

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

Tuesday, June 9, 2020

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

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**Pages**

**1. CALL TO ORDER**

**2. CHAIR'S REPORT ON REGIONAL AND CORPORATE SERVICES COMMITTEE MEETING**

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

**MOTION FOR CONSIDERATION**

**THAT** the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of June 9, 2020 be approved;

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

**4. MINUTES/MATTERS ARISING**

**4.1 Draft Electoral Area Services Committee Meeting Minutes - May 12, 2020**

6 - 14

**MOTION FOR CONSIDERATION**

**THAT** the Minutes of the Electoral Area Services Committee Open Meeting of May 12, 2020 be adopted.

**5. FINANCE**

**5.1 2020 Grant-In-Aid Request – Cultus Lake Goose Management Committee, Electoral Area “H”**

15 - 17

- Corporate report dated June 9, 2020 from Kristy Hodson, Acting Director of Financial Services
- Grant-in-aid Application

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid up to \$1,500 to the Cultus Lake Goose Management Committee, funded from the Electoral Area “H” grant-in-aid budget, to help offset the costs of signs to help

manage the goose population.

## **6. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT**

### **6.1 Authorization for the discharge of a geo-hazard covenant from the title of 47840 Chilliwack Lake Road, Electoral Area E** 18 - 21

- Corporate report dated June 9, 2020 from Julie Mundy, Planner I

#### **MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to the discharge of covenant BM197518 and the registration of a replacement geo-hazard covenant to the title of 47840 Chilliwack Lake Road, Electoral Area E, subject to the completion of development permit 2019-08.

### **6.2 Development Variance Permit 2020-05 to waive the statutory minimum parcel frontage requirement for proposed Lot '1' to facilitate a two lot subdivision at 4498 Bench Road, Electoral Area E** 22 - 42

- Corporate report dated June 9, 2020 from Andrea Antifaeff, Planner I
- DVP Application
- Draft DVP 2020-05

#### **MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2020-05 to waive the statutory minimum parcel frontage requirement for proposed Lot '1' at 4498 Bench Road, Area E, subject to the consideration of any comments or concerns raised by the public;

**AND THAT** that the Fraser Valley Regional District Board exempt proposed Lot '1' at 4498 Bench Road from the minimum parcel frontage requirement pursuant to Section 512(2) of the Local Government Act;

**AND FURTHER THAT** the Fraser Valley Regional District Board authorize its signatories to execute all legal instruments associated with Subdivision File No. 3320-20-2020-00310.

### **6.3 Development Variance Permit 2020-06 to reduce the exterior lot line setback at 43802 Loch Road, Electoral Area C** 43 - 59

- Corporate report dated June 9, 2020 from Julie Mundy, Planner I
- DVP Application
- Draft DVP 2020-06

#### **MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2020-06 for 43802 Loch Road, Electoral Area C, to reduce the exterior

lot line setback from 6.0 metres to 1.5 metres clear to sky, to facilitate the construction of a single-family residence, subject to consideration of comments or concerns raised by the public.

**6.4 North Fraser Harrison Mills Fire Protection Service Area Amendment Bylaw No. 1545, 2019**

60 - 64

- Corporate report dated October 8, 2019 from Jaime Reilly, Manager of Corporate Administration and Reg Dyck, Manager of Electoral Area Emergency Services
- Draft Bylaw No. 1545, 2019
- Statutory Approval

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board consider adopting the bylaw cited at *North Fraser Harrison Mills Fire Protection Service Area Amendment Bylaw No. 1545, 2019*.

**6.5 Zoning Bylaw 1597, 2020 Proposed rezoning of 10789 North Deroche Road, Electoral Area G to facilitate a single burial plot within an existing religious building**

65 - 78

- Corporate report dated June 9, 2020 from David Bennett, Planner II;
- Draft Bylaw No. 1597, 2020
- Application drawings
- Burial description
- Photo of existing room

**MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board consider giving first reading to the bylaw cited *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1597, 2020* for the rezoning of 10789 North Deroche Road, Electoral Area G to permit a single burial plot within an existing religious use building;

**AND THAT** the Fraser Valley Regional District Board consider waiving the holding of a public hearing for *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1597, 2020* pursuant to section 464(2) of the Local Government Act;

**AND FINALLY THAT** the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1597, 2020*.

**6.6 ALR and Small Secondary Residence Consideration – Engagement Process**

79 - 82

- Corporate report dated June 9, 2020 from Katelyn Hipwell, Planner II

## **MOTION FOR CONSIDERATION**

**THAT** the Fraser Valley Regional District Board provide comments to the Ministry of Agriculture in response to the *Policy Intentions Paper: Residential Flexibility* in the ALR and the Ministry's on-going engagement and consultation with local governments.

**AND THAT** the comments provided in the discussion of this corporate report be considered the comments of the Fraser Valley Regional District Board.

### **7. ELECTORAL AREA EMERGENCY SERVICES**

#### **7.1 Emergency Operations Centre Update**

- Verbal update by Staff

### **8. ADDENDA ITEMS/LATE ITEMS**

### **9. REPORTS BY STAFF**

### **10. REPORTS BY ELECTORAL AREA DIRECTORS**

### **11. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA**

Email submissions can be made to [info@fvrd.ca](mailto:info@fvrd.ca) before 1 pm, June 8, or you can watch the webcast meeting online and call our reception line at 604-702-5000 when the time for callers is announced.

### **12. 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(2)(b) of the *Community Charter* - the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

## **R E C E S S**

### **13. RECONVENE OPEN MEETING**

### **14. RISE AND REPORT OUT OF CLOSED MEETING**

### **15. ADJOURNMENT**



**MOTION FOR CONSIDERATION**

**THAT** the Electoral Area Services Committee Open Meeting of June 9, 2020 be adjourned.

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

Tuesday, May 12, 2020

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

- Members Present:
- Director Bill Dickey, Electoral Area D, Chair *(via Zoom conference call)*
  - Director Terry Raymond, Electoral Area A *(via Zoom conference call)*
  - Director Dennis Adamson, Electoral Area B *(arrived at 1:38 pm, via Zoom conference call)*
  - Director Wendy Bales, Electoral Area C *(via Zoom conference call)*
  - Director Orion Engar, Electoral Area E *(via Zoom conference call)*
  - Director Hugh Davidson, Electoral Area F *(via Zoom conference call)*
  - Director Al Stobbart, Electoral Area G *(via Zoom conference call)*
  - Director Taryn Dixon, Electoral Area H *(via Zoom conference call)*
- Staff Present:
- Jennifer Kinneman, Chief Administrative Officer *(via Zoom conference call)*
  - Kristy Hodson, Acting Director of Financial Services/Chief Financial Officer *(via Zoom conference call)*
  - Jaime Reilly, Manager of Corporate Administration/Corporate Officer *(via Zoom conference call)*
  - Tareq Islam, Director of Engineering & Community Services *(via Zoom conference call)*
  - Graham Daneluz, Director of Planning & Development *(via Zoom conference call)*
  - Stacey Barker, Director of Regional Services *(via Zoom conference call)*
  - Christina Vugteveen, Manager of Parks and Recreation *(via Zoom conference call)*
  - David Urban, Manager of Outdoor Recreation Planning *(via Zoom conference call)*
  - Alison Stewart, Manager of Strategic Planning *(via Zoom conference call)*
  - David Bennett, Planner II *(left at 2:50 pm, via Zoom conference call)*
  - Robin Beukens, Planner II *(left at 3:06 pm, via Zoom conference call)*

Louise Hinton, Bylaw, Compliance and Enforcement Officer (*left at 3:00 pm, via Zoom conference call*)

Kristen Kohuch, Executive Assistant to CAO and Board (*recording secretary*)

Tyler Davis, Network Analyst II

**1. CALL TO ORDER**

Chair Dickey called the meeting to order at 1:31 pm.

**2. CHAIR'S REPORT ON REGIONAL AND CORPORATE SERVICES COMMITTEE MEETING**

Chair Dickey provided a brief summary of the Regional and Corporate Services Committee Meeting of May 12, 2020.

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

Moved By RAYMOND

Seconded By ENGAR

**THAT** the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of May 12, 2020 be approved;

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

**CARRIED**

**4. MINUTES/MATTERS ARISING**

**4.1 Draft Electoral Area Services Committee Meeting Minutes - April 16, 2020**

Moved By STOBART

Seconded By DAVIDSON

**THAT** the Minutes of the Electoral Area Services Committee Open Meeting of April 16, 2020 be adopted as amended.

**CARRIED**

## 5. CORPORATE ADMINISTRATION

### 5.1 Quarterly Update, January - April, 2020

The Committee thanked staff for providing a concise and informative Quarterly Update.

### 5.2 Community garden at the Deroche Community Office

The Committee discussed site feasibility, current leases, operational requirements as it concerns COVID-19, and potential impacts of a community gardens in the area. It was noted that staff involvement in this project would be limited to contract administration at an FVRD facility.

Moved By BALES

Seconded By RAYMOND

**THAT** the Fraser Valley Regional District Board direct staff to work with the Province of BC to explore options for Actively Creating an Exceptional Society (ACES) to manage a community garden on the Crown land parcel located at the Deroche Community Office;

**AND THAT** staff be directed to develop an agreement with ACES regarding management of a community garden located at the Deroche Community Office.

**CARRIED**

## 6. FINANCE

### 6.1 2020 Grant-In-Aid Request – Actively Creating an Exceptional Society, Electoral Area “C”

Discussion ensued regarding the process for management of the Grant-In-Aid funds should the project associated with the development of a community garden/edible forest was not approved.

Moved By BALES

Seconded By RAYMOND

**THAT** the Fraser Valley Regional District Board approve a grant-in-aid to Actively Creating an Exceptional Society (ACES) in the amount of \$4,000 to be funded from the

2020 Electoral Area "C" grant-in-aid budget to help offset the costs associated with developing a community garden/edible forest.

**CARRIED**

## **7. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT**

### **7.1 Changes to the Agricultural Land Commission Act and Agricultural Land Reserve General Regulation**

The report dated May 12, 2020 by Katelyn Hipwell, Planner II and Julie Mundy, Planner I was provided for information.

The Committee commented on the tightening of regulations which disallow non-government property owners from applying for removal from the Agricultural Land Reserve.

### **7.2 Temporary changes to liquor licensing at Sasquatch Inn, Electoral Area C (Second Request)**

Moved By BALES

Seconded By DAVIDSON

**THAT** The Fraser Valley Regional District Board endorse the application received March 4, 2020 for temporary changes to the liquor licence for the Sasquatch Inn (46001 Loughheed Highway, Electoral Area C) with the following comments:

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

1. Special Events are only held in accordance with Provincial Health Ministerial Order Mo82 banning mass gatherings of 50 and any other public health orders for COVID-19;
2. Temporary provisions for vehicular parking to ensure the requirements identified in the current local *Zoning* for the property are being followed (one parking spot per three seats provided for patron use), as outlined in the *Zoning Bylaw No. 100, 1979* for Electoral Area C.
3. Temporary provision for the existing facilities will be adequate for the proposed increased occupant loads pursuant to the Provincial Sewage Regulation.

CARRIED

**7.3 Agricultural Land Commission application – Non-Adhering Residential Use (proposed employee residence) at 781 Blatchford Road, Electoral Area H**

It was commented that staff have no concern with this item; the property is a 10 acre parcel, and the proposed carriage house is consistent with zoning requirements which allows for an employee residence as long as the property has farm status.

Discussion ensued regarding changes in regulations which will come into effect in September 2020 which will disallow secondary residences on properties with agricultural land designation.

Moved By DIXON

Seconded By RAYMOND

**THAT** the ALC application for a non-adhering residential use (employee residence) at 781 Blatchford Road, Electoral Area H, be forwarded to the Agricultural Land Commission for consideration.

**AND THAT** the Agricultural Land Commission consider the FVRD corporate report dated May 12, 2020.

CARRIED

**7.4 Zoning Bylaw No. 1594, 2020 Proposed rezoning of 52655 Yale Road, Electoral Area D to facilitate a future subdivision between 52655 Yale Road and 10159 Caryks Road with the potential for two (2) new lots to be created.**

It was noted that staff recommend waiving the holding of a public hearing for this item as the proposed zoning amendment is consistent with the Official Community Plan.

Moved By STOBART

Seconded By DIXON

**THAT** the Fraser Valley Regional District Board consider giving first reading to the bylaw cited *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1594, 2020* for the rezoning of 52655 Yale Road, Electoral Area D to facilitate a future subdivision between 52655 Yale Road and 10159 Caryks Road with the potential for two (2) new lots to be created;

**THAT** the Fraser Valley Regional District Board consider waiving the holding of a public hearing for *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1594, 2020* pursuant to section 464(2) of the Local Government Act;

**AND THAT** the Fraser Valley Regional District Board authorize its signatories to discharge covenant CA6068062 to facilitate a future subdivision between 52655 Yale Road and 10159 Caryks Road;

**AND FINALLY, THAT** the Fraser Valley Regional District Board authorizes its signatories to execute all documents relating to *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1594, 2020*.

**CARRIED**

**7.5 Proposed amendments to the Fraser Valley Regional District Development Procedures Bylaw No. 1377, 2016 and Delegation of Authority Bylaw No. 0836, 2007**

It was noted that since this item was first introduced at the Fraser Valley Regional District Board Open Meeting of April 28, 2020, the sense of urgency to amend the subject bylaws has reduced.

Discussion ensued about challenges for holding public hearings considering current public health recommendations for physical distancing, and the potential for hosting hearings through an online format.

Moved By STOBART  
Seconded By ADAMSON

**THAT** the Fraser Valley Regional District Board direct staff to delay the holding of public hearings until such time that the Order of the Provincial Health Officer, Class Order (mass gatherings) re: COVID-19 is cancelled unless directed otherwise by the Board on a case-by-case basis.

**CARRIED**

**DIRECTORS ADAMSON AND BALES OPPOSED**

**8. OTHER MATTERS**

**8.1 COVID-19 Impacts on Regional and Community Parks and Trails**

The report dated May 12, 2020 from Gord Gadsden, Park Technician II was provided for information. Concerns were raised about physical distancing as parks begin re-opening.

**8.2 Rural Broadband Connectivity Strategy**

The report dated May 12, 2020 from Robin Beukens, Planner II was provided for information.

It was noted that this item will proceed as schedule despite impacts of COVID-19 and the next step for engagement is to conduct interviews with Electoral Area Directors. Discussion ensued about expanding broadband on agricultural lands, and provincial and federal funding for telecommunications.

**9. FOR INFORMATION AND CORRESPONDENCE**

The following items were received for information:

**9.1 Trans Mountain Construction Notification (May 2020 - October 2022)**

**9.2 Trans Mountain Proposed Use Notification (June 2020 - September 2022)**

**10. ADDENDA ITEMS/LATE ITEMS**

**10.1 2020 Grant-In-Aid Request – Trails Society of British Columbia, Electoral Area "E"**

The Committee commented on the exceptional work completed by Léon Lebrun, Trails Society of BC in the region.

Moved By BALES

Seconded By ADAMSON

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$3,000 to the Trails Society of British Columbia (Trails BC), funded from the 2020 Electoral Area "E" grant-in-aid budget to help offset the costs associated with re-establishing the 5.5km trail section known as Tolmie Trail.

**CARRIED**



**11. REPORTS BY STAFF**

None.

**12. REPORTS BY ELECTORAL AREA DIRECTORS**

Director Engar reported on increased fire activity in his area.

Director Dixon reported on challenges in Electoral Area H concerning gatherings in parks, she thanked the Cultus Lake and Columbia Valley Fire Departments for responding to three recent fires in the area, and noted concerns as summer approaches for visitors parking illegally on roadways.

Director Adamson reported on attending a Parade in his area to honor the life and recognize the recent passing of School District 78 trustee, John Koopman.

Director Stobbart thanked first responders, noting two motorcycle accidents in Electoral Area G recently.

