

FRASER VALLEY REGIONAL DISTRICT



ELECTORAL AREA SERVICES COMMITTEE

OPEN MEETING AGENDA

Tuesday, June 12, 2018

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

Pages

1. CALL TO ORDER

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

MOTION FOR CONSIDERATION

THAT the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of June 12, 2018 be approved;

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

3. SHOW CAUSE HEARING(S)

3.1 **Building Bylaw and BC Building Code Contraventions at 10363 Royalwood Boulevard, Electoral Area D, legally described as: Lot 27 Section 1 Township 3 Range 29 Meridian 6 New Westminster District Plan LMP17398 Meridian W6 PID: 018-813-798.**

9 - 24

- Presentation by Staff
- Corporate report dated June 12, 2018 from Louise Hinton, Bylaw Compliance and Enforcement officer
- Letter dated May 11, 2018 to John Fritz, Property Owner
- Letter dated March 21, 2018 to John Fritz, Property Owner
- Title Search
- Property Information Report
- Property Information Map

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No.*

1188, 2013, at 10363 Royalwood Boulevard Electoral Area D, Fraser Valley Regional District, British Columbia (legally described as: Lot 27 Section 1 Township 3 Range 29 Meridian 6 New Westminster District Plan LMP17398 Meridian W6 (PID: 018-813-798).

3.2 Building Contraventions at 48977 Riverbend Drive; Lot 7 District Lot 500 Group 2 New Westminster District Plan LMP18665 PID 018-925-332, Electoral Area E

25 - 56

- Presentation by Staff
- Corporate report dated June 12, 2018 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated April 6, 2018 to Serge Lavoie and Christin Marcotte, Property Owners
- Letter dated March 15, 2018 to Serge Lavoie and Christin Marcotte, Property Owners
- Title Search
- Property Information Report
- Property Information Map

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the Fraser Valley Regional District Building Bylaw No. 1188, 2013, at 48977 Riverbend Drive Electoral Area E, Fraser Valley Regional District, British Columbia (legally described as; Lot 7 District Lot 500 Group 2 New Westminster District Plan LMP18665; and Parcel Identifier 018-925-332)

3.3 Building Bylaw and BC Building Code Contraventions at 41630 Lougheed Hwy, EA G, legally described as Parcel "C" (W166297E) North West Quarter Section 5 and of the North East Quarter Section 6 Township 24 Except: Parcel "B", NW District; PID 013-441-949

57 - 84

- Presentation by Staff
- Corporate report dated June 12, 2018 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated May 11, 2018 to Nicomen Valley Farms Corporation Inc.
- Letter dated March 16, 2018 to Nicomen Valley Farms Corporation Inc.
- Title Search
- Property Information Report
- Property Information Map

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013*, at 41630 Lougheed Highway, Electoral Area G, Fraser Valley Regional District, British Columbia (legally described as Parcel "C" (W166297E) North West Quarter Section 5 and of the North East Quarter Section 6 Township 24 Township 24 Except: Parcel "B" (Plain in Absolute Fees Parcel Book 11/329/1286F), New Westminster District; Parcel Identifier: 013-441-949.

4. DELEGATIONS AND PRESENTATIONS

4.1 Deputy Chief Mike Serr, Abbotsford Police Department and Tim Pippus, Pippus Consulting

Marijuana Legalization Update - Presentation

4.2 Kirsten Koppang Telford, Co-Founder & Chief Operating Officer, ePact

Presentation on ePact's Emergency Communications Tool.

4.2.1 ePact Emergency Communications Tool

85 - 86

FOR INFORMATION ONLY

- Corporate report dated June 12, 2018 from Jennifer Kinneman, Director of Corporate Affairs and Reg Dyck, Manager of Electoral Area Emergency Services

5. MINUTES/MATTERS ARISING

5.1 Minutes of the Electoral Area Services Committee Meeting - May 8, 2018

87 - 95

MOTION FOR CONSIDERATION

THAT the Minutes of the Electoral Area Services Committee Open Meeting of May 8, 2018 be adopted.

6. CORPORATE ADMINISTRATION

6.1 FVRD Volunteer Recognition Awards Program Policy and Procedure

96 - 99

- Corporate report dated June 12, 2018 from Jaime Schween, Manager of Corporate Administration
- Draft FVRD Volunteer Recognition Awards Program Policy and Procedure

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board endorse the *FVRD Volunteer Recognition Awards Program Policy and Procedure*, as drafted.

6.2 Remuneration Rates for 2018 General Local Election Staff

100 - 101

- Corporate report dated June 12, 2018 from Paul Gipps, Chief Administrative Officer

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board establish remuneration rates for 2018 General Local Election staff as follows:

Chief Election Officer: 5 days off in lieu of overtime or cash equivalent

Deputy Chief Election Officer: 3 days off in lieu of overtime or cash equivalent

Presiding Election Officials: \$500

Alternate Presiding Election Officials: \$400

Election Officials: \$240

Mileage: \$0.55/km

7. FINANCE

7.1 2017 Annual Development Cost Charge Report

102 - 104

FOR INFORMATION ONLY

- Corporate report dated June 12, 2018 from Beth Klein, Accounting Clerk II

7.2 Grant-In-Aid Request – District of Hope Ratepayers Association, Electoral Area “B”

105 - 107

- Corporate report dated May 8, 2018 from Kristy Hodson, Manager of Financial Operations
- GIA Application - District of Hope Ratepayers Association

MOTION FOR CONSIDERATION

THAT the Electoral Area Services Committee provide direction to Staff regarding the grant-in-aid request from the District of Hope Ratepayers Association to fund a video camera with the intention of recording Hope Council and other community group meetings.

7.3 Grant-In-Aid Request – Coquihalla Elementary School PAC, Electoral Area “B”

108 - 110

- Corporate report dated June 12, 2018 from Kristy Hodson, Manager of Financial Operations
- GIA Application - Coquihalla Elementary School PAC

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to the Coquihalla Elementary School Parent Advisory Committee (PAC), funded from the Electoral Area “B” grant-in-aid budget, to assist with the costs of hosting the Missoula Children’s Theatre program.

7.4 Grant-In-Aid Request – Hope Volunteer Search & Rescue Group, Electoral Area “B” 111 - 119

- Corporate report dated June 12, 2018 from Kristy Hodson, Manager of Financial Operations
- Hope SAR Summary
- GIA Application - Hope Volunteer SAR Group

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$1,000 to the Hope Volunteer Search and Rescue Group, funded from the 2018 Electoral Area “B” grant-in-aid budget to help offset the costs associated with training, purchasing equipment and minimizing expenses incurred by their members.

7.5 Grant-in-Aid Request – Post Creek Ratepayers Association, Electoral Area “E” 120 - 122

- Corporate report dated June 12, 2018 from Kristy Hodson, Manager of Financial Operations
- GIA Application - Post Creek Ratepayers Association

MOTION FOR CONSIDERATION

THAT the Fraser Valley regional District Board authorize a grant-in-aid in the amount of \$3,000 to the Post Creek Ratepayers Association, funded from the 2018 Electoral Area “E” grant-in-aid budget to help offset the costs associated with the removal and disposal of the community green waste piles.

8. ENGINEERING & UTILITIES

No Items

9. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

9.1 Appointment of Building Official, Building Inspector and Bylaw Enforcement Officer 123 - 124

- Corporate report dated June 12, 2018 from Margaret-Ann Thornton, Director of Planning and Development

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board appoint Barry Johnston, Jarett Humphrey and Karl Rohde as "Building Official", "Building Inspector" and "Bylaw Enforcement Officer" of the Fraser Valley Regional District effective

immediately.

9.2 FVRD Electoral Area Commercial Gravel Operations Service Area Establishment Bylaw No. 1409, 2018 125 - 128

- Corporate report dated June 12, 2018 from Jaime Schween, Manager of Corporate Administration
- Draft Bylaw No. 1409, 2018

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board consider giving three readings to the bylaw cited as *Fraser Valley Regional District Electoral Area Commercial Gravel Operations Service Area Establishment Bylaw No. 1409, 2018*.

9.3 Application for Development Variance Permit 2018-20 to reduce the flanking street setback to permit the addition to a mobile home at 10435 Rutley Road, Electoral Area D 129 - 147

- Corporate report dated June 12, 2018 from Andrea Antifaeff, Planning Technician
- DVP Application
- Draft DVP 2018-20

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-20 to reduce the flanking street setback from 25 feet (7.6 metres) to 8.5 feet (2.6 metres), clear to sky, to facilitate an addition to a mobile home at 10435 Rutley Road, Area “D”, subject to consideration of any comments or concerns raised by the public

9.4 Application for Development Variance Permit 2018-22 to reduce the ancillary building setback from the interior side lot line to permit the addition to the existing water reservoir at 1777 Columbia Valley Road, Electoral Area H 148 - 207

- Corporate report dated June 12, 2018 from Andrea Antifaeff, Planning Technician
- DVP Application
- Draft DVP 2018-22

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-22 for the property located at 1777 Columbia Valley Road, Electoral Area H to reduce the ancillary building setback from 6 metres (19.68 feet) to 0.9metres (2.95 feet) from the interior side lot line, clear to sky in order to facilitate an addition to the existing water reservoir, subject to consideration of any comments or concerns raised by the public.

- 9.5 **Application for Development Variance Permit 2018-23 to vary the definition of Accessory Family Residential Use from single-width manufactured home to double-width manufactured home for the property located at 44428 Malcolm Road, Electoral Area C** 208 - 227

- Corporate report dated June 12, 2018 from Andrea Antifaeff, Planning Technician
- DVP Application
- Draft DVP 2018-23

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-23 for the property located at 44428 Malcolm Road, Electoral Area C, to vary the definition of Accessory Family Residential Use from single-width manufactured home to double-width manufactured home, subject to consideration of any comments or concerns raised by the public.

- 9.6 **Development Permit 2018-10 regarding the Form and Character of Phase II of Aquadel Crossing at 1885 Columbia Valley Road Electoral Area H** 228 - 368

- Corporate report dated June 12, 2018 from David Bennett, Planner II
- Design Guide
- Exterior Specification Sheet - Scheme 1
- Keystone Architecture letter dated May 17, 2018
- Elevation Drawings
- Site Plan
- Design Guidelines
- Draft Permit 2018-10

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board issue Development Permit 2018-10 regarding the form and character of Phase II of Aquadel Crossing at 1885 Columbia Valley Road Electoral Area "H" to permit the construction of a mix of rancher and two storey single family detached resort residential dwellings;

AND THAT the Fraser Valley Regional District Board authorize amendments to the existing form and character covenant (charge CA5854378) to permit the form and character of Phase II of the development as detailed in Development Permit 2018-10.

- 9.7 **Popkum-Bridal Falls Official Community Plan - Draft Release and Approval Process, Electoral Area D** 369 - 372

- Corporate report dated June 12, 2018 from Dawn Smith, Planner II

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board endorse the proposed Popkum-Bridal Falls Official Community Plan draft release and approval steps as outlined in the corporate report dated June 12, 2018.

10. ELECTORAL AREA EMERGENCY SERVICES

No Items.

11. OTHER MATTERS

11.1 Municipal Guide to Cannabis Legalization (A Roadmap for Canadian Local Governments) 373 - 424

- Update by Paul Gipps, CAO
- 'Municipal Guide to Cannabis' (*A Roadmap for Canadian Local Governments*) - FCM

12. ADDENDA ITEMS/LATE ITEMS

13. REPORTS BY STAFF

14. REPORTS BY ELECTORAL AREA DIRECTORS

15. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

16. ADJOURNMENT

MOTION FOR CONSIDERATION

THAT the Electoral Area Services Committee Open Meeting of June 12, 2018 be adjourned.

To: Electoral Area Services Committee

Date: 2018-06-12

From: Louise Hinton, Bylaw Compliance and Enforcement Officer

File No: Do6642.027/2

Subject: Building Bylaw, and BC Building Code Contraventions at 10363 Royalwood Boulevard, Electoral Area D, legally described as: Lot 27 Section 1 Township 3 Range 29 Meridian 6 New Westminster District Plan LMP17398 Meridian W6 (PID: 018-813-798).

RECOMMENDATION

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013*, at 10363 Royalwood Boulevard Electoral Area D, Fraser Valley Regional District, British Columbia (legally described as: Lot 27 Section 1 Township 3 Range 29 Meridian 6 New Westminster District Plan LMP17398 Meridian W6 (PID: 018-813-798).

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

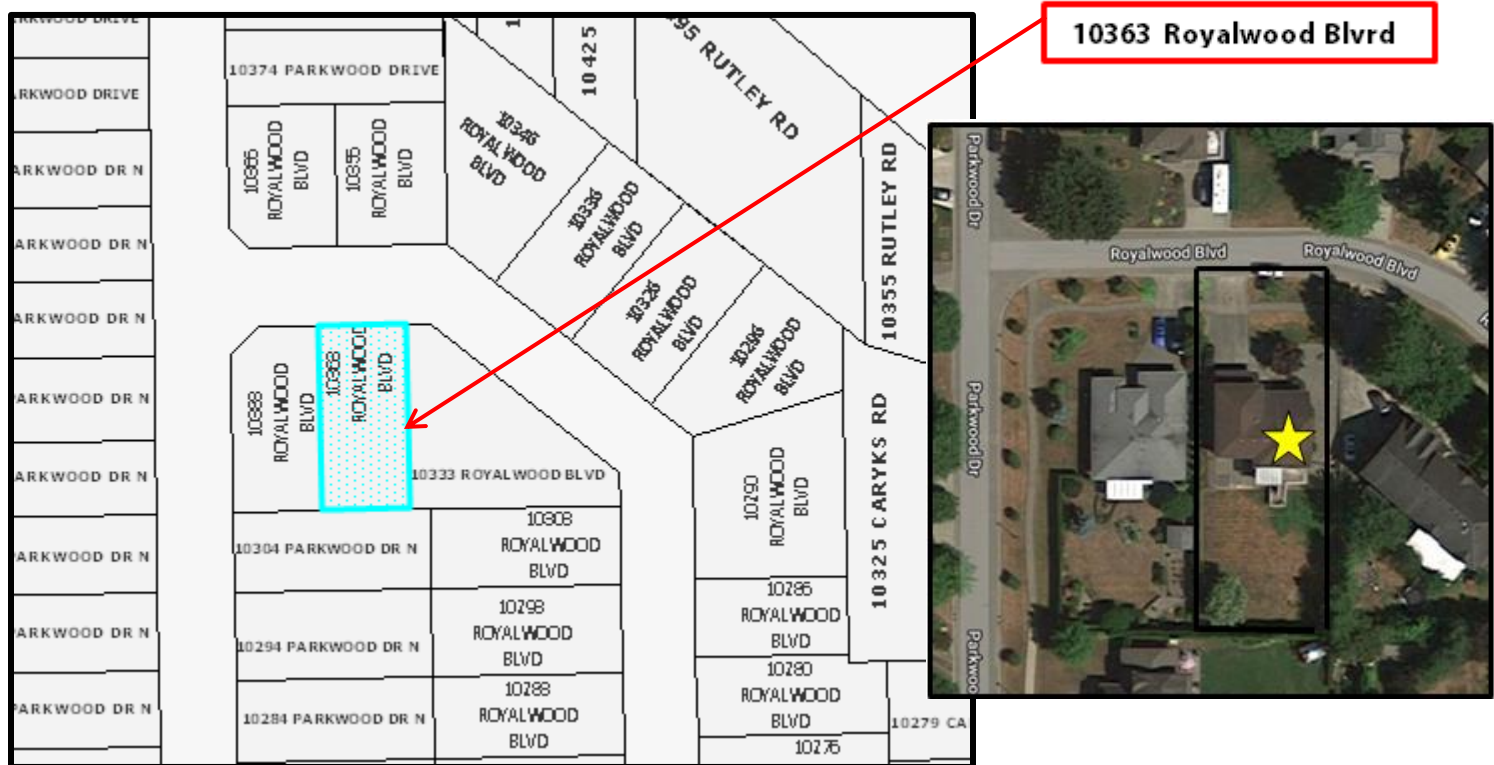
Provide Responsive & Effective Public Services

BACKGROUND

Previous Bylaw Enforcement File History:

In August of 2010 Regional District Bylaw Staff opened a new Bylaw Enforcement file when the Chilliwack Detachment of the Royal Canadian Mounted Police (RCMP) contacted the Regional District Bylaw Department by telephone and provided information that a Marijuana Grow Operation was discovered on the subject property at 10363 Royalwood Boulevard. (RCMP File # 2010-23928). The Single Family Dwelling had undergone significant renovations without the benefit of a Building Permit for the purposes of the Marijuana Grow Operation. Subsequently the Fraser Valley Regional Board resolved to place a notice on the subject property (charge BB1280401) in accordance with Section 57 of the *Community Charter* because of the above outlined violations of the *Fraser Valley Regional District Building Bylaw No. 0034,1996*.

