

Please be advised that I/we, Derek Bell (Chairman - Board of Directors); Jerry Fletcher (Water Works - Board of Directors)

(Print names of ALL Registered Owners or Corporate Director)

Representing, Cullus Lake Holiday Park

(Corporate name - If applicable)

am/are the registered owner(s);

### Site Civic Address:

1436 Frost Rd., Lindell Beach, B.C. V2R 4X8

Lot# \_\_\_\_\_ Block \_\_\_\_\_ Plan NWP60104 PID# 027-082-610

### Appointed Authorized Agent

Name of Authorized Agent

Greg Scheffenburg

Company Name

Mailing Address:

20148 Ashley Crescent

City: Maple Ridge

Postal Code: V2X 0P4

Email:

Phone:

Fax:

Signature of Authorized Agent

X [Signature]

### 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

Derek Bell

Print

Date: July 24, 19

X

Sign

Jerry Fletcher

Print

WATERWORKS

Date: 27 July 2019

The personal information on this form is being collected in accordance with Section 27 of the Freedom of Information and Protection of Privacy Act, RSC 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.



## CULTUS LAKE HOLIDAY PARK ASSOCIATION

1436 Frost Road, Lindell Beach, B.C. V2R 4X8

Phone (604) 858-3930 Fax (888) 702-3016

26 July 2019

### Re: Development Variance Permit – Lot 136

To Whom It May Concern:

The Cultus Lake Holiday Park bylaws are aligned with the Fraser Valley Regional District bylaws with respect to building dimension regulations. As such, "a storage shed shall have a floor area of not less than 2.8 square metres and not more than 6.0 square metres, and shall not exceed a height of 2.4 metres."

I have reviewed site #136 belonging to Greg Schellenberg and see no reason why a 12' x 9' storage shed would not work on his site. There is ample space on the site for a shed of this size.

In spite of fencing around the perimeter of the park, we have seen a rise in property theft over the past 18 months. It is understandable that Greg would want to build a shed to store his patio furniture and other property.

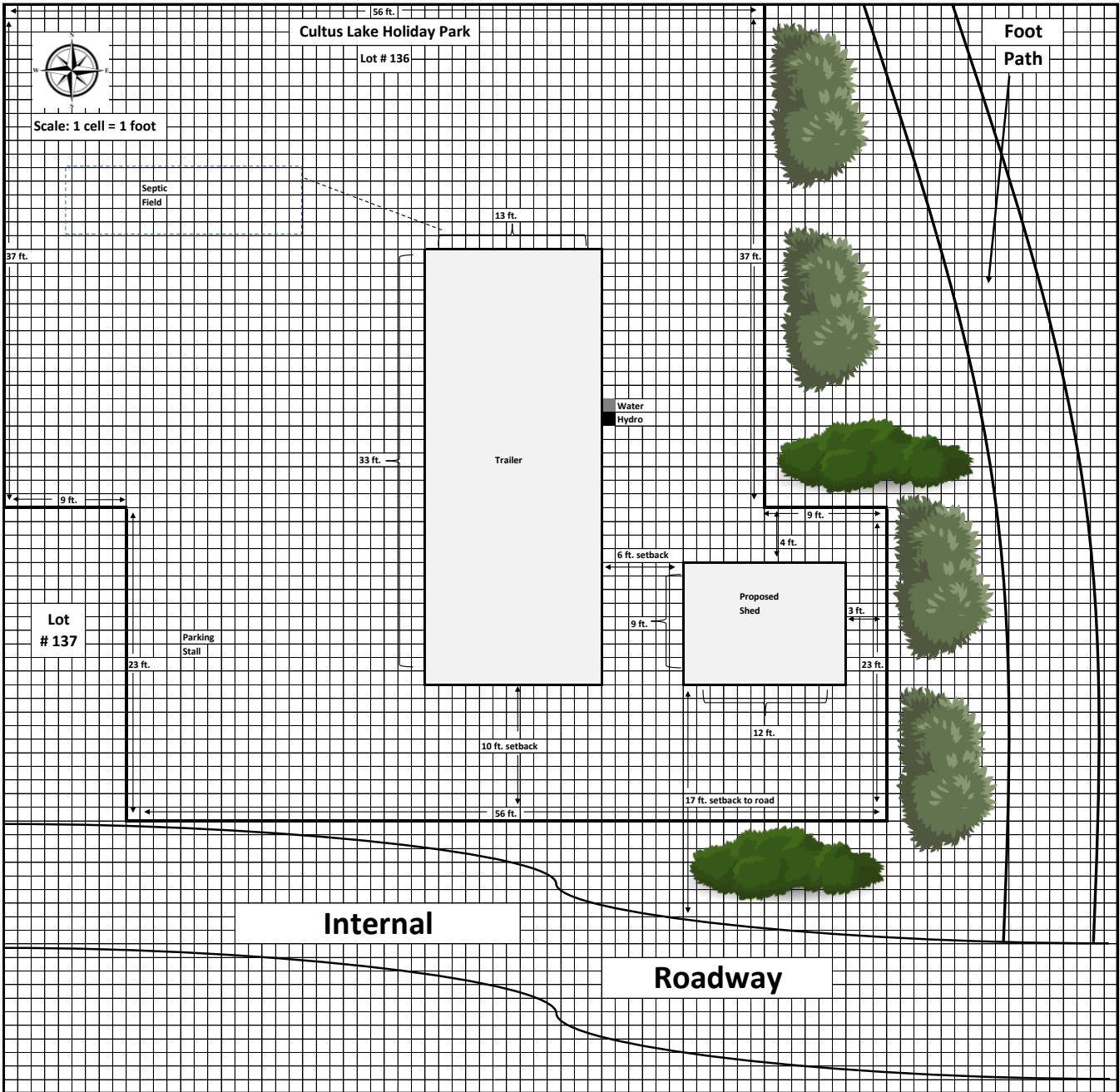
If you would like to discuss this matter further, please contact me @ 778-889-4408.

Regards,

Bruce Mclean

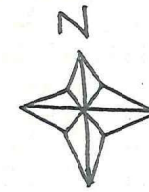
Buildings and Roads – Board of Directors  
Cultus Lake Holiday Park





#136 - 1436 Frost Rd.

\* PARK MAP NOT DRAWN TO SCALE  
(INCLUDED TO SHOW LOCATION OF  
SITE #136 IN REFERENCE TO  
SURROUNDINGS.)



CULTUS LAKE  
HOLIDAY PARK  
ASSOCIATION

#### FACILITIES

- Office
- Clubhouse
- Female Washroom
- Male Washroom
- Fire Hoses
- Playground - 9 to 9 (dusk)
- Pool - 9 to 9 (dusk)
- Laundry Room - 10 am to 10:30 pm

#### WASTE

Behind Office

- General Waste Only

Water Tank

- Organic Waste
- Recyclables
- General Waste

Lower Gate

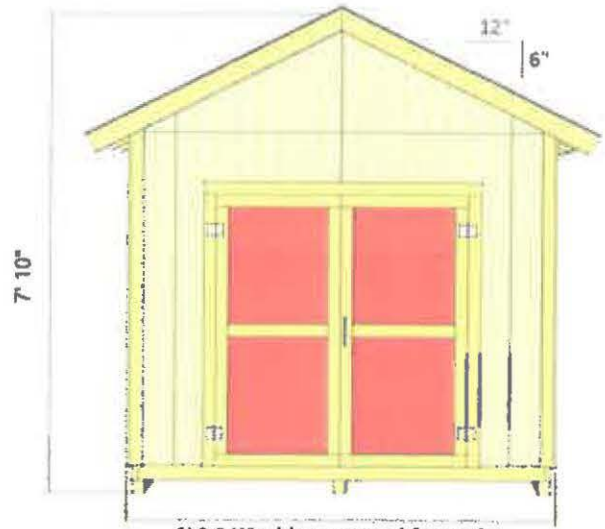
- Organic Waste
- Recyclables
- General Waste



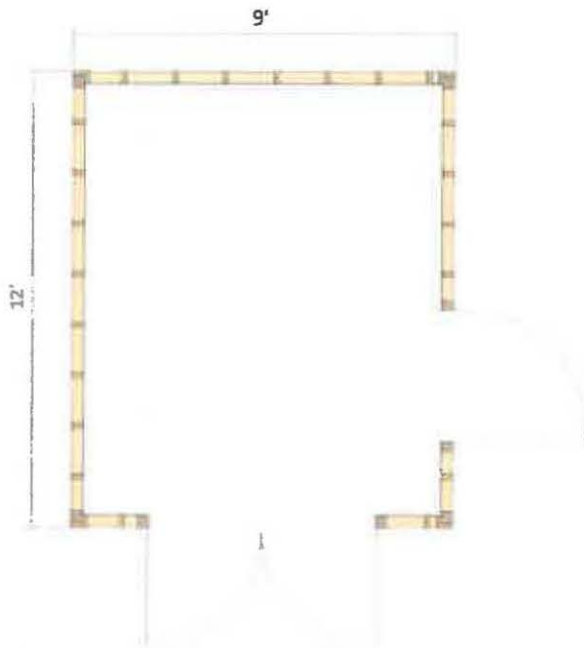




12' 2 3/4" long measured from trim



9' 2 3/4" wide measured from trim





## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

---

**Permit No.** Development Variance Permit 2019-27      **Folio No.** 733.02962.300

---

**Issued to:** Cultus Lake Holiday Park Association

---

**Address:**

---

**Applicant:** Greg Schellenberg

---

**Site Address:** #136-1436 Frost Road, Lindell Beach, Electoral Area H

---

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:

PARCEL A (BEING THE CONSOLIDATION OF LOTS 3 AND 4, SEE BB404228)  
SECTION 10 TOWNSHIP 22 NEW WESTMINSTER DISTRICT PLAN 50104  
PID: 027-082-610

---

### LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan – Recreational Camping Site #136

Schedule "C": Shed Design

---

### 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 "E", 1976 of the Regional District of Fraser-Cheam is **varied** as follows:

Division 18, Section 18.4.4 Building Dimension Regulations

(b) The maximum size of a storage shed is increased from 6.0 square meters to 10.04 square metres for lot #136

---

### SPECIAL TERMS AND CONDITIONS

1. No variances other than those specifically set out in this permit are to be implied or construed. This permit is issued only for recreational camping site #136 on the subject property as identified in Schedule "A".
2. Not more than one storage shed shall be permitted on the site.

3. This permit does not supersede the provisions of Development Variance Permit 2005-08, Development Variance Permit 1988-04, and the Board of Variance decision dated September 7, 1988, which shall continue to apply to the lands except where requirements are specifically varied by this permit.
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 and Shed Design attached hereto as Schedule "B" and Schedule "C"

#### 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 2019-27. The notice shall take the form of Appendix I attached hereto.