Director Bales reported on wishes to have the Deroche Office used as an emergency hub.

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

The public was provided an opportunity to provide questions by email, and call-in during the meeting; no emails or calls were received.

**14. RESOLUTION TO CLOSE MEETING**

Moved By RAYMOND

Seconded By DIXON

**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)(c) of the *Community Charter* - labour relations or other employee relations; and,
- 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.

**CARRIED**

The Open Meeting was recessed at 3:20 pm.

**15. RECONVENE OPEN MEETING**

The Open Meeting reconvened at 3:38 pm.

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

None.

**17. ADJOURNMENT**

Moved By DIXON

Seconded By RAYMOND

**THAT** the Electoral Area Services Committee Open Meeting of May 12, 2020 be adjourned.

**CARRIED**

The Electoral Area Services Committee Open Meeting of May 12, 2020 adjourned at 3:39 pm.

MINUTES CERTIFIED CORRECT:

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Director Bill Dickey, Chair

To: Electoral Area Services Committee

Date: 2020-06-09

From: Kristy Hodson, Acting Director of Financial Services

File No: 1850-02 / 002

**Subject: 2020 Grant-In-Aid Request – Cultus Lake Goose Management Committee, Electoral Area “H”**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board authorize a grant-in-aid up to \$1,500 to the Cultus Lake Goose Management Committee, funded from the Electoral Area “H” grant-in-aid budget, to help offset the costs of signs to help manage the goose population.

### STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

Support Environmental Stewardship

### BACKGROUND

This request for funding is eligible under the Electoral Area Grant-In-Aid Policy under the “Use of net approaches/ techniques in solving community challenges” and “Activities/ programs which are accessible to a large portion of the electoral area” options.

### DISCUSSION

The Cultus Lake Goose Management Committee (CLGM Committee) is a group of community volunteers whose purpose is to manage the Canada goose population, to educate the public, and to keep Cultus Lake healthy.

The CLGM Committee is requesting a grant-in-aid up to \$1,500 to purchase signs that will be installed on top and on the sides of garbage cans throughout Cultus Lake Park, BC Parks and Lindell Beach. These signs will help educate the public on the importance of not feeding geese.

**COST**

The \$1,500 will be funded from the 2020 Electoral Area "H" grant-in-aid budget which has sufficient funds to support this request.

**CONCLUSION**

A grant-in-aid application has been received from the CLGM Committee seeking support to purchase signs to be installed within Area H to help manage the goose population.

**COMMENTS BY:**

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



## GRANT-IN-AID APPLICATION

Fraser Valley Regional District, 45950 Cheam Ave, Chilliwack BC, V2P 1N5

Applicant Name: Cultus Lake Goose Management Committee

Mailing Address: [REDACTED]

Email Address: [REDACTED]

Contact: [REDACTED]

Name: John Axford

Telephone/Fax Number: [REDACTED]

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

Community group of volunteers who live in Area H.  
Our purpose is to manage Canada Goose population educate  
the public and help keep our lake (Cultus) healthy

### APPLICATION SUMMARY:

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

CLGM Committee has been working to manage the Canada Goose  
population. Part of our goals is to educate the public  
about the importance of not feeding geese. We have created  
signage asking people not to feed geese and a second entry  
indicating why we are requesting this.

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

Funds will be used to purchase signs from Gudney Signs.  
Signs will go on the tops and sides of the garbage  
carts throughout Cultus Lake Park, BC Parks and  
at Hindell Beach. See attached.

Amount of Grant Requested: \$ Up to \$1500.00 invoice to be paid directly from FVRD

\*\*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.

J. Axford  
Signature of Authorized Signatory and Title

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

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

Signature of Electoral Area Director

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

To: Fraser Valley Regional District Board

Date: 2020-06-09

From: Julie Mundy, Planner 1

File No: 733.01269.000

**Subject: Authorization for the discharge of a geo-hazard covenant from the title of 47840 Chilliwack Lake Road, Electoral Area E**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to the discharge of covenant BM197518 and the registration of a replacement geo-hazard covenant to the title of 47840 Chilliwack Lake Road, Electoral Area E, subject to the completion of development permit 2019-08.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

## BACKGROUND

The property owners of 47840 Chilliwack Lake Road have requested that FVRD discharge a geohazard covenant with a specified building area from the property title. The purpose of discharging covenant BM197518 is to enable registration of a new geohazard report which allows for a larger building envelope.

The property owners have provided a new geotechnical hazard assessment which meets FVRD Hazard Acceptability Thresholds for Development Approvals. Both FVRD and the former Ministry of Environment, Lands, and Parks (signing authority now held by MOTI) are signatories on the covenant.

### PROPERTY DETAILS

<b>Address</b>	47840 Chilliwack Lake Road, Electoral Area E
<b>PID</b>	007-578-237
<b>Folio</b>	733.01269.000
<b>Lot Size</b>	4.5 acres
<b>Owner</b>	Cameron & Amanda Van Klei
<b>Current Zoning &amp; OCP</b>	Rural (R)
<b>Current OCP</b>	Rural (R)
<b>Development Permit Areas</b>	DPA 2-E (River Hazards), DPA 3-E (Slope Hazards), & DPA 5-E (RAR)

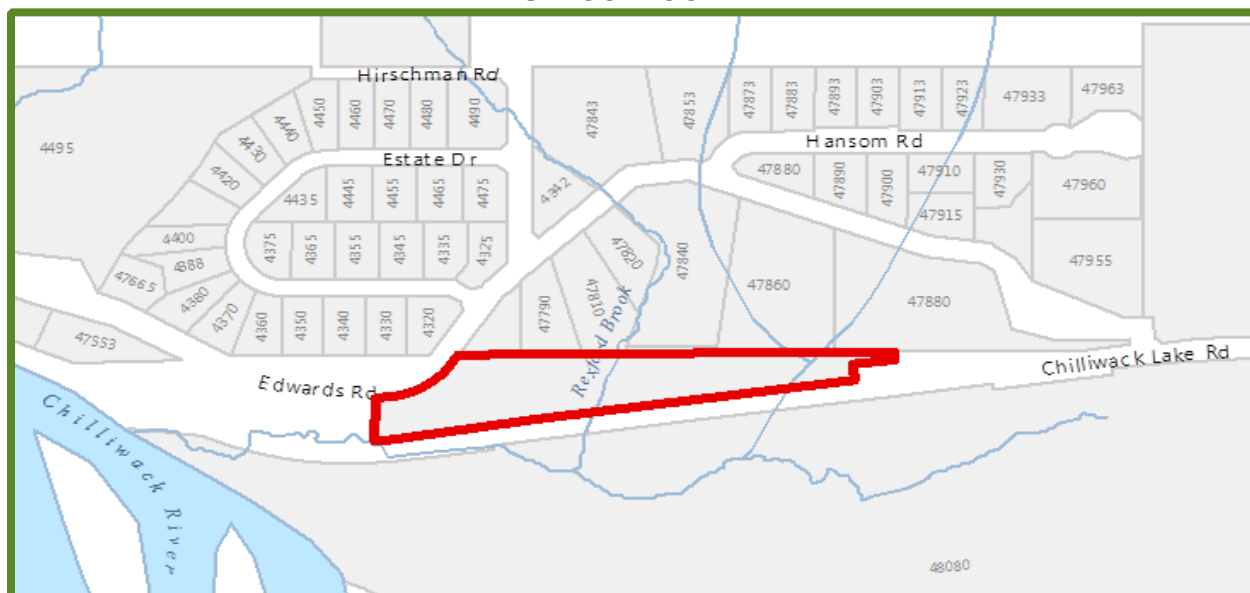


Agricultural Land Reserve	No
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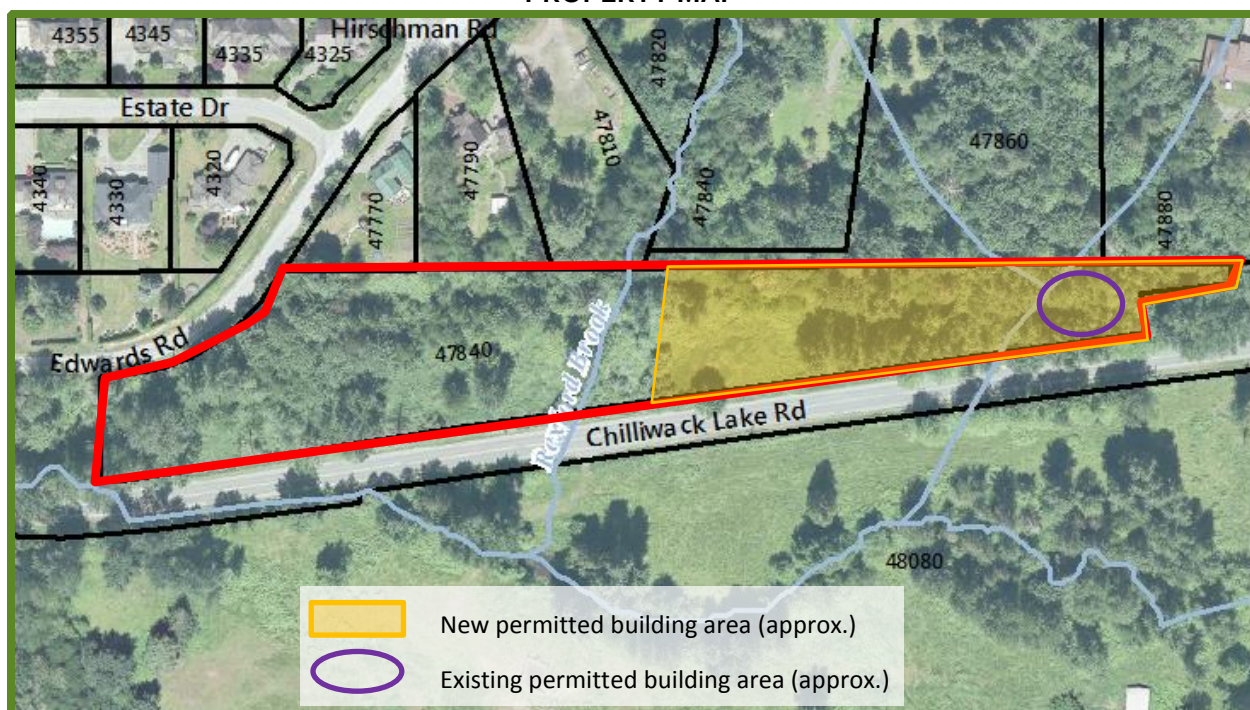
#### ADJACENT ZONING & LAND USES

North	^	Rural (R) & Rural Residential 2 (RS-2) & Country Residential (CR), Single Family Homes
East	>	Agricultural (A-1), Single Family Home
West	<	Rural (R), Single Family Homes
South	v	Rural (R), Single Family Homes

#### NEIGHBOURHOOD MAP



#### PROPERTY MAP



## **DISCUSSION**

### **BM197518**

Covenant BM197518 was registered to the property title in 1998 at the time of subdivision. It includes a site-specific geotechnical report and a diagram illustrating the permitted building area in the eastern corner of the property. Geohazard mitigation measures in the covenant include flood construction levels for habitable space and for fixed equipment damageable by floodwaters. Both FVRD and Ministry of Transportation and Infrastructure approval is required to discharge the covenant.

### **New geohazard assessment**

The property owner has obtained a new geotechnical hazard assessment prepared by German Silva of Cornerstone Geotechnical Engineering dated April 24, 2020. The report adheres to FVRD terms of references and FVRD Hazard Acceptability Thresholds for Development Approvals. The report includes siting requirements to avoid debris slide hazards and elevation requirements to avoid property damage from floodwaters. The report also includes a larger potential building area than the original geohazard assessment. If the discharge of BM197518 is approved, the new geohazard assessment would be registered to the property title in its place.

MOTI has reviewed the request to replace covenant BM197518 with the new Cornerstone GeoStructural Engineering geotechnical hazard assessment. They have indicated support to 1) discharge covenant BM197518, and 2) register the new hazard assessment to the property title.

### **Property history – Development Permit 2019-08**

There is currently open bylaw enforcement on the property for land alteration in a riparian area. These works occurred on the west side of the property are not directly tied to the safe building requirements in BM197518 and the April 2020 Cornerstone Geotechnical Engineering report.

The property owner requires written authorization from a provincial water protection officer and a completed development permit from FVRD in order to remediate the riparian area and to close the bylaw enforcement file. Staff recommend that development permit 2019-08 (which is underway) be completed prior to discharge of covenant BM197518.

## **COST**

The costs for covenant discharge and registration are the responsibility of the property owner.

## **CONCLUSION**

Staff recommend that the FVRD Board authorize the discharge of charge BM197518 and the registration of a replacement geohazard covenant once the in progress development permit is issued.



**COMMENTS BY:**

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

**Kristy Hodson, Acting Director of Financial Services:** Reviewed and supported.

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

To: Electoral Area Services Committee

Date: 2020-06-09

From: Andrea Antifaeff, Planner I

File No: 3090-20-2020-05

**Subject: Application for Development Variance Permit 2020-05 to waive the statutory minimum parcel frontage requirement for proposed Lot '1' to facilitate a two lot subdivision at 4498 Bench Road, Electoral Area E**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2020-05 to waive the statutory minimum parcel frontage requirement for proposed Lot '1' at 4498 Bench Road, Area E, subject to the consideration of any comments or concerns raised by the public;

**AND THAT** that the Fraser Valley Regional District Board exempt proposed Lot '1' at 4498 Bench Road from the minimum parcel frontage requirement pursuant to Section 512(2) of the Local Government Act;

**AND FURTHER THAT** the Fraser Valley Regional District Board authorize its signatories to execute all legal instruments associated with Subdivision File No. 3320-20-2020-00310.

### STRATEGIC AREA(S) OF FOCUS

### PRIORITIES

Provide Responsive & Effective Public Services

### BACKGROUND

The owners of the property at 4498 Bench Road, Area E, have applied to the Provincial Approving Officer (Ministry of Transportation and Infrastructure) to subdivide the parcel into two lots. To facilitate the two lot subdivision, the property owners have applied to the FVRD Board for a Development Variance Permit (DVP) to waive the statutory minimum parcel frontage requirement for proposed Lot '1'. The property owners propose to facilitate access to proposed Lot '1' via an access easement through proposed Lot '2',

The subject property is a 40 acres (16.187 hectare) with one single family dwelling. It is split zoned:

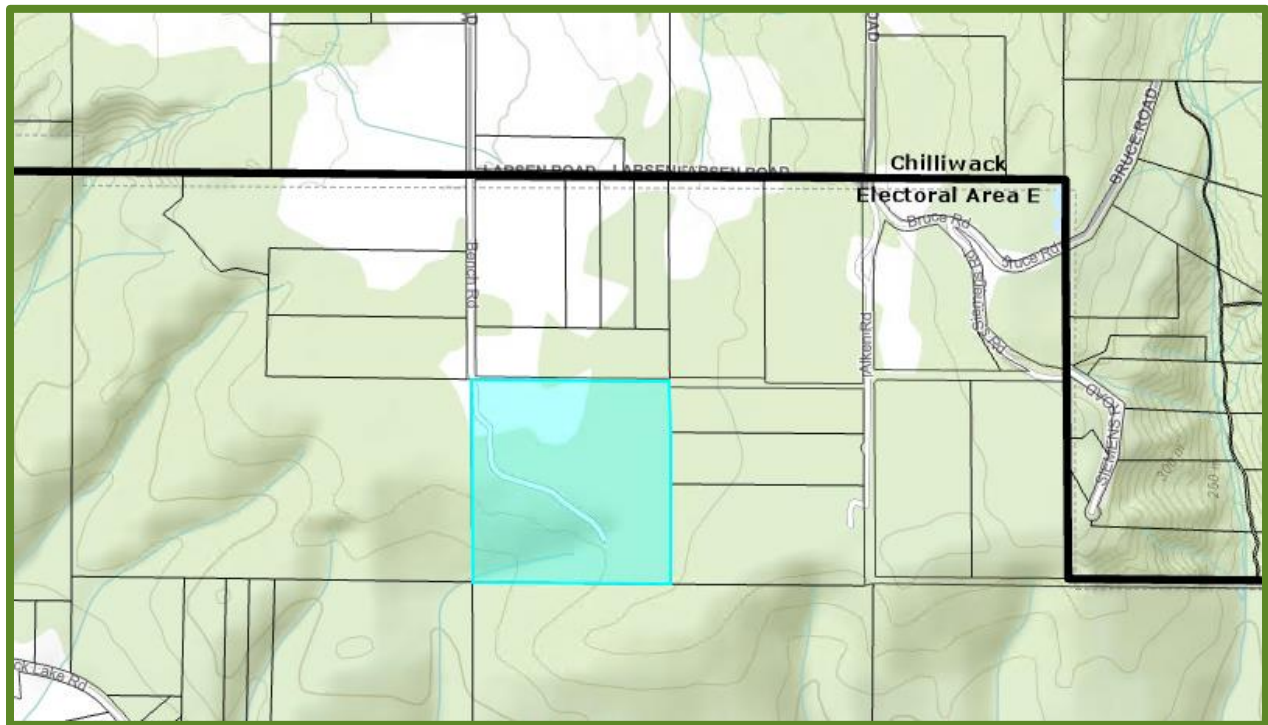
- Proposed Lot 1 – Limited Use (L-1) – 8 hectares
- Proposed Lot 2 – Rural (R) – 7.915 hectares

per Zoning Bylaw for Electoral Area E, 1976 of the Regional District of Fraser-Cheam. The minimum parcel size in the L-1 zone is 20 acres (8 hectares) and the minimum parcel size in the R zone is 10 acres (4 hectares). The proposed subdivision complies with zoning regulations.