In November of 2013 the condition that gave rise to the filing of the Notice on the Title of the property (Charge BB1280401) were rectified by means of Building Permit (BP012342). Accordingly pursuant to Section 58 of the *Community Charter* a cancellation notice was filed with the Registrar of Land Titles, and the Bylaw Enforcement File was closed.



Current Bylaw File:

June 8, 2016 – Regional District Bylaw Enforcement Staff opened a new Bylaw Enforcement file when Bylaw Staff received a complaint that there was a new Marijuana Grow Operation at the subject property at 10363 Royalwood Boulevard.

June 10, 2016 – Regional District Bylaw Staff spoke with Chilliwack RCMP at the front Counter of the FVRD Chilliwack Office. The RCMP Constable was unable to confirm if there is a legal Medical Marijuana Growing Licence for the subject property at 10363 Royalwood Boulevard because of privacy concerns, but they did confirm that they had no ongoing police files at the subject property.

September 28, 2016 – Regional District Bylaw Staff left a voice message with the Upper Fraser Valley Detachment of the RCMP Crime Reduction Unit - Drug Section requesting information if there is a legal Medical Marijuana Growing Licence for the subject property at 10363 Royalwood Boulevard.

January 13, 2017 – Regional District Bylaw Staff was advised by the Upper Fraser Valley Detachment of the RCMP that Health Canada has issued a Possession and Personal Production Licence in the name of the Property Owner of the subject property at 10363 Royalwood Boulevard Mr. John Fritz.

January 25, 2017 – Regional District Bylaw Staff sent a letter requesting access to the property for an inspection to the property owner Mr. John Fritz by regular mail with a deadline for a response of February 27, 2017.

February 28, 2017 - Regional District Bylaw Staff received contact by email from Mr. John Pederson, Legal counsel for the property owner, requesting a one month extension.

March 20, 2017 - Regional District Bylaw Staff made contact with Mr. Dale Pederson, legal counsel for the property owner Mr. John Fritz by email. FVRD Staff advised Mr. Pederson that the Regional District requires access to the property for a site inspection with a deadline for a response for a convenient date be no later than of April 30, 2017.

July 12, 2017 - Regional District Bylaw Staff sent a second letter requesting access to the property for an inspection to the property owner Mr. John Fritz and his legal counsel Mr. Dale Pederson by email and regular mail with a deadline for a response of July 28, 2017.

July 20, 2017 - Regional District Bylaw Staff received contact from Dale Pederson, legal counsel for the property owner Mr. John Fritz by email with a letter that disputed the allegation that a bylaw violation was occurring on the property. Mr. Pederson made a request asking the FVRD if a letter or video submission could be a substitute for a site inspection.

July 24, 2017 – Regional District Bylaw Staff received contact from legal counsel Mr. Dale Pederson's Office when they left a voicemail for FVRD Staff, requesting a return call back.

August 18, 2017 - Regional District Bylaw Staff made contact with the property owner's legal counsel Mr. Dale Pederson's Office listing a number of possible inspection dates.

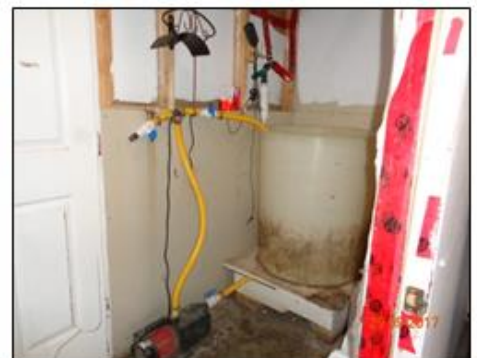
August 22, 2017 - Regional District Bylaw Staff made contact with Mr. Dale Pederson, legal counsel for the Property Owner Mr. John Fritz and scheduled a site inspection for September 29, 2017 at 10:00am.

September 29, 2017 10:00hrs – Regional District Bylaw, Building and Management Staff attended the subject property at 10363 Royalwood Boulevard for a scheduled site inspection. Property Owner Mr. John Fritz and Legal counsel for the Property Owner Mr. Dale Pederson were on site during the inspection. A full site inspection of the Single Family Dwelling was completed; inspection photographs were taken, and the following items of concern were noted:

- Unable to determine the extent of the structural alterations for the change of use;
- Electrical work that may or may not have been permitted;
- Four rooms on the garage level that are being used to grow Marijuana;
- One of the rooms has air intake coming in from the garage with a fan;
- Expired Federal Health Canada Licence posted on the wall in the hallway.

Property owner Mr. Fritz and Legal counsel Mr. Pederson agreed to provide the FVRD with a letter from Health Canada addressing his expired permit.

The following site inspection photos taken on **September 29, 2017**





October 17, 2017 – Management Staff made contact with the property owner Mr. John Fritz and his legal counsel Mr. Dale Pederson by email with a request that they forward a copy of the valid Health Canada Licence as advised during the previous site visit.

October 30, 2017 – Fraser Valley Regional District received a copy of the property owner's letter from Health Canada regarding his Personal Production Licence by his legal counsel Mr. Dale Pederson.

November 2, 2017 – Regional District Bylaw Staff sent a letter to the property Owner Mr. John Fritz and his legal counsel Mr. Dale Pederson by email and regular mail with a deadline for compliance of December 4, 2017.

November 29, 2017 – Regional District Bylaw Staff received contact from Mr. Dale Pederson, legal counsel for the property Owner Mr. John Fritz by email. Mr. Pederson states in writing that his client is willing to cooperate, but asked for another extension, so that Mr. John Fritz is able to harvest his current crop of medical cannabis. The email provided a copy of a human rights case filed against another local government for our reference; requesting we review it for discussion in the New Year.

December 5, 2017 - Regional District Bylaw Staff contacted the Property Owner's legal counsel, Mr. Dale Pederson's Office by email requesting a response to schedule a meeting between both parties to discuss compliance options in person at the Regional District Office.

December 20, 2017 – Regional District Bylaw Staff contacted the Property Owner's legal counsel, Mr. Dale Pederson's Office by email requesting a response to schedule a meeting between both parties to discuss compliance options in person at the Chilliwack Regional District Office.

March 21, 2018 - Regional District Bylaw Staff sent a letter to the Property Owner Mr. John Fritz and his legal counsel Mr. Dale Pederson by email and regular mail with a deadline for compliance of April 16, 2018.

April 12, 2018- Regional District Bylaw Staff received contact from Property Owner Mr. John Fritz by telephone. Mr. Fritz wanted to set up a meeting without his legal counsel to discuss what compliance options were available to him. We agreed to meet at the Chilliwack Regional District Office on April 20, 2018 at 10am.

April 20, 2018 10:00hrs – Regional District Bylaw and Management Staff met with the Property Owner, Mr. John Fritz at the Chilliwack Regional District Office for a scheduled meeting. The following matters were discussed:

- Review of the March 21, 2018 enforcement letter, Bylaw Enforcement history on the subject property, and Building Permit Requirements.
- Mr. Fritz provided a copy of a report on his septic system. The report did not contain a letterhead, and Mr. Fritz advised the company who completed the work; and agreed FVRD could follow-up with them.
- Mr. Fritz advised an Engineering Firm completed a report on the building. The FVRD has not received this report. Mr. Fritz advised that he will provide a copy of the Engineering report to the FVRD.
- The use of the property and need for re-zoning was discussed, including the re-zoning process, signage and Public Hearing requirements. Other options including: Temporary Use Permit and Notice on Title were discussed.

Mr. Fritz advised that it was his intent for staff to proceed with a Notice on Title as the best course of action moving forward. Mr. Fritz advised that he does not intend to sell the property, and will remediate the property at a later date when he intends to sell the property (10+ years). Bylaw Enforcement Staff outlined the Section 57 Notice on Title requirements, letter and Show of Cause hearing process and requirements.

DISCUSSION

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

Staff would like you to consider the following information:

Building Bylaw

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

The alteration works to the Single Family Dwelling were done without a required Building Permit.

In September 2017 it was confirmed that the Single Family Dwelling was again converted to a Marijuana Grow Operation. Any residential structure that houses a Marijuana Grow Operation requires a Building Permit to remediate the building for health purposes once the Marijuana Grow Operation has been removed.

Any structure that has a change of use from its initial intended use is required to obtain a Building Permit to authorize the new use in order to comply with Bylaw and *BC Building Code* Regulations. The initial use of the Single Family Dwelling was for residential use, so a permit is required for the change of use to a Marijuana Grow Operation.

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

Zoning Bylaw

This property is in Electoral Area D, and is zoned Suburban Residential Two (SBR-2) under the *Fraser Valley Regional District of the Fraser Cheam Bylaw No. 75, 1976* (Bylaw No. 75). The primary purpose of this zone is to encourage an orderly growth of residential areas at country residential densities while protecting the long-term potential for higher density development of these lands.

The Single Family Dwelling had alteration works to operate a Marijuana Grow Operation. A Marihuana Grow Operation Use is not listed as a permitted use in the SBR-2 zone.

A successful rezoning of the property would be required to authorize the unpermitted use of a Marijuana Grow Operation.

COST

Land Titles Office filing fee of approximately \$55.

The owner will be required to pay a removal fee of \$500 in accordance with the *Fraser Valley Regional Building Bylaw 1188, 2013*, after the unpermitted alteration and construction work on the Single Family Dwelling is either:

1. Demolished with a Building Permit issued by the FVRD, with a successful final inspection; or
2. A fully completed Building Permit for the alteration and construction works to the Single Family Dwelling is issued by the FVRD and receives a successful final inspection. Prior to Building Permit issuance, application and a successful rezoning of the property to permit a Marijuana Grow Operation Use.

CONCLUSION

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the construction works on the Single Family Dwelling and the construction without a Development Permit violate multiple Regional District Bylaws, and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of a Building Permit for a change of use with remediation including rezoning of the property, or a Building Permit for demolition of the Single Family Dwelling.

Regrettably, but in the interest of full public disclosure and as incentive to achieving voluntary compliance, I, as an Appointed Building Inspector, believe that the filing of Notice is appropriate in this instance and submit the above recommendation in accordance with Section 57 of the *Community Charter*.

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

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

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

COMMENTS BY:

Margaret Thornton, Director of Planning & Development

Reviewed and Supported.

Mike Veenbaas, Director of Financial Services

No further financial comments.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

May 11, 2018

REGISTERED MAIL

Mr. John Fritz
10363 Royalwood Blvd RR1
Rosedale, BC V0X 1X1

FILE: 4010-20-D06642.027/2
CIVIC: 10363 Royalwood Boulevard
PID: 018-813-798
LEGAL: Lot 27 Section 1 Township 3 Range 29 Meridian 6 New Westminster District Plan LMP
17398 Meridian W6

Dear Mr. Fritz:

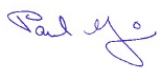
**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Tile
Contraventions of Building Bylaw No. 1188, 2013 – Change of Building Use without a
Building without a Permit to the Single Family Dwelling- 10363 Royalwood
Boulevard, Electoral Area D**

Further to our most recent correspondence dated March 21, 2018 that was sent to you on the same day, please be advised you are hereby notified that your opportunity to be heard by the Regional District Electoral Services Committee is scheduled. The meeting is to show cause why the Regional District Board of Directors should not direct staff to file a Notice against the title of your property at 10363 Royalwood Boulevard in relation to the outstanding contraventions of the *Fraser Valley Regional District Building Bylaw No. 1133, 2018* pursuant to Section 57 of the *Community Charter*.

The **show cause** hearing is scheduled for **June 12, 2018 at 1:30pm**, in the Boardroom on the fourth floor of the Regional District Office at 45950 Cheam Avenue, Chilliwack, British Columbia.

The Electoral Area Services Committee will consider registration of the Section 57 Notice on the title of your property at 10363 Royalwood Boulevard whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

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



Sincerely,

Paul Gipps
Chief Administrative Officer

cc: Bill Dickey, Director of Electoral Area D
Margaret-Ann Thornton, Director of Planning & Development
Greg Price, Bylaw & Compliance Coordinator
Review of Registered Property Title – Organizations with interest in property
CIBC Mortgages Inc. (Inc. No. A33457) – Mortgage #CA2002773

Attach: March 21, 2018 Copy of Letter to Property Owner
June 12, 2018 Staff Report from Bylaw and Appointed Building Inspector
April 20, 2018 Land Title Search Results
April 20, 2018 Property Information Report
April 20, 2018 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

March 21, 2018

VIA MAIL AND EMAIL

Mr. John Fritz
10363 Royalwood Blvd RR1
Rosedale, BC V0X 1X1

FILE: **4010-20-D06642.027/2**
CIVIC: 10363 Royalwood Blvd
PID: 018-813-798
LEGAL: LOT 27 SECTION 1 TOWNSHIP 3 RANGE 29 MERIDIAN 6 NEW WESTMINSTER DISTRICT PLAN LMP17398 MERIDIAN W6

Dear Mr. Fritz:

RE: Bylaw Contraventions - 10363 Royalwood Blvd; PID: 018-813-798

Further to our most recent email correspondence of December 20, 2017, and letter dated November 2, 2017; Regional District Staff confirmed interior building renovations to cause a change of use for the single family dwelling to a medical marihuana grow operation without the benefit of a building permit. Please see site inspection photographs dated September 29, 2017 below:



Your property is currently zoned as *Suburban Residential 2 (SBR-2)*. The purpose of this zoning is to provide for single-family development. Section 2300 of *Bylaw 75* does not list a medical marihuana grow operation as a permitted use in the (SBR-2) zone.