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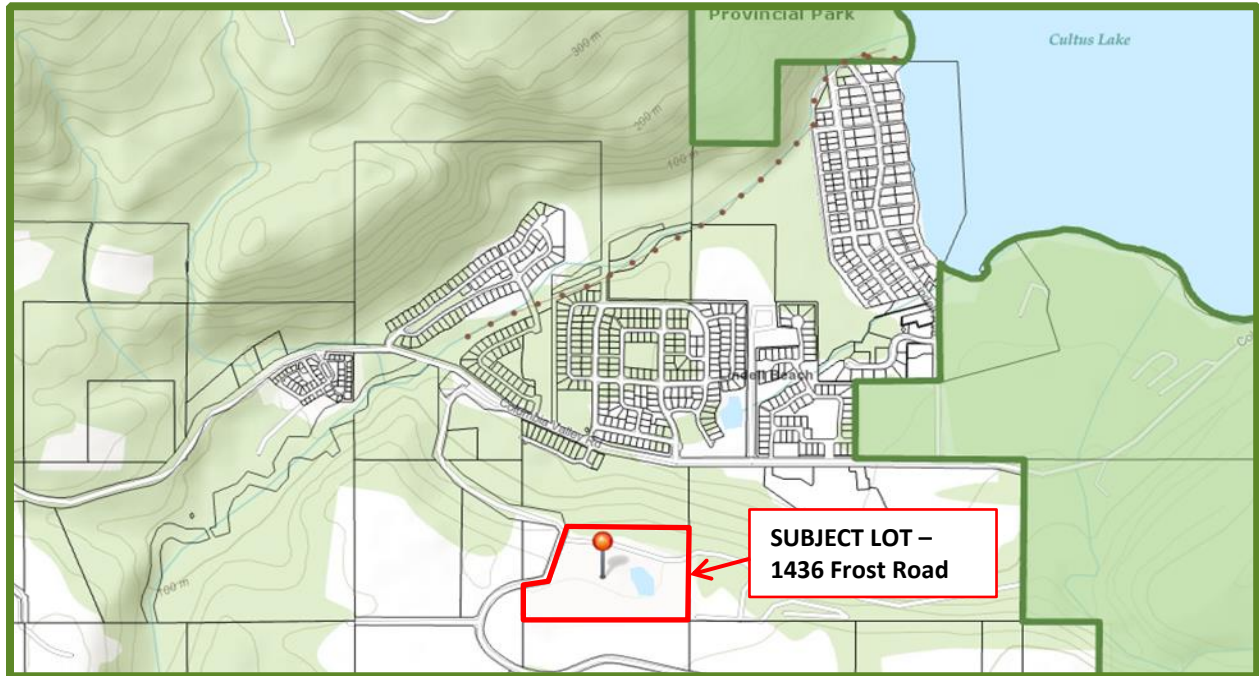
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE <DAY> DAY OF <MONTH>, <YEAR>

---

Chief Administrative Officer / Deputy

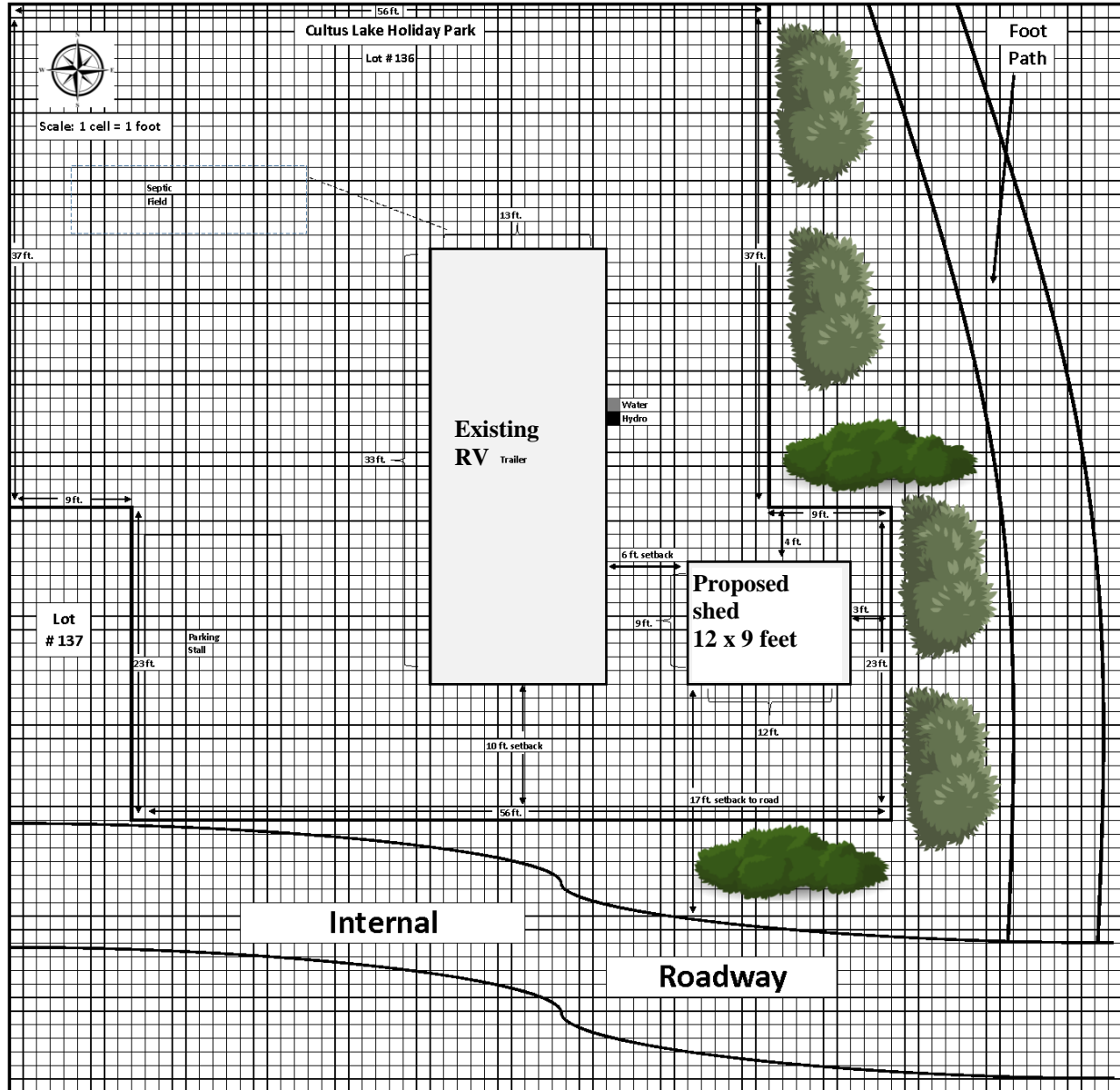
THIS IS NOT A BUILDING PERMIT

# DEVELOPMENT VARIANCE PERMIT 2019-27 SCHEDULE "A" Location Map

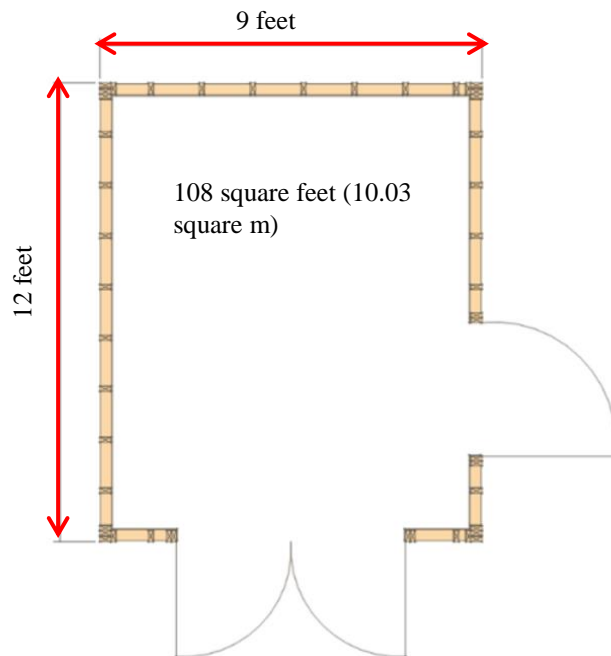
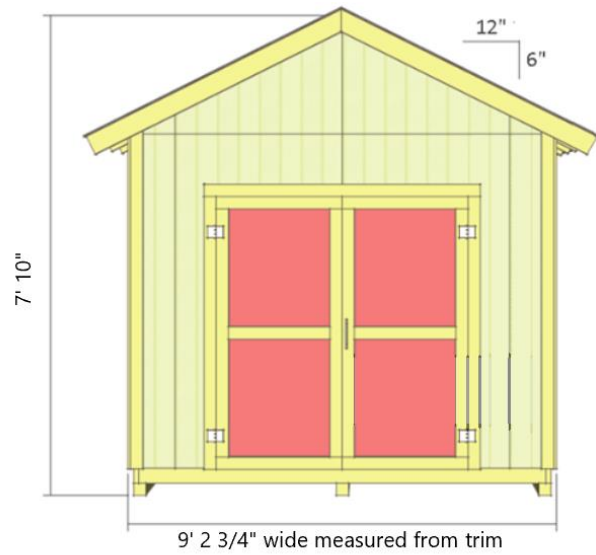




**DEVELOPMENT VARIANCE PERMIT 2019-27**  
**SCHEDULE "B"**  
**Site Plan – Recreational Camping Lot #136**



# DEVELOPMENT VARIANCE PERMIT 2019-27 SCHEDULE "C" Shed Design



To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: David Bennett, Planner II

File No: 3090-20-2019-28

**Subject: Development variance permit to reduce side setbacks on corner Lot 107 from 2.5m to 1.5m in the final phase of the Creekside Mills development located at 1687 Columbia Valley Road, Electoral Area "H".**

---

### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board **issue** Development Variance Permit 2019-28 to reduce the side setbacks on proposed lot 107 from 2.0m to 1.5m subject to comments or concerns raised by the public.

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

### BACKGROUND

Creekside Mills is a new bare-land strata resort residential subdivision located south of Cultus Lake in Electoral Area "H".

A setback reduction variance for corner lots in the development was previously approved by the FVRD Board in 2016. The subject lot (107) was not included by the developer in that development variance permit. The developer has now requested that the same development variance permit for side-yard setbacks be applied to proposed lot 107.

Approval of this development variance permit will maintain a cohesive layout and streetscape.

FVRD staff encourage all applicants to discuss proposed variances with surrounding property owners. All property owners within 150m will be notified of this development variance permit.

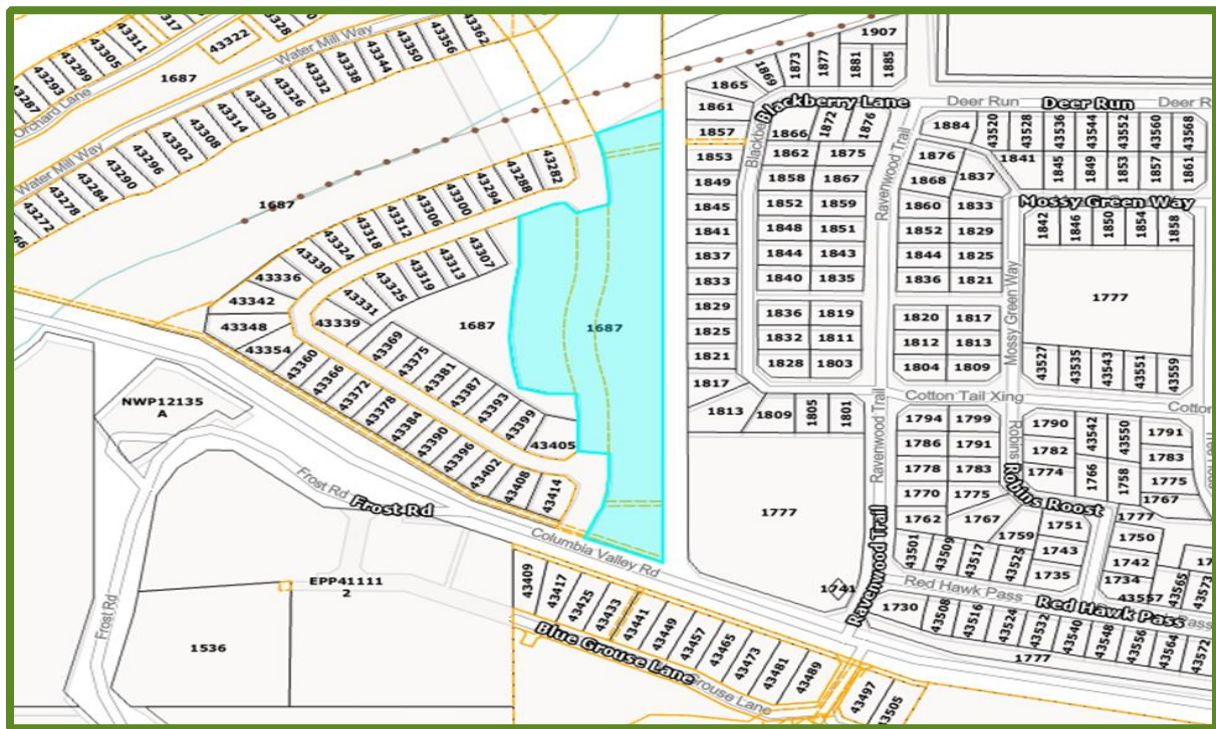
## PROPERTY DETAILS

Electoral Area	H		
Address	1687 Columbia Valley Rd.		
PID	029-617-600		
Folio	733.03156.050		
Lot Size	3.13 acres		
Owner	Frost Creek Developments Ltd. (Van Geel)	Agent	n/a
Current Zoning	Private Resort Residential (PRD-1)	Proposed Zoning	No change
Current OCP	Resort (RT)	Proposed OCP	No change
Current Use	Vacant land	Proposed Use	Res. Sub.
Development Permit Areas	1-E, 4-E, 5-E, & 7-E		
Agricultural Land Reserve	No		

## ADJACENT ZONING & LAND USES

North	^	Private Resort Residential (PRD-1), Single-family Dwellings
East	>	Campground-Holiday Park (CHP), Single-family Dwellings
West	<	Private Resort Residential (PRD-1), Single-family Dwellings
South	v	Campground-Holiday Park (CHP), Single-family Dwellings

## NEIGHBOURHOOD MAP



[illegible]

Development variance permit 2016-14 was previously approved for corner lots within this project in order to reduce side-setbacks. Lot 107 was not included by the developer in that variance request.