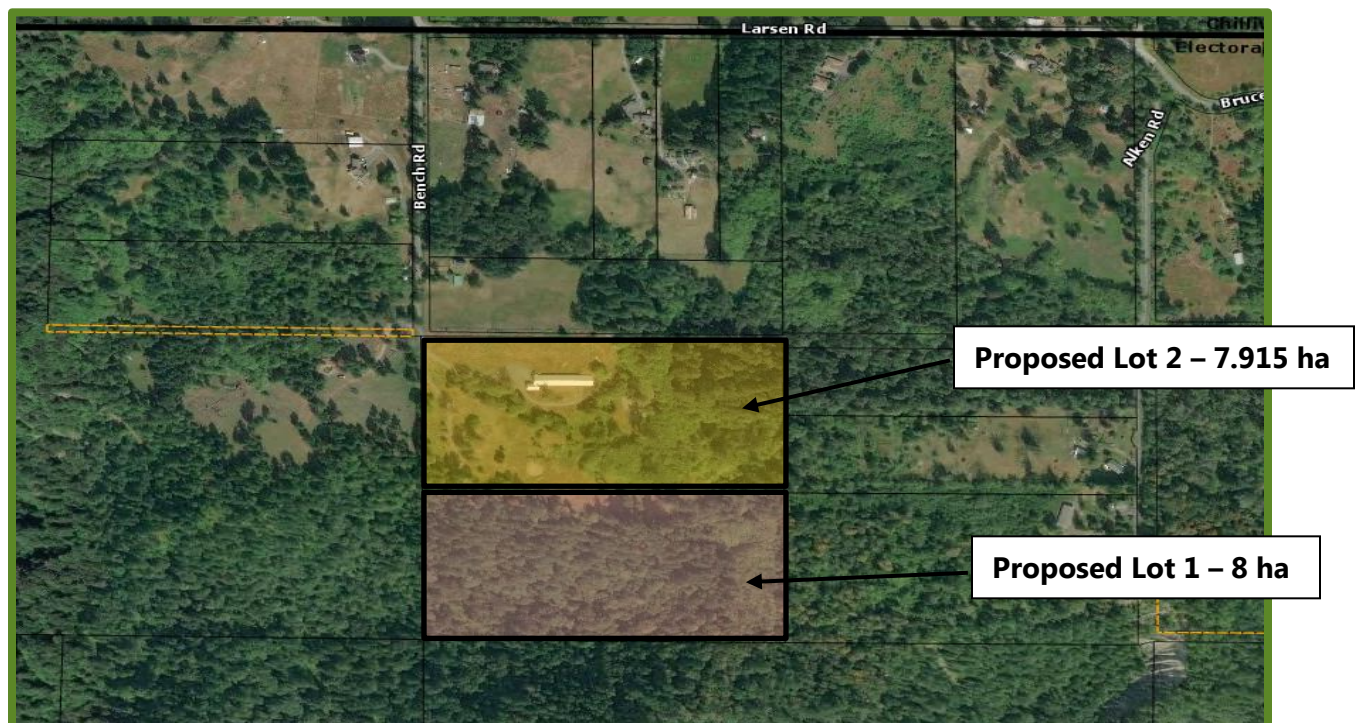
PROPERTY DETAILS			
<b>Electoral Area</b>	E		
<b>Address</b>	4498 Bench Road		
<b>PID</b>	002-465-582		
<b>Folio</b>	733.01291.000		
<b>Lot Size</b>	40 acres		
<b>Owner</b>	Jared & Emma Les	<b>Agent</b>	OTG Developments Ltd. (Dylan Anderson)
<b>Current Zoning</b>	Rural (R) & Limited Use (L-1)	<b>Proposed Zoning</b>	No change
<b>Current OCP</b>	Agricultural (AG) & Limited Use (LU)	<b>Proposed OCP</b>	No change
<b>Current Use</b>	Agricultural & Single Family Residential	<b>Proposed Use</b>	Agricultural & Single Family Residential
<b>Development Permit Areas</b>	3-E (Slope Related Hazards) & 5-E (Riparian Areas)		
<b>Agricultural Land Reserve</b>	Yes (Proposed Lot 2)		

ADJACENT ZONING & LAND USES		
<b>North</b>	^	Rural (R); Agriculture
<b>East</b>	>	Rural (R); Agriculture & Single-family Residence
<b>West</b>	<	Limited Use (L-1); Agriculture
<b>South</b>	v	Limited Use (L-1); Crown Land

## NEIGHBOURHOOD MAP



## PROPERTY MAP



## DISCUSSION

The subject property is proposed to be subdivided as shown on Appendix A. Proposed Lot '2' will be accessed via Bench Road and proposed Lot '1' will be accessed via an access easement through proposed Lot '2'.

Section 512(1) of the *Local Government Act* requires that the minimum frontage for new parcels be at least 10% of the parcel perimeter. However, section 512(2) of the *Local Government Act*, allows a local government to exempt a parcel from the statutory minimum parcel frontage requirement.

The Approving Officer at the Ministry of Transportation and Infrastructure is supportive of the proposed access by easement for proposed Lot '1'. The access easement will include wording to allow utilities and care will be taken in establishing the easement as the current access is not directly linear and typical utility pole lines follow a linear path. If a separate easement for utilities is required an application to the Agricultural Land Commission will likely be required.

### Agricultural Land Reserve (ALR)

The proposed access easement will be located within proposed Lot '2' which is located within the ALR. Staff have consulted with staff at the Agricultural Land Commission (ALC) and have received confirmation that the registration of an access easement does not require approval from the ALC. However, if the property owners intend to do any construction/land alteration within that easement area (placement of fill, etc.) they will be required to consult with the ALC to determine if an application and approval is required.

The property owners have advised that they will be utilizing the existing driveway (not paved) for the easement and do not intend to do any alterations to the driveway (access) within the easement area.

### Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified by the FVRD of the development variance permit application and be given the opportunity to provide written comments or attend the Board meeting to state their comments. FVRD staff encourage the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification.

## COST

The application fee of \$1,300.00 has been paid by the applicant.

## CONCLUSION

The property owners have applied for a Development Variance Permit to vary the statutory minimum parcel frontage requirement for proposed Lot '1' to be created by subdivision. Staff recommend that the FVRD Board issue the permit because the variance is not anticipated to negatively affect surrounding properties.

## **OPTIONS**

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

Staff recommend that the FVRD Board issue Development Variance Permit 2020-05 to waive the statutory minimum parcel frontage requirement for Proposed Lot '1' at 4498 Bench Road, 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 2020-05.

### **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 2020-05 to FVRD staff.

## **COMMENTS BY:**

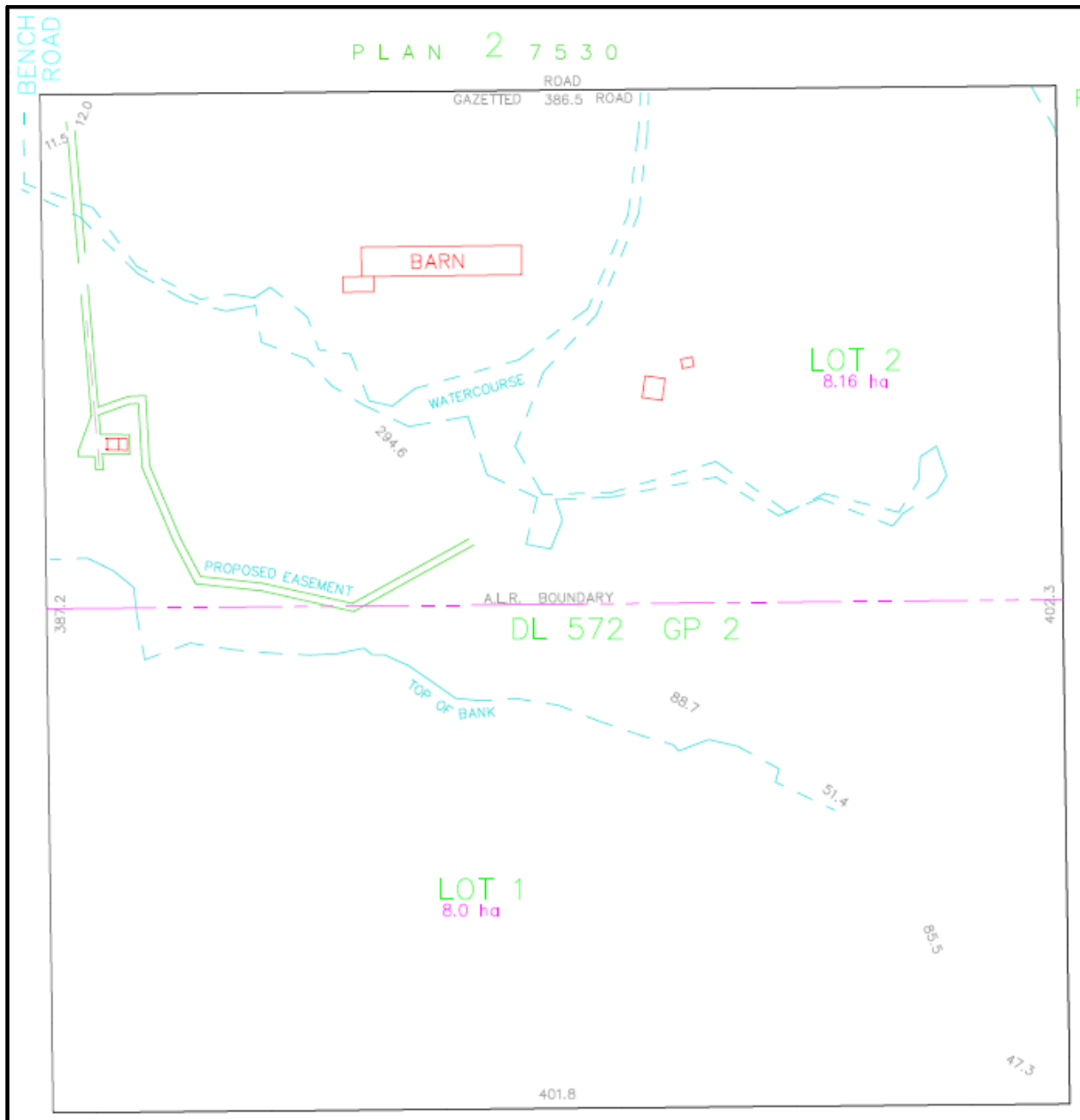
**Graham Daneluz, Director of Planning & Development:** Reviewed and supported.

**Kristy Hodson, Acting Director of Financial Services:** Reviewed and supported.

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

## Appendix A

### Proposed Subdivision Layout



**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

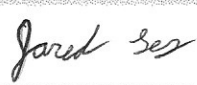

An Application Fee in the amount of \$ \_\_\_\_\_ as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 4498 Bench Road PID 002-465-582

Legal Description Lot 572 Group 2 New Westminster District

*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) Jared Les	Signature of Owner 	Date May 12 2020
Name of Owner (print) Emma Les	Signature of Owner 	Date MAY 12 2020

Owner's  
Contact  
Information

Address 4498 Bench Road		City Chilliwack BC (FVRD)
Email		Postal Code V4Z 1A6
Phone	Cell	Fax

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





**Agent**

Dylan Anderson

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 Jared Les 	Date May 12 2020
Signature of Owner Emma Les 	Date MAY 12 2020

Agent's contact information and declaration

Name of Agent Dylan Anderson		Company OTG Developments
Address 520 - 45715 Hocking Ave		City Chilliwack, BC
Email _____		Postal Code V2P 6Z6
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 May 12, 2020
---	----------------------

**Development Details**

Property Size 40 acres Present Zoning R/L-1  
 Existing Use Residential/Agricultural  
 Proposed Development Two (2) lot single family subdivision

Proposed Variation / Supplement To vary the parcel frontage requirement for the Rural Zone on proposed lot 2 (the northern lot)  
from 10% to 0%.

(use separate sheet if necessary)

Reasons in Support of Application Please see the attached letter for details.

## 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).

### Via Email Delivery

FVRD File No. 2020-00310  
OTG File No. 19-194

May 12, 2020

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

Attention: Andrea Antifaeff, Planner I

**Re: 4498 Bench Road, Electoral Area 'E', Fraser Valley Regional District –  
Development Variance Permit**

Ms. Antifaeff,

Please accept this letter from OTG Developments Ltd. (OTG) as a supplement to the above noted Development Variance Permit (DVP) application for the property located at 4498 Bench Road (the "Subject Property"). This DVP application seeks to vary the parcel frontage requirement of the Rural (R) Zone on proposed Lot 2 (the northern lot) from 10% to 0% to facilitate a proposed subdivision (FVRD File 2020-00310). It should be noted that access to the southern lot will be via an existing driveway that extends through the northern lot and terminates within the proposed lot. No alterations or extensions of the existing driveway within the ALR will be required to facilitate the access to the southern lot.

### BACKGROUND

There is currently an application with MoTI to subdivide the Subject Property into two (2) fee-simple residential lots. The proposed subdivision complies with *Zoning Bylaw for Electoral Area E, 1976 of the Regional District of Fraser-Cheam*. The Subject Property is split zoned Rural (R) and Limited Use (L-1). The proposed subdivision includes one (1) 8 ha lot in the L-1 zone, which meets the 8.0 ha size required in the zoning bylaw and one

+++

"A plan without action is a dream,  
an action without a plan is a nightmare."

(1) 7.915 ha lot in the R zone which exceeds the 4.0 ha size required in the zoning bylaw. Please see the draft subdivision plan attached as **Appendix 1**.

While approximately 50% of the Subject Property is within the Agricultural Land Reserve (ALR), the newly proposed property line will follow the ALR boundary; as such the proposed subdivision is outside of the ALR.

As per the *Agricultural Land Reserve General Regulations* Section 10 (1) (d):

*"an approving officer or other person referred to in that provision may approve a subdivision described in that provision without the approval of the commission if the proposed subdivision achieves one or more of the following:*

*"...establishes a legal boundary along the boundary of the agricultural land reserve".*

As the subdivision remaining outside of the ALR was a key factor in the feasibility of the proposed subdivision, OTG sought commentary from the Provincial Approving Officer at MoTI where it was indicated that he supported the subdivision in principle, subject to the regular requirements of subdivision.