Mr. Pederson's letter dated, April 10, 2017 referenced Section 528 of the Local Government Act (non-conforming uses: authority to continue use). Section 528 (1) (a) states, *land, or a building or other structure, to which that bylaw applies is lawfully used*. As a residentially zoned (SBR-2) property, the use for Medical Marihuana Production was never permitted under the Zoning Bylaw, including the time before the adoption of the medical marihuana regulations as outlined in *Amendment Bylaw No. 1255, 2014* (Bylaw 1255). Prior to the adoption of *bylaw 1255* the use of the property for a Farm Use was also not permitted. The use of 10363 Royalwood Blvd for a Medical Marihuana Grow Operation is not permitted, and has never permitted under the Zoning Bylaw at any time, so Section 528 of the *Local Government Act* does not apply in this case. The Regional District has also received written confirmation that Health Canada authorizations for Medical Marihuana Production Licenses are subject to all Local Government requirements including land use (Zoning) and Building requirements.

The interior building renovations to the single family dwelling that caused the change of use to the medical marihuana grow operation all require an approved building permit as outlined below sections 6.1 of the *Regional District's Building Bylaw No. 1188, 2013*:

No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building or structure, including excavation or other work related to construction until a building official has issued a valid and subsisting permit for the work unless such work is specifically exempted from the requirement for a building permit pursuant to section 5 of this bylaw.

On a preliminary basis, our building inspection department has health and safety concerns relating to the following unauthorized works within the single family dwelling:

- Outside air is being drawn from the garage area
- Condensate drains to septic system
- Humidity control
- Cannot confirm extent of structural alterations as walls are covered in plastic
- Flex pipe in mechanical area not connected, possible combustion or make up air
- Fire separations between two occupancy classifications (C and an F2)
- Multiple code infractions due to code classifications

The FVRD wishes to work with you to enable you to bring your property in compliance with the *BC Building Code* and Regional District Bylaws. We want to convey that we believe your property in its current condition creates a safety concern for yourself, your neighbours and or visiting resident to your property. We encourage you to read the *Occupiers Liability Act* regarding property safety and negligence. To avoid further enforcement measures, that may include fines of up to \$500 per occurrence, and or other means of enforcement action on behalf of the Regional District please ensure that you achieve the following no later **April 16, 2018**:


1. Submit a completed building permit with \$150 permit fee addressing the renovations you have undertaken and submit a completed re-zoning or Temporary Use Permit application to allow the medical marihuana grow operation use of the property; or,
2. Cease operations of the non-permitted marihuana grow operation use and apply for a building permit to address renovations required to return the structure to residential use.

Following the receipt of your application, the Building Department will advise you on any additional information needed. Should you have any questions with regard to your application, please do not hesitate to contact one of our Building Inspectors at (604) 702-5000. Building Permit Application forms are available online for your convenience on the Regional District's website at:

<http://www.fvrd.ca/EN/main/services/building-permits-inspection/forms.html>

Please contact me directly at 604-702-5015 or by calling toll free at 1-800-528-0061 to discuss the above stated matters. I am also available in person at the Regional District Office Monday through Friday from 8:30a.m. to 4:30pm or by email at lhintonl@fvrd.ca Thank you in advance for your anticipated co-operation.

Respectfully,

 Digitally signed
by Louise Hinton
Date: 2018.03.21
10:09:11 -07'00'

Louise Hinton
Bylaw, Compliance and Enforcement Officer

Attach: Copy of Email dated December 20, 2017
Copy of Letter Dated November 2, 2017

cc: Bill Dickey, Director of Electoral Area D
Margaret-Ann Thornton, Director of Planning & Development
Dale Petersen, Legal Representation for Mr. Fritz
Greg Price, Building & Bylaw Coordinator
Health Canada – Office of Medical Cannabis
Review of Registered Property Title – Organizations with interest in property
CIBC Mortgages Inc. (Inc. No. A33457) – Mortgage #CA2002773

TITLE SEARCH PRINT

2018-04-20, 14:31:30

File Reference:

Requestor: Louise Hinton

Declared Value \$367500

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

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

Title Number

From Title Number

BW418242

BV415651

Application Received

2004-09-08

Application Entered

2004-09-23

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

JOHN FRITZ, BUSINESSMAN
10363 ROYALWOOD BOULEVARD
ROSEDALE, BC
V0X 1X0**Taxation Authority**

New Westminster Assessment District

Description of Land

Parcel Identifier:

018-813-798

Legal Description:

LOT 27 SECTION 1 TOWNSHIP 3 RANGE 29 WEST OF THE SIXTH MERIDIAN
NEW WESTMINSTER DISTRICT PLAN LMP17398**Legal Notations**THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29 OF THE
MUNICIPAL ACT SEE DF AD70528 EXPIRES: N/A**Charges, Liens and Interests**

Nature:

COVENANT

Registration Number:

BH231092

Registration Date and Time:

1994-06-17 12:59

Registered Owner:

REGIONAL DISTRICT OF FRASER-CHEAM

Remarks:

INTER ALIA

L.T.A. SECTION 215

MODIFIED BY BB1340875

TITLE SEARCH PRINT

2018-04-20, 14:31:30

File Reference:

Requestor: Louise Hinton

Declared Value \$367500

Nature: COVENANT
Registration Number: BH231094
Registration Date and Time: 1994-06-17 13:00
Registered Owner: REGIONAL DISTRICT OF FRASER-CHEAM
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH
COLUMBIA
Remarks: INTER ALIA
L.T.A. SECTION 215
MODIFIED BY BJ177740, BK238124, BW323842
AND BT258960
MODIFIED BY CA3398380

Nature: STATUTORY RIGHT OF WAY
Registration Number: BH231097
Registration Date and Time: 1994-06-17 13:00
Registered Owner: REGIONAL DISTRICT OF FRASER-CHEAM
Remarks: INTER ALIA
PLAN LMP17399

Nature: STATUTORY BUILDING SCHEME
Registration Number: BH231107
Registration Date and Time: 1994-06-17 13:01
Remarks: INTER ALIA
L.T.A. SECTION 216

Nature: MORTGAGE
Registration Number: CA2002773
Registration Date and Time: 2011-05-06 10:34
Registered Owner: CIBC MORTGAGES INC.
INCORPORATION NO. A33457

Nature: MORTGAGE
Registration Number: CA3490651
Registration Date and Time: 2013-12-03 18:19
Registered Owner: CITIFINANCIAL CANADA, INC.
INCORPORATION NO. A-85082

Duplicate Indefeasible Title NONE OUTSTANDING**Transfers** NONE**Pending Applications** NONE

Folio: 733.06642.027
Civic: 10363 ROYALWOOD BLVD
Size: 0.274 ACRES

Pid: 018-813-798
Legal: LOT 27, SECTION 1, TOWNSHIP 3, RANGE 29,
 MERIDIAN 6, NEW WESTMINSTER DISTRICT, PLAN
 LMP17398 MERIDIAN W6.

Owner: FRITZ, JOHN
 10363 ROYALWOOD BLVD
 RR 1
 ROSEDALE BC V0X 1X1
 (BW418242)

<u>2018 Actual Assessments</u>	<u>Land Class</u>	<u>Land</u>	<u>Impr Class</u>	<u>Impr</u>
00 - FULLY TAXABLE LAND, STRUCTURES	1 - Res	390000	1 - Res	293000

<u>Lto Number</u>	<u>Sales Price</u>	<u>Date</u>	<u>Description</u>
BW418242	367,500.00	Sep 8, 2004	IMPROVED SINGLE PROPERTY CASH TRANSACTI
BV415651	250,000.00	Oct 9, 2003	IMPROVED SINGLE PROPERTY CASH TRANSACTI
BV228466	103,500.00	Jun 23, 2003	REJECT - NOT SUITABLE FOR SALES ANALYSIS

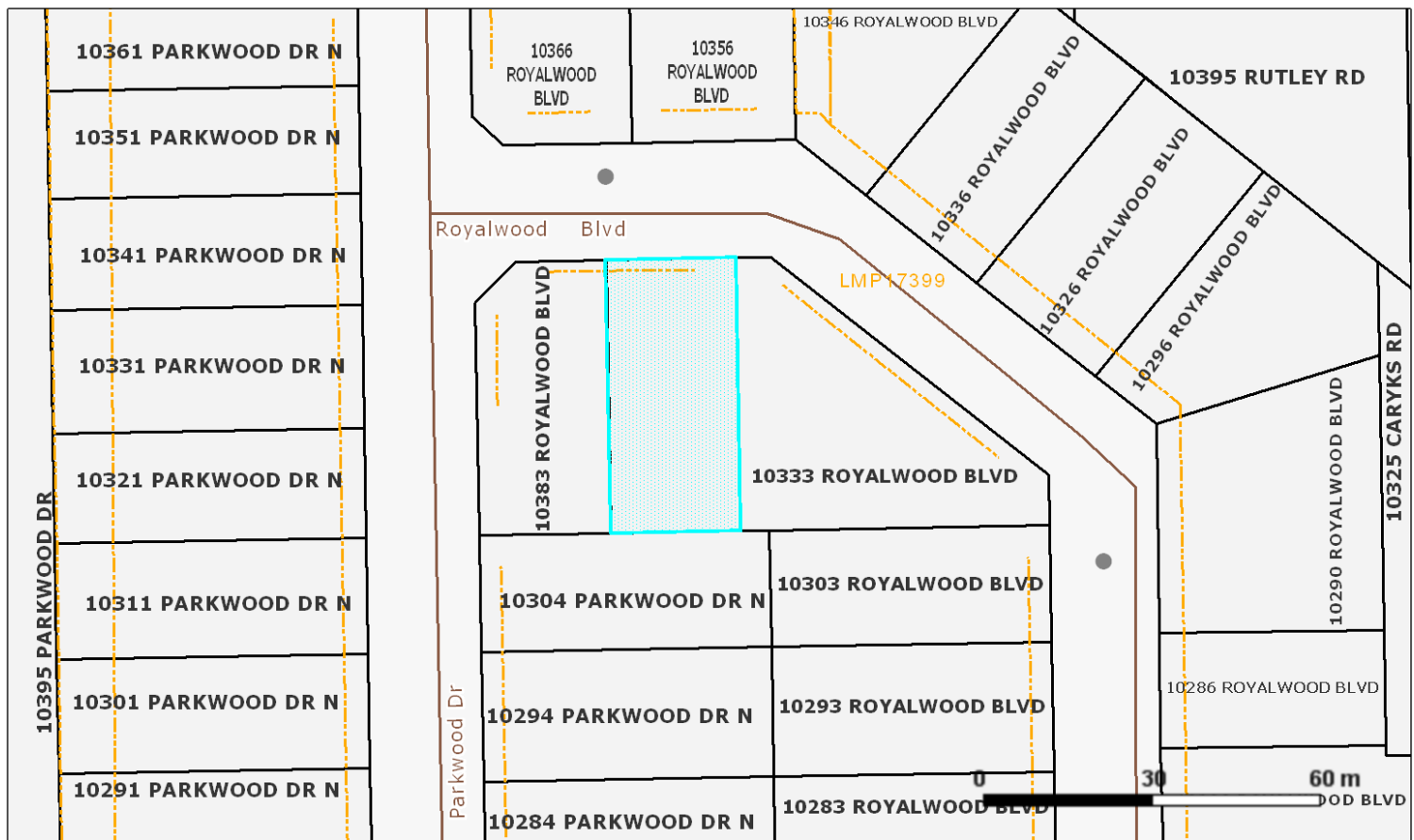
<u>Attribute</u>	<u>Value</u>	<u>Description</u>
ACTUAL USE	000	SINGLE FAMILY DWELLING
ELECTORAL AREA	D	
LAND TENURE	01	CROWN-GRANTED
MANUAL CLASS	0145	1 Sty Sfd - New Standard
NEIGHBOURHOOD	200	
SCHOOL DISTRICT	33	
SERVICE AREA	2345DEIKPY	
SUBDIVISION	WOODLAND	

<u>Classification</u>	<u>Start Date</u>	<u>Stop Date</u>	<u>Comment</u>
BYLAW ENFORCEM	Jun 9, 2016		Active Bylaw enforcement - See D06642.027/2
BYLAW ENFORCEM	Aug 5, 2010	Dec 10, 2013	D06642.027 see Bylaw Enforcement staff for details

<u>Prop.Charge</u>	<u>Type</u>	<u>Sub Type</u>	<u>Project</u>	<u>Discharged</u>	<u>Text</u>
BB1280401	NOTICE ON TITLE				BYLAW CONTRAVENTION - NOTICE TO TITLE - BB1280401
BB1509961	RELEASE			Nov 27, 2013	cancellation of Notice to Title BB1280401
BH231092	COVENANT				On Site Exfiltration (attached L.Mgmt)
BH231093	COVENANT				priority agreement for BH231092 (attached L.Mgmt)
BH231097	RIGHT OF WAY				Right-of-way for Linear Park (attached L.Mgmt)
BH231107	OTHER				Statutory Building Scheme (attached L.Mgmt)

Property Information Report

Civic Address:	10363 ROYALWOOD BLVD	Lot Size:	0.274 ACRES
Folio Number:	733.06642.027	Electoral Area:	D
PID:	018-813-798	Map Scale:	1:1230
Legal Description:	LOT 27, SECTION 1, TOWNSHIP 3, RANGE 29, MERIDIAN 6, NEW WESTMINSTER DISTRICT, PLAN LMP17398 MERIDIAN W6.		



Land-use Information

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

Utility Information

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

To: Electoral Area Services Committee

Date: 2018-06-12

From: Louise Hinton, Bylaw Compliance and Enforcement Officer

File No: E01271.221/2

Subject: Section 57 Show Cause Hearing – Building Contraventions at 48977 Riverbend Drive; Lot 7 District Lot 500 Group 2 New Westminster District Plan LMP18665

RECOMMENDATION

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the Fraser Valley Regional District Building Bylaw No. 1188, 2013, at 48977 Riverbend Drive Electoral Area E, Fraser Valley Regional District, British Columbia (legally described as; Lot 7 District Lot 500 Group 2 New Westminster District Plan LMP18665; and Parcel Identifier 018-925-332)

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

BACKGROUND

November 1, 2011 – Regional District Bylaw Staff received correspondence from the Royal Canadian Mounted Police (RCMP) by email regarding the subject property at 48977 Riverbend Drive. The RCMP removed a medicinal Marijuana Grow Operation from the Single Family Dwelling at 48977 Riverbend Drive on October 28, 2011.