210



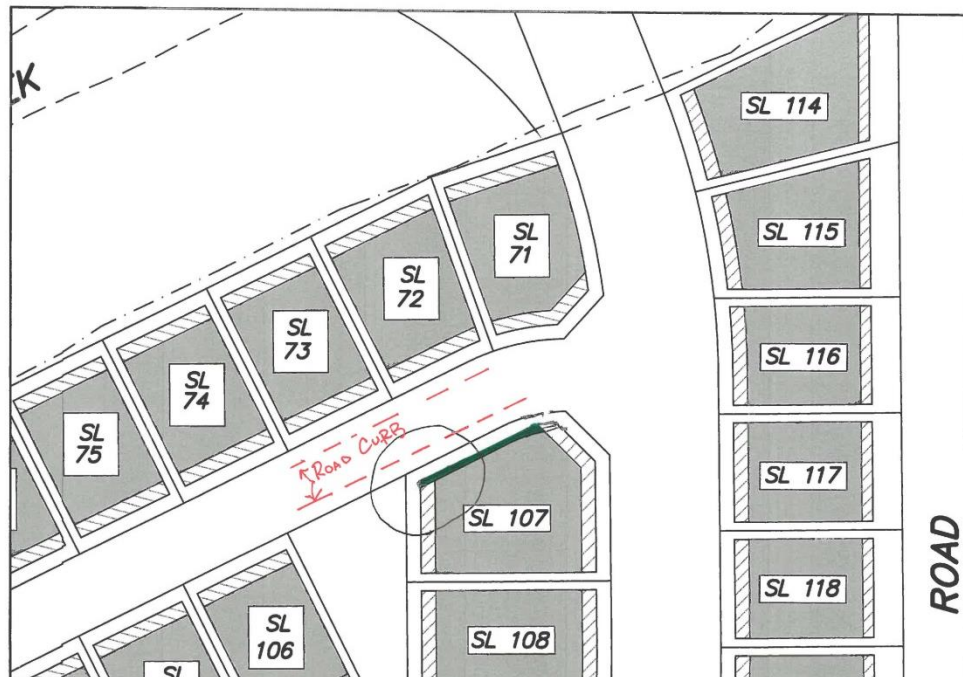
1208

—Corner Lot 107  
(subject lot)

Current Setback = 2.0m



Proposed setback = 1.5m





## **COST**

Development variance permit fees paid. \$350.00

## **CONCLUSION**

Staff recommend that the Regional Board issue development variance permit 2019-28 subject to any comments or concerns raised by the public.

## **COMMENTS BY:**

<b>Graham Daneluz, Deputy Director of Planning &amp; Development</b>	Reviewed and supported
<b>Margaret Thornton, Director of Planning &amp; Development</b>	Reviewed and supported
<b>Mike Veenbaas, Director of Financial Services</b>	No further financial comment
<b>Jennifer Kinneman, Acting Chief Administrative Officer</b>	Reviewed and supported.

**SCHEDULE A-4**

**Permit Application**

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

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

Civic

Address 1687- COLUMBIA VALLEY RD. PID 029-617-600

Legal

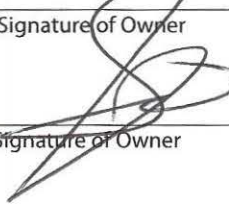
Description

Lot REMI Block \_\_\_\_\_ Section 15 Township 22 Range \_\_\_\_\_ Plan EPP53142  
PROPOSED LOT 107 + 113

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>FROST CREEK DEVELOPMENTS LTD</u>	Signature of Owner 	Date <u>Aug 14th 2019</u>
Name of Owner (print)	Signature of Owner	Date

Owner's

Contact

Information

Address		City	
Email		Postal Code	
Phone	Cell	Fax	

<b>Office Use Only</b>	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 APPROX 550<sup>m</sup> 2 Present Zoning PRD-1

Existing Use \_\_\_\_\_

Proposed Development SINGLE FAMILY HOMES

Proposed Variation / Supplement LOT 107 - REDUCE SIDE YARD SETBACK FROM 2.5 M TO 1.5 M

LOT 113 - REDUCE FRONT YARD SETBACK FOR A BUILDING FROM 4.0 M TO 2.0 METERS

(use separate sheet if necessary)

Reasons in Support of Application LOT 107 - EXCESSIVE BOULEVARD WIDTH OF 4.0+ METERS AND IRREGULAR SHAPED LOT. TO ALLOW ADEQUATE SIZE DECK.

COMMON: OPEN SPACE AT REAR. OTHER CORNER LOTS HAVE ALSO BEEN VARIED  
LOT: 113 - EXCESSIVE BOULEVARD WIDTH OF 4.5 METERS; LIMITED GARAGE ACCESS DUE TO B.C. HYDRO UTILITIES; IRREGULAR SHAPED LOT.

Page 2 of 4

**Riparian  
Areas  
Regulation**

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

yes  
☐

no  
☒

30 metres of the high water mark of any water body

yes  
☐

no  
☒

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

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

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

**Contaminated  
Sites Profile**

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

yes  
☐

no  
☒

the property has been used for commercial or industrial purposes.

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

**Archaeological  
Resources**

Are there archaeological sites or resources on the subject property?

yes  
☐

no  
☒

I don't know

☐

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



## Required Information

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

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

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



## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

---

**Permit No.** Development Variance Permit2019-28      **Folio No.** 733.03156.050

---

**Issued to:** Frosst Creek Developments Ltd

---

**Address:** 216 3388 Rosemary Heights Surrey BC

---

**Applicant:** Same

---

**Site Address:** 1687 Columbia Valley Road

---

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 1, SECTION 15, TOWNSHIP 22, NEW WESTMINSTER DISTRICT, PLAN EPP53142  
029-617-600

### **THIS PERMIT SUPPLEMENTS and AMENDS DEVELOPMENT VARIANCE PERMIT 2014-19**

---

#### **LIST OF ATTACHMENTS**

Schedule "A": Location Map

Schedule "B": Site Plan

---

#### **AUTHORITY TO ISSUE**

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

---

#### **BYLAWS SUPPLEMENTED OR VARIED**

"Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser Cheam" is varied as follows:

1. Section 2403 – Minimum Setbacks are varied as follows (all setbacks are measured "Clear to Sky").  
Porch/Verandas                      2403 3 b) from 2.0 m to 1.5m (Lot 107) as shown on Scheduled "B".
- 

#### **SPECIAL TERMS AND CONDITIONS**

1. No variances other than those specifically set out in this permit are implied or to be construed.
2. If the holder of this permit does not commence the construction with respect to which the Permit was issued within two (2) years after the date of the permit, this permit shall lapse.

3. Development of the site shall be undertaken in accordance with the Site Plan attached hereto as Schedule "B".

---

### GENERAL TERMS AND CONDITIONS

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

---

### SECURITY DEPOSIT

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

Should the holder of this permit:

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

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

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

---

Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2019-28 The notice shall take the form of Appendix I attached hereto.

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

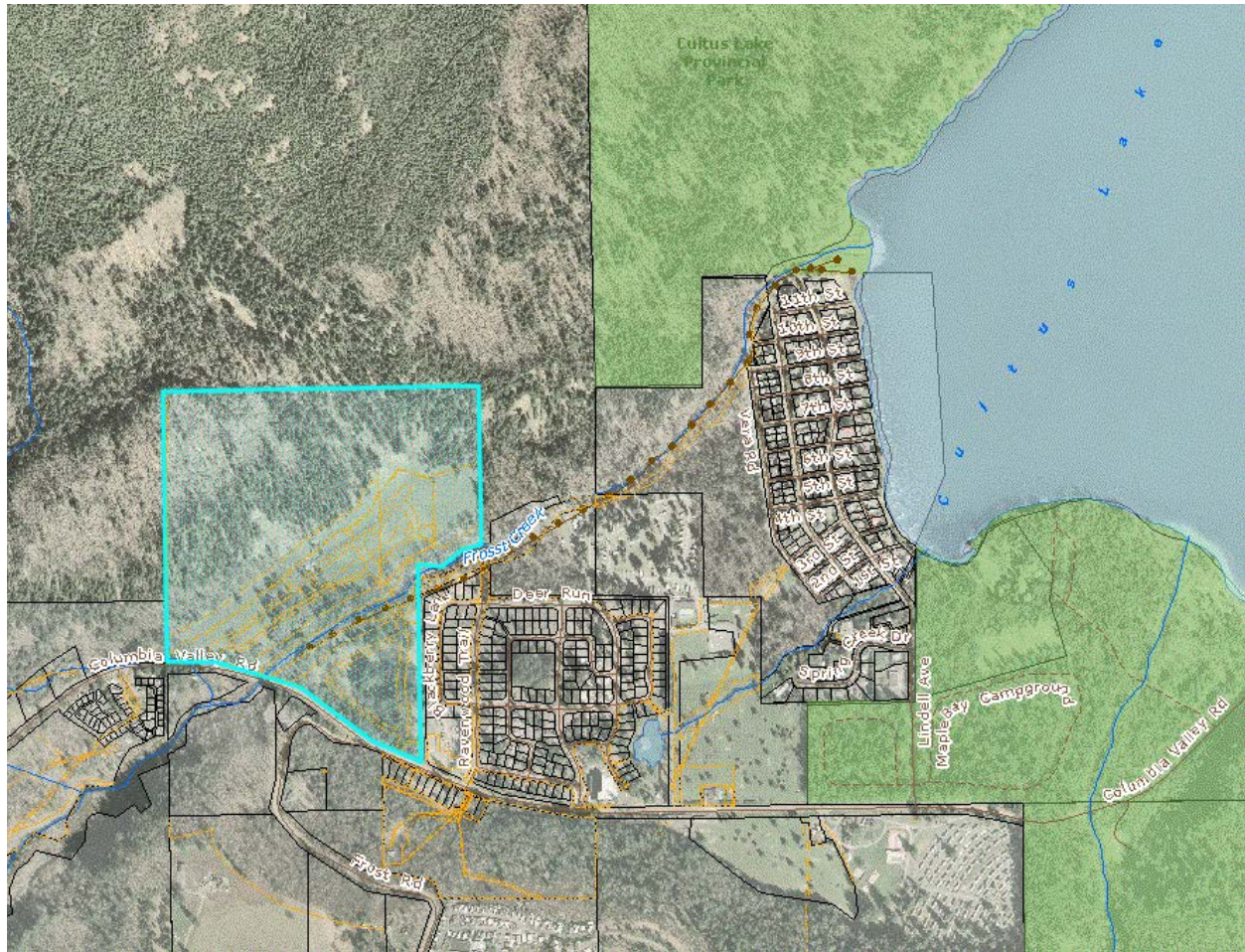
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Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

DRAFT

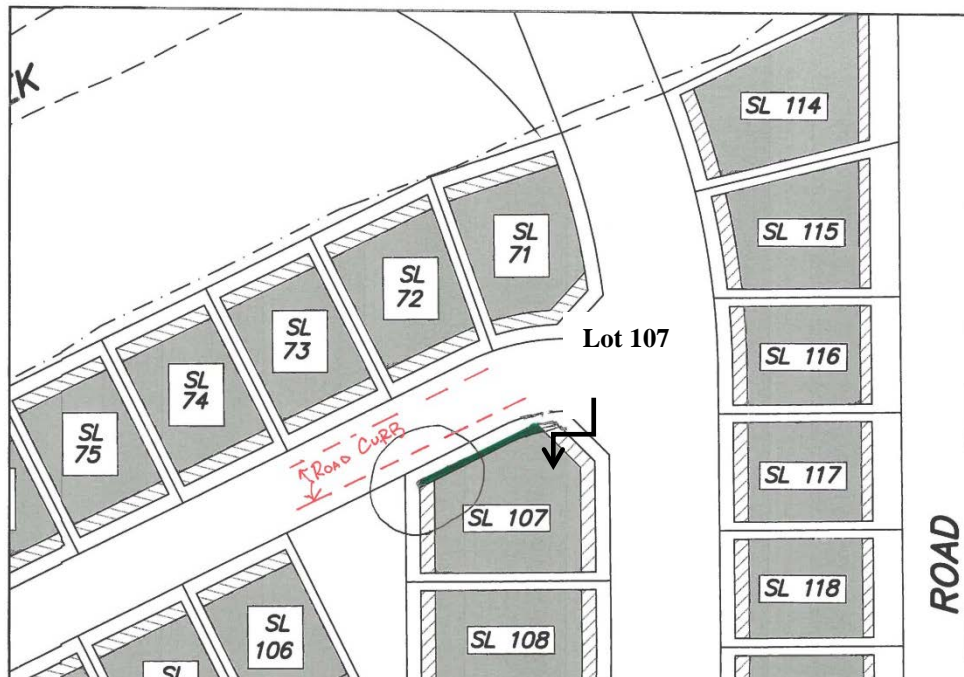
**DEVELOPMENT VARIANCE PERMIT 2019-28**  
**SCHEDULE "A"**  
**Location Map**







**DEVELOPMENT VARIANCE PERMIT 2019-28**  
**SCHEDULE "B"**  
**Site Plan**



Flanking Road setback for a porch or veranda reduced to 1.5m (subject area highlighted in green above)

To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Katelyn Hipwell, Planner II

File No: 6480-20-427

**Subject: Consultation Summary – Popkum-Bridal Falls Official Community Plan Update**

---

## INTENT

This report is intended to provide the Electoral Area Services Committee with a summary of the community engagement undertaken since the Regional Board gave first reading to the Popkum-Bridal Falls Official Community Plan update and the feedback received thus far. Staff is not looking for a recommendation and is providing this summary for information.