As a means to avoid subdividing lands within the ALR, the proposed subdivision seeks to establish the proposed property line along but not within the ALR boundary. As such there will be no panhandle shaped lot created to go through the ALR to reach Bench Road. This will allow the currently agricultural parcel to continue to be farmed without any alterations to property lines within the ALR or disruptions to the farming activity. Additionally, the proposed subdivision is in keeping with Section 5.1.20 of the FVRD Electoral Area E Official Community Plan which aims to encourage and enhance farming and agriculture as follows:

*5.1.20 New parcels created by subdivision within the AGRICULTURAL areas shall be configured to maximize agricultural sustainability and minimize potential conflicts between farm and non-farm uses.*

All newly proposed development will occur on proposed lot 1 in the south, outside of the area within the ALR and area designated as Agricultural in the OCP.

## PARCEL FRONTAGE DEVELOPMENT VARIANCE PERMIT

Access and frontage for proposed lot 1 (the southern lot) will be via a shared access easement between lots 1 and 2. There is already an existing driveway which exists on the Subject Property which will be utilised to access the proposed lot. As noted, no alterations or extensions of the existing driveway within the ALR will be required to facilitate the access to the southern lot. This access easement would be surveyed at the time of final subdivision, registered on the lands and run with the lands in perpetuity. The MoTI has indicated that they are in support of this arrangement. Additionally, easements through the ALR do not require an application to the ALC as confirmed by the ALC themselves.

To facilitate this access and frontage via easement arrangement, a DVP is required from the FVRD to vary the requirement for required parcel frontage from 10% to 0%.

For properties under subdivision, Section 512 of the *Local Government Act* discusses minimum parcel frontage on a highway. Specifically:

- (1) If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of
  - a) 10% of the perimeter of the lot that fronts on the highway, and
  - b) the minimum frontage that the local government may, by bylaw, provide.*
- (2) A local government may exempt a parcel from the statutory or bylaw minimum frontage provided for in subsection (1).***

Section (2) grants power to the local government to exempt a parcel from the 10% requirement. The MoTI has also indicated that they do not have concerns with a 0% parcel frontage scenario.

Proposed Lot 1 will have 34% lot frontage.

The easement agreement and easement plan will be created to function with clarity and ease regardless of the relationship between owners, however, it should be noted that the proposed subdivision is to accommodate a father (Mr. Larry Les) to live on one parcel, with his son and daughter in law (Jared and Emma Les) to live on the other.

## CONCLUSION

In summary, please note the following points:

- The proposed subdivision meets the minimum parcel sizes for both proposed lots;
- The subdivision will occur outside of the ALR;
- MoTI has indicated they have no concerns with the proposed subdivision or the DVP for parcel frontage;
- The proposal encourages and enhances farming and agriculture as demonstrated through Section 5.1.20 of the OCP; and
- The proposed subdivision will allow family members to live in close proximity to each another.

Thank you for your time and consideration on the above noted items. Upon review, if there are any questions or concerns, please do not hesitate to contact the undersigned. I would be happy to discuss this proposal with you via telephone or video chat.

Best regards,

A handwritten signature in black ink, appearing to read 'Dylan Anderson', written over a white background.

Dylan Anderson, BA MUP  
Development Planer/Project Manager  
OTG Developments Ltd.

## Appendix 1

### Draft Subdivision Plan

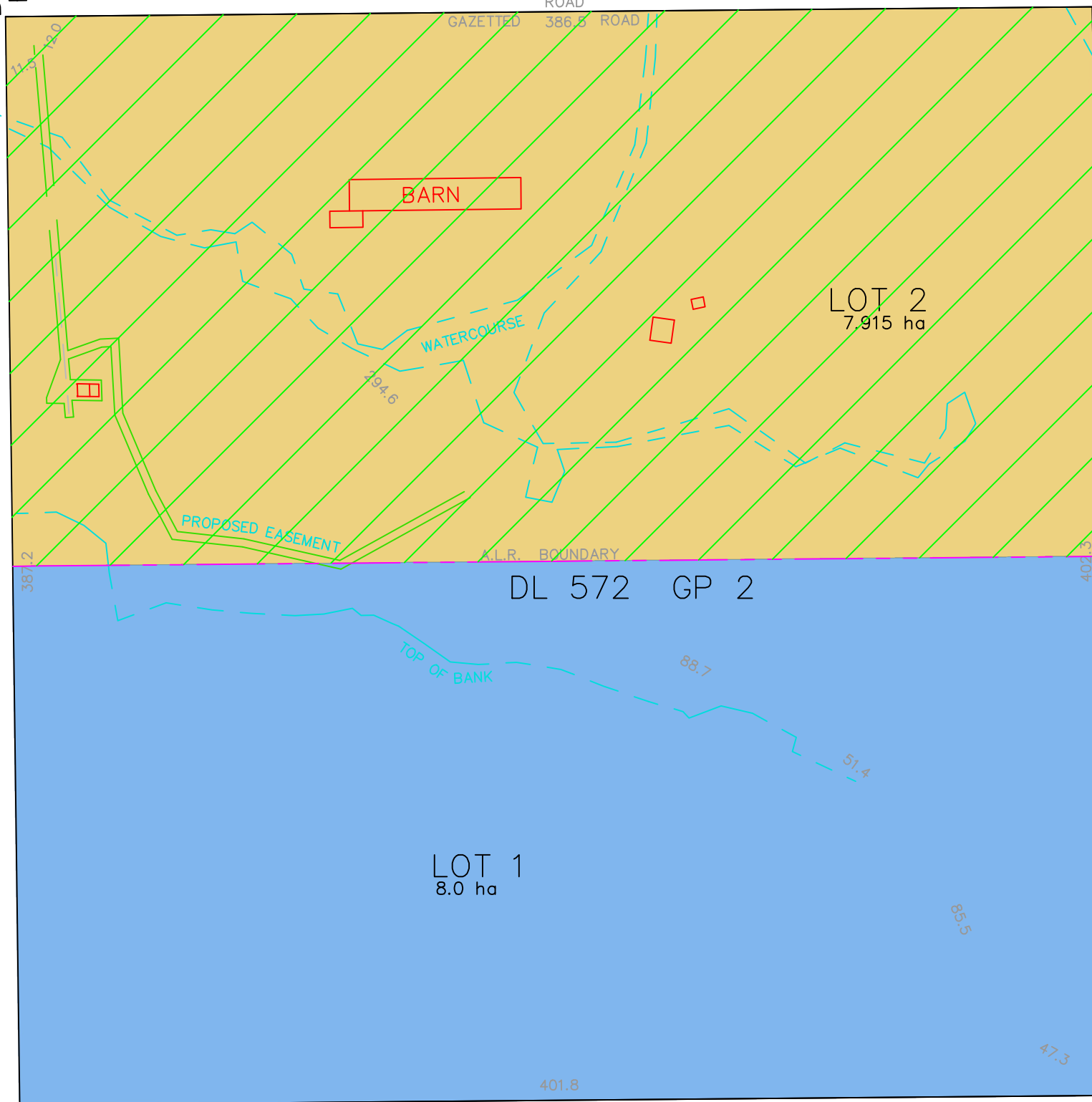


N  
49550

PLAN 27530

BENCH ROAD

DL 571 GP 2



ROAD

2  
PLAN 42585

3  
PLAN 52441

REM DL 573 GP 2

LEGEND:

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- TOB/WATERCOURSE
- PROPOSED EASEMENT
- EXISTING BUILDINGS
- LIMITED USE (L-1)
- RURAL (R)
- ALR

**OTG** DEVELOPMENTS LTD.  
LAND USE CONSULTING & DEVELOPMENT

PROJECT LOCATION  
4498 BENCH ROAD  
PRELIMINARY SUBDIVISION PLAN

PROJECT NUMBER  
19-194

DRAWN BY:  
CASSIDY SILBERNAGEL

DATE:  
April 27, 2020

SCALE:  
NTS

SHEET:

1





## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

---

**Permit No.** Development Variance Permit 2020-05      **Folio No.** 733.0191.000

---

**Issued to:** Emma & Jared Les

---

**Address:** 4498 Bench Road, Electoral Area E

---

**Applicant:** Emma & Jared Les

---

**Site Address:** 4498 Bench Road, Electoral Area E

---

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 572 GROUP 2 NEW WESTMINSTER DISTRICT  
002-465-582

---

### LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Subdivision 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

Local Government Act, Part 14, Division 11, Section 512 is varied as follows:

The minimum required parcel frontage on a highway of 10% of the parcel perimeter of the lot that fronts the highway shall be waived for Lot 1, as shown on Schedule B- Subdivision Plan attached hereto.

---

### 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 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.
5. The Archaeology Branch of the Province of British Columbia must be contacted (phone 250-953-3334) if archaeological material is encountered on the subject property. Archaeological material may be indicated by dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artefacts such as arrowheads and other stone tools, or human remains. If such material is encountered during demolition or construction, a Heritage Conservation Act Permit may be needed before further development is undertaken. This may involve the need to hire a qualified Archaeologist to monitor the work.

---

## 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 2020-05. 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>

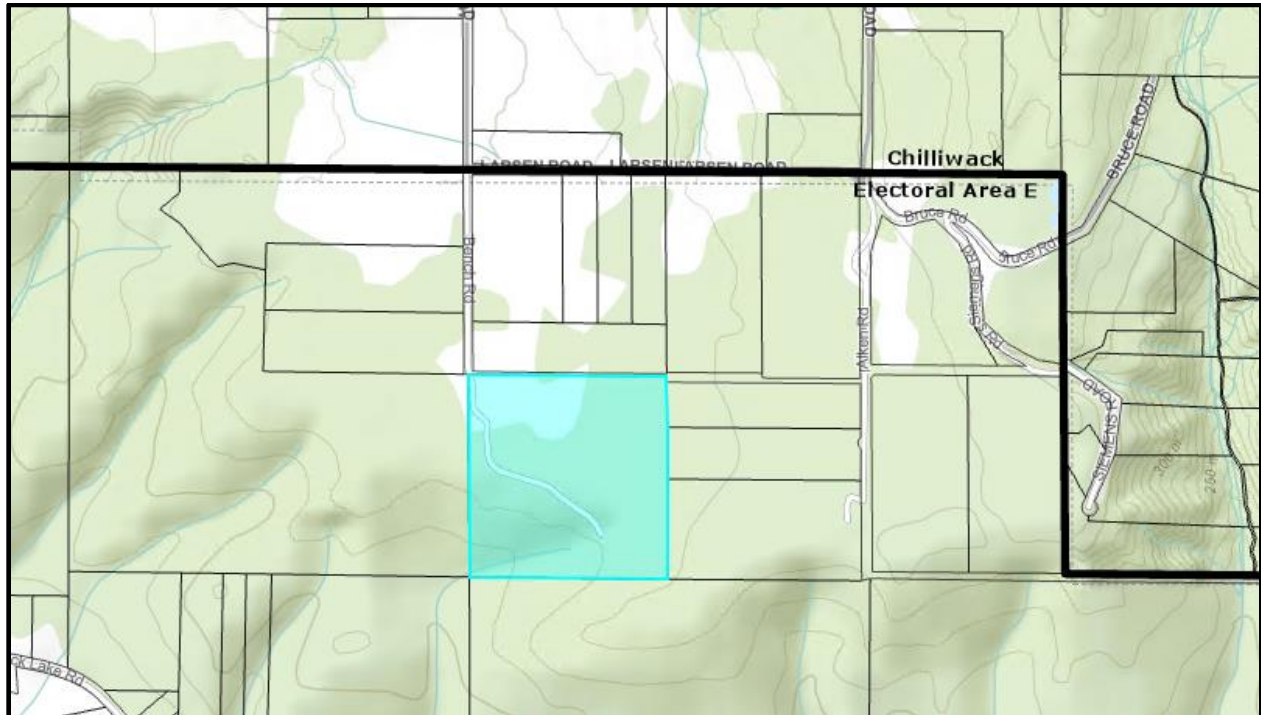
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Chief Administrative Officer / Deputy

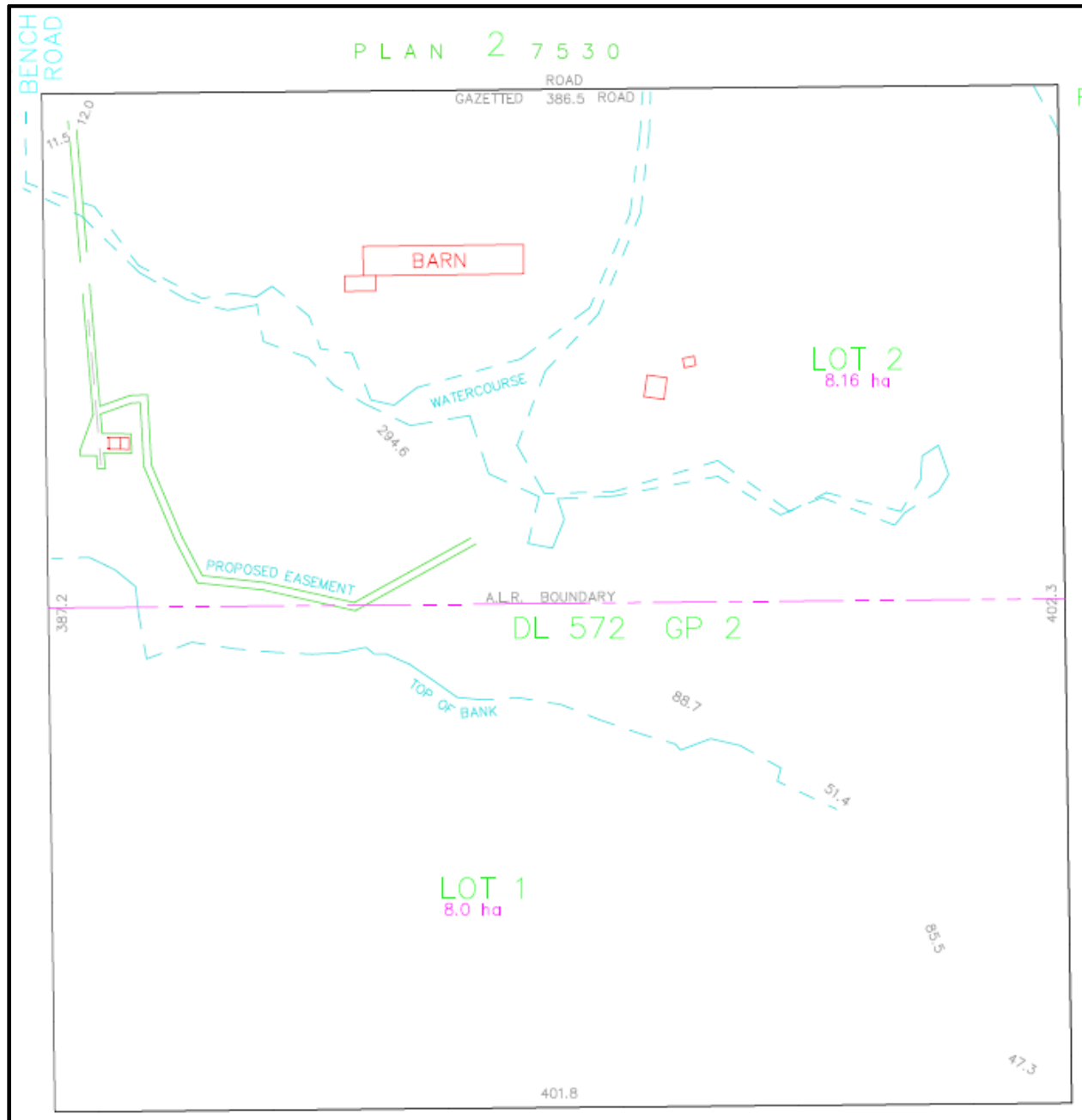
THIS IS NOT A BUILDING PERMIT

DRAFT

**DEVELOPMENT VARIANCE PERMIT 2020-05**  
**SCHEDULE "A"**  
**Location Map**



**DEVELOPMENT VARIANCE PERMIT 2020-05**  
**SCHEDULE "B"**  
**Subdivision Plan**



To: Electoral Area Services Committee

Date: 2020-06-09

From: Julie Mundy, Planner 1

File No: 3090-20 2020-06

**Subject: Development Variance Permit application to reduce the exterior lot line setback at 43802 Loch Road, Area C**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2020-06 for 43802 Loch Road, Electoral Area C, to reduce the exterior lot line setback from 6.0 metres to 1.5 metres clear to sky, to facilitate the construction of a single-family residence, subject to consideration of comments or concerns raised by the public.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

## BACKGROUND

The property owners of 43802 Loch Road have applied for a Development Variance Permit (DVP) to reduce the exterior lot line setback for a single-family dwelling as outlined in *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*. The property owners applied for the same variance in 2013, which has subsequently expired.