November 2, 2011 – One of the property owners of 48977 Riverbend Drive Mr. Serge Lavoie and his son, Andre Lavoie, came to the front counter at the Chilliwack Regional District Office and spoke with FVRD Bylaw Staff. Mr. Lavoie stated that he had a marijuana grow on this property, but his Federal Health Canada Licence had expired two weeks ago. Mr. Lavoie stated that the RCMP recently removed the Marijuana Grow Operation from his property and he wanted to find out what he needed to do to re-start his grow operations again. Mr. Lavoie told FVRD Staff that he had done construction works to both the Single Family Dwelling and the workshop to accommodate the Marijuana Grow Operations in both structures. FVRD Bylaw Staff explained to Mr. Lavoie that he would need to apply for a Building Permit to decommission the Marijuana Grow Operation from the Single Family Dwelling to return it to a residential use; and that the workshop would also require a Building Permit (for the change of use from a workshop to a Marijuana Grow Operation). Regional District Bylaw Staff provided Mr. Lavoie contact information for the BC Safety Authority, and Building Permit applications for the works done without Building Permits. Mr. Lavoie stated that he would not apply today, but would be in touch and he provided contact information to staff.

November 18, 2011 - RCMP contacted Regional District Bylaw Staff by telephone and provided photographs and the RCMP File (No. 2011-33718) for the grow operation that they removed at 48977 Riverbend Drive on October 28, 2011.

November 24, 2011 – Regional District Bylaw Staff created a bylaw enforcement file for the subject property at 48977 Riverbend Drive. FVRD Bylaw Staff conducted background file research and found partial construction drawings for the workshop in the Original Building Permit file for the workshop, (BP97085), completed in 1998. The construction drawings illustrate the workshop had an open plan concept. Staff compared the original construction drawings of the workshop to the RCMP inspection photographs and it appears that there have been significant alternations made to the workshop.

June 7, 2012 16:20hrs – Regional District Bylaw staff attempted to contact the property owner Mr. Serge Lavoie by telephone, however there was no answer, so FVRD Staff left a voicemail message for Mr. Lavoie requesting a return call back.

June 8, 2012 15:52hrs - Regional District Bylaw staff attempted to contact the property owner Mr. Serge Lavoie by telephone, however there was no answer, so FVRD Staff left a voicemail message for Mr. Lavoie requesting a return call back.

June 29, 2012 –Regional District Bylaw Staff attempted to contact the RCMP regarding the subject property however there was no answer, so FVRD staff left a voicemail message requesting that RCMP Staff attend the subject property with Regional District Staff on their upcoming site inspection to keep the peace.

July 13, 2012 16:00hrs - Regional District Bylaw staff attempted to contact the property owner Mr. Serge Lavoie by telephone, however there was no answer, so FVRD Staff left a voicemail message for Mr. Lavoie requesting a return call back.

July 18, 2012 – Regional District Bylaw and Building Inspection Staff attended the subject property at 48977 Riverbend drive for a site inspection. The property owner Mr. Serge Lavoie and his son Andre Lavoie were on site, and RCMP Staff were in attendance to keep the peace. FVRD Staff conducted a full site inspection of both the Single Family Dwelling and the detached workshop. FVRD Staff discovered extensive construction alterations had been done to both structures without Building Permits to house Marijuana Grow Operations. FVRD Building Inspection Staff posted Stop Work and No Occupancy Notices on both the Single Family Dwelling and the detached workshop. Inspection photographs were taken.

Inspection Photos dated **July 18, 2012** of Single Family Dwelling :



Inspection Photos dated **July 18, 2012** of Accessory Workshop:



August 22, 2012 - Regional District Bylaw Staff met with one of the property owners, Ms. Christin Marcotte, at the FVRD Chilliwack Office. Ms. Marcotte applied for two Building Permits (BP012809) for remediation and change of use for the Single Family Dwelling; and (BP012810) for the change of use from a detached workshop to a medical marijuana grow facility.

November 21, 2012 – Two separate letters are sent by regular mail to the property owners Ms. Christin Marcotte, and Mr. Serge Lavoie listing the required outstanding items to complete their two Building Permits (Bo12809) for the remediation and change of use for the Single Family Dwelling; and (BP012810) for the change of use from a detached workshop to a medical marijuana grow facility.

March 27, 2013 – A second set of two separate letters are sent by regular mail to the property owners Ms. Christin Marcotte, and Mr. Serge Lavoie listing the required outstanding items to complete their two Building Permits (Bo12809) for the remediation and change of use for the Single Family Dwelling; and (BP012810) for the change of use from a detached workshop to a medical marijuana grow facility.

October 20, 2014 – A third set of two separate letters are sent by regular mail to the property owners Ms. Christin Marcotte, and Mr. Serge Lavoie listing the required outstanding items to complete their two Building Permits (Bo12809) for the remediation and change of use for the Single Family Dwelling; and (BP012810) for the change of use from a detached workshop to a medical marijuana grow facility.

February 11, 2015 - A fourth set of two separate letters was sent by regular mail to the property owners Ms. Christin Marcotte, and Mr. Serge Lavoie to notify them that both of their two Building Permit Applications (Bo12809), (Bo12810) have now been closed due to inactivity. The letters each also advise the property owners that their files have now been referred back to the Regional District Bylaw Enforcement Department for follow-up.

March 17, 2015 – A letter is sent to the property owners Ms. Christin Marcotte and Mr. Serge Lavoie by regular mail advising them that their file was referred back to the Bylaw Enforcement Department for follow-up. This letter requests compliance or contact with the Regional District Bylaw or Building Department prior to April 17, 2015.

April 1, 2015 – Regional District Bylaw Staff received a telephone from a complainant regarding the subject property at 48977 Riverbend Drive alleging that the property is unsightly with garbage bags laying around in the front yard.

September 24, 2015 – Regional District Bylaw and Management Staff attended the subject property at 49877 Riverbend Drive for a scheduled follow-up site inspection. The property owners Mr. Serge Lavoie and Ms. Christin Marcotte were both on site and RCMP Staff were in attendance to keep the peace. FVRD Staff conducted a full site inspection of the property, including the Single Family Dwelling and the detached workshop. The property is not in contravention of the Unsightly and Unwholesome Bylaw at this time. The Single Family Dwelling no longer contains a Marijuana Grow Operation and is currently once again being used for residential purposes. The detached workshop continues to contain an active Marijuana Grow Operation. Regional District Bylaw Staff spoke with the property owners regarding their closed Building Permits, and the bylaw enforcement history on their property before providing them with a package that including copies of the correspondence from both the Bylaw Enforcement and Building Department files and a

section 57 notice on title information sheet. The property owners said they would contact FVRD Bylaw Staff once they had reviewed the package, but stated that they were unable to complete the Building Permit due to the associated costs.

January 18, 2016 – Regional District Bylaw Staff contacted the property owner Ms. Christin Marcotte by telephone. FVRD staff asked Ms. Marcotte if she had a chance to review the package provided to her at the last inspection four months ago. FVRD Bylaw Staff asked Ms. Marcotte if she had any questions or concerns with the Regional District moving forward to start a process of registering a section 57 notice on the title of her property. Ms. Marcotte informed FVRD Bylaw Staff that she had not reviewed the package, so FVRD Staff requested she review the package and then contact Regional District Bylaw Staff within ten days to discuss it.

January 20, 2016 - Regional District Bylaw Staff contacted the property the Property Owner Ms. Christin Marcotte by telephone. Ms. Marcotte stated that she has reviewed the information package, but has misplaced it and would like it if FVRD Staff could forward the information to her again by email. Regional District Bylaw Staff sent the information package to the property owner Ms. Christin Marcotte by email as she requested.

January 29, 2016 – Regional District Bylaw Staff was contacted by the Regional District Corporate Services Department advising them that a Freedom of Information Act request was made to the Fraser Valley Regional District pertaining to the recent Building Permit Applications files (B012809) (B012810), and the Bylaw Enforcement File for the subject property at 48977 Riverbend Drive.

February 3, 2016 – Property Owner Ms. Christin Marcotte contacted Regional District Bylaw Staff by email with an attached letter that appeared to be in some kind of draft addressed to Director of Planning and Development from Mr. Pederson. Regional District Bylaw Staff consulted with the Director and there was no knowledge of this draft letter. Regional District Bylaw Staff replied to Ms. Marcotte stating that Regional District Bylaw Staff did not receive any alleged correspondence.

February 10, 2016 – Mr. Dale R. Pedersen, counsel for the property owners Ms. Christin Marcotte, and Mr. Serge Lavoie contacted the Director of Planning and Development for the Fraser Valley Regional District by email stating that he will be the contact for the bylaw file for 48977 Riverbend Drive moving forward. Mr. Pederson stated that the property owners are requesting a meeting with the FVRD to discuss their property as they have concerns regarding the impact a Section 57 notice would have on them and their property value. Mr. Pederson outlined that Ms. Marcotte and Mr. Lavoie are very stressed; they have privacy concerns over inspections with marked police vehicles, and therefore requested a delay in taking any steps toward filing a notice on the title of the property.

February 18, 2016 – Regional District Bylaw Staff received a new complaint by email that alleges that the subject property at 48977 Riverbend Drive is in an unsightly and untidy condition, and causing a nuisance to neighbours because of the smell from the Marijuana Grow Operation.

February 23, 2016 - Regional District Bylaw Staff received an email from the property owners legal counsel Mr. Pederson who requested that the FVRD contact him by telephone directly. FVRD

Bylaw Staff attempted to contact Mr. Pederson directly by telephone however Mr. Pederson was not available. FVRD Bylaw Staff left a message with Mr. Pederson's Assistant who assured Regional District Staff that he would return the call.

February 25, 2016 - Regional District Bylaw Staff spoke with Dale Pedersen, counsel for the property owners Ms. Marcotte and Mr. Lavoie. Mr. Pederson requested a summary of bylaw enforcement file events to date which was provided to him by FVRD Bylaw Staff. Mr. Pedersen informed Regional District Bylaw Staff that he was going on vacation, but upon his return he would speak to property owners and follow-up with the Regional District.

March 15, 2018 - Regional District Bylaw Staff sent a letter to both the property owners Ms. Christin Marcotte and Mr. Serge Lavoie and their counsel Mr. Dale Pederson by email and regular mail advising them of staff's recommendation to proceed with the process of registering a Section 57 *Community Charter* notice on the title of their property at 48977 Riverbend Drive. This letter gave the owners a final opportunity to achieve voluntary compliance by the deadline of April 6, 2018. Staff has not received a response or any Building Permit Applications from the property owners Ms. Christin Marcotte and Mr. Serge Lavoie or their counsel Mr. Dale Pederson to date.

March 29, 2018 – Regional District Bylaw and Building Inspection Staff spoke with a Real Estate Agent who was considering listing the subject property at 48977 Riverbend Drive for sale.

April 26, 2018 – Regional District Bylaw and Management Staff received a letter by facsimile from Mr. Dale Pederson, legal counsel for the property owners Mr. Serge Lavoie and Ms. Christin Marcotte that Mr. Serge Lavoie was recently deceased, and requested that the FVRD re-schedule the Show Cause Hearing until June 2018.

April 27, 2018 – Regional District Staff sent a letter by both email and regular mail to Mr. Dale Pederson offering condolences and providing legal notification that the show cause hearing would be re-scheduled to the next EASC meeting on June 12, 2018.

DISCUSSION

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

Staff requests that the Electoral Services Committee consider the following information:

Building Bylaw

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

construction, alternation, reconstruction, demolition, removal, relocation or change the occupancy of any building.

The alteration works to the Single Family Dwelling, and the accessory workshop were all constructed without required Building Permits.

In November of 2011 it was discovered that the Single Family Dwelling was converted to a Marijuana Grow Operation. Any residential structure that houses a Marijuana Grow Operation requires a Building Permit to remediate the building for health purposes once the grow operation has been removed.

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

Multiple Building Permits are required for the works undertaken by the property owner; or a demolition Building Permit is required to remove all construction completed without permits.

Zoning Bylaw

This property is in Electoral Area E, and is zoned *Multi-Use Residential* (RS-2) under the *Zoning Bylaw No. 66, 1979 of the Regional District of Fraser-Cheam* (Bylaw 66). The primary purpose of this zone is to provide opportunity for the establishment of mobile homes, as well as convention homes, on individually owned lots.

The Single Family Dwelling and the accessory workshop both had construction works to operate Marijuana Grow Operations. A Marijuana Grow Operation Use is not listed as a permitted use in the RS-2 zone.

A successful re-zoning of the property would be required to authorize the unpermitted use of a Marijuana Grow Operation.

COST

Land Titles Office filing fee of approximately \$55.

The owner will be required to pay a removal fee of \$500 in accordance with the *Fraser Valley Regional Building Bylaw 1188, 2013*, after the unpermitted construction works on Single Family Dwelling, and the accessory workshop are either:

1. Demolished with Building Permits issued by the FVRD with a successful final inspections; or
2. Two fully completed Building Permits for the construction works to the Single Family Dwelling, and the accessory workshop are issued by the FVRD and both receive

successful final inspections. The applications require the rezoning of the property to permit a Marijuana Grow Operation Use.

CONCLUSION

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the construction works in the single family home and the accessory workshop that were done without Building Permits and the construction without a Development Permit violate multiple Regional District Bylaws, and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of two fully completed Building Permits for the construction works to the Single Family Dwelling, and the workshop.

Regrettably, but in the interest of full public disclosure and as incentive to achieving voluntary compliance, I, as an Appointed Building Inspector, believe that the filing of Notice is appropriate in this instance and submit the above recommendation in accordance with Section 57 of the *Community Charter*.

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

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

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

COMMENTS BY:

Margaret Thornton, Director of Planning & Development:

Reviewed and supported.

Mike Veenbaas, Director of Financial Services:

No further financial comments.

Paul Gipps, Chief Administrative Officer:

Reviewed and supported

April 6, 2018

REGISTERED MAIL

Mr. Serge Lavoie
Ms. Christin Marcotte
48977 Riverbend Drive
Chilliwack BC V4Z 1H5

FILE: 4010-20-E01271.221/2

CIVIC: 48977 Riverbend Drive

PID: 018-925-332

LEGAL: Lot 7 District Lot 500 Group 2 New Westminster District Plan LMP18665

Dear Mr. Lavoie and Ms. Marcotte:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Tile
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building
without a Permit, Single Family Dwelling and Accessory Workshop – 48977 Riverbend
Drive Electoral Area E**

Further to the final warning letter dated March 15, 2018 that was sent to you on the same day, please be advised you are hereby notified that your opportunity to be heard by the Regional District Electoral Services Committee is scheduled. The meeting is to show cause why the Regional District Board of Directors should not direct staff to file a Notice against the title of your property at 48977 Riverbend Drive in relation to the outstanding contraventions of the *Fraser Valley Regional District Building Bylaw No. 1133, 2018* pursuant to Section 57 of the *Community Charter*.