## STRATEGIC AREA(S) OF FOCUS

## PRIORITIES

Support Environmental Stewardship

Priority #2 Air & Water Quality

Foster a Strong & Diverse Economy

Priority #4 Tourism

Support Healthy & Sustainable Community

Priority #5 Outdoor Recreation

Provide Responsive & Effective Public Services

## BACKGROUND

The current Electoral Area “D” OCP has served the community for over 20 years. The OCP was first adopted in 1998, with several amendments to facilitate suburban residential and commercial developments. Overall, the OCP has been an effective tool and development has occurred generally as set out in the Plan policies.

Looking ahead, Popkum-Bridal Falls is expected to continue growing and an updated Community Plan ensures future growth reflects community values, best practices and legislative requirements.

The Regional Board gave first reading to the Popkum-Bridal Falls Official Community Plan in December 2018 and subsequently authorized staff to proceed with community engagement to allow intensive review of the draft and opportunities to provide feedback.

This memo summarizes the engagement undertaken by staff and the feedback received throughout the process to date.

## DISCUSSION

### Community Engagement Program

Community engagement initiatives for the Popkum-Bridal Falls Official Community Plan update began in January 2019 after release of the Plan for public review in December 2018. The following community engagement and consultation has taken place:

1. Popkum Residents Association Annual General Meeting

Staff presented the draft Plan and highlighted key policy updates at the AGM in January 2019. The meeting was well attended by approximately 50 residents. The meeting provided an opportunity for residents to express concerns and ask questions.

2. Public Online Survey

The survey, which was made available online and in hard copy, received a total of 47 responses. Survey questions and responses are summarized entirely in **Appendix "A"**.

3. Community Newsletter

A newsletter (**Appendix "B"**) was distributed in March 2019 advising residents of an upcoming Open House and other opportunities to provide feedback on the draft Plan. The newsletter was made available on the FVRD website, through bulk mail to all Area D residents, and addressed mail to non-resident property owners.

4. Social Media

Information regarding the draft Plan was routinely posted to FVRD social accounts to raise awareness of ongoing consultation and opportunities to provide feedback.

5. Public Open House

The FVRD hosted a public open house in April 2019 to showcase the draft Plan. Over 60 residents attended the event, with a total of 45 written comment submissions. The Open House is summarized in **Appendix "C"**.

6. Plan Review Team

A team comprised of seven community volunteers met with FVRD staff four times throughout May and June 2019 to methodically review and discuss each section of the plan. The detailed feedback received by the Plan Review Team is summarized in **Appendix "D"**.

## 7. Referrals to Stakeholders

Referral letters were sent in February and July 2019 to various agencies and stakeholders requesting comments on the draft Plan. A total of 20 letters were sent. To date, staff has received eight formal responses and continue to engage and receive comments in response to these referrals.

## 8. Meeting with Cheam First Nation

Staff met with Cheam First Nation in May 2019 to discuss the draft Plan and receive comments. Discussions with regard to areas of mutual interest are ongoing at this time.

### Feedback and Resultant Revisions

Staff has received a wide array of comments concerning various aspects of the draft Plan. Responses to referrals continue to be provided by a number of agencies. Revisions to the draft Plan in response to the feedback received will be consolidated and presented to the Board at second reading.

### Next Steps

Milestone	Target Date
Feedback to Draft OCP <ul style="list-style-type: none"><li>Plan Review Team</li><li>Newsletter</li><li>Open House Event</li><li>Survey</li><li>Referrals to Stakeholders (Ongoing)</li></ul>	Spring/Summer 2019
Revisions <ul style="list-style-type: none"><li>Based on feedback</li></ul>	Summer 2019
Consider the OCP in conjunction with Financial Plan & other plans 2 <sup>nd</sup> Reading of OCP Electoral Area Services Committee and Regional Board	Fall 2019
Open House and Public Hearing	Fall 2019
3 <sup>rd</sup> Reading and Adoption Electoral Area Services Committee and Regional Board *subject to consideration of public hearing feedback	Fall 2019

### COST

Costs associated with the development, review and revision of this plan are provided for in the EA Planning budget. This includes public consultation initiatives.

### CONCLUSION

The draft Popkum-Bridal Falls Official Community Plan was made available for public review in December 2018. Since that time, a number of community engagement initiatives have been undertaken to solicit feedback and comments on the draft. This has included a survey, newsletter, open



house, volunteer based Plan Review Team, referrals to stakeholders, and various meetings. Revisions arising from feedback received as a result of community engagement will be consolidated and presented to the Board at second reading. The public hearing will be scheduled after second reading has been given by the Board.

**COMMENTS BY:**

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

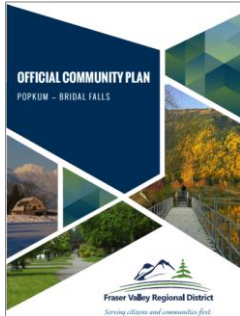
**Margaret Thornton, Director of Planning & Development:** Reviewed and supported.

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

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

# Appendix "A"

## Popkum-Bridal Falls Official Community Plan Survey Response Summary



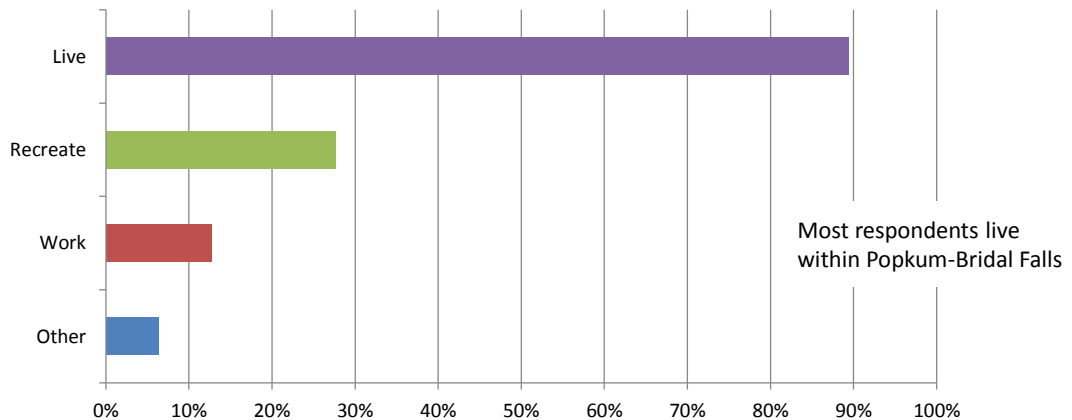
Online survey open from March 24, 2019 to June 2, 2019

We received 47 responses

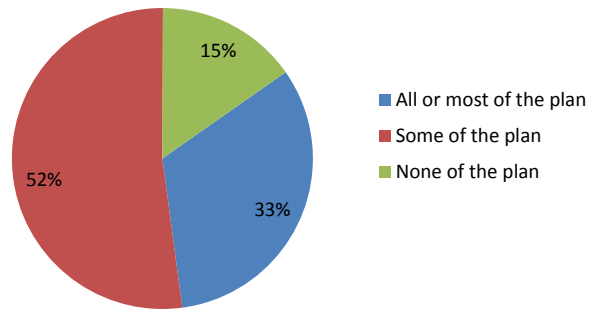


Popkum-Bridal Falls Official Community Plan – Survey Response Summary (2019)

**Do you live, work, recreate, or have another interest within the Popkum-Bridal Falls area (Electoral Area D)? Check all that apply**

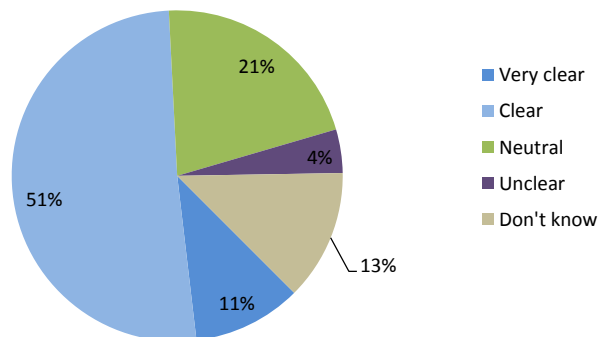


### Have you read the Draft Official Community Plan for Popkum-Bridal Falls? I have read:



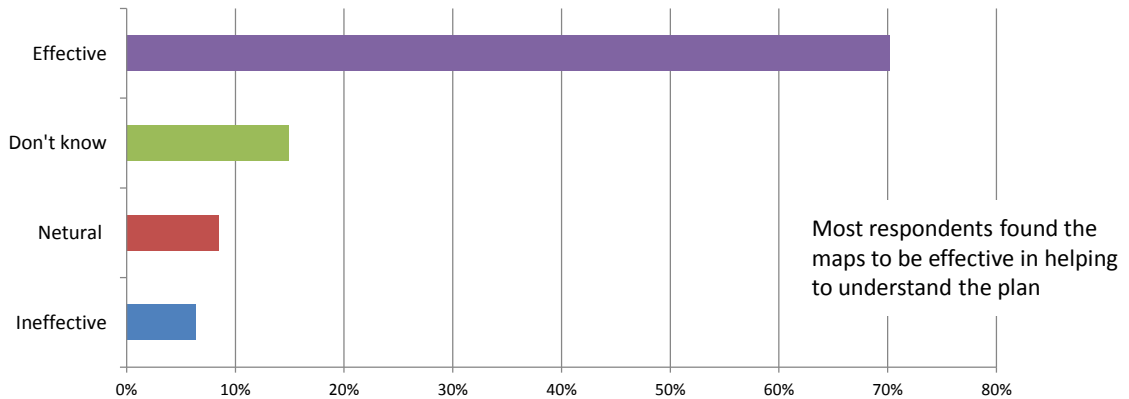
Most respondents read some or all of the plan

### How clear and readable is the plan?

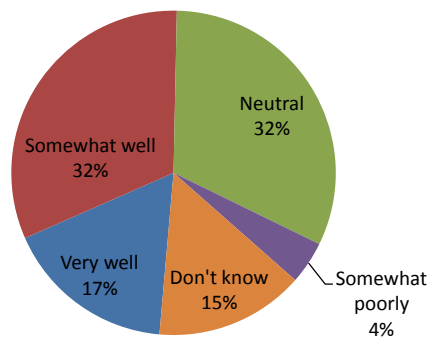


Most respondents considered the plan to be clear, or very clear

### How effective were the maps in helping you understand the plan?

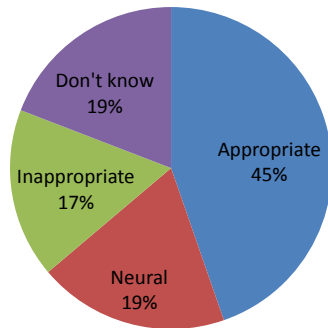


### Overall, how well does the plan reflect the challenges and opportunities of the community?



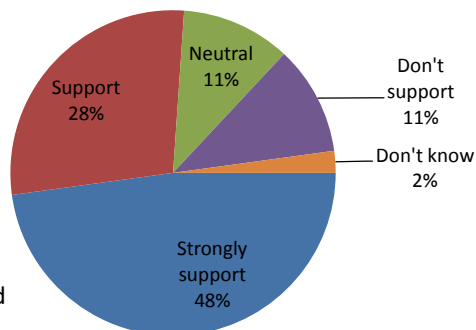
49% of respondents indicated the plan reflects the communities opportunities and challenges, while 32% were neutral.