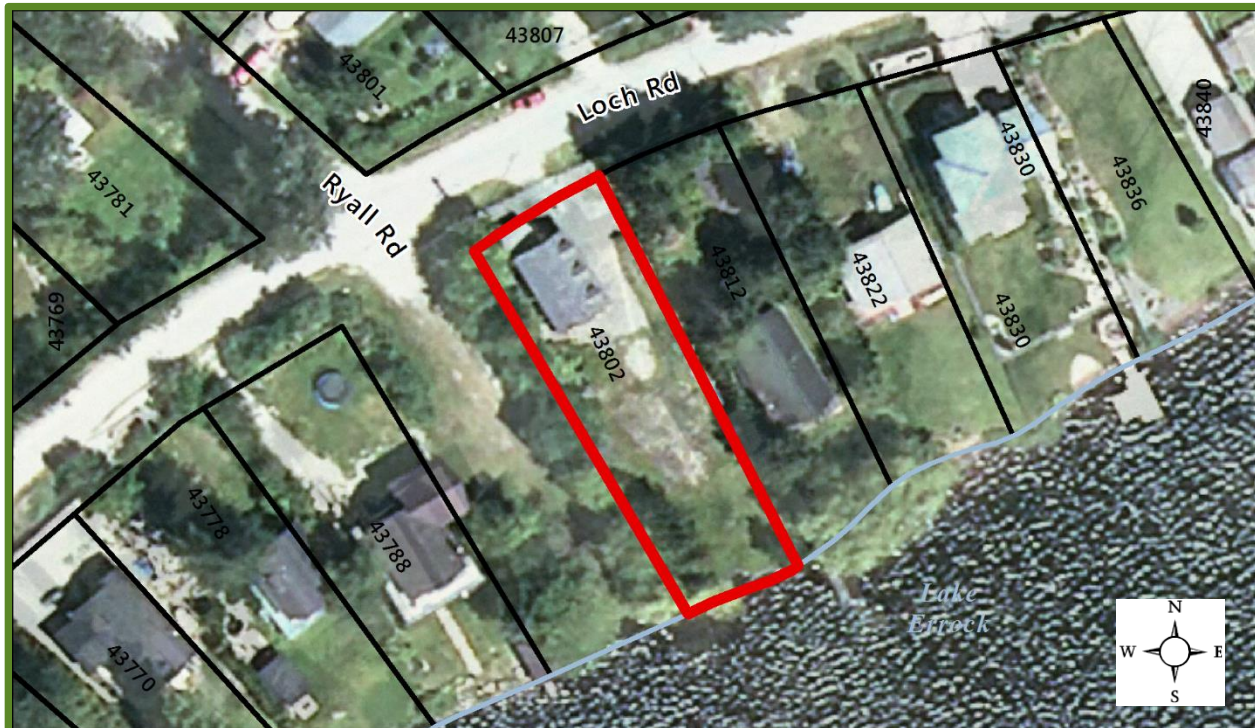
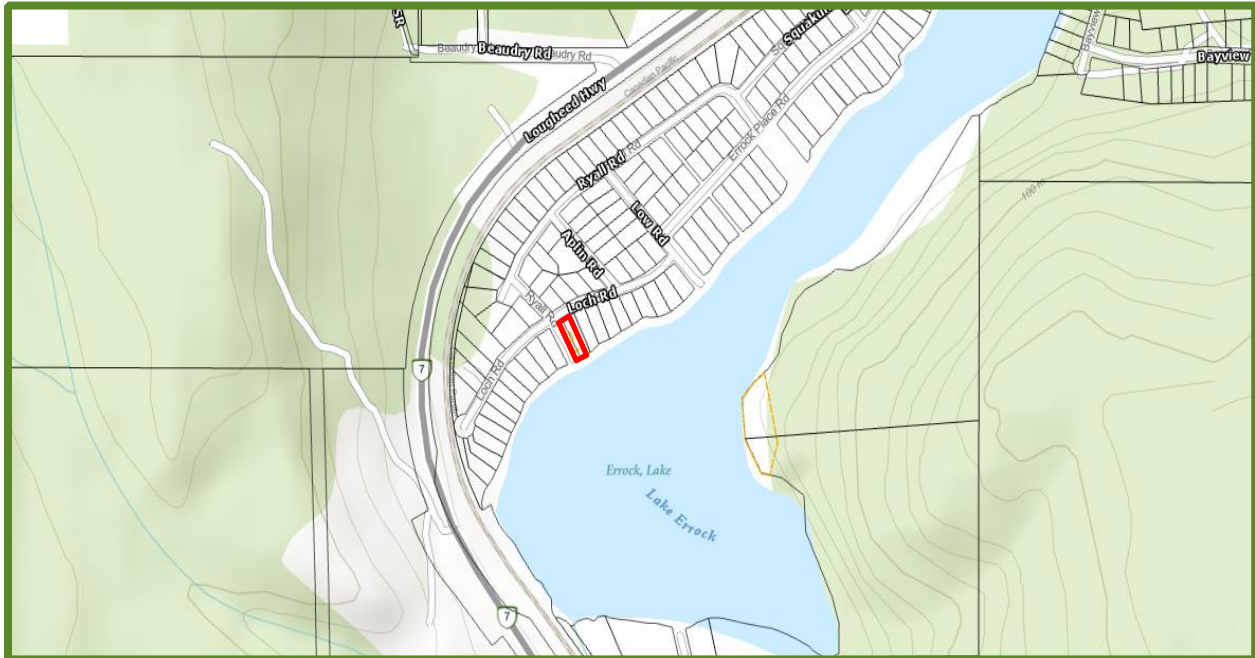
PROPERTY DETAILS			
Electoral Area	C		
Address	43802 Loch Road		
PID	006-746-225		
Folio	775.03727.427		
Lot Size	10790 square feet (.247 acres)		
Owner	Chris and Tamie Hardy	Agent	Barrie Dyck Construction
Current Zoning	Rural Residential (RS-1)	Current Use	Residential
Current OCP	Resort Residential (RR)		
Development Permit Areas	3-C – Riparian Areas		
Hazards	Holachten Creek Alluvial Fan		
Agricultural Land Reserve	No		



### ADJACENT ZONING & LAND USES

North	^	Rural Residential (RS-1); Loch Rd, Single-family Residence
East	>	Rural Residential (RS-1); Single-family Residence
West	<	Rural Residential (RS-1); Ryall Rd, Single-family Residence
South	v	Rural 4 (R-4); Lake Errock

### NEIGHBOURHOOD & PROPERTY MAPS





## DISCUSSION

43802 Loch Road is located on the shoreline of Lake Errock. The property is accessed from Loch Road, and is flanked by Ryall Road to the west. Ryall Road terminates in an unconstructed road right of way, which provides access to the lake.



The property is located within a development permit area for protection of riparian areas and is within a geotechnical hazard (alluvial fan area). The only structure on the property is a double garage with a dwelling unit on an upper floor.

### Property History

In 2013 the property owners intended to construct a garage with a temporary dwelling space above it and a new single-family residence. All necessary approvals, including a DVP to reduce the exterior lot line setback, were obtained to facilitate the plan. The garage and dwelling were constructed; however, no work was started on the house. Since 2013, the issued DVP for siting the buildings has expired. A new DVP is required for construction to occur as previously planned.

A DVP, MOTI approval, riparian area assessment, and registration of several covenants were requirements to build on the site. These elements are being reassessed with the proposed building.

### Proposed Development

The proposed development includes starting construction of a new single-family residence with a footprint of approx. 2180 sq ft, converting the existing dwelling above the new garage into storage/recreation space, and completing occupancy of the new home.

### Requested Variance 2020-06

The applicant is seeking to reduce the exterior lot line setback from Ryall Road from 6.0 metres to 1.5 metres. 1.5 metres is the setback required for residential construction from an interior lot line.

Exterior Lot Line Setback	
Required (zoning)	6.0 metres (19.7 feet)
Proposed	1.5 metres (4.9 feet)
<b>Requested Variance</b>	<b>4.5 metres (14.8 feet)</b>

#### Applicant Rationale

The applicant provides the following rationale for the variance:

1. The same DVP request was approved in 2013,
2. The house will be aligned with previous construction on the property, and
3. It would be impossible to build to preferred house without the variance.

The building plans show a 4-foot wrap around porch on all sides of the house. See Appendix B. The applicant states the deck will enable the property owners to move about the outdoor space with greater ease as their mobility declines. The porch also contributes to the enjoyment of the view from the rear of the house.

The magnitude of the variance could be reduced by removing the wrap-around-porch from the sides of the house. If the variance is not granted, the property owners could design a smaller house; however, the footprint would be limited to approximately 900-950 sq ft, including any exterior decks.

#### Ministry of Transportation & Infrastructure Requirements

Approval from MOTI is required for the proposed construction as it encroaches into the provincially-required setback from a highway. MOTI has issued a Highway Encroachment permit to allow the property owner to construct the proposed dwelling, pending approval from FVRD. See Appendix C. The permit was originally issued in 2013 and was reissued in May 2020 to include a new site plan.

#### Riparian Area Requirements

The property is within Development Permit Area 3-C for protection of riparian areas; there is a watercourse along the western property line which drains into Lake Errock. In 2013 the property owners obtained a Riparian Area Regulation report and a 'varied' riparian area resulting from an undue hardship application related to riparian area requirements. The Department of Fisheries and Oceans approved the proposed development layout, and the varied riparian area was established by reference plan and registered to the property title by covenant. DPA 3-C includes the following exemption:

- 9.3.2. (f) development in accordance with a registered covenant or approved development permit that pertains directly and explicitly to riparian habitat protection, which: i. is registered in favour of the Fraser Valley Regional District and/or Provincial or Federal interests; and ii. establishes a riparian buffer.

No further environmental study is required for the proposed development.

## Hazard Assessment

The property is located within the Holachten Creek Alluvial Fan. FVRD is in possession of a geohazard assessment study for the Lake Errock area that can be used to address hazards for the property. The report includes recommendations for flood and scour protection that will be reviewed as part of the building permit application process. The hazard assessment will be registered to the property title.

## **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 on the proposal. 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 submitted.

## **COST**

The application fee of \$1300 has been paid by the applicant.

## **CONCLUSION**

Staff recommend the FVRD Board issue DVP 2020-06 to reduce the exterior-side setback for a residence at 43802 Loch Road. The variance is not anticipated to negatively affect surrounding properties, MOTI has provided the necessary approvals, and environmental protection regulations are being met.

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

MOTION: THAT the FVRD Board issue Development Variance Permit 2020-06 for 43802 Loch Road, Electoral Area C to reduce the exterior setback from 6 metres to 1.5 metres, for a single-family residence, subject to consideration of any comments or concerns raised by the public.

### **Option 2 – Refuse**

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2020-06 for the property at 43802 Loch Road, Electoral Area C.

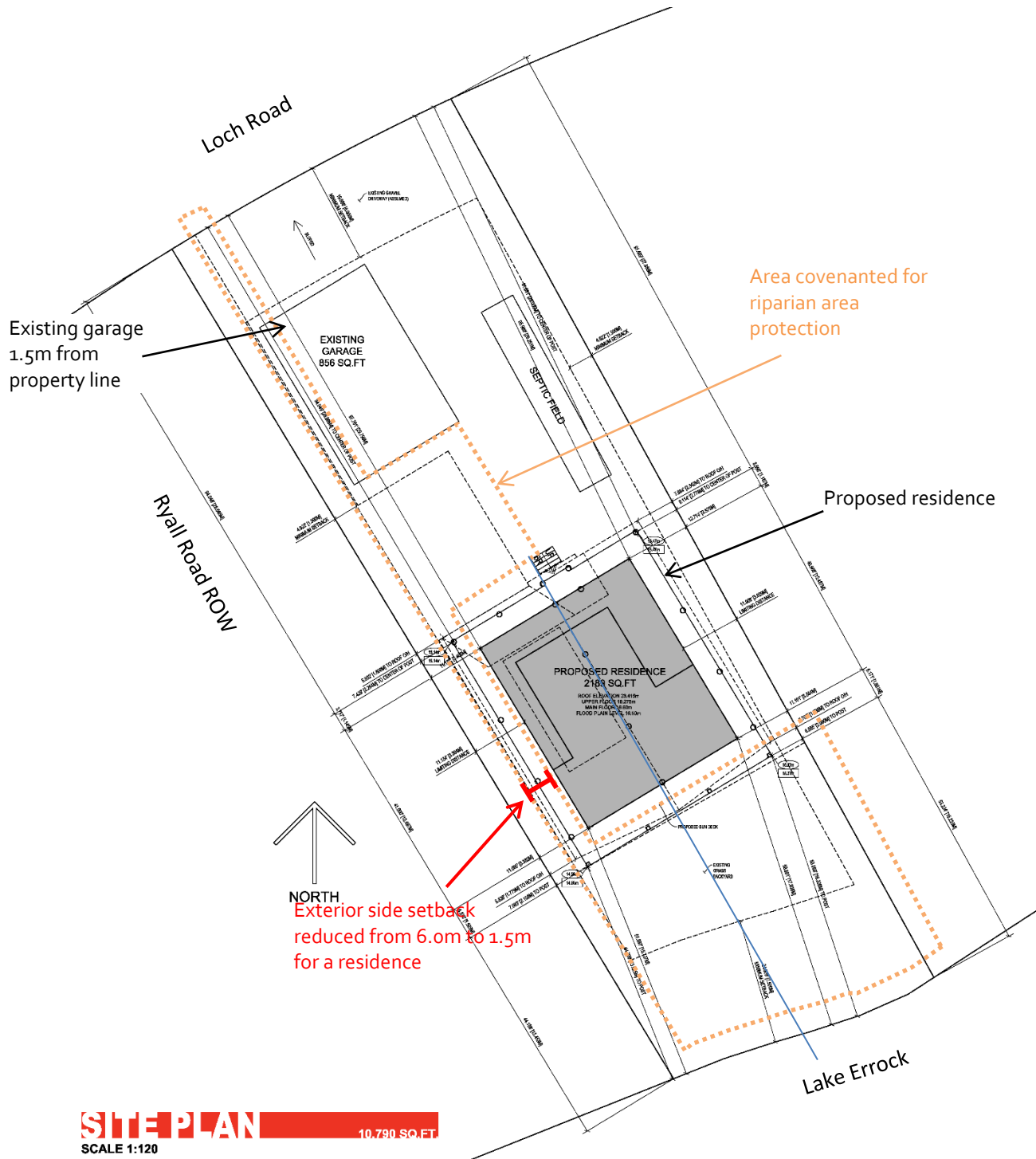
## **COMMENTS BY:**

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

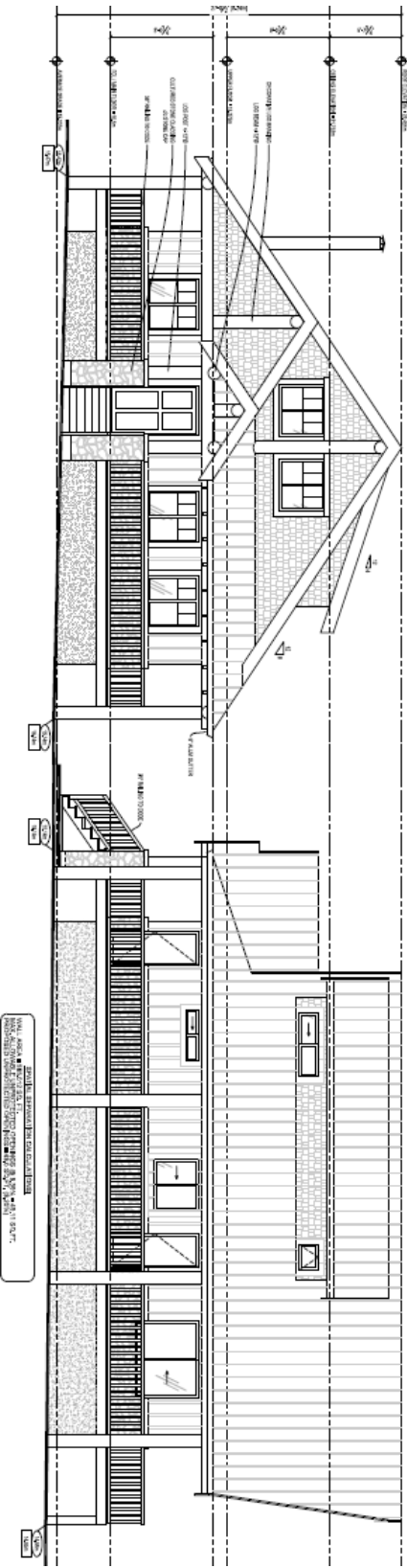
**Kristy Hodson, Acting Director of Financial Services:** Reviewed and supported.