The **show cause** hearing is scheduled for **May 8, 2018 at 1:30pm**, in the Boardroom on the fourth floor of the Regional District Office at 45950 Cheam Avenue, Chilliwack, British Columbia.

The Electoral Area Services Committee will consider registration of the Section 57 Notice on the title of your property at 48977 Riverbend Drive whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

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

Sincerely,



Digitally signed by Paul Gipps
Date: 2018.04.05 08:19:10
-07'00'

Paul Gipps
Chief Administrative Officer

cc: Mr. Dale Peterson, Legal Counsel for the property owner
Orion Engar, Director of Electoral Area E
Margaret-Ann Thornton, Director of Planning & Development
Greg Price, Bylaw & Compliance Coordinator
Review of Registered Property Title – Organizations with interest in property
The Toronto-Dominion Bank – Mortgage #BB788807, Judgements #CA4212657
#CA5788451, #CA5788455, #CA4365560, and #CA5953741.
The Law Society of British Columbia – Judgements #CA6023416, and #CA4975682
Tri City Capital Corp. Incorporation No.BC0256952 - Judgement #CA3258363, and
#CA6128326
Royal Bank of Canada - Judgement #CA6477973
Canadian Imperial Bank of Commerce - Judgement #CA6624360, and Certificate of
Pending Litigation #BB4080781
Bank of Montreal – Judgement #CA5752451

Attach: March 15, 2018 Copy of Final Warning Letter to Property Owner
May 8, 2018 Staff Report from Bylaw and Appointed Building Inspector
March 13, 2018 Land Title Search Results
March 13, 2018 Property Information Report
March 13, 2018 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

March 15, 2018

Via Email: info@dalepederson.com

Via Email: marcotte.law@gmail.com

Mr. Serge Lavoie
Ms. Christin Marcotte
48977 Riverbend Drive
Chilliwack BC V4Z 1H5

FILE: 4010-20-E01271.221/2

CIVIC: 48977 Riverbend Drive

PID: 018-925-332

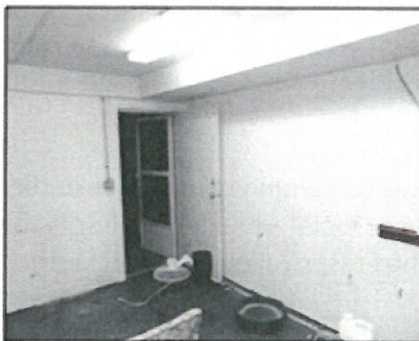
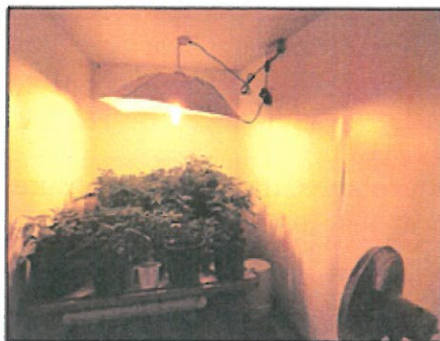
LEGAL: Lot 7 District Lot 500 Group 2 New Westminster District Plan LMP18665

Dear Mr. Lavoie and Ms. Marcotte:

Re: Final Warning – Construction without a Building without a Permit – 48977 Riverbend Drive; Alterations to Single Family Dwelling and Accessory Workshop

Further to our previous correspondence dated March 17, 2015 the Fraser Valley Regional District staff has confirmed that your property at 48977 Riverbend Drive (the "property") continues to remain in breach of Regional District bylaws despite our previous requests for compliance. Staff verified that the unauthorized construction work for alterations to the single family dwelling and the accessory workshop on the property were done without any of the required permits. (see photos below)

Photos dated **July 18, 2012** of Single Family Dwelling:



Photos dated **July 18, 2012** of Accessory Workshop:



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

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

The Regional District continues to have an open bylaw enforcement file with regards to the illegal construction on your property. It has now been almost seven years since the Regional District first discovered the unauthorized construction on your property. Regional District Bylaw and Building Staff have made numerous attempts though out that time to work with you to help you bring the property into compliance with all current bylaws and building regulations.

You have not been able to satisfy the building permit requirements and both your previous building permit applications (B012809), (B012809) were cancelled in February of 2015 due to inactivity. The Regional District does recognize there may be some circumstances that may have affected your ability to complete the required permits; however, it has now been over a year since your last contact with the Regional District and in that time you have not taken any steps towards achieving compliance. Therefore, the Regional District is going to proceed with the process of registering a notice on the title of your property with the Land Titles Office as outlined in Section 57 of the *Community Charter*. Please see the enclosed information sheet that provides further details on the process.

If you do wish to take steps towards gaining compliance in the above stated matter please ensure that by **April 6, 2018** two fully completed building permit applications are submitted for the above noted construction to the Fraser Valley Regional District's Building Department.

Alternatively you may choose to demolish the unpermitted construction. If you choose to proceed with building permits, please ensure that each of the two completed application forms include the following items:

- a) Detailed to scale drawings for the structure including the uses for each space;
- b) An initial application fee in the amount of \$150.00 for the permit; and
- c) A single development permit application for all the works (please refer to planning department for further information on how to apply for a Development Permit).

Following the receipt of your application, the Building Department will advise you on any additional information needed. Should you have any questions with regard to your applications, please contact one of our Building Inspectors at 604-702-5000. Building Permit Application forms are available online for your convenience on the Regional District's website at:

<http://www.fvrd.ca/EN/main/services/building-permits-inspection/forms.html>

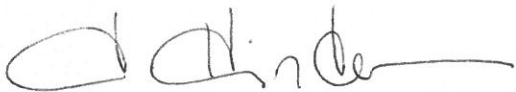
The Regional District wishes to continue to work with you to achieve compliance in this matter, however if you fail to meet the above stated deadline of **April 6, 2018** we will move forward to begin the process of registering a notice on the title of your property with the Land Titles Office as outlined in section 57, of the *Community Charter*.

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

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

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

Yours truly,



Louise Hinton,
Bylaw, Compliance and Enforcement Officer

Attach: Copy of Letter dated March 17, 2015
Copy of Building Department Letters dated February 11, 2015
Copy of Building Department Letters dated October 20, 2014
Section 57 Information Sheet

cc: Orion Engar, Director of Electoral Area E
Margaret-Ann Thornton, Director of Planning & Development
Greg Price, Bylaw & Compliance Coordinator



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

March 17, 2015

File Number: 4010-20-E01271.221/2

Christin Marcotte
Serge Lavoie
2749 Lucern Cres
Abbotsford BC V3G 1C2

COPY

Dear Ms. Marcotte and Mr. Lavoie,

Re: Lapsed Building Permit Applications BP012809 and BP012810 at 48977 Riverbend Drive; legally described as Lot 7, District Lot 500, New Westminster District, Plan LMP18665 Group 2.

As you are aware from our letter dated February 11, 2015 the following building permit applications have now been closed:

- BP012809 for the purpose of remediating back to a single family dwelling.
- BP012810 for the purpose of constructing a medical grow facility.

Your project remains incomplete and is not covered by a valid building permit as required by the [Fraser Valley Regional District Building Bylaw No.1188, 2013](#). Therefore, your file has been referred back to Bylaw Enforcement.

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws. In order to accomplish this, we ask that you contact the Regional District immediately and advise us of your intentions with respect to this matter. Further, we request that you re-apply for a building permit or remove the illegal construction no later than **April 17, 2015**. Should you fail to comply with this request, you may be subject to ticketing and your file may be referred to the Regional Board for their consideration and recommendation regarding further bylaw enforcement. More information regarding the building permit process and downloadable application forms are available at the following web address: <http://www.fvrd.bc.ca/Services/BuildingPermitInspection/Pages/InformationandForms.aspx>

You may reach the Building Department at the toll-free number above, Monday through Friday from 8:30am to 4:30pm, to discuss this issue further. You may also contact me directly at 604-702-5017 or by email at asnashall@fvrd.bc.ca. Thank you in advance for your co-operation.

Yours truly,

Adriana Snashall
Bylaw, Permits, and Licenses Technician

cc: Orion Engar, Director of Electoral Area E
Margaret Thornton, Director of Planning and Development



Fraser Valley Regional District

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

File Number: 3800-30-BP012809E

February 11, 2015

COPY

Marcotte, Christin
Lavoie, Serge A
2749 Lucern Cres
Abbotsford BC V3G 1C2

Dear Christin & Serge:

Re: Building Permit Application No. BP012809 for the purpose of constructing a remediate back to SFD on property legally described as Lot 7, District Lot 500, New Westminster District, Plan LMP18665 Group 2. known as 48977 Riverbend Dr.

Further to the attached final letter of requirements sent on October 20, 2014, please be advised that the required items to fulfill the building permit application process remain outstanding and the above noted building permit application has now been closed. Your project remains incomplete and is not covered by a valid building permit as required by "Fraser Valley Regional District Building Bylaw No.1188, 2013". Therefore, your file has been referred back to Bylaw Enforcement.

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

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact Jennifer Wells, Bylaw and Permits & Licences Technician, with reference to you Bylaw Enforcement file E01271.221/2 to review your options.

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

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

Yours sincerely,

Monica Stuart
Building & Bylaw Clerk

cc: Orion Engar, Director of Electoral Area E
Margaret Thomson, Director of Planning & Development
✓ Bylaw Enforcement file E01271.221/2



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

File Number: 3800-30-BP012810E

February 11, 2015

COPY

Marcotte, Christin
Lavoie, Serge A
2749 Lucern Cres
Abbotsford BC V3G 1C2

Dear Christin & Serge:

Re: Building Permit Application No. BP012810 for the purpose of constructing a medical grow facility on property legally described as Lot 7, District Lot 500, New Westminster District, Plan LMP18665 Group 2. known as 48977 Riverbend Dr.

Further to the attached final letter of requirements sent on October 20, 2014, please be advised that the required items to fulfill the building permit application process remain outstanding and the above noted building permit application has now been closed. Your project remains incomplete and is not covered by a valid building permit as required by "Fraser Valley Regional District Building Bylaw No.1188, 2013". Therefore, your file has been referred back to Bylaw Enforcement.

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

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact Jennifer Wells, Bylaw and Permits & Licences Technician, with reference to you Bylaw Enforcement file E01271.221/2 to review your options.

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

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

Yours sincerely,

Monica Stuart
Building & Bylaw Clerk

cc: Orion Engar, Director of Electoral Area E
Margaret Thornton, Director of Planning & Development
✓ Bylaw Enforcement file E01271.221/240



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

File Number: 3800-30-BP012809E

October 20, 2014

COPY

Marcotte, Christin
Lavoie, Serge A
2749 Lucern Cres
Abbotsford BC V3G 1C2

Dear Christin & Serge:

Re: Building Permit Application No. BP012809 to Remediate Back to Single Family Dwelling on Property Legally Described as Lot 7, District Lot 500, New Westminster District, Plan LMP18665 Group 2. Known as 48977 Riverbend Dr.

I am writing to you in connection with your building permit application dated Aug 22, 2012. Please be advised this is the Final Notice that your application is not approvable in its present form. The following items are necessary in order to complete your application and issue your Building Permit:

1. A report from a certified occupational industrial hygienist which specifies the remedial measures to be undertaken to ensure the residence is free from any pesticides, fertilizers, toxic chemicals, moulds or fungi. Please note, no remedial work is to be undertaken until a building permit has been issued.
2. Sealed documentation from an authorized person (as defined by the Provincial Sewage System Regulation) for the re-use of your existing sewage disposal system. The sealed report must confirm that the existing system is operating correctly and that the marijuana grow operation did not compromise same. The proposal must meet all Provincial Sewage System Regulations. For a list of authorized persons please call 604-585-2788 or go online to owrp.asttbc.org.
3. Complete and submit the previously attached Site Profile application forms.

Your permit application will be held in abeyance until November 20, 2014 pending receipt of this documentation or other information. In the event that the file remains incomplete after this date, I shall be obliged to take steps to close the file.

As you are aware, a building permit is required to legalize the unauthorized construction noted above. Should you allow the application to close, you may be subject to further bylaw enforcement action.

Yours sincerely,

Monica Stuart
Building & Bylaw Clerk

cc: David Lamson, Director of Electoral Area E
Margaret Thornton, Director of Planning & Development



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

File Number: 3800-30-BP012810E

October 20, 2014

COPY

Marcotte, Christin
Lavoie, Serge A
2749 Lucern Cres
Abbotsford BC V3G 1C2

Dear Christin & Serge:

Re: Building Permit Application No. BP012810 for the Purpose of Constructing a Medical Grow Facility on Property Legally Described as Lot 7, District Lot 500, New Westminster District, Plan LMP18665 Group 2. Known as 48977 Riverbend Dr.

I am writing to you in connection with your building permit application dated Aug 24, 2012. Please be advised this is the Final Notice that your application is not approvable in its present form. The following items are necessary in order to complete your application and issue your Building Permit:

1. Schedule A from a *coordinating registered professional* accompanied by a sealed letter confirming that the anticipated extreme internal environmental conditions have been considered in the design and material specifications for the proposed use of the building.
2. The following information is required from a *Registered Professional of Record*:
 - a. Schedule B and 3 sets of sealed architectural drawings, which must address among other things, Part 5 of the BCBC 2006 and existing and future indoor air quality,
 - b. Schedule B and 3 sets of sealed drawings for all structural aspects of the project,
 - c. Schedule B and 3 sets of sealed mechanical drawings pertaining to Part 6 of the BCBC 2006.
3. Complete and submit the previously attached Electrical Installation contractor certification form.
4. Complete and submit the previously attached Plumber installation contractor certification form
5. Complete the Plumbing and Ancillary Heating sections of the previously attached copy of your Building Permit Application and return it to this office including any existing and proposed systems.
6. 3 complete sets of detailed floor plans for the medical grow facility including locations and descriptions of all equipment.
7. Sealed documentation from an authorized person (as defined by the Provincial Sewerage System Regulation) for the continued use of your existing sewage disposal system. The sealed report must

confirm that the existing system is operating correctly and the grow op has had no affect on the designed performance. For a list of authorized persons please call 604-585-2788 or go online to owrp.asttbc.org

6. Submit copies of any federal/provincial licenses for the medical grow facility.

Your permit application will be held in abeyance until November 20, 2014 pending receipt of this documentation or other information. In the event that the file remains incomplete after this date, I shall be obliged to take steps to close the file.