**Do you think the current pattern of growth is appropriately sensitive to existing development?**



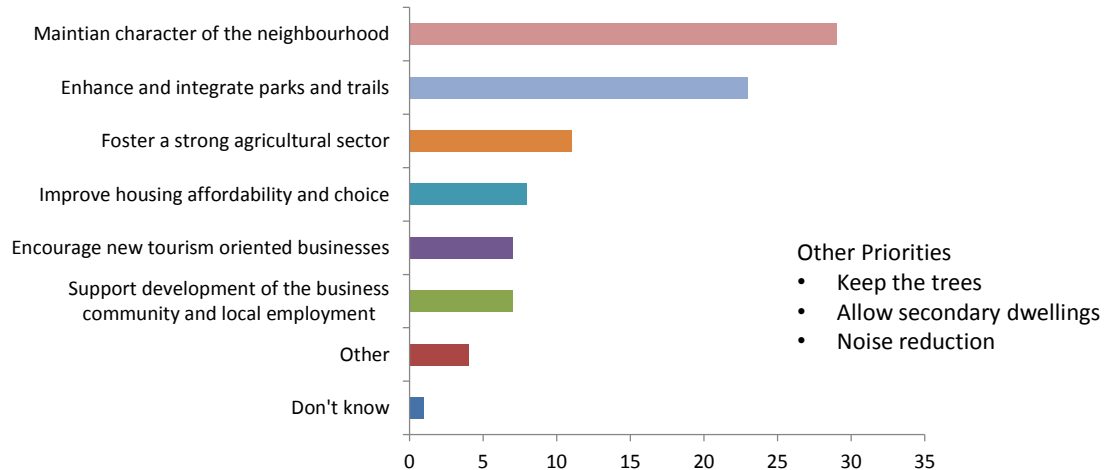
45% of respondents indicated the current pattern of growth is sensitive to existing development while 19% were neutral, and another 19% did not know and skipped the question.

**Do you support the vision in the plan to enhance and connect existing parks and trails?**

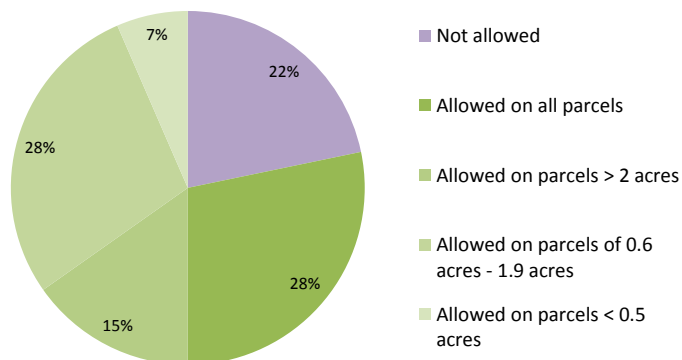


Over ¾ of respondents support or strongly support the parks vision and policies to enhance and connect parks and trails

### What are the top priorities the plan should focus on?



### How do you feel about secondary dwellings such as basement suites, garden suites, or carriage houses within Popkum-Bridal Falls? Should they be:



- 78% of all respondents indicated support for some type of secondary dwelling
- 22% of respondents were not supportive of secondary dwellings



### What parts of the plan did you like the most?

- The parks plan
- Connecting parks & trails
- Parks & trails will be maintained
- Parks & trails
- That the plan includes trails & greenways
- Continued expansion of the trail network and expansion of parks
- Parks and recreation
- Maintaining the character of the area
- Plan is very comprehensive (x2)
- Future development
- Not impressed with the sewage proposal
- Sorry, nothing stands out
- First Nation neighbour content
- Emphasis on maintaining the unique character of Popkum and the plan to develop walking and cycling trails, acknowledgment of Sto'lo land use needs
- The maps helped locate the different areas. Plan is well written
- Maps were very informative
- Protecting the view of the mountains, and watching development to avoid a congested highway access



### Is there anything else you would like to see included or changed in the plan?

- More information on secondary dwellings
- I'd like to see more real parks. Linear parks should not count as parks
- Secondary dwellings supported
- Improved safety along Yale Road and other arteries (Hwy 9)
- A long term plan for the sewer system that encompassed all of Popkum, not just areas within
- Put more emphasis on the Hwy 9 corridor. It has great potential for future business and tourism
- Stronger efforts to control the destruction of trees. Better signage for Bridal Falls park to help reduce traffic on side roads by lost tourists
- Illegal dumping on Cheam Forest Service Road needs to be addressed
- Address illegal dumping in the cul-de-sac on Popkum Road S and Cheam Forest Service Road
- Address the need for a truck stop. Trucks currently congregate on the small road in Bridal Falls
- Did I miss the recycling plan? It would be great to have curbside collection for composting in addition to recycling pick-up
- How about a dog park?
- No mention of a plan to reduce air pollution by commercial and backyard burning. There should be a complete ban on outdoor burning as it is a significant cause of poor air quality and health problems
- Options for a grocery store and restaurants
- Internet services and fiber in rural areas
- Plan refers to what it can do for residents of the Popkum community. It should include what is expected of the residents, i.e. their responsibilities. I'm personally tired of the 'one-way' planning procedure. Address the responsibilities not just the rights and expectations!



# OFFICIAL COMMUNITY PLAN

## POPKUM – BRIDAL FALLS

March, 2019

The 1998 Official Community Plan (OCP) built Popkum and Bridal Falls from a population of 900 people to a community of 1,600.

The job of the next OCP is to move from community building to integration. What does that mean? It means the 2019 plan—now in draft form for public review—will guide the next phase of development to ensure that it fits well with the existing community. It focuses on ensuring sensitive infill; completing the park and trail network; supporting efficient environmentally sensitive services such as sewer; and, enhancing local commercial amenities.

### This Plan is for YOU!

No two communities are alike. Below you can see the differences between Electoral Area D versus the FVRD region as a whole.



**Open House**  
April 24 6 pm - 9 pm  
Rosedale Traditional School  
50850 Yale Road

**Online Survey**  
[www.fvrd.ca/areadocp](http://www.fvrd.ca/areadocp)  
Closes May 24



**Fraser Valley Regional District**

### AREA D

Average Age  
**40**

Median Household  
Income  
**\$92,160**

Married or  
Common-law  
**72%**

Have Children  
**51%**

Own Their Home  
**92%**

Live in Single  
Family Home  
**86%**

### FVRD

Average Age  
**41**

Median Household  
Income  
**\$69,289**

Married or  
Common-law  
**60%**

Have Children  
**50%**

Own Their Home  
**73%**

Live in Single  
Family Home  
**58%**

## Contact

## Join our OCP Review Team



## Get involved and have your say

The Draft OCP can be found at [www.fvrd.ca/areadocp](http://www.fvrd.ca/areadocp). Please read it and tell us your thoughts. There are several ways you can reach us:



Attend our Open House  
Wednesday, April 24: 6 pm to 9 pm  
Rosedale Traditional School  
50850 Yale Road



Fill out our Online Survey by  
visiting [www.fvrd.ca/areadocp](http://www.fvrd.ca/areadocp)



Email your comments  
to [planning@fvrd.ca](mailto:planning@fvrd.ca)



Call us to chat  
1-800-528-0061

Maybe you have a lot to say and a survey, email or open house isn't going to cut it. So call us. Let's meet for coffee. We will meet with you one-on-one or with small neighbourhood or community groups. Invite us to your book club! We need your input to be sure we are on the right track.

## Looking for volunteers

Are you a detailed-oriented person who really likes to get into the nitty-gritty? Or are you the "big picture" type who can see possibilities and opportunities for miles? Whatever type of person you are, if you're passionate about your community consider volunteering for our OCP Review Team. The time commitment involves meeting with us for a couple of hours in the evening three or four times during the month of April. We want to review the draft plan as a whole (that's you big picture people), but also to examine every facet of it, which is where we need you detailed folks.

If this sounds like something you'd like to be part of, please contact Graham Daneluz at 604-702-5046, or [gdaneluz@fvrd.ca](mailto:gdaneluz@fvrd.ca).

45950 Cheam Avenue. Chilliwack, BC V2P 1N6  
[www.fvrd.ca](http://www.fvrd.ca) | [planning@fvrd.ca](mailto:planning@fvrd.ca)  
(604) 702-5000 or 1-800-528-0061

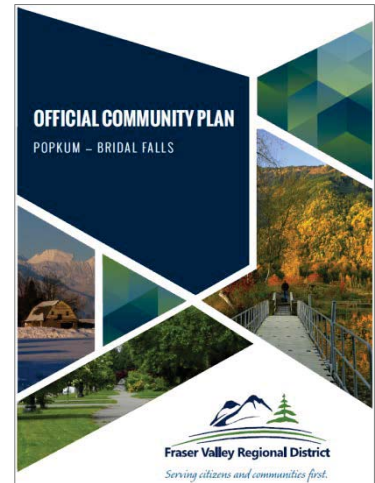
## Popkum Bridal Falls Open House – Overview

The Fraser Valley Regional District hosted an open house on April 24, 2019 to showcase the draft Popkum-Bridal Official Community Plan. The Official Community Plan (OCP) was created based on information collected from the community, and sets the direction for growth and change in Popkum-Bridal Falls over the next 15 - 20 years.

The open house provided an opportunity for residents to view the plan and to provide feedback to FVRD.

### The open house included:

- 10 display boards
- 2 poster boards to write comments on
- A station to 'Name that Park'
- An information table with copies of the OCP, technical studies, and past presentations to the community
- A table with laptops to take a survey about the OCP
- An 'Ask me about your property' station
- FVRD Planning staff available for discussion, questions, and to hear any concerns



### The event resulted in:

- Over 60 attendees
- Submission of 45 written comments
- Many in person conversations
- A list of individuals interested in participating in an OCP review committee





## Summary of what we heard (Comment Board & Comment Cards)

- **Parks and Trails** are an important component of the community
  - More parks and trails are needed
  - Trails under the powerlines
  - Keep as many trees as possible
  - Develop and create access to Ferry Island Park
  - Develop Bridal Falls hiking areas
  - Change OCP to protect the wetland within Rose Garden
  - Add more swings to Shannon park
- There is a need for safe **Road Crossings** in Popkum. Suggested crossing locations include:
  - The Yale Road and Hwy 9 roundabout and
  - Hwy 9 near Rose Garden
- **Lot Sizes:** Large lot sizes of at least ¼ acre are important
- Maintaining the **Character of the neighbourhood** is very important
- **Amenities:** There is a desire for more amenities which serve the community including, a community hall, a medical clinic, and a grocery store
- **Other Concerns:**
  - There is too much noise and litter at the round about
  - Semi truck braking systems are excessively noisy
  - Schools capacity needs to be available to handle proposed growth
- **Secondary dwellings.** We heard mixed opinions about secondary dwellings in the community.
  - In the online survey , over three-quarters of respondents indicated some acceptance of secondary dwellings.

## Online Survey

FVRD conducted an online survey about the OCP and community priorities that was still running at the time of the open house. The survey was available from March 24 to June 2, and will have the results published as a separate document.



## Official Community Plan Review Team

The Fraser Valley Regional District would like to thank the individuals who participated in the Official Community Plan (OCP) Review Team. Community input is vital to ensure the plan is on the right track and reflects the values and wishes of the community. So, thank you!

The review team met four times in May and June 2019 to methodically review the entire plan. Seven community volunteers with varied backgrounds, two FVRD staff members, and the Director for Electoral Area D reviewed and discussed each policy and section of the OCP. The detailed feedback is now being integrated into the plan.