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

## Appendix A – Site Plan

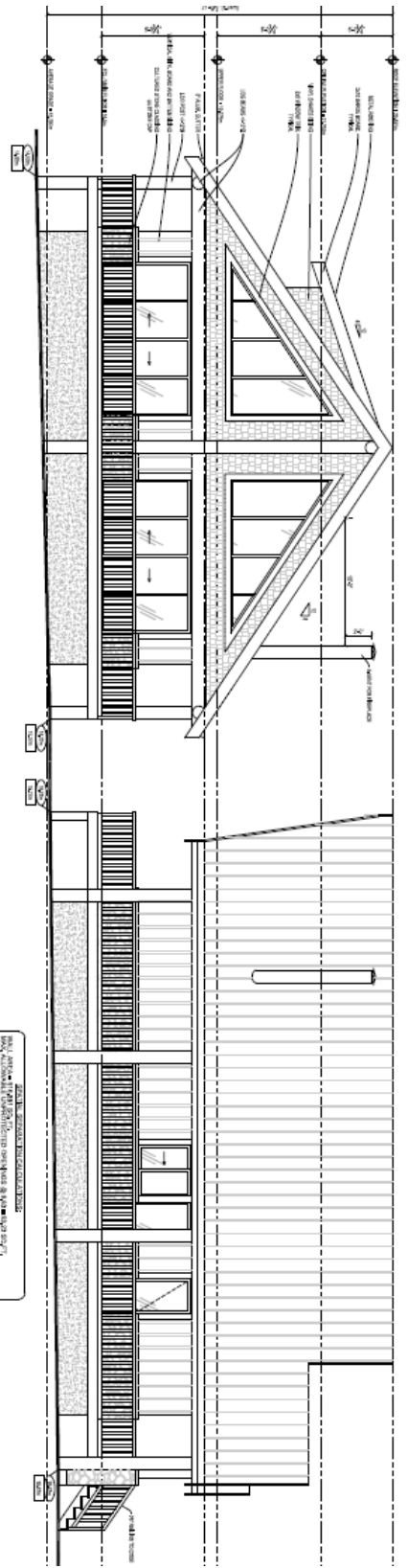


Appendix B – Elevation Drawings



FRONT ELEVATION

RIGHT SIDE ELEVATION



REAR ELEVATION

LEFT SIDE ELEVATION



## Appendix C – MOTI Permit



BRITISH  
COLUMBIA

Ministry of  
Transportation

Permit/File Number: 2013-02541

Office: Chilliwack Area Office

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

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

**BETWEEN:**

The Minister of Transportation and Infrastructure

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

("The Minister")

**AND:**

Chris & Tammy Hardy  
43802 Loch Road  
Lake Errock, British Columbia  
Canada

("The Permittee")

**WHEREAS:**

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:  
  
The construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, also to allow 1.5 meter setback to allow for the construction of a new septic field within 4.5m setback from , located at 43802 Loch Rd , as shown on drawing attached .
- C. The Minister is prepared to issue a permit on certain terms and conditions;

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

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



BRITISH  
COLUMBIA

Ministry of  
Transportation

Permit/File Number: 2013-02541

Office: Chilliwack Area Office

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

Dated at Chilliwack, British Columbia, this 14 day of May, 2020

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

On Behalf of the Minister



**SCHEDULE A-4**

**Permit Application**

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

An Application Fee in the amount of \$ 1,300 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 43802 Loch rd. Lake Errock PID 006746225

Legal Description Lot 164 Block \_\_\_\_\_ Section 22 Township 24 Range \_\_\_\_\_ Plan 32595

*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>Tammy Hardy</u> <u>TAMIE HARDY</u>	Signature of Owner <u>Tamie Hardy</u>	Date May 11 2020
Name of Owner (print) Chris Hardy <u>Chris Hardy</u>	Signature of Owner <u>Chris Hardy</u>	Date May 11 2020

Owner's  
Contact  
Information

Address 43802 loch rd. <u>P.O. box 253</u>	City Lake Errock
<u>[REDACTED]</u>	Postal Code <u>V0N 1N0</u>
Phone <u>[REDACTED]</u>	Fax <u>[REDACTED]</u>

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



Agent

I hereby give permission to Barrie Dyck 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>Chris Hardy</u>	Date May 11 2020
Signature of Owner <u>Jamie Hardy</u>	Date May 11 2020

Agent's contact information and declaration

Name of Agent <b>Barrie Dyck</b>		Company <b>Barrie Dyck Construction Ltd.</b>
Address <b>479 Alder Ave.</b>		City <b>Harrison Hot Springs</b>
Email [REDACTED]		Postal Code <b>V0M1K0</b>
Phone [REDACTED]	Cell [REDACTED]	Fax [REDACTED]

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

Signature of Agent <u>[Signature]</u>	Date May 11 2020
--	---------------------

Development Details

Property Size 10790sq.feet Present Zoning RS-1  
Existing Use residential  
Proposed Development SFD

Proposed Variation / Supplement To change the 6m setback from Ryall Rd. to 1.5m

(use separate sheet if necessary)

Reasons in Support of Application A DVP was issued in 2013, but expired, due to a death in our family. House was postponed. With out the variance it would be impossible to build the house we designed for the property. We require the wrap around deck as Jamie's mobility is declining. This would make it possible to enjoy the view.



## FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

---

**Permit No.** Development Variance Permit 2020-06      **Folio No.** 775.03727.427

---

**Issued to:** Chris & Tamie Hardy

---

**Address:** 43802 Loch Road, Area C

---

**Applicant:** Barrie Dyck Construction

---

**Site Address:** 43802 Loch Road, 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 164 SECTION 22 TOWNSHIP 24 NEW WESTMINSTER DISTRICT PLAN 32595  
PID: 006-746-225

---

### LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

---

### AUTHORITY TO ISSUE

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

---

### BYLAWS SUPPLEMENTED OR VARIED

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

Section 412 (1) the exterior-side lot line setback is reduced from 6.0 metres to 1.5 metres, 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. All new construction shall be generally in compliance with Building Permit No. BP014859.

---

## 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 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.
  5. The Archaeology Branch of the Province of British Columbia must be contacted (phone 250-953-3334) if archaeological material is encountered on the subject property. Archaeological material may be indicated by dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artefacts such as arrowheads and other stone tools, or human remains. If such material is encountered during demolition or construction, a Heritage Conservation Act Permit may be needed before further development is undertaken. This may involve the need to hire a qualified Archaeologist to monitor the work.
- 

## 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 2020-06. 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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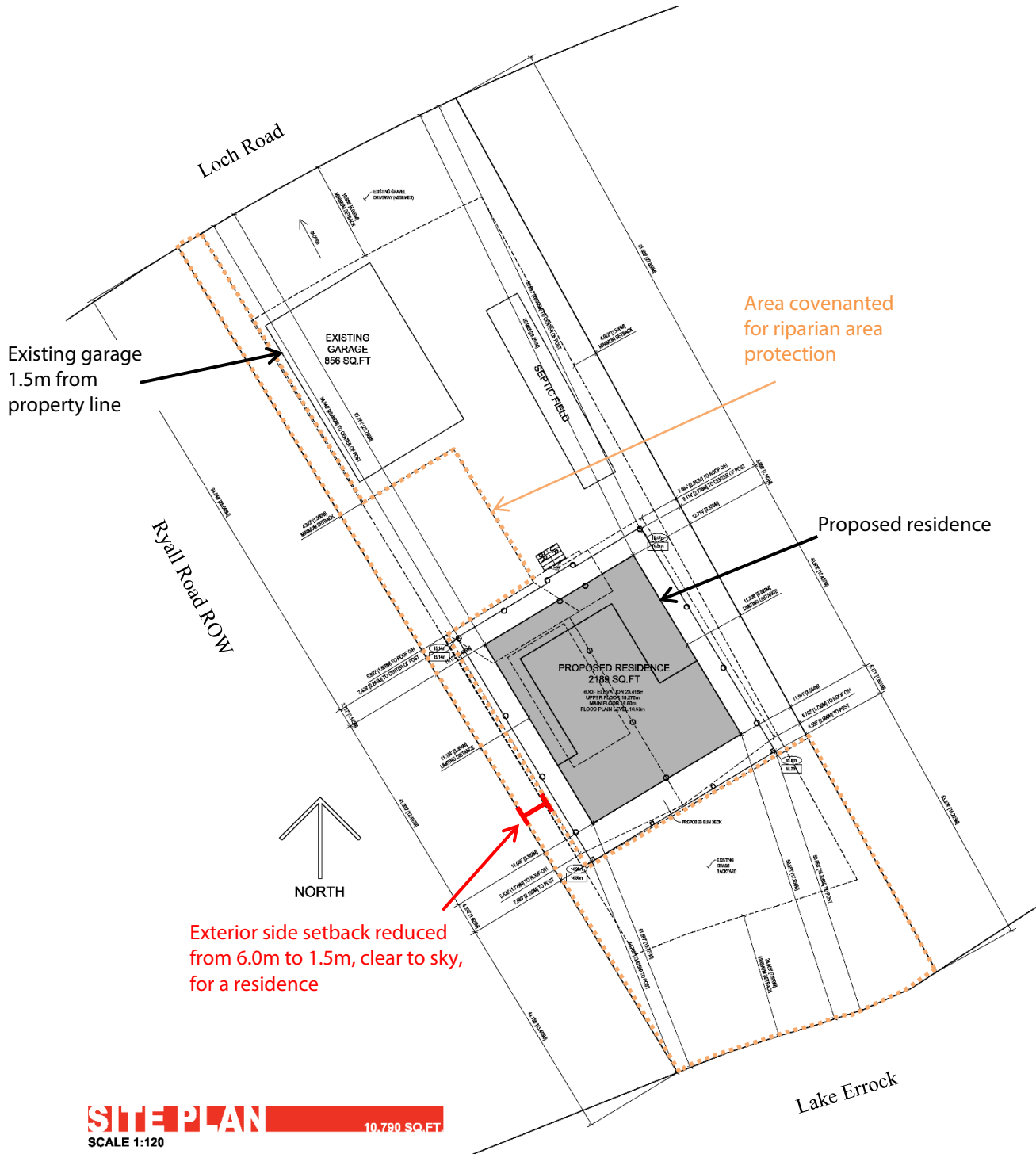
Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

DRAFT

The map displays a residential area with numerous lots, each labeled with a number. The streets shown include Ryall Rd, Low Rd, Aplin Rd, Errock Place Rd, and Loughheed Hwy. A red rectangle highlights the property at 43802 Loch Road, which is located on Loch Rd. A red arrow points from the text '43802 Loch Road' to this highlighted property. The area is adjacent to Lake Errock.

**DEVELOPMENT VARIANCE PERMIT 2020-06**  
**SCHEDULE "B"**  
**Site Plan**





To: CAO for the Electoral Area Services Committee  
From: Jaime Reilly, Manager of Corporate Administration  
Reg Dyck, Manager of Electoral Area Emergency Services

Date: 2019-10-08  
File No: 3920-20-1545, 2019

**Subject: North Fraser Harrison Mills Fire Protection Service Area Amendment Bylaw No. 1545, 2019**

---

### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board consider giving three readings to the bylaw cited as *North Fraser Harrison Mills Fire Protection Service Area Amendment Bylaw No. 1545, 2019*.

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

### BACKGROUND

The *Fraser Valley Regional District North Fraser Harrison Mills Local Service Area Conversion and Merger Bylaw No. 0072, 1996* was adopted by the Board in 1996, creating a fire protection service area for the purposes of provision of assistance to ambulance, and other similar emergency response agencies. Bylaw 0072, 1996 was amended by *Fraser Valley Regional District North Fraser and Harrison Mills Fire Protection Local Service Area Amendment Bylaw No. 1274, 2014* to extend the boundaries of the service area to Electoral Areas C, F and G.

### DISCUSSION

As part of Bylaw 1274, 2014, the Lougheed Highway (which is a Provincial Highway) is included in the boundaries of the fire protection service area. This road is a high traffic road which has seen a significant increase in the number of responses by the North Fraser Fire Department for calls regarding Motor Vehicle Incidents (MVI).

The inclusion of the Lougheed Highway in the fire protection service area boundary has implications from an emergency management perspective and our ability to obtain a task number through Emergency Management BC (EMBC). The North Fraser Fire Department responds to multiple events each year along the Lougheed Highway and staff believes there could be a considerable amount of funds recovered by changing the fire protection service area boundaries to exclude the Lougheed



Highway. In other FVRD fire protection service areas where a provincial highway has been excluded from the service area boundaries, the fire departments have been successful in receiving task numbers for highway road rescues, resulting in the ability to recoup costs through EMBC.

The draft bylaw excludes the Lougheed Highway from the boundaries North Fraser Harrison Mills Fire Protection Service Area. By removing this roadway from the fire protection area the North Fraser Fire Department may obtain a task number from EMBC when requested to attend Motor Vehicle Incidents along this corridor. This would allow the department to recoup some expenses for providing this service without any effect to service levels.

## **COST**

There are no costs associated with this bylaw.

## **CONCLUSION**

As a result of increased MVIs along the provincial Lougheed Highway, staff is recommending the exclusion of this road from the North Fraser Harrison Mills Fire Protection Service Area boundary. This will allow the North Fraser Fire Department to attend MVIs and obtain a task number directly from Emergency Management BC as they are a recognized First Responder and road rescue fire department. This will not result in any decreased service levels to the participants of this service area.

## **COMMENTS BY:**

**Mike Veenbaas, Director of Financial Services**

Reviewed and supported.

**Jennifer Kinneman, Acting Chief Administrative Officer**

Reviewed and supported.