As you are aware, a building permit is required to legalize the unauthorized construction noted above. Should you allow the application to close, you may be subject to further bylaw enforcement action.

Yours sincerely,



Monica Stuart
Building & Bylaw Clerk

cc: David Lamson, Director of Electoral Area E
Margaret Thornton, Director of Planning & Development

NOTICE ON TITLE INFORMATION SHEET

WHAT IS A NOTICE ON TITLE?

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

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

WHAT IS THE PURPOSE OF A NOTICE ON TITLE?

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

WHEN CAN A NOTICE ON TITLE BE FILED?

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

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

HOW IS A NOTICE ON TITLE FILED?

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

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

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

HOW IS A NOTICE ON TITLE CANCELLED?

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

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

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

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

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

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

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

Excerpts from the *Community Charter*:

NOTE AGAINST LAND TITLE THAT BUILDING REGULATIONS CONTRAVENED

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

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

CANCELLATION OF NOTE AGAINST LAND TITLE

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

TITLE SEARCH PRINT

2018-03-13, 12:01:02

File Reference:

Requestor: Louise Hinton

Declared Value \$475000

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

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

Title Number

From Title Number

BB788806

CA259035

Application Received

2009-06-30

Application Entered

2009-07-08

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

CHRISTIN MARCOTTE, LAWYER
SERGE ANDRE LAVOIE, RETIRED PEACE OFFICER
48977 RIVERBEND DRIVE
CHILLIWACK, BC
V4Z 1H5
AS JOINT TENANTS

Taxation Authority

New Westminster Assessment District

Description of Land

Parcel Identifier:

018-925-332

Legal Description:

LOT 7 DISTRICT LOT 500 GROUP 2 NEW WESTMINSTER DISTRICT PLAN LMP18665

Legal Notations

HERETO IS ANNEXED RESTRICTIVE COVENANT 343662C

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29
OF THE MUNICIPAL ACT, SEE BH279588

TITLE SEARCH PRINT

File Reference:

Declared Value \$475000

2018-03-13, 12:01:02

Requestor: Louise Hinton

Charges, Liens and Interests

Nature:	COVENANT
Registration Number:	BH314325
Registration Date and Time:	1994-08-25 11:56
Registered Owner:	FRASER VALLEY REGIONAL DISTRICT AS TO AN UNDIVIDED 1/2 INTEREST CA2087464
Transfer Number:	HER MAJESTY THE QUEEN IN RIGHT OF BRITISH COLUMBIA AS TO AN UNDIVIDED 1/2 INTEREST CA2087464
Registered Owner:	
Transfer Number:	
Remarks:	INTER ALIA L.T.A. SECTION 215 MODIFIED BY BH376634 20 10 1994
Nature:	COVENANT
Registration Number:	BH314326
Registration Date and Time:	1994-08-25 11:57
Registered Owner:	REGIONAL DISTRICT OF FRASER CHEAM HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	INTER ALIA L.T.A. SECTION 215
Nature:	STATUTORY RIGHT OF WAY
Registration Number:	BH314330
Registration Date and Time:	1994-08-25 11:57
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	INTER ALIA PLAN LMP18668
Nature:	COVENANT
Registration Number:	BH314331
Registration Date and Time:	1994-08-25 11:57
Registered Owner:	REGIONAL DISTRICT OF FRASER CHEAM
Remarks:	INTER ALIA L.T.A. SECTION 215 MODIFIED BY BJ253231 MODIFIED BY BR276997 MODIFIED BY BW177832
Nature:	STATUTORY BUILDING SCHEME
Registration Number:	BH314336
Registration Date and Time:	1994-08-25 11:58
Remarks:	INTER ALIA L.T.A. SECTION 216

TITLE SEARCH PRINT

2018-03-13, 12:01:02

File Reference:

Requestor: Louise Hinton

Declared Value \$475000

Nature: COVENANT
Registration Number: BH376634
Registration Date and Time: 1994-10-20 14:25
Remarks: INTER ALIA
MODIFICATION OF BH314325

Nature: MORTGAGE
Registration Number: BB788807
Registration Date and Time: 2009-06-30 13:03
Registered Owner: THE TORONTO-DOMINION BANK

Nature: JUDGMENT
Registration Number: BB4013198
Registration Date and Time: 2011-09-12 11:40
Registered Owner: THE LAW SOCIETY OF BRITISH COLUMBIA
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE
RENEWED BY CA3214745

Nature: JUDGMENT
Registration Number: CA3214745
Registration Date and Time: 2013-07-03 12:57
Registered Owner: THE LAW SOCIETY OF BRITISH COLUMBIA
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE
RENEWAL OF BB4013198
RENEWED BY CA4484223

Nature: JUDGMENT
Registration Number: CA3258363
Registration Date and Time: 2013-07-26 14:47
Registered Owner: TRI CITY CAPITAL CORP.
INCORPORATION NO. BC0256952
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE

Nature: JUDGMENT
Registration Number: CA3487633
Registration Date and Time: 2013-12-02 15:23
Registered Owner: ROYAL BANK OF CANADA
Remarks: AS TO THE UNDIVIDED 1/2 INTEREST OF
CHRISTIN MARCOTTE
RENEWED BY CA4846853

TITLE SEARCH PRINT

2018-03-13, 12:01:02

File Reference:

Requestor: Louise Hinton

Declared Value \$475000

Nature: JUDGMENT
Registration Number: CA3599879
Registration Date and Time: 2014-02-20 13:37
Registered Owner: THE LAW SOCIETY OF BRITISH COLUMBIA
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE
RENEWED BY CA4975682

Nature: JUDGMENT
Registration Number: CA3854484
Registration Date and Time: 2014-07-22 13:42
Registered Owner: CANADIAN IMPERIAL BANK OF COMMERCE
Remarks: AS TO THE INTEREST OF SERGE ANDRE LAVOIE
RENEWED BY CA5186757

Nature: JUDGMENT
Registration Number: CA4212657
Registration Date and Time: 2015-01-30 15:25
Registered Owner: THE TORONTO-DOMINION BANK
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE
RENEWED BY CA5788451

Nature: JUDGMENT
Registration Number: CA4212664
Registration Date and Time: 2015-01-30 15:27
Registered Owner: THE TORONTO-DOMINION BANK
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE
RENEWED BY CA5788455

Nature: JUDGMENT
Registration Number: CA4216356
Registration Date and Time: 2015-02-03 12:09
Registered Owner: BANK OF MONTREAL
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE
RENEWED BY CA5752451

Nature: CERTIFICATE OF PENDING LITIGATION
Registration Number: BB4080781
Registration Date and Time: 2015-04-23 13:51
Registered Owner: CANADIAN IMPERIAL BANK OF COMMERCE

Nature: JUDGMENT
Registration Number: CA4365560
Registration Date and Time: 2015-04-29 15:17
Registered Owner: THE TORONTO-DOMINION BANK

TITLE SEARCH PRINT

2018-03-13, 12:01:02

File Reference:

Requestor: Louise Hinton

Declared Value \$475000

Nature:	JUDGMENT
Registration Number:	CA4484223
Registration Date and Time:	2015-06-24 11:11
Registered Owner:	THE LAW SOCIETY OF BRITISH COLUMBIA
Remarks:	RENEWAL OF CA3214745 AS TO THE INTEREST OF CHRISTIN MARCOTTE RENEWED BY CA6023416
Nature:	JUDGMENT
Registration Number:	CA4685837
Registration Date and Time:	2015-09-18 09:35
Registered Owner:	TRI CITY CAPITAL CORP.
Remarks:	AS TO THE INTEREST OF CHRISTIN MARCOTTE RENEWED BY CA6128326
Nature:	JUDGMENT
Registration Number:	CA4846853
Registration Date and Time:	2015-12-01 11:06
Registered Owner:	ROYAL BANK OF CANADA
Remarks:	RENEWAL OF CA3487633 AS TO THE UNDIVIDED 1/2 INTEREST OF CHRISTIN MARCOTTE RENEWED BY CA6477973
Nature:	JUDGMENT
Registration Number:	CA4975682
Registration Date and Time:	2016-02-09 06:01
Registered Owner:	THE LAW SOCIETY OF BRITISH COLUMBIA
Remarks:	RENEWAL OF CA3599879 AS TO THE INTEREST OF CHRISTIN MARCOTTE
Nature:	JUDGMENT
Registration Number:	CA5080701
Registration Date and Time:	2016-04-01 09:16
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF CANADA
Remarks:	AS TO THE INTEREST OF CHRISTIN MARCOTTE
Nature:	JUDGMENT
Registration Number:	CA5186757
Registration Date and Time:	2016-05-16 15:44
Registered Owner:	CANADIAN IMPERIAL BANK OF COMMERCE
Remarks:	RENEWAL OF CA3854484 AS TO THE INTEREST OF SERGE ANDRE LAVOIE RENEWED BY CA6624360

TITLE SEARCH PRINT

2018-03-13, 12:01:02

File Reference:

Requestor: Louise Hinton

Declared Value \$475000

Nature: JUDGMENT
Registration Number: CA5752451
Registration Date and Time: 2017-01-06 14:50
Registered Owner: BANK OF MONTREAL
Remarks: RENEWAL OF CA4216356

Nature: JUDGMENT
Registration Number: CA5788451
Registration Date and Time: 2017-01-26 15:04
Registered Owner: THE TORONTO-DOMINION BANK
Remarks: RENEWAL OF CA4212657
AS TO THE INTEREST OF CHRISTIN MARCOTTE

Nature: JUDGMENT
Registration Number: CA5788455
Registration Date and Time: 2017-01-26 15:05
Registered Owner: THE TORONTO-DOMINION BANK
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE RENEWAL OF
CA4212664

Nature: JUDGMENT
Registration Number: CA5953741
Registration Date and Time: 2017-04-27 08:27
Registered Owner: THE TORONTO-DOMINION BANK

Nature: JUDGMENT
Registration Number: CA6023416
Registration Date and Time: 2017-05-29 11:51
Registered Owner: THE LAW SOCIETY OF BRITISH COLUMBIA
Remarks: AS TO THE INTEREST OF CHRISTIN MARCOTTE
RENEWAL OF CA4484223

Nature: JUDGMENT
Registration Number: CA6128326
Registration Date and Time: 2017-07-07 11:00
Registered Owner: TRI CITY CAPITAL CORP.
Remarks: RENEWAL OF CA4685837
AS TO THE INTEREST OF CHRISTIN MARCOTTE

Nature: JUDGMENT
Registration Number: CA6477973
Registration Date and Time: 2017-11-30 06:01
Registered Owner: ROYAL BANK OF CANADA
Remarks: RENEWAL OF CA4846853
AS TO THE INTEREST OF CHRISTIN MARCOTTE

TITLE SEARCH PRINT

2018-03-13, 12:01:02

File Reference:

Requestor: Louise Hinton

Declared Value \$475000

Nature:	JUDGMENT
Registration Number:	CA6609109
Registration Date and Time:	2018-02-02 15:42
Remarks:	AS TO THE INTEREST OF CHRISTIN MARCOTTE RENEWAL OF CA4975689

Nature:	JUDGMENT
Registration Number:	CA6624360
Registration Date and Time:	2018-02-13 17:46
Registered Owner:	CANADIAN IMPERIAL BANK OF COMMERCE
Remarks:	AS TO THE INTEREST OF SERGE ANDRE LAVOIE RENEWAL OF CA5186757

Duplicate Infeasible Title	NONE OUTSTANDING
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Transfers	NONE
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Pending Applications	NONE
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Folio: 733.01271.221
Civic: 48977 RIVERBEND DR
Size: 0.459 ACRES

Pid: 018-925-332
Legal: LOT 7, DISTRICT LOT 500, NEW WESTMINSTER
DISTRICT, PLAN LMP18665 GROUP 2.

Owner: MARCOTTE, CHRISTIN
LAVOIE, SERGE A
48977 RIVERBEND DR
CHILLIWACK BC V4Z 1H5
(BB788806)

2018 Actual Assessments	Land Class	Land	Impr Class	Impr
00 - FULLY TAXABLE LAND, STRUCTURES	1 - Res	422000	1 - Res	299000

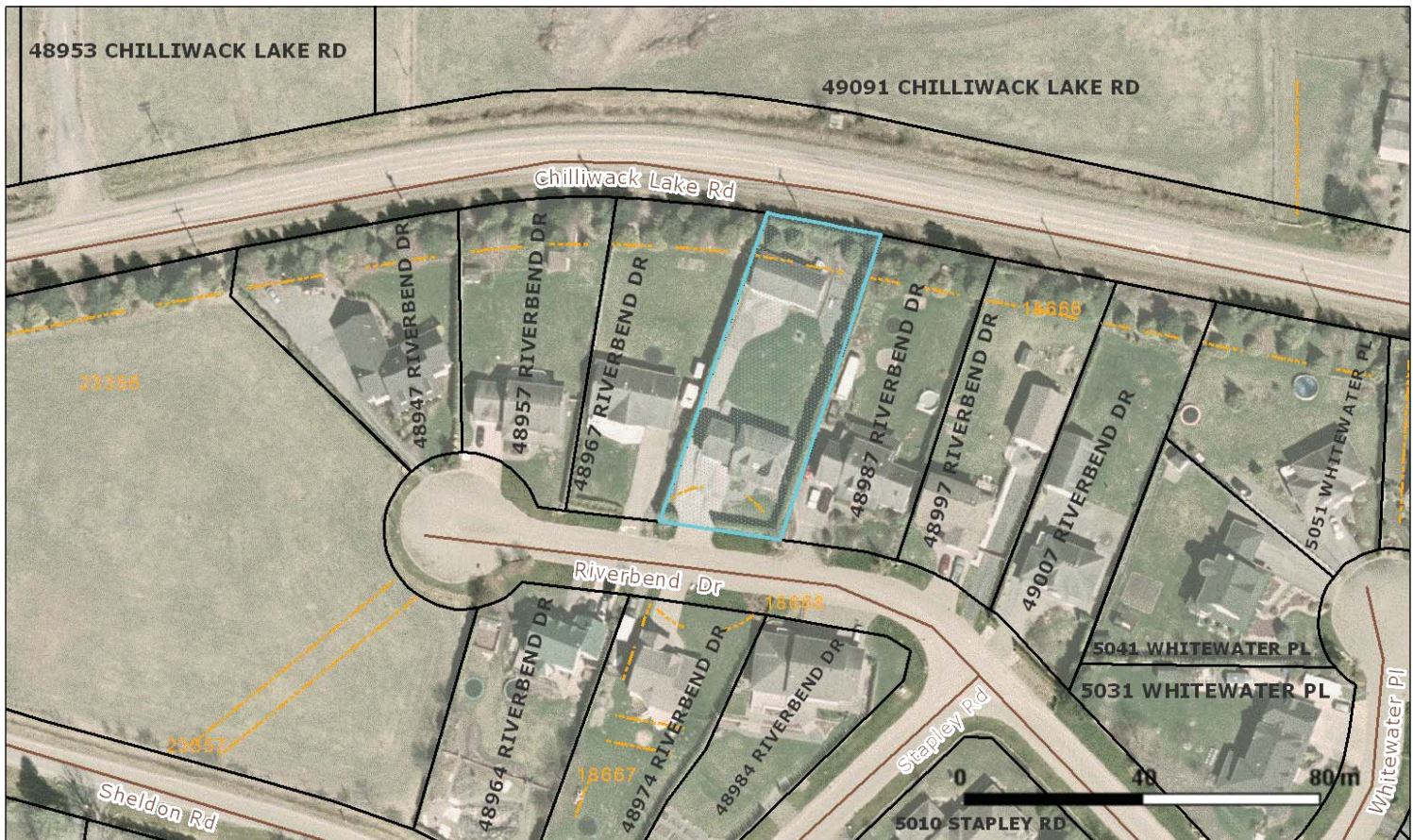
Lto Number	Sales Price	Date	Description
BB788806	475,000.00	Jun 30, 2009	IMPROVED SINGLE PROPERTY CASH TRANSACTI
CA259035	212,500.00	Jul 28, 2006	REJECT - NOT SUITABLE FOR SALES ANALYSIS
BV73692	260,500.00	Feb 28, 2003	IMPROVED SINGLE PROPERTY CASH TRANSACTI
BP163175	114,950.00	Jul 12, 2000	REJECT - NOT SUITABLE FOR SALES ANALYSIS