### What we heard (key themes)

- Large lot sizes and neighbourhood character is to be retained
- Preservation & enhancement of parks and greenspaces is valued
- Tree retention at the subdivision stage should be improved
- School planning is required to meet growth
- Greater focus on environmental sustainability, including on air and water quality preservation
  - Consider further restriction of uses on conservation lands
- Policies to protect farmland need to be strengthened
- Address litter issues
  - Require commercial areas to provide garbage receptacles
- Address large truck parking: properly accommodate trucks, or take measures to prohibit them
- Consider expanding 'Good Neighbour Practices' to all residents, not just construction sites
- Consider inclusion of privacy in the design guidelines for West Popkum Development
- Sidewalks should be included as a community service with capital replacement reserves
- Encourage landowners to limit impervious services to address on-site storm water management
- Prioritize connectivity of pedestrian and bicycle trails. Utilize Right-of-way lands for recreation
- Include park spaces for broad range of users, including community meeting spaces, sports facilities, dog parks, etc.
- Need to clarify some geohazard components
  - Reduce technical language to improve ease of reading, and increase readability of maps
- Greater sensitivity to fire concerns
  - Increase awareness of wild fire hazards and strategies to reduce fire risk
  - Address illegal burning and fires in residential neighbourhoods

**The final plan is coming soon!**

# AREA D OFFICIAL COMMUNITY PLAN REVIEW TEAM

## MEETING NOTES

**Date:** Thursday, May 30, 2019

**Time:** 10:30 am – 12:45 pm

**Location:** FVRD, Meeting Room 224, 45950 Cheam Avenue, Chilliwack, BC

### 1. Welcome and Orientation

- a. Group Discussion - Key issues facing the community:
  - i. Desire to maintain large, executive style lots
  - ii. Preservation of community/regional/provincial parks and greenspaces
  - iii. Numerous issues associated with growth require increased regulation and more effective enforcement, e.g.:
    - Burning
    - Dog control
    - Litter associated with commercial uses at roundabout
    - "No Parking" zones being ignored
    - Inadequate parking for commercial uses
  - iv. Tree retention during subdivision stage of development should be improved
  - v. Accessibility and disability issues underrepresented in plan
    - Inaccessible park trails
    - Lack of access in commercial developments
  - vi. Community revitalization required – lack of sense of community
    - Community centre or meeting space required
    - Increase in park diversity required (e.g. dog park)
  - vii. Rosedale School at capacity – school site planning required
  - viii. Increased focus on environmental sustainability required
  - ix. Community based emergency preparedness plan required
- b. Reviewed proposed meeting schedule
  - i. Consensus was to maintain schedule as proposed
  - ii. Option to email Graham with comments if unable to attend a specific meeting date



## **2. What is an OCP?**

- a. Scope of an OCP - high level policy document; a statement of policies and objectives to guide development over the long term
- b. Content of an OCP - land use management focus but also addresses issues such as environmental protection, infrastructure (roads, sewer, water), etc.
- c. Power of an OCP – once adopted, all subsequent bylaws and works must be consistent with the Plan

## **3. Plan Review**

- a. *Section 1 – Introduction*
  - i. General Comments
    - Incorrect name of Popkum Residents Association is used
    - List of key partners is incomplete (MOTI, RCMP, Fire Department, etc.)
  - ii. Policy Suggestions
    - Highlight Ministry of Transportation as key partnership
- b. *Section 2 – Our Community*
  - i. General Comments
    - Should Rosedale School be listed as an amenity for Popkum-Bridal Falls?
    - Number of mobile homes cited may not be accurate
  - ii. Policy Suggestions
    - Inclusion of Halq'eméylem and historical references in place naming (streets, parks, etc.)
- c. *Section 3 – Vision and Values*
  - i. General Comments
  - ii. Policy Suggestions
    - Stronger language required for “big-picture goals” to include: accessibility; air and water preservation; climate change; ensuring infrastructure keeps pace with rate of growth, particularly highway safety
- d. Comments provided by email from absent team member

# AREA D OFFICIAL COMMUNITY PLAN REVIEW TEAM

## MEETING NOTES

**Date:** Thursday, June 6, 2019

**Time:** 10:30 am – 1.00 pm

**Location:** FVRD, Meeting Room 224, 45950 Cheam Avenue, Chilliwack, BC

### 1. Plan Review

#### *a. Section 4 – General Land Use Policies*

##### i. General Comments

- Various numbering corrections required

##### ii. Policy Suggestions

- Include language in support of compensation offered to landowners within utility corridors whose lands are not returned to a farmable state after utility works are carried out

#### *b. Section 5 – Land Use Designations*

##### i. General Comments

- Land use designations summaries are slightly misleading in their descriptions

##### ii. Policy Suggestions

- Additional land use designation created for areas affected by geohazards – forest/limited use designations are too broad with allowable uses to be suitable for areas subject to serious geotechnical hazards
- Limitations pertaining to bio-solid composting on agriculturally designated land
- Strengthen language to ensure preservation of farmable land is prioritized over the long term
- Covenanted areas of Rose Garden should be re-designated as conservation and not suburban residential – also consider including neighbourhood parks

- Conservation should include a sub-designation for “Sanctuary” Areas” that further restricts public access in order to protect environmental sensitives e.g. bird nesting
  - Include accessibility language in Highway Tourist Recreation Commercial designations
  - Include language requiring adequate trash receptacles in commercial areas
  - Consider taking a position on transport truck parking – either to properly accommodate them to eliminate the current illegal roadside parking issues, or prohibit them by creating more physical barriers (coordinate with MOTI)
  - Expanded commercially designated lands west of the roundabout along Yale Road – is this balanced, or is this commercial corridor too large for the community?
  - Can “Good Neighbour Practices” be expanded to neighbours more broadly instead of limited to a new construction context? (i.e. target non-developers as well)
- c. Comments provided by email from absent team member

# AREA D OFFICIAL COMMUNITY PLAN REVIEW TEAM

## MEETING NOTES

**Date:** Thursday, June 13, 2019  
**Time:** 10:30 am – 12:30 pm  
**Location:** FVRD, Meeting Room 224, 45950 Cheam Avenue, Chilliwack, BC

### 1. Plan Review

#### a. Section 6 – Local Area Policies

##### i. General Comments

- Consider incorporating Bridal Falls Uplands as a third neighbourhood “One Community – Three Neighbourhoods”
- Interface conflicts between Agricultural and Suburban Residential uses are inherent without a more gradual transition from agriculture to density

##### ii. Policy Suggestions

- Clarify “At-ground Design” guidelines and further articulate goal of preserving privacy – consider how prescriptive/restrictive this policy should be
- Incorporate Building Schemes as a preferred method of assuring design guidelines
- Include preference for native species planted within linear parks for longevity
- More flexible timeline considerations for development of Bridal Falls Uplands (less tied to substantial build out of West Popkum)
- Strengthen language for Policy 6.3.1.a.ii – a major or compelling community benefit should be presented as part of any exclusion or boundary review of ALR lands, possibly exceeding legislative requirements

#### b. Section 7 – Infrastructure and Services

##### i. General Comments

- Confirm accuracy of current sanitary system capacities as numbers may have changed

- Ensure language pertaining to DCCs is accurate
- General interest in seeing increased police resources in community (through increased officers)
- ii. Policy Suggestions
  - Include Sidewalks as community service requiring capital replacement reserves
  - Noted inconsistent application of FVRD Subdivision and Development Servicing Bylaw – stronger language to ensure enforcement is consistent
  - Consider including policy in support of exploring servicing partnerships with Cheam First Nation
  - Should policy advocating for landowners to limit impervious surfaces contain stronger language to better address on-site storm water management
  - Telecommunications Policy as recommended in Policy 7.8.6 should include requirements that are attainable for telecom companies to achieve in order to successfully establish a project to improve cellular coverage
- c. *Section 8 – Parks and Trails*
  - i. Policy Suggestions
    - Prioritize increased connectivity of existing to new linear trail developments
    - Identify gaps in “parks and trails” at the community level e.g. sports facilities, school site offering community and recreational amenities, dog park or dog friendly parks, parks appealing beyond the “tot lot” demographic – broader appeal
    - Capitalize on opportunity to use SROW lands for recreation and parks
    - Prioritize the following pedestrian/bicycle connections into order to better connect the separated development nodes and expand access to park and rec opportunities, acknowledge investment required, reaffirm that a solution is desired beyond what currently exists :
      - a. East and West connection separate from traffic level roundabout crossing
      - b. North and South connection in West Popkum across Yale Road

# AREA D OFFICIAL COMMUNITY PLAN REVIEW TEAM

## MEETING NOTES

**Date:** Thursday, June 20, 2019  
**Time:** 10:30 am – 1:00 pm  
**Location:** FVRD, Meeting Room 224, 45950 Cheam Avenue, Chilliwack, BC

### 1. Comments forwarded from Dir. Dickey from Popkum Residents Association

- a. There continues to be discussion surrounding the need to identify a school site within Popkum-Bridal Falls – discussion with SD required
- b. Establishing a community/recreation facility within Popkum-Bridal Falls is a priority for the residents

### 2. Plan Review

#### a. Section 9– Hazard and Risk Management

##### i. General Comments

- Given complexity and importance of details covered in this section it may be useful to further clarify the topics covered with less technical language so it can be more easily understood by property owners affected by the hazards discussed
- Map 2 – Geologic and Stream Hazards is difficult to read and understand, especially at a scale of 11x17 or smaller. Perhaps the legends can be enlarged on the reverse side for easier interpretation
- West Popkum being generally free of hazards (flood and rock avalanche) presents further rationale for establishing a community centre that could also serve as an evacuation centre during an emergency or hazard event
- Consideration should be given to more publicly disseminate Policy 9.5.5 annually to residents to further reduce risk of wildfire

##### ii. Policy Suggestions

- FVRD should support establishing a Fire Hazard Rating/Fire Ban sign at the entrance to the community or near campgrounds to further disseminate

information regarding wildfire risks/venting index to the community and visiting tourists

- Policy language to further empower the Fire Department to issue permits for fires as well as enforcement and fines should be included
- Stronger language is required to emphasize and encourage enforcement of burning restrictions in residential neighbourhoods, especially for illegal burning of garbage and other debris

*b. Section 10 – Environment and Resources*

i. General Comments

- Consideration should be given to more publicly disseminate information pertaining to Noxious Weeds

ii. Policy Suggestions

- FVRD should pursue increased education and outreach for landowners adjacent to environmentally sensitive areas and for tree retention pursuant to Policy 10.5.2, language should be strengthened
- Should consider policy pertaining to the reduction of greenhouse gases created by illegal burning, encourage responsible burning from residents

*c. Section 11 – Development Permit Areas*

i. General Considerations

- Vague language in DP guidelines creates difficulties for developers and landowners – the less room for discretion or interpretation the better
- A more proactive approach may be considered to advising property owners affected by DPA 2-D/restrictive covenants of their responsibilities to preserve environment

ii. Policy Suggestions

- DPA 1-D Exemptions: c. “redevelopment or expansion of existing commercial uses that do not include overnight accommodation” – should there be a distinction between a restaurant vs. campground (mobile accomm.) expansion? Is this the best place to draw the line?
- Consequences/Offence language could be strengthened for DPA 2-D
- DPA 4-D should contain language ensuring accessible design (for disability, strollers, elderly, etc.)



To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Reg Dyck, Manager of Electoral Area Emergency Services

File No: 1855-30

**Subject: Grant Application for the Volunteer and Composite Fire Department Training and Equipment Fund**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board endorse a grant application of up to \$175,000 under UBCM's Community Emergency Preparedness Fund towards training and equipment to support our seven Electoral Area fire departments.

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

### BACKGROUND

UBCM annually offers grant opportunities for a variety of programs. The Community Emergency Preparedness Fund (CEPF) is a suite of funding programs intended to enhance the resiliency of local governments and their residents in responding to emergencies. Funding is provided by the Province of BC and is administered by Union of BC Municipalities (UBCM). The Volunteer & Composite Fire Department Training and Equipment funding stream can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$25,000 per Electoral Area fire department for a total of \$175,000. The intent of this funding stream is to build the resiliency of volunteer and composite fire departments through the purchase of new or replacement equipment, and to facilitate the delivery of training and exercises.

### DISCUSSION

As each Electoral Area fire department is eligible for up to \$25,000 towards training and/or equipment staff has taken recommendations from each department on training and equipment priorities and will complete the application based on these recommended projects. Some training will be shared with all

other EA departments and possibly our neighbouring mutual aid partners as it can be difficult to fill certain courses from within each department. Training such as Team Leader, and Live Fire may be offered. This training will improve resiliency of each EA fire departments to continue to provide the required emergency response to each community and mutual aid partners. Other activities may include the purchase of wildfire personal protective equipment and other equipment to support structure firefighting and wildland/interface firefighting efforts.

## **COST**

As this grant funding stream can contribute a maximum of 100% of the cost of eligible activities, it is anticipated to have little budgetary impact should the FVRD be successful.

## **CONCLUSION**

Staff is recommending that FVRD apply for funding of up to \$175,000 from UBCM's Community Emergency Preparedness Fund to assist the seven electoral area fire departments in purchasing equipment and provide further training towards structural and wildland/interface firefighting.

## **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 Electoral Area Services Committee  
 From: David Urban, Manager of Outdoor Recreation Planning

Date: 2019-09-10  
 File No: 6120-50-Area B

**Subject: Proposed Community Park in Yale, Electoral Area B**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board support a community institutional Crown land tenure application (#100296409) to develop two Crown parcels on Front Street in Yale into a community park.