## A bylaw to amend the boundaries of the North Fraser and Harrison Mills Fire Protection Service Area

READ A THIRD TIME THIS                      22<sup>nd</sup>      day of    October, 2019

APPROVAL OF THE INSPECTOR  
OF MUNICIPALITIES this                      20<sup>th</sup>      day of    May, 2020

ADOPTED THIS                                      day of

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

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

**5)    CERTIFICATION**

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District North Fraser and Harrison Mills Local Service Area Amendment Bylaw No. 1545, 2019* as read a third time by the Fraser Valley Regional District Board on the 22<sup>nd</sup> day of October, 2019

Dated at Chilliwack, BC this 23<sup>rd</sup> day of October, 2019

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



# *Statutory Approval*

*Under the provisions of section* \_\_\_\_\_ 349 \_\_\_\_\_

*of the* \_\_\_\_\_ Local Government Act \_\_\_\_\_

*I hereby approve Bylaw No.* \_\_\_\_\_ 1545 \_\_\_\_\_

*of the* \_\_\_\_\_ Fraser Valley Regional District \_\_\_\_\_,

*a copy of which is attached hereto.*

*Dated this*    20th                      day  
*of*                      May                      , 2020

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

Deputy Inspector of Municipalities

To: Electoral Area Services Committee

Date: 2020-06-09

From: David Bennett, Planner II

File No: 3360-26-2020-01

**Subject:** Zoning Bylaw 1597, 2020 Proposed rezoning of 10789 North Deroche Road, Electoral Area G to facilitate a single burial plot within an existing religious building.

---

### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board consider giving first reading to the bylaw cited *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1597, 2020* for the rezoning of 10789 North Deroche Road, Electoral Area G to permit a single burial plot within an existing religious use building;

**AND THAT** the Fraser Valley Regional District Board consider waiving the holding of a public hearing for *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1597, 2020* pursuant to section 464(2) of the Local Government Act;

**AND FINALLY THAT** the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1597, 2020*.

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

### PRIORITIES

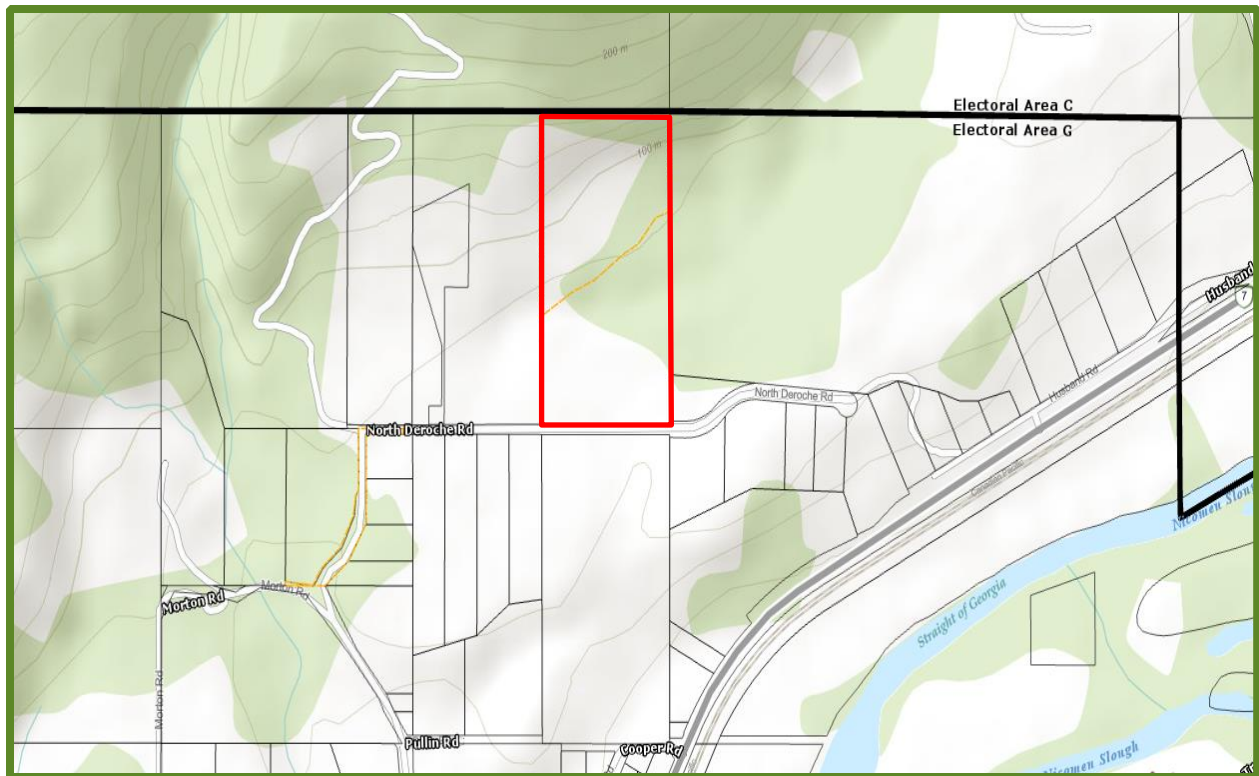
### BACKGROUND

The purpose of Bylaw 1597, 2020 is to amend the text of the P-1 zone to permit one (1) burial plot within an existing religious building located at 10789 North Deroche Road, Electoral Area G.

PROPERTY DETAILS			
Electoral Area	G		
Address	10789 North Deroche Rd		
PID	007-331-525		
Folio	775.03662.200		
Lot Size	19.7 acres		
Owner	Fr. Rudolph D'souza Canadian Carmelite Charitable Society	Agent	John Clark Architect Inc
Current Zoning	Civic Assembly (P-1) & Rural (R)	Proposed Zoning	Text Amendment to Civic Assembly
Current OCP	Institutional (I) & Rural (R)	Proposed OCP	No change
Current Use	Religious Assembly	Proposed Use	Religious Assembly with internment
Development Permit Areas	1-G – Geologic & Stream Hazard; 2-G Riparian Areas		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Rural 3 (R-3); Forest
East	>	Rural 1 (R-1); Forest
West	<	Rural 1 (R-1); Agriculture
South	v	Rural Residential (RS-1); North Deroche Rd, Agriculture

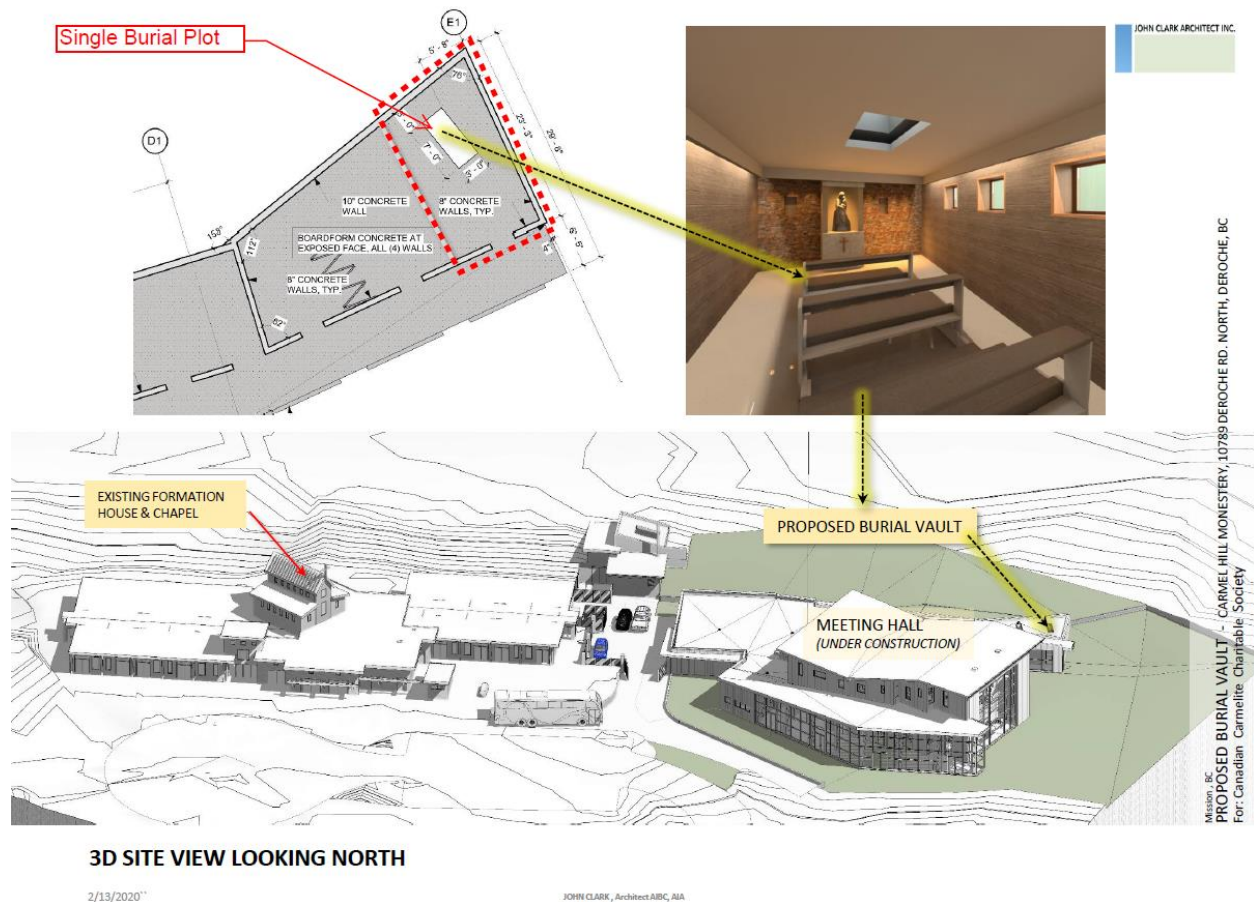
#### NEIGHBOURHOOD MAP



PROPERTY MAP







## DISCUSSION

### Proposal Details

- The proposal is for 1 (one) burial plot.
- The single burial plot is proposed within a room that is a part of an existing larger religious complex.
- The proposed single burial plot is defined as a cemetery and is subject to all provincial regulations regarding cemeteries.
- The applicant must submit an approval document from the Regional Board that confirms the proposed use is permitted by its bylaws before any provincial approvals are granted.
- The current zoning does not permit cemetery uses and therefore requires rezoning to proceed.

Additional diagrams and renderings of the room are attached for reference.



## **Regulation of Cemeteries in British Columbia**

Consumer Protection BC oversees cemeteries in BC. In BC, a property must be zoned for cemetery uses before a licence for a burial can be issued. It is unlawful to bury human remains anywhere except where the law allows, such as licensed cemeteries, or on land specifically set aside under other laws. To operate a place of interment, a property must first be established as a place of interment. After that, anyone who wants to operate a place of interment needs a licence.

Before a site is approved by the Province as a place of interment, the applicant must submit an approval document from the regional board that confirms the proposed use is permitted by its bylaws.

Provincial legislation regulates owner's responsibilities and protects burial sites.

For the FVRD to issue the approval document, the property must be rezoned to permit the burial use.

## **Public Hearing Waiver**

The Local Government Act states:

A local government may waive the holding of a public hearing on a proposed zoning bylaw if

- (a) an official community plan is in effect for the area that is subject to the zoning bylaw, and
- (b) the bylaw is consistent with the official community plan.

This proposed zoning bylaw is consistent with the Local Government Act's conditions to waive the holding of a public hearing.

The impact on the neighbourhood will be a single burial plot located within an existing religious use building. The building is setback from North Deroche Road and the proposed burial room is not visible from North Deroche Road.

## **Public Hearing Waiver Notification**

The Local Government Act states that if a public hearing is waived, the local government must provide newspaper notification as well as mailed notification to neighbours.

This table summarizes the notification processes between holding or waiving a public hearing:

	<b>Holding a Public Hearing</b>	<b>Waiving a Public Hearing</b>
<b>Posting a Sign on the Property</b>	Required	Required
<b>Mailed notification to Neighbours</b>	Required	Required
<b>Newspaper Ad</b>	Required	Required
<b>Neighbours express comments or concerns to the FVRD Board</b>	Neighbours may speak at a public hearing, or submit written comments	Neighbours may provide written comments to FVRD staff

If the public hearing is waived, the public notification will inform neighbours that they may address comments or concerns to FVRD staff. FVRD staff will review any comments or concerns. Depending on any feedback received, FVRD staff may recommend that the public hearing waiver be rescinded and a public hearing be held. This determination would be made prior to consideration of Third reading.

The holding of public hearings during the COVID-19 pandemic is complicated by public health orders and guidelines for reducing the spread of this disease. Staff would prefer to delay public hearings until it is safe to do so without putting electoral area residents at risk. Waiving the public hearing would allow this application to proceed without delay. The proposed development is for a single burial plot within an existing religious use building. Staff anticipate that there will not be significant community concern with the application. For these reasons, staff support waiving of the public hearing.

## **COST**

Rezoning application fee - \$2,800.00 **Paid**

## **CONCLUSION**

In order to determine whether or not to recommend proceeding to First Reading; FVRD staff's consideration included the following:

- Official Community Plan supports the religious and assembly use of the property.
- The proposal is limited in scope and scale to one (1) burial plot in an existing building.
- The proposal will be regulated by the Consumer Protection Branch and the associated regulations regarding official burial plots.
- A covenant is recommend to further enforce the zoning bylaw and restrict the burial to a single plot within the single room of the existing religious use building located on the property.
- The proposed zoning amendment bylaw is a site-specific text amendment. The bylaw would only permit a single burial plot on the subject property. In other words, no other lands with the same zoning would be permitted burial plots.

**COMMENTS BY:**

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

**Kristy Hodson, Acting Director of Financial Services:** Reviewed and supported

**Jennifer Kinneman, Chief Administrative Officer:**      Reviewed and supported

## A Bylaw to Amend the Zoning for a portion of Electoral Area G

**THEREFORE** the Board enacts as follows:

APPROVED BY THE MINISTRY

OF TRANSPORTATION AND  
INFRASTRUCTURE THIS

day of

ADOPTED THIS

day of

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

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

**5) CERTIFICATION**

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1597, 2020* as read a third time by the Board of Directors of the Fraser Valley Regional District on the