Attribute	Value	Description
ACTUAL USE	000	SINGLE FAMILY DWELLING
ELECTORAL AREA	E	
LAND TENURE	01	CROWN-GRANTED
MANUAL CLASS	0146	1 1/2 Sty Sfd - New Standard
NEIGHBOURHOOD	212	
SCHOOL DISTRICT	33	
SERVICE AREA	45CILMQRT	
SUBDIVISION	RIVERBEND	

Classification	Start Date	Stop Date	Comment
BYLAW ENFORCEM	Nov 18, 1997	Dec 15, 1997	See bylaw enforcement staff for details.E.01271.221
BYLAW ENFORCEM	Jan 1, 2002		See bylaw enforcement staff for details.
BYLAW ENFORCEM	Nov 24, 2011		See Bylaw Enforcement Staff for details E01271.221/2

Property Information Report

Civic Address:	48977 RIVERBEND DR	Lot Size:	0.459 ACRES
Folio Number:	733.01271.221	Electoral Area:	E
PID:	018-925-332	Map Scale:	1:1564
Legal Description:	LOT 7, DISTRICT LOT 500, NEW WESTMINSTER DISTRICT, PLAN LMP18665 GROUP 2.		



Land-use Information

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

Utility Information

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

To: Electoral Area Services Committee

Date: 2018-06-12

From: Louise Hinton, Bylaw Compliance and Enforcement Officer

File No: G03620.100

Subject: Building Bylaw, and BC Building Code Contraventions at 41630 Lougheed Hwy, Electoral Area G, legally described as Parcel "C" (W166297E) North West Quarter Section 5 and of the North East Quarter Section 6 Township 24 Except: Parcel "B" (Plain in Absolute

RECOMMENDATION

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013*, at 41630 Lougheed Highway Electoral Area G, Fraser Valley Regional District, British Columbia (legally described as Parcel "C" (W166297E) North West Quarter Section 5 and of the North East Quarter Section 6 Township 24 Except: Parcel "B" (Plain in Absolute Fees Parcel Book 11/329/1286F), New Westminster District; Parcel Identifier: 013-441-949.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

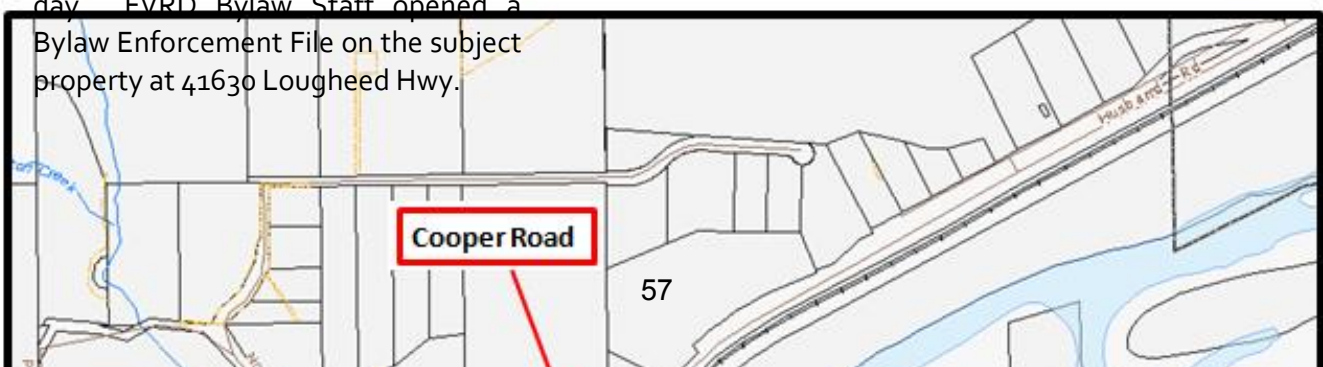
Provide Responsive & Effective Public Services

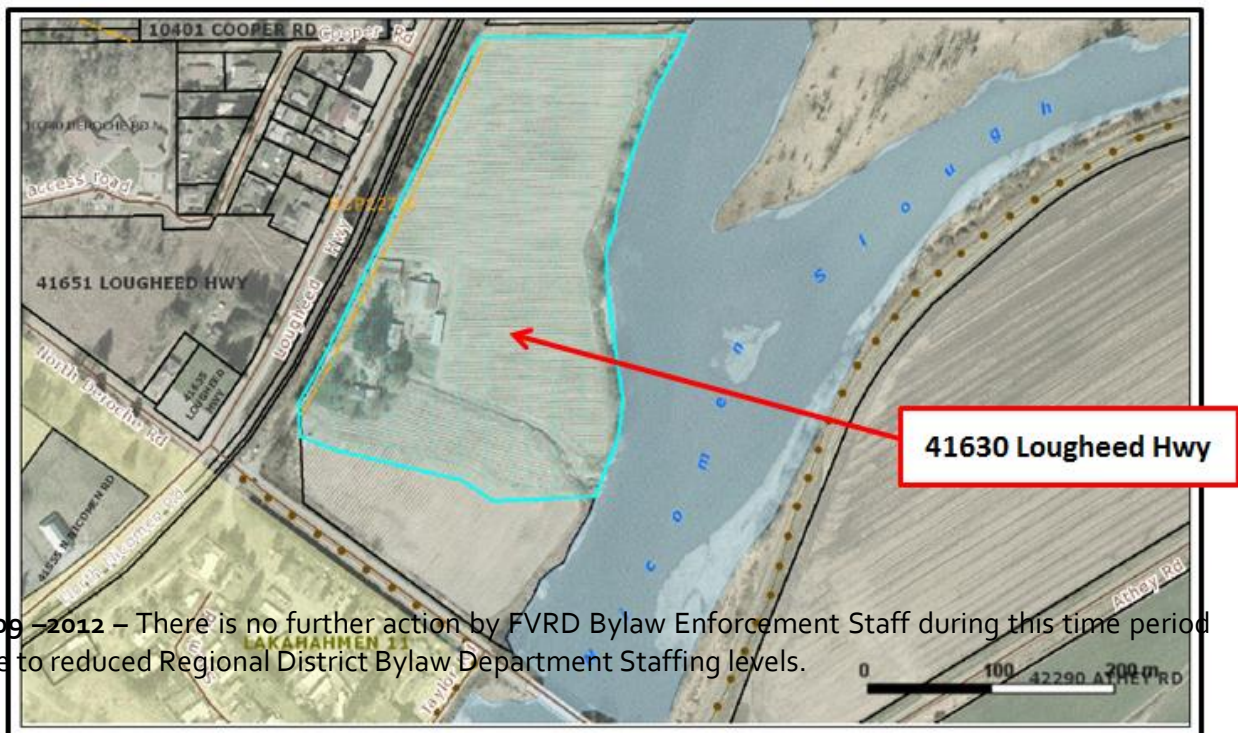
BACKGROUND

October 14, 2009 – Regional District Bylaw Staff was contacted by the Mission Detachment of the Royal Canadian Mounted Police (RCMP) regarding the subject property at **41630 Lougheed Hwy** stating that the RCMP had removed a Marijuana Grow Operation at 41630 Lougheed Hwy on June 29, 2009. The RCMP provided File No 2009-7468, and a copy of their inspection photographs taken that day. FVRD Bylaw Staff opened a



Bylaw Enforcement File on the subject property at 41630 Lougheed Hwy.





2009 – 2012 – There is no further action by FVRD Bylaw Enforcement Staff during this time period due to reduced Regional District Bylaw Department Staffing levels.

December 7, 2012 – A Real Estate Agent came to the front counter at the Chilliwack Regional District Office and spoke with Regional District Bylaw Staff regarding the subject property at 41630 Lougheed Hwy. FVRD Bylaw Staff notified the Real Estate Agent that there are outstanding bylaw enforcement issues on the property because of the RCMP contact regarding Marijuana Grow Operations on site.

July 8, 2013 – Regional District Bylaw and Planning Staff received a property inquiry at the front counter of the Regional District Chilliwack Office regarding the subject property at 41630 Lougheed Hwy, which is currently listed for sale. FVRD Bylaw Staff explained that there is open bylaw enforcement file on this property because of Marijuana Grow Operations found on site by the RCMP in 2009. FVRD Bylaw Staff explained that they would be required to go through the Building Permit process to decommission the Marijuana Grow Operations and that the Bylaw File would remain open regardless of a change in property ownership.

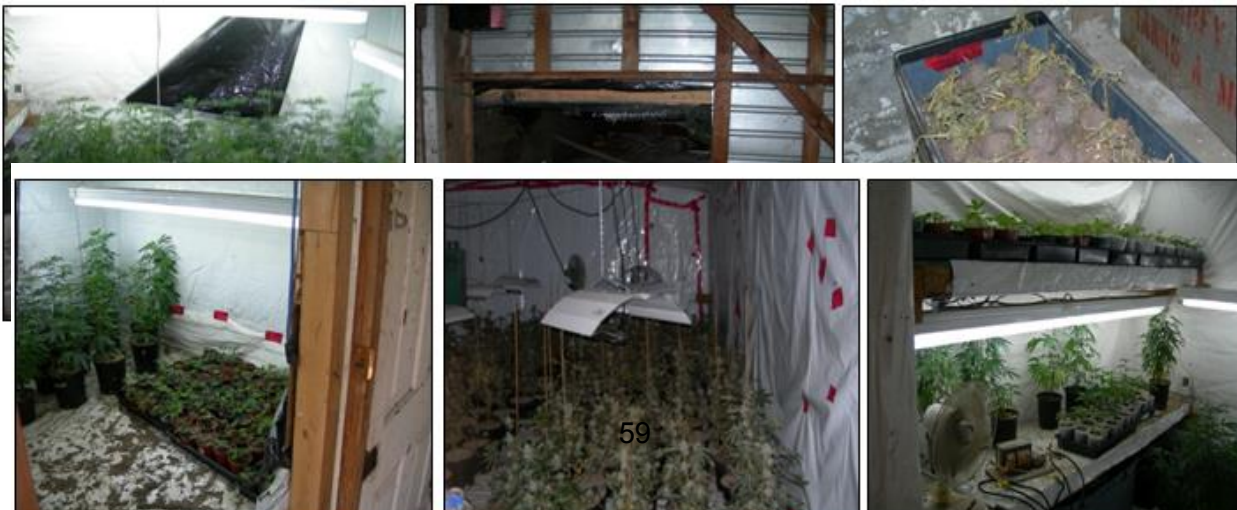
July 9, 2013 - Regional District Bylaw Staff received the following information from RCMP by email regarding what RCMP members discovered during their June 29, 2009 site inspection of the subject property at 41630 Lougheed Hwy (RCMP File: 2009-7468):

Accessory Buildings:

- **The small white shed located behind the Single Family Dwelling (SFD)** – contained a Marijuana Grow Operation.
- **The small shed behind that was joined by a roof to a large white shed** - contained a methamphetamine laboratory.
- **Back of a large metal shed/barn on the property** –contained second Marijuana Grow Operation.

Single Family Dwelling:

- RCMP found signs of an old Marijuana Grow Operation had been located in the basement of the Single Family Dwelling based on the following information:
 - A fireplace in the bedroom that was full of dried green plants which appeared to be dried marijuana;
 - Loose marijuana found on the dresser in the bedroom; and
 - Ten to Twelve black plant pots full of soil, and fifteen to twenty small starter pots with what appears to be small marijuana plants found at the end of the hallway in an open cupboard.



July 15, 2013 – Regional District Bylaw Staff received forwarded information that a Real Estate Agent, Mr. Gill wanted FVRD Bylaw Staff to call him back. Regional District Bylaw Staff attempted to contact Mr. Gill by telephone however there was no answer, so FVRD Staff left a voicemail message for Mr. Gill requesting a return call back.

March 18, 2014 – Regional District Bylaw Staff obtained a new title search of the subject property at 41630 Lougheed Hwy that confirmed that the property ownership changed November 26, 2012. Mr. Manmohan S. Heer and Mr. Jasbir Singh Banwait were listed as the new property owners of 41630 Lougheed Hwy since that date.

March 19, 2014 – Regional District Bylaw Staff sent a letter requesting access to the property for an inspection to the property owners Mr. Manmohan S. Heer and Mr. Jasbir Singh Banwait by regular mail with a deadline for a response of April 21, 2014.

May 8, 2014 – Regional District Bylaw Staff sent a second letter requesting access to the property for an inspection to the property owners Mr. Manmohan S. Heer and Mr. Jasbir Singh Banwait by regular mail with a deadline for a response of May 22, 2014.

June 24, 2014 – Regional District Bylaw Staff sent a third letter by regular mail to property owners Mr. Manmohan S. Heer and Mr. Jasbir Singh Banwait with a Bylaw Offence Notice Ticket (No. 23010), for a change of occupancy without a Building Permit under Section 6.1 of the *Fraser Valley Regional District's Building Bylaw No.1188, 2013*.

June 30, 2014 - Regional District Bylaw Staff received contact from one of the property owners Mr. Jasbir Singh Banwait by email inquiring about the subject property at 41630 Lougheed Hwy.

July 2, 2014 – Regional District Bylaw Staff sent a reply to the property owner Mr. Jasbir Singh Banwait by email listing the outstanding bylaw enforcement matters present on the subject property at 41630 Lougheed Hwy.