### STRATEGIC AREA(S) OF FOCUS

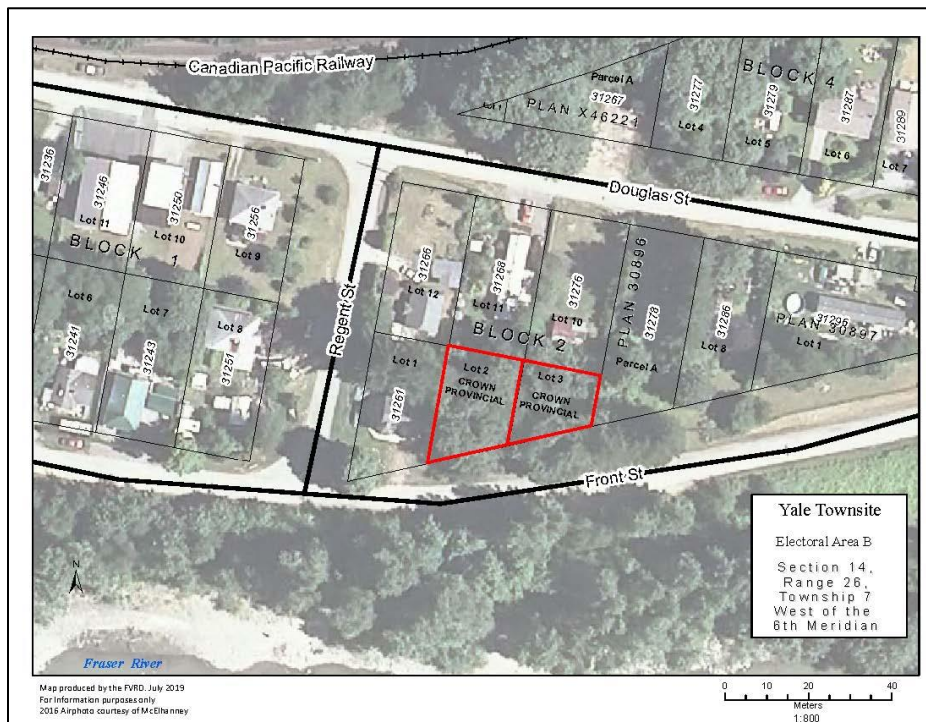
Support Healthy & Sustainable Community

### PRIORITIES

Priority #5 Outdoor Recreation

## BACKGROUND

There is a community need for a neighbourhood park in Yale. Two parcels of Crown land (Lot 2 and 3, Block 2, Section 14, Township 7, Range 26, Meridian W6, Yale Division of Yale Land District) adjacent to Front Street would serve as an ideal location for this community park, please see the map below.



Last month, the Fraser Valley Regional District (FVRD) submitted a community institutional Crown land tenure application (#100296409) for these two parcels. For this application to be complete a Board resolution supporting this application is required.

## **DISCUSSION**

The Province has a Community and Institutional Program that serves to support the community, social and economic goals of the Province by making parcels of Crown land available for community and institutional uses. It enables the use and disposition of Crown land for health, education, public safety, community infrastructure, and public facilities that benefit the public-at-large.

Local governments can apply for access to provincial Crown land for public purposes through a sponsored Crown grant. Sponsorship for Crown land title does not ensure approval of the application, but serves to indicate support of the appropriate ministry for the intended use of the land. A sponsored Crown grant transfers the ownership of identified parcels of Crown land from the BC government to a regional district.

Applications for Crown grants where the value of the land is more than \$100,000 must be sponsored by the appropriate provincial ministry. The combined assessed value for these two parcels is \$109,900, so the FVRD is seeking ministry sponsorship for this application. This does not need to be in place at the time of application rather a Natural Resource Specialist with the Province assists with this process.

Last month an application was submitted to initiate this process, but to complete this submission a Board resolution is required.

## **COST**

The application fee of \$262.50 has been paid out of Area B Community Parks and any costs associated with the development of this park will also be funded from this service area.

## **CONCLUSION**

A completed Crown tenure land application is required to advance the concept of using two parcels of Crown land as a community park in Yale. The last remaining outstanding application item is a Board resolution. Yale does not have a community park and this opportunity would serve a needed community gap.

## **COMMENTS BY:**

**Stacey Barker, Director of Regional 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 Electoral Area Services Committee  
From: Milly Marshall, Director of EA Special Projects

Date: 2019-09-10  
File No: 5500-01

**Subject: Electoral Area Cellular and Internet Connectivity**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board authorize up to \$50,000 for a cellular and internet connectivity assessment within the Electoral Areas for the purposes of identifying potential infrastructure requirements and in preparation for funding opportunities;

**AND THAT** staff be authorized to continue to engage with the respective connectivity service providers for the purposes of improved Electoral Area cell and internet service, funding applications and/or service delivery partnerships.

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services  
Foster a Strong & Diverse Economy

### BACKGROUND

The FVRD Board had previously passed a motion which authorized the spending of up to \$20,000 towards completion of a connectivity infrastructure study for the electoral areas as part of a grant application process. It was noted by the respective grant administrator that any applicant (certified Internet Service Provider or ISP) would have access to that very same information.

The cost for the connectivity report as initially offered through the Northern Development Trust and was for very basic information. Costs for a more detailed and useable customized report would be approximately \$50,000 (funds available on hand). The upcoming CRTC grant application requires information that would be presented within the requested report. A public proposal call would likely be required to select the successful proponent .

Grant funding also remains available (50/50 funding ratio) for a certified ISP for "last mile" connections and/or fibre optic infrastructure projects within the Electoral Areas. The ISP or fibre cable company would make an application for the projects/funding and upon receipt (funding received by FVRD), undertake the infrastructure project or last mile or connections applied for.

Available grant funding and connectivity challenges within the electoral areas were also discussed with the Executive Director for Network BC. Some the challenges identified included:

- Ownership/proprietorship of existing infrastructure (can be cost prohibitive for other ISPs to access)
- Cost of infrastructure – fibre optic infrastructure very costly
- Geography – many areas are densely forested with mountainous terrain (typically fibre optic infrastructure required and with low population)
- Optics and Communication
  - fibre optic infrastructure was installed in various areas throughout the FVRD a few years ago and has remained untouched since. This infrastructure may be part of larger infrastructure system that was not specifically designed to serve those in the very nearby homes; very costly to “break into”. This has left some residents very disappointed or angry by perceived lack of service.
  - number of end customers vs. cost for service. Aside from installation costs, ongoing maintenance costs also have to be considered. Maintenance not always considered a real cost by the public.
  - managing expectations for service in view of comments by public officials published through various means of media regarding the right and/or entitlement to access to cell or internet services. The private sector service providers do not necessarily agree (fundamental business case criteria or high financial risk or failure could result)

While funding opportunities for connectivity may be available, securing a certified ISP or infrastructure company to undertake the funding application process, has been very challenging. Again, the costs of delivering services in areas currently without service or with extremely slow or poor reception, etc. are often too costly for a provider (Telus, Shaw, etc.) based on their existing business models.

## **DISCUSSION**

Staff has dedicated many hours to attempting to work with the service providers for improved connectivity within the Electoral Areas. This project was originally initiated to encourage one of the service providers to improve cell and internet services within certain locations of the Electoral Areas (safety related – Columbia Valley and Sunshine Valley). Staff are now looking for various opportunities and funding models/partnerships, to enable improved services and infrastructure throughout the FVRD EAs.

## **COST**

There is no service area currently established for cellular and internet connectivity and may be something the Committee will need to consider depending on options as determined by the study. To move this project forward, there is funding available from the Electoral Area Administration surplus fund to cover the costs of the proposed consultant and report.

## **CONCLUSION**

It is staff's recommendation that an Electoral Area cellular and internet connectivity assessment be undertaken in preparation for upcoming grant application(s) and connectivity infrastructure planning throughout the EAs.

It is also the recommendation of staff that avenues continue to be pursued for improved connectivity within the EAs but that limitations surrounding the project scope be identified/implemented in the near future.

## **COMMENTS BY:**

**Mike Veenbaas, Director of Financial Services**

Reviewed and supported.

**Jennifer Kinneman, Acting Chief Administrative Officer**

Improving cellular and Internet connectivity was identified as a priority by EASC at the April 2019 strategic planning session. If improved access continues to be a key priority for EASC, further investment of staff time and resources will be necessary.



To: CAO for the Electoral Area Services Committee

Date: 2019-09-10

From: Graham Daneluz, Dep. Director of Planning & Development

File No: 4530-01

**Subject: The Use of Land for Processing Aggregates in FVRD's Electoral Area Zoning Bylaws**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board direct staff to provide information and assistance to the BC Stone, Sand & Gravel Association and individual gravel operators so that they can apply for zoning amendments or temporary use permits to allow gravel processing at mine sites;

**AND THAT** the Fraser Valley Regional District Board express its preference to consider zoning amendment applications to allow gravel processing after the results of independent monitoring of noise and dust emissions associated with gravel operations in priority areas is available so that baseline data about community impacts may be considered in conjunction with any applications submitted;

**AND FURTHER THAT** staff be directed to prepare, for consideration by the FVRD Board, a policy to: 1) focus Soil Removal service resources on implementation of *FVRD Commercial Gravel Operations Bylaw No. 1181*; and, 2) not enforce zoning provisions related to processing at existing mines if the mine is in compliance with *Bylaw No. 1181*.

### STRATEGIC AREAS OF FOCUS

Foster a Strong & Diverse Economy

Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

### SUMMARY

The BC Stone, Sand & Gravel Association (BCSSGA) has asked FVRD to address their concerns with zoning bylaws that do not allow the processing (e.g. crushing) of gravel at a number of established gravel mine sites in the Electoral Areas. BCSSGA believes that zoning provisions create uncertainty for the industry and hinder desirable investment that reduces environmental and community impacts associated with mining.

FVRD's new *Commercial Gravel Operations Bylaw No. 1181* regulates noise and dust emissions from gravel operations and provides resources for monitoring and compliance. With *Bylaw No. 1181* now in

place, the FVRD Board may wish to consider options for addressing the longstanding issue raised by the BCSSGA. This Corporate Report outlines potential options.

## BACKGROUND

The BC Stone, Sand & Gravel Association (BCSSGA) represents the aggregate industry in British Columbia. FVRD has engaged with the BCSSGA, and individual gravel operators, since 2004 to improve regulations affecting the gravel industry and to minimize negative impacts to communities that surround gravel operations.

In July, 2019, BCSSGA representatives attended the FVRD Board meeting to ask that long-standing concerns with the treatment of gravel processing in FVRD bylaws be addressed. In many cases, Electoral Area zoning bylaws do not allow gravel processing where mines are located. According to BCSSGA, this leads to uncertainty for gravel operators and hinders investments that would improve efficiency and reduce community impacts. BCSSGA has asked the Board to consider solutions to this problem.

### Local Government Zoning Authority for Gravel Extraction and Processing

The processing of rock, sand and gravel is noisy and dusty (although these emissions can be minimized). It involves heavy machinery and mechanical processes to break and sort rock. It occurs in the open air where noise and dust emission can easily spread to surrounding properties. As a result, gravel processing can cause nuisances for surrounding communities that have led to persistent and intense conflicts in FVRD's electoral area and elsewhere. In the absence of effective tools and resources to manage these conflicts, many local government zoning bylaws have differentiated the extraction of rock, sand and gravel from the processing of it.

The primary tool local governments have for regulating land use and avoiding use conflicts is zoning. Extraction is not considered a land use and it cannot be regulated or prohibited through zoning bylaws.<sup>1</sup> However, the processing of gravel is a use of land and it may be addressed by zoning bylaws. Since zoning bylaws cannot regulate where gravel extraction occurs, local governments have used zoning powers to influence where the processing occurs with the intention of avoiding conflicts over noise and dust emissions.

In the view of the Industry, the distinction in zoning between extraction and processing divides a single integrated enterprise – a gravel operation – into two separate parts (extraction and processing) that generally need to be together to be viable. Gravel is a low value bulk commodity. A large part of the cost

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<sup>1</sup> The extraction of mineral resources is viewed in law as a consumption of land; not a use of land subject to local government zoning. There is a complex body of law around this distinction and the scope of local government authority. Generally, jurisdiction over mineral extraction is reserved for the Province. It may be regulated and prohibited by local governments only through a soil removal bylaw (not a zoning bylaw) approved by the Minister of Mines. *FVRD Commercial Gravel Operations Bylaw No. 1181*, adopted in 2016, is such a bylaw. It is one of the few bylaws in BC that have received ministerial approval.

to the user – half or more - is in the transportation of the gravel. Added transportation and handling greatly increase the price to the user and make the produce uncompetitive in the marketplace.