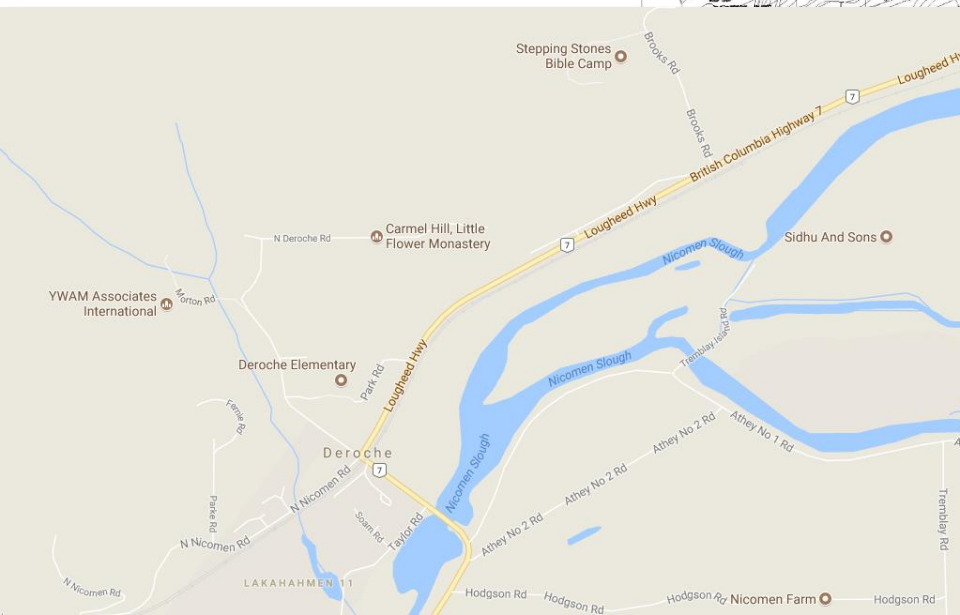
Dated at Chilliwack, B.C. this

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

Mission , BC  
**PROPOSED BURIAL VAULT**

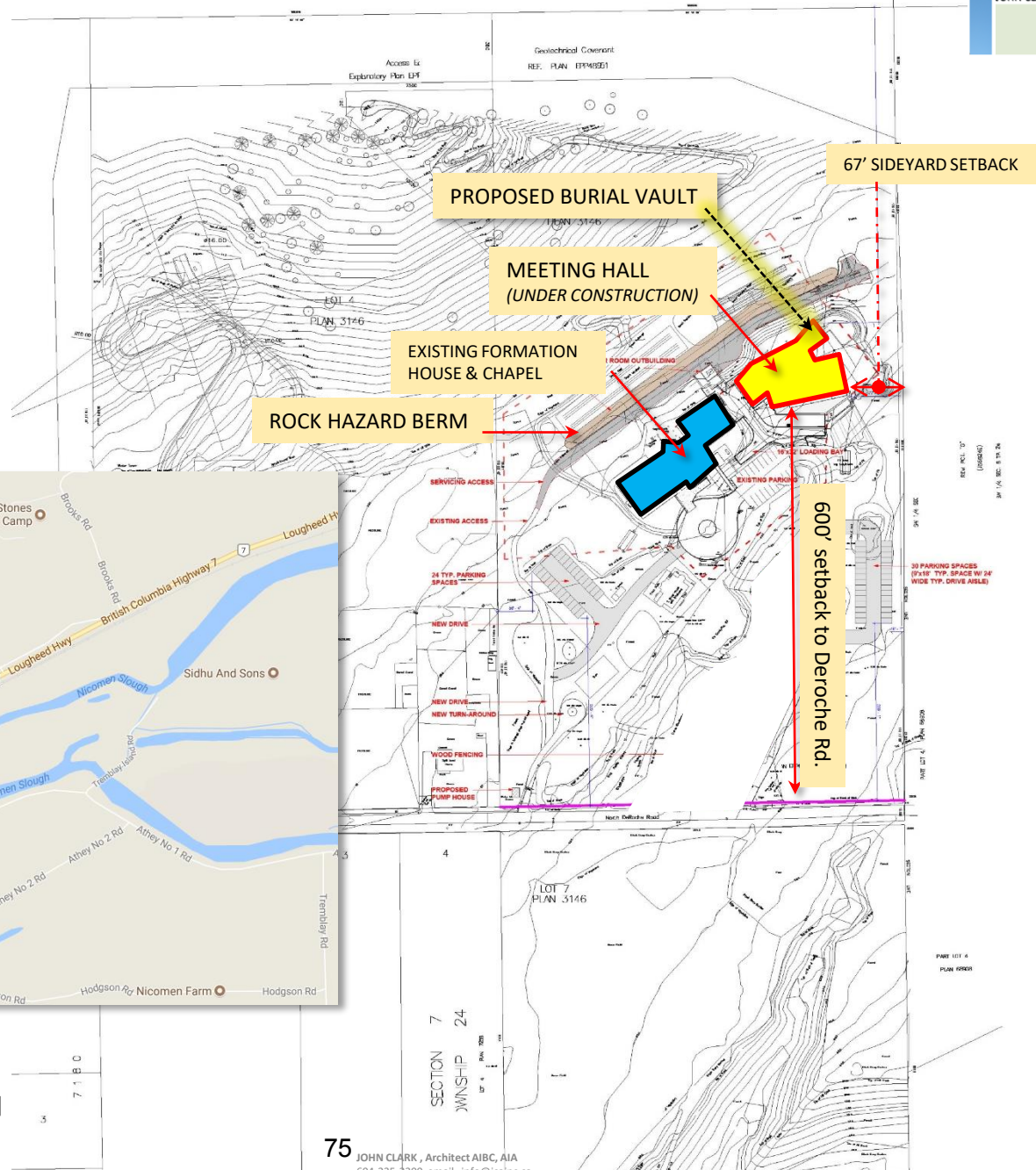
CARMEL HILL MONESTERY, 10789 DEROCHE RD.

For: Canadian Carmelite Charitable Society



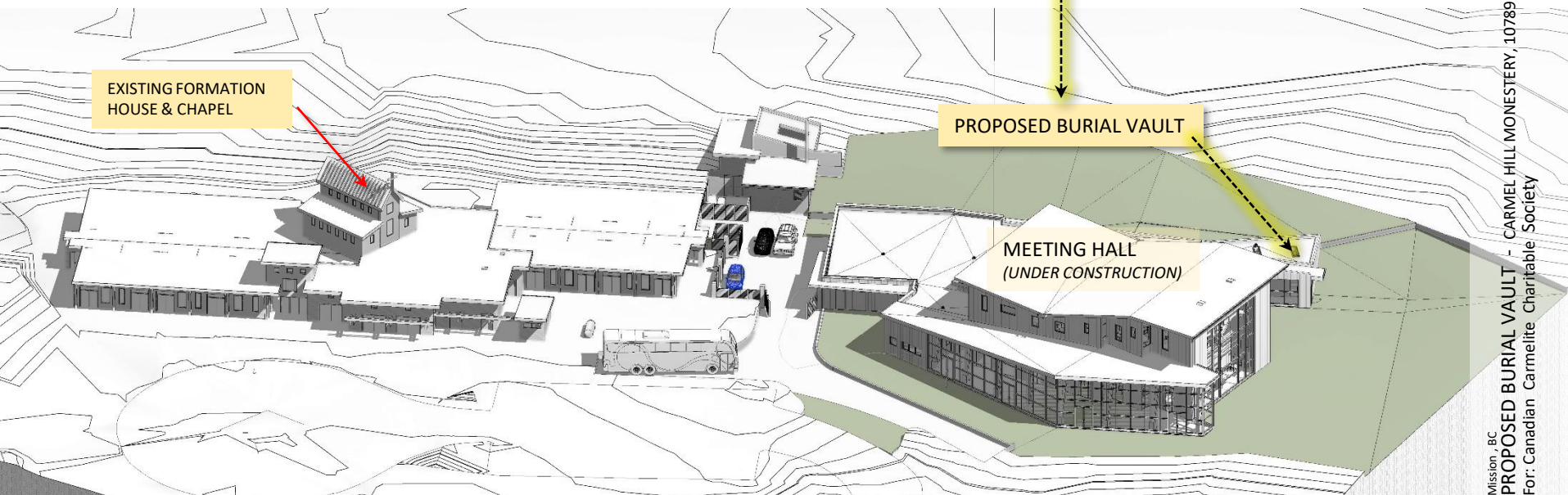
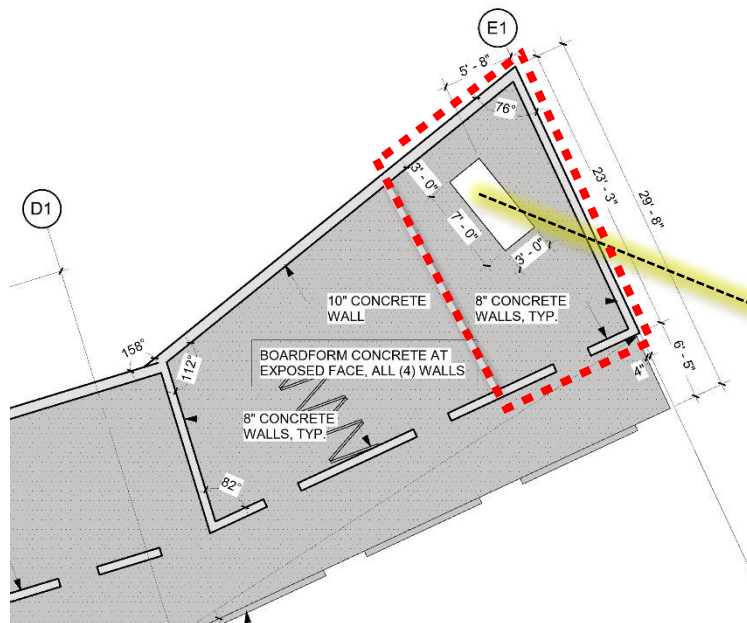
## VICINITY- SITE - SURVEY PLAN

2/13/2020



75

JOHN CLARK, Architect AIBC, AIA  
604-235-2300 email info@jcalnc.ca



### 3D SITE VIEW LOOKING NORTH

2/13/2020



## VAULT DESCRIPTION

10789 North Deroche Rd

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The Canadian Carmelite Charitable Society wishes to intern their primary donor at their time of passing within the vault that has been constructed within the Meeting Hall building at 10789 North Deroche Road, BC. The Meeting Hall itself is the second new structure to be built on this site due to the generous financial donations provided by the future internee.

The vault itself is situated in 1 of 3 Prayer Rooms in the north east corner of the building and has been constructed of reinforced concrete. The vault has clear opening dimensions of 3' 0" wide x 7' 0" long in which the casket is to be placed. Currently the floor is temporarily covered with carpet tile which will be removed once the casket has been lowered. Steel decking, along with a stone tile flooring will then cover the casket opening itself along with the balance of the room. This will permanently seal the casket in place and provide a flush, continual flooring surface, no further efforts are planned which would demarcate the vault/casket.

The application therefore is for a 'one off' and permanent internment, there are no plans to expand and or intern any other individuals within the subject property.

A handwritten signature in black ink, appearing to read "Paul Owens", with a stylized flourish at the end.

Paul Owens  
Project Manager  
John Clark Architect Inc.



To: Electoral Area Services Committee

Date: 2020-06-09

From: Katelyn Hipwell, Planner II

**Subject: ALR and Small Secondary Residence Consideration – Engagement Process**

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### RECOMMENDATION

THAT the Fraser Valley Regional District Board provide comments to the Ministry of Agriculture in response to the *Policy Intentions Paper: Residential Flexibility* in the ALR and the Ministry's on-going engagement and consultation with local governments.

AND THAT the comments provided in the discussion of this corporate report be considered the comments of the Fraser Valley Regional District Board.

### STRATEGIC AREA(S) OF FOCUS

### PRIORITIES

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

### BACKGROUND

In February 2019, the Province brought Bill 52, *Agricultural Land Commission Act, 2018* (ALC Act) into force to better protect Agricultural Land Reserve (ALR) land for farming purposes. Bill 52 removed local governments' ability to permit an additional residence necessary for farm use without the landowner applying to the Agricultural Land Commission (ALC). The ALC now decides about applications for new additional residences and the ALC can only grant permission for additional residences that are necessary for a farm use.

Following the legislative changes, the Ministry undertook [public engagement](#) from September to November 2019 in order to provide an opportunity for ALR landowners and stakeholders to express their concerns and views regarding: residential uses of the ALR, economic diversification, and new and young farmers. From the engagement, the Ministry heard that ALR landowners wanted more options for additional residences on ALR parcels.

In response, the Ministry prepared the [Policy Intentions Paper: Residential Flexibility in the ALR](#) (policy paper) that outlines the types of additional residences under consideration. In terms of the options and scope of defining a "small secondary residence", consideration will be given to:

- a manufactured secondary home with conditions such as whether:
  - the foundation type should be limited to a concrete slab and no basement;
  - it can be restricted to a maximum of 9 meters in width and 22.86 meters in length; and
  - it can be restricted to the Canadian Standards Association (CSA) Z240 Manufactured Home (MH) series.
- a garden suite, guest house or carriage suite (e.g. usually meaning a detached dwelling, often no larger than 90m<sup>2</sup>);
- accommodation above an existing building on a farm with conditions on what type of existing structure it could be built on and whether it can be located on a parcel that already has a suite in the principal residence; and,
- permitting a principal residence to be constructed in addition to a manufactured home that was placed as the first principal residence.

In addition, concepts such as the maximum number of residences, maximum additional house/residence size, siting, and total floor area per parcel may also be considered as part of the policy options. The implementation of options outlined in the policy paper would occur through changes to the Agricultural Land Reserve Use Regulation (ALRUR).

Prior to any changes to the ALRUR, the Province is conducting further consultation with local governments to better understand the local governments' authority to regulate and/or prohibit residential uses permitted in the ALR. FVRD staff have participated in this ongoing discussion.

## DISCUSSION

During the regular Electoral Area Services Committee meeting on May 12, 2020, the Committee indicated an interest in providing formal comments for consideration by the Ministry of Agriculture via a Board resolution. The recommended comments are outlined as follows:

### **Recommended Comments**

#### *General Support for a Secondary Residence in the ALR*

The Regional Board is generally supportive of secondary residences in the ALR. Allowing a secondary residence on a farm is consistent with existing FVRD zoning bylaws, which under specific circumstances, permit an additional residence for farm employees and family members. These provisions have been implemented in the FVRD Electoral Areas historically, prior to recent changes to the ALC Act and Regulation.

The *FVRD Policy for Secondary Dwellings in the Electoral Areas* further identifies general support for this land use with special consideration given to the technical aspects of implementing a secondary residence such as servicing and setback requirements. This policy was adopted by the Regional Board in 2019 after considerable public engagement and consultation with residents of the FVRD.

The Regional Board recognizes the importance of supporting young farmers and generational farming operations in the Electoral Areas and acknowledges the flexibility that an additional residence in the ALR offers to farming families and farm workers.

#### *Flexible Secondary Residence Typologies*

Consistent with the *FVRD Policy for Secondary Dwellings in the Electoral Areas*, the Regional Board supports offering choice and flexibility for secondary residence form and design. The Regional Board recommends that the Ministry consider maintaining a broad definition in provincial regulations, allowing local governments to define specific secondary residence typologies in their own land use bylaws in order to meet the needs of their individual communities.

#### *Concern over Proliferation of Large Estate Homes*

The Regional Board is supportive of floor area restrictions for a secondary residence to limit the establishment of large estate homes and non-farming estates in the ALR, as well as a means of confirming the ancillary nature of the secondary residence. The Regional Board has established similar measures in the *FVRD Policy for Secondary Dwellings in the Electoral Areas*.

Additionally, the Ministry may consider incorporating a specific farm residential footprint (home plate) requirement on lands where a second residence is permitted, commensurate with the [Minister's Bylaw Standards](#), to further mitigate impacts of increasing residential uses on agricultural lands.

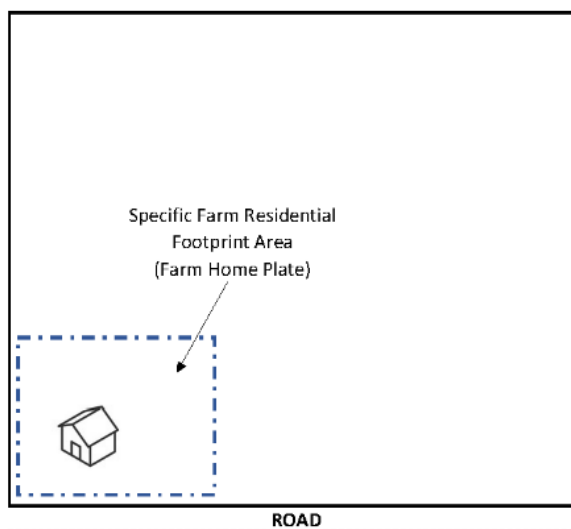


Image 1: Example of Specific Farm Residential Footprint Area

#### *Demonstrated Need for Additional Residence and Residence Registry*

The Policy Intentions Paper indicates that consideration is being given to allow small secondary residences in the ALR, provided they are *needed for farming* and that new secondary residences be registered with the ALC.

Should the Ministry develop a requirement that a landowner demonstrate a need for a secondary residence, the Regional Board suggests that the determination be made by the ALC, not the local government, as to what constitutes a legitimate need. And that any registry of secondary residences within the ALR be administered by the ALC for consistency across jurisdictions.

## **COST**

There is no cost recovery in place for providing comments to the Province regarding regulation or legislation amendments.

## **CONCLUSION**

The Ministry of Agriculture is currently engaging with local governments regarding proposed changes to the Agricultural Land Reserve Use Regulation to allow for a secondary residences in the ALR. In response, the Regional Board wishes to provide formal comments in support of these changes to allow greater flexibility and options to ALR landowners.

## **COMMENTS BY:**

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

**Kristy Hodson, Acting Director of Financial Services:** Reviewed and supported.

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