### **Gravel Processing in FVRD Zoning Bylaws**

FVRD has nine zoning bylaws that cover different parts of the Electoral Areas. For the most part, these bylaws have a consistent approach to gravel extraction and processing.

Extraction is defined as:

“the pulling out or drawing out of primary forest, mineral, and other natural resource materials on a lot; includes only the preliminary grading, cutting, separation, or crushing of such materials for shipment; excludes all manufacturing of products from such materials and any processing not specifically included in this definition; also excludes the excavation of land as a necessary part of a construction project, the removal of unwanted stones from the surface of land undergoing cultivation, and the cleaning out or enlarging of a drainage system for the purpose of improving the drainage of lands.”<sup>2</sup>

Note that this definition includes, “the preliminary grading, cutting, separating or crushing... for shipment.” This recognizes that some degree of processing is often required simply to put the material in a state in which it can be removed from the mine site. This is particularly true of quarry rock, but can also be the case for sand/gravel deposits as well. If the resource is not able to be broken or sorted to a degree sufficient to enable shipping, the extraction rights would be frustrated.

Extraction is typically listed as a permitted use in large-lot zones such as Agriculture, Rural, and Limited Use. However, as outlined above, it is outside of local government jurisdiction to prohibit gravel extraction by way of zoning bylaw and so zoning bylaws do not effectively prohibit extraction anywhere.<sup>3</sup>

Most FVRD zoning bylaws contain a zone, such as the Resource Industrial (I-1) zone, that allows, “uses necessary to the primary manufacture of products from forest, mineral and other extracted natural resource materials, such as sawmill, pole treatment plant, gravel sorting, screening and crushing.”<sup>4</sup>

There about 11 electoral area properties with zones that would permit gravel processing. Only one is associated with a gravel operation.

### **Processing at Electoral Area Mine Sites**

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<sup>2</sup> This excerpt is from Division 1 of Zoning Bylaw No. 100 (Area “C”) but all FVRD zoning bylaws contain the same or a similar definition.

<sup>3</sup> This is explicitly recognized in Sumas Mountain Rural Land Use Bylaw No. 500 which states that, “Notwithstanding that Section 7.6.2 does not permit land to be used for mineral, aggregate, and energy extraction activities, such activities may occur on land designated Limited Use/Resource because the Mines Act and the Municipal Act do not enable the Regional District to regulate mining activity as a land use, despite the fact that the Regional District is opposed to mining activities in this designation.” Various FVRD official community plans also acknowledge this limitation.

<sup>4</sup> Division 8 of Zoning Bylaw No. 100 (Area “C”). The same provisions exist in five other FVRD zoning bylaws (BL# 85, 90, 801, 75 and 66. Two more zoning bylaws provide zones for similar uses (BL#559, 500). Only Zoning Bylaw No. 823 (part of Area A) provides no provisions for gravel processing.

Aggregates are used for many different purposes, including roads, buildings, infrastructure, sports fields, and construction. Different purposes require different aggregate products. There are a variety of factors that differentiate aggregate products including the size of the stones; the shape of the stones (round or angular); the mixture of sizes and materials; the mineral qualities of the rock; the ratio of sand to rock; and, a variety of other things. Some uses - like structural concrete, road building and sewage disposal systems - require aggregates of very strict specifications that can only be met by controlled processing systems.

For that reason, most gravel operations process the material they extract to create consistent products of specific sizes and qualities to address a variety of needs. The operations in FVRD's electoral areas are no different. Most process gravel and, of these, most do not have zoning that permits processing. A small number are zoned to permit processing or are 'grandfathered'.<sup>5</sup>

Processing can include washing, screening, crushing and other processes to refine and improve the quality of the sand/gravel or hard rock mined from the earth.

Over half - and potentially up to two-thirds - of electoral area gravel operations may be processing contrary to zoning.<sup>6</sup> There are three open bylaw enforcement files.

### **The Effectiveness of Zoning Prohibitions against Gravel Processing**

As a strategy to reduce land use conflicts, the strategy of separating gravel extraction from processing in zoning bylaws has probably has allowed some influence over the location of gravel operations that wouldn't otherwise have been possible. However, as the preceding section suggests, the overall success of this approach in minimizing conflicts has been greatly limited by:

- uncertainty about the extent of local government authority, mixed case law on the matter, and the high cost of defending legal challenges;
- ambiguity regarding the line between 'processing for shipment' versus processing to create a marketable product;
- organized and well-funded opposition from the gravel industry;
- and little provincial support for local government involvement in this arena and particularly the practice of the Ministry of Mines to allow processing in Mines Permits without regard to local government bylaws;
- the lack of effective enforcement, in good part due to the intensity of effort required and very limited resources; and,

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<sup>5</sup> One mine has appropriate zoning, another has land within the mine site located in an adjacent jurisdiction that is zoned for processing. Processing at a small number of mines is likely 'grandfathered' or partly 'grandfathered'.

<sup>6</sup> This report does not provide detailed statistics on electoral area gravel operations because: 1) I have attempted to focus attention on the 'big picture' rather than individual operations; and, 2) our data and knowledge of electoral area gravel operations is incomplete and that is a challenge for presenting accurate numbers. Staff are building an organized knowledge base and we will be able to provide more specific and reliable information as the work progresses. In the meantime, if EA Directors wish to have more detailed information, we would be pleased to what we currently have.

- market and economic realities of the gravel industry that often require extraction and processing to occur in the same location.

### **Alternative Approaches to Reduce Conflicts**

In the early 2000's, FVRD was taking steps to enforce its zoning bylaw against a new gravel quarry on Sumas Mountain that was processing contrary to the bylaw. Community concerns with noise and dust from the quarry were widespread. After normal enforcement efforts failed, the Regional District was preparing for legal action to obtain an injunction to stop processing at this site. Faced with the costs, timeline and uncertainty of the court process, FVRD appealed to the Province to assist in finding a better way to address these land use conflicts. This began a lengthy process with the Province and the BCSSGA to improve the framework for managing the aggregate production in the electoral areas. Bylaw enforcement efforts were suspended pending the outcome of the Aggregate Pilot Project.

This effort resulted in a 2009 Recommendations Report that was endorsed by the FVRD Board and by the Industry. With respect to gravel processing, the report recommended that, "in most cases, processing should occur at the location of extraction."<sup>7</sup>

Many of the principles in the Recommendations Report were implemented in *FVRD Commercial Gravel Operations Bylaw No. 1181* which was approved by the Minister of Mines and adopted by the FVRD Board in late 2016.

### ***FVRD Commercial Gravel Operations Bylaw No. 1181***

*Bylaw No. 1181* is intended to better balance the economic needs of the region for sustainable, accessible gravel supplies with the impacts that gravel operations can have on surrounding local communities. It provides a strong framework for avoiding and managing community impacts associated with gravel operations because it:

- sets out "Restricted Areas" where new gravel operations are not permitted
- establishes "Community Areas" with measurable limits for noise and dust emissions;
- requires operators to submit annual compliance reports; and,
- generates revenues through annual fees which support bylaw administration, compliance, independent compliance monitoring.

The bylaw is still in an implementation stage. The focus to date has been on building relationships and permitting existing operations. After providing a transition period (2017), the first year of fee collection was 2018 (fees paid in early 2019). Staff intend that monitoring and compliance activities will ramp up this fall with enforcement actions addressing unpermitted operations and proactive independent monitoring in priority areas to establish noise and dust emission baselines.

This bylaw provides an effective tool for reducing land use conflicts associated with gravel operations as well as the resources needed monitor emissions and enforce the bylaw. With this now in place, the FVRD

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<sup>7</sup> Section 3.3.3. Aggregate Pilot Project Recommendations Report. 2009.

Board could consider the BCSSGA request and evaluate options for addressing zoning prohibitions against gravel processing in permitted mine sites.

## DISCUSSION

### Options

The FVRD Board may wish to consider the following options:

1. Do nothing at this time

The Board may elect to do nothing at this time, or defer the matter for future consideration once EA Directors have had greater opportunity to: a) gauge the success of *Bylaw No. 1181* and related efforts in minimizing land use conflicts associated with gravel operations; b) assess community interests and opinions; and c) learn more from Industry and staff about the issues.

2. FVRD Board could initiate zoning amendments

The Board could direct staff to prepare amendments to electoral area zoning bylaws to permit processing at mine sites.

3. BCSSGA and/or individual gravel operators could apply for zoning amendments or temporary use permits

The Board could direct staff to provide information and assistance to BCSSGA and individual gravel operators to assist them in making applications for zoning amendment or temporary use permits (as appropriate) to permit processing at mine sites.

There will be a strong community interest in any changes to bylaws that relate to gravel operations. The public engagement process for any zoning amendment applications would need to be considered if/when applications are made.

The BCSSGA has expertise, materials and resources to effectively communicate with the public and stakeholders about the industry. This option would best position Industry to directly present their case to Electoral Area communities and respond to any concerns raised.

4. Interim Policy

In conjunction with Options 2 and 3, the FVRD Board may wish to consider a policy to clarify that bylaw compliance and enforcement resources will be focused on fully implementing *Bylaw No. 1181* and undertaking related monitoring and communications initiatives. Through the policy, the Board could formalize the practice of non-enforcement of zoning provisions related to processing where a permit under *Bylaw No. 1181* has been obtained and the operation is in compliance with the bylaw.

This would provide staff with clear direction and reduce uncertainty for industry in the short term while bylaw amendments or other options are contemplated.

### **Independent Monitoring of Community Impacts**

*Bylaw No. 1181* establishes annual fees to support administration of the bylaw and related efforts. Now that fee revenues for 2018 have been received, it is the intention of staff to step up compliance and monitoring activities. Independent baseline monitoring of noise and dust emissions will be performed by third-party technicians in priority areas such as Lake Errock and Hatzic Valley.

Monitoring will be the subject of a future report to the EASC and Board to determine priority areas and provide more information about methods, costs and timelines. Results should be available in early summer of 2020 because noise levels need to be assessed under a variety of climactic conditions and dust emissions should be measured during drier months.

The Board will be in a better position to evaluate zoning amendments to allow processing within mine sites once we have a fuller picture of community impacts associated with gravel operations and compliance with *Bylaw No. 1181*. Ideally, applications to amend FVRD bylaws would be considered after monitoring results are available.

### **Interim Measure: Policy to Guide Bylaw Enforcement Efforts**

In the meantime, the Board may wish to consider a policy to:

- Focus limited resources for bylaw administration and compliance/enforcement on administering and obtaining compliance with FVRD Commercial Gravel Operations Bylaw No. 1181, including the permitting of unpermitted operations, the collection of fees, independent monitoring, relationship building with community and industry partners, coordinating with the Ministry of Energy & Mines and other stakeholders, reporting and communications.
- As a temporary measure, the policy could formalize the practice of non-enforcement of zoning provisions related to processing at existing mine sites where a permit under *Bylaw No. 1181* has been obtained and the operation is in compliance with the bylaw. The policy would only address the zoning prohibition against processing. All other aspects of the operation would be subject to compliance and enforcement efforts in the event that a violation of FVRD's bylaw occurs.

Such a policy would provide staff with clear direction and reduce uncertainty for industry in the short term while bylaw amendments or other options are formulated.



## **COST**

Costs for preparing zoning amendments or drafting policies would be covered by the existing Soil Removal budget.

## **CONCLUSION**

The BC Stone, Sand & Gravel Association has asked the FVRD Board to address long-standing concerns with the treatment of gravel processing in FVRD zoning bylaws. EA zoning bylaws do not allow gravel processing where mines are located.

With the adoption of *Commercial Gravel Operations Bylaw No. 1181*, FVRD has better tools and resources to reduce conflicts over noise and dust emissions from gravel operations.

Staff recommend that the Board:

1. Direct staff to provide information and assistance to BCSSGA and individual gravel operators so that they can - together or separately - apply for zoning amendments or temporary use permits to allow processing at mine sites;
2. Express its preference to consider zoning amendment applications after the results of independent monitoring of noise and dust emissions is available so that baseline data about community impacts may be considered in conjunction with the applications; and
3. Direct staff to prepare for consideration a policy to:
  - a. Focus resources on administering and obtaining compliance with FVRD Commercial Gravel Operations Bylaw No. 1181; and,
  - b. As a temporary measure, formalize the practice of non-enforcement of zoning provisions related to processing at existing mine sites where a permit under Bylaw No. 1181 has been obtained and the operation is in compliance with the bylaw.

## **COMMENTS BY:**

**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.