July 11, 2014 - Regional District Bylaw Staff continued correspondence with the property owner Mr. Jasbir Singh Banwait by email. It was agreed that FVRD Bylaw and Building Staff would meet Mr. Banwait at his property at 41630 Lougheed Hwy for a site inspection on July 15, 2014 between 1:30pm and 2:30pm.

July 15, 2014 - Regional District Building Inspection and Bylaw Staff attended subject property at 41630 Lougheed Hwy for a schedule site inspection. FVRD Building and Bylaw Staff arrived at 41630 Lougheed Hwy on July 15, 2014 at 13:30 hours and stayed on site until 14:00hrs. The property owner Mr. Jasbir Sing Banwait did not show up for the scheduled site inspection. While on site FVRD Bylaw Staff made a number of phone calls to several of the Mr. Banwait's different phone numbers, with no answer. The tenant of the property was on site during the inspection and relayed to FVRD Building and Bylaw Staff that Mr. Banwait was aware of the inspection today because he had called him earlier in the day to request he kennel this dogs before FVRD Staff arrived. The tenant stated that he has lived on the property for eight years and knows the history of the property. FVRD Bylaw Staff noted all the buildings from RCMP photos still remain on site.

July 16, 2014 - Regional District Bylaw Staff contacted the property owner Mr. Banwait by telephone after receiving a voicemail from him. Mr. Banwait stated that he did not attend yesterday's scheduled onsite meeting with staff because he had to work. Mr. Banwait asked if it was possible re-schedule the site inspection. FVRD Bylaw Staff explained that during the inspection yesterday FVRD Staff were able to see that all the structures that were in contravention Regional Bylaws remained on the property. Regional District Bylaw Staff relayed to Mr. Banwait that numerous Building Permit Applications were required to remediate the structures. FVRD Bylaw Staff sent a follow-up email to Mr. Banwait that outlined what Building Permit Applications were required to bring his property into compliance with Regional Bylaws by a deadline for response dated of July 31, 2014.

August 5, 2014 - Regional District Bylaw Staff sent a letter to the property owners Mr. Manmohan S. Heer and Mr. Jasbir Singh Banwait by regular mail to notify them that their Bylaw Offence Notice Ticket was overdue and was given a deadline for a response of September 6, 2014 or the matter would be referred to collections for follow-up.

November 4, 2014 - Regional District Bylaw Staff received information that Mr. Banwait paid his outstanding Bylaw Offence Notice Ticket No. 23010 after it was sent to collection agency for cost recovery.

November 2014 – February 2018 – There is no further action by FVRD Bylaw Enforcement Staff during this time period due to reduced Regional District Bylaw Department Staffing levels.

March 16, 2018 – Regional District Bylaw Staff pulled a title search of the subject property at 41630 Lougheed Hwy and the search verified that a the property ownership has changed and is now

ownership records indicate that Nicomen Valley Farm Corporation Incorporated has owned the property since September 7, 2016.

March 16, 2018 - Regional District Bylaw Staff sent a letter to both the NEW property owners Nicomen Valley Farm Corporation Inc. by way of the company's two listed directors Mr. Xiaohui Wang and Mr. Ji Zhang by regular mail. The letter advises the new property owners of staff's recommendation to proceed with the process of registering a Section 57 *Community Charter* notice on the title of their property at 41630 Lougheed Hwy. This letter gave the owners a final opportunity to achieve voluntary compliance by the deadline of April 6, 2018. Staff has not received a response or any Building Permit Applications from the property owners Nicomen Valley Farm Corporation Inc., Mr. Xiaohui Wang or Mr. Ji Zhang to date.

DISCUSSION

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

Staff would like you to consider the following information:

Building Bylaw

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

All the buildings on the subject property at 41630 Lougheed Hwy, including the single family dwelling and all the accessory buildings were all constructed without the required building permits. The Single Family Dwelling had a foundation only building permit (BP008469) that was issued March 23, 1993 that subsequently expired due to inactivity. All the alteration works to the three accessory buildings and the Single Family Dwelling were all also constructed without the required Building Permits.

Single Family Dwelling:

It was discovered in 2009 that the Single Family Dwelling had been previously used as a Marijuana Grow Operation. Any residential structure that houses a Marijuana Grow Operation requires a Building Permit to remediate the building for health purposes once the Grow Operation has been removed.

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

Accessory Buildings:

In 2009 it was discovered that two of the three accessory structures on the property were used as Marijuana Grow Operations, the third accessory structure was used as a methamphetamine laboratory. The initial use of all three of the accessory buildings would be for storage use, so Building Permits are required for the change of use to Marijuana Grow Operations for the first two structures and the methamphetamine laboratory for the third accessory structure.

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

Zoning Bylaw

This property is in Electoral Area G, and is zoned Flood Plain Agriculture (A-2) under the *Fraser Valley Regional District Land Use and Subdivision Regulation Bylaw No. 0559, 1992* (Bylaw 0559). The primary purpose of this zone is to contain a cohesive and well-defined community of agricultural lands generally free from encroachments by incompatible uses. Farming activities center on dairy, forage, berry and corn operations.

The Single Family Dwelling and two of the accessory structures both had alteration works to operate Marijuana Grow Operations. A Marijuana Grow Operation Use is listed as a permitted use in the A-2 zone.

One of the accessory structures has construction works to operate a methamphetamine laboratory. A methamphetamine laboratory use is not listed as a permitted use in the A-2 zone.

A methamphetamine laboratory use must be removed from the property as a rezoning of the property is not an option for this use.

Official Community Plan

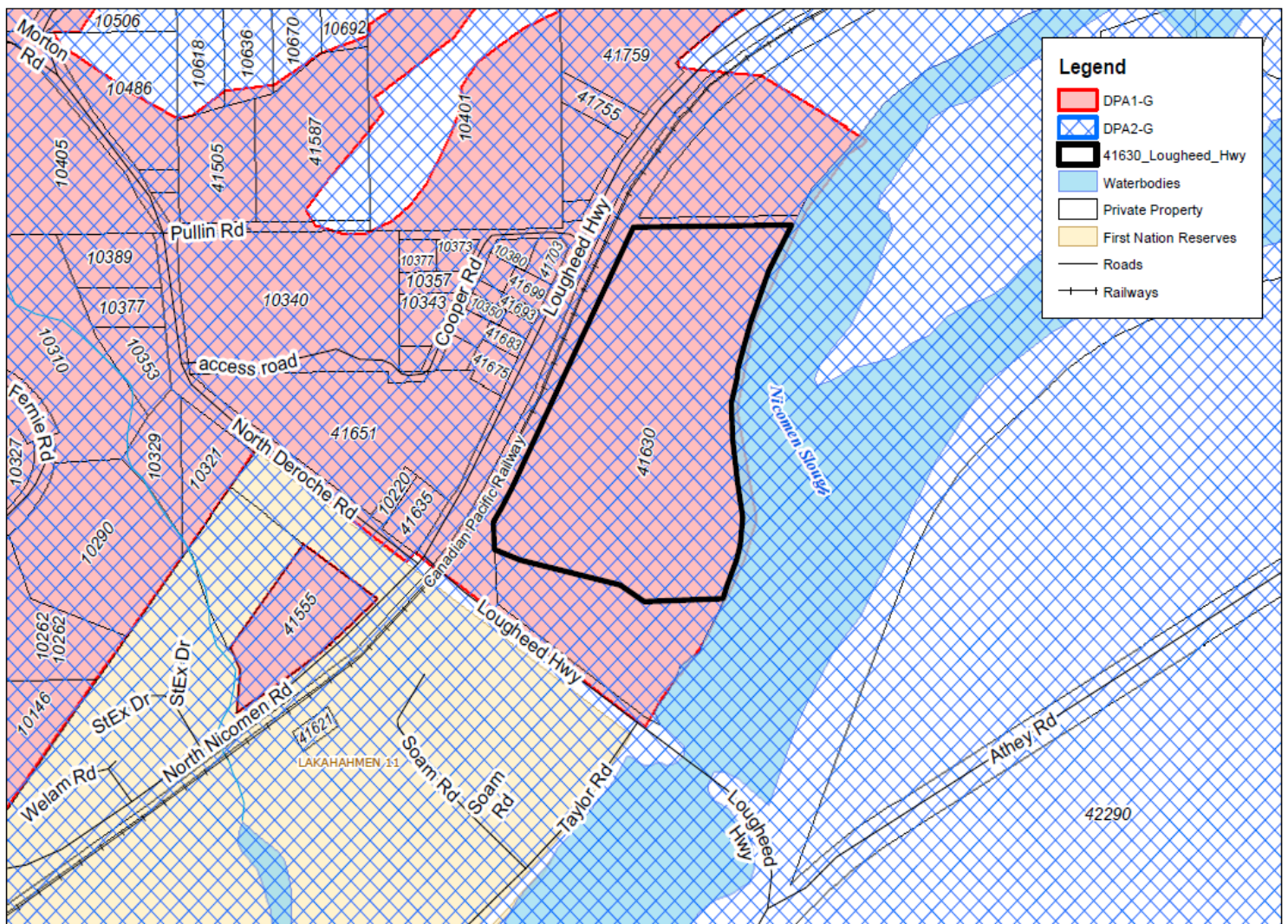
1. The subject property is within the *Geologic & Stream Hazard Development Permit Area 1-G* (DPA 1-G) under the *Fraser Valley Regional District Official Community Plan for Electoral Area G Bylaw No. 0866, 2008* (Bylaw 0866). This Development Permit area is designated for the protection of development from hazardous conditions. A Development Permit must be obtained prior to alteration of land or construction of, addition to, or alteration of a building or structure.
2. The subject property is within the *Riparian Areas Development Permit Area 2-G* (DPA 2-G) under the *Fraser Valley Regional District Official Community Plan for Electoral Area G Bylaw No. 0866, 2008* (Bylaw 0866). This Development Permit area is designated for the protection of the natural environment, its ecosystems and biological diversity. A

Development Permit must be obtained prior to alteration of land or construction of, addition to, or alteration of a building or structure.

A Development Permit must be obtained prior to the alteration of land the disturbance of soil or vegetation; or construction of or addition to a building or structure within a riparian assessment area. To date there has been no application for a Development Permit for any of the construction works that have occurred on the subject property.

A Development Permit is required for the construction that has taken place on the property.

DPA 1-G & DPA 2-G for 41630 Lougheed Hwy



Map produced by the FVRD GIS Dept. April 2018
Map is for Information Purposes Only.
Hazard Info from Area G OCP Bylaw 0866, 2008



0 60 120 240
Meters
1:5,000

COST

Land Titles Office filing fee of approximately \$55.

The owner will be required to pay a removal fee of \$500 in accordance with the *Fraser Valley Regional Building Bylaw 1188, 2013*, after the unpermitted alteration and construction works on the three accessory structures and the Single Family Dwelling are either:

1. Demolished with Building Permits issued by the FVRD, all with successful final inspections; or
2. Four fully completed Building Permits for the alteration and construction works to the three accessory structures and the Single Family Dwelling are issued by the FVRD and all receive successful final inspections. Prior to Building Permit issuance, application and issuance of a Development Permit for the construction is also required.

CONCLUSION

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the construction works on the Single Family Dwelling and the three accessory buildings and construction without a Development Permit violate multiple Regional District Bylaws, and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of four Building Permits for a change of use with remediation or Building Permits for demolition of the three accessory structures and the Single Family Dwelling.

Regrettably, but in the interest of full public disclosure and as incentive to achieving voluntary compliance, I, as an Appointed Building Inspector, believe that the filing of Notice is appropriate in this instance and submit the above recommendation in accordance with Section 57 of the *Community Charter*.

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

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

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

COMMENTS BY:

Margaret Thornton, Director of Planning & Development

Reviewed and supported.

Mike Veenbaas, Director of Financial Services

No further financial comments.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

May 11, 2018

REGISTERED MAIL

Nicomen Valley Farms Corporation Inc.
c/o Mr. Xiaohui Wang
7388 Bassett Place
Richmond BC V7C 2Y5

Nicomen Valley Farms Corporation Inc.
c/o Mr. Ji Zhang
103 – 2110 York Avenue
Vancouver BC V6K 1C3

FILE: 4010-20- G03620.100

CIVIC: 41630 Lougheed Highway

PID: 013-441-949

LEGAL: Parcel "C" (W166297E) North West Quarter Section 5 and of the North East Quarter Section 6 Township 24 Except: Parcel "B" (Plain in Absolute Fees Parcel Book 11/329/1286F), New Westminster District; Parcel Identifier: 013-441-949.

Dear Mr. Wang and Mr. Zhang:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Tile
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building
without a Permit, Single Family Dwelling and three Accessory Buildings– 41630
Lougheed Hwy Electoral Area G.**

Further to the final warning letter dated March 16, 2018 that was sent to you on the same day, please be advised you are hereby notified that your opportunity to be heard by the Regional District Electoral Services Committee is scheduled. The meeting is to show cause why the Regional District Board of Directors should not direct staff to file a Notice against the title of your property at 41630 Lougheed Hwy in relation to the outstanding contraventions of the *Fraser Valley Regional District Building Bylaw No. 1133, 2018* pursuant to Section 57 of the *Community Charter*.

The **show cause** hearing is scheduled for **June 12, 2018 at 1:30pm**, in the Boardroom on the fourth floor of the Regional District Office at 45950 Cheam Avenue, Chilliwack, British Columbia.

The Electoral Area Services Committee will consider registration of the Section 57 Notice on the title of your property at 41630 Lougheed Hwy whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

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

Sincerely,

Paul Gipps
Chief Administrative Officer

cc: Al Stobbart, Director of Electoral Area G
Margaret-Ann Thornton, Director of Planning & Development
Greg Price, Bylaw & Compliance Coordinator

Attach: March 16, 2018 Copy of Final Warning Letter to Property Owner
June 12, 2018 Staff Report from Bylaw and Appointed Building Inspector
March 16, 2018 Land Title Search Results
March 16, 2018 BC Company Search Results
March 16, 2018 Property Information Report
March 16, 2018 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

March 16, 2018

Nicomen Valley Farms Corporation Inc.
c/o Mr. Xiaohui Wang
7388 Bassett Place
Richmond BC V7C 2Y5

Nicomen Valley Farms Corporation Inc.
c/o Mr. Ji Zhang
103 – 2110 York Avenue
Vancouver BC V6K 1C3

FILE: G03620.100

CIVIC: 41630 Lougheed Highway

PID: PID: 013-441-949

LEGAL: Parcel "C" (W166297E) North West Quarter Section 5 and of the North East Quarter Section 6 Township 24 Except: Parcel "B" (Plain in Absolute Fees Parcel Book 11/329/1286F), New Westminster District; Parcel Identifier: 013-441-949

Dear Mr. Wang and Mr. Zhang:

Re: Final Warning – Construction without a Building without a Permit – 41630 Lougheed Hwy Change of Use on three accessory structures and the Single Family Dwelling.

Further to our previous correspondence dated June 24, 2014 addressed to the previous owner, the Fraser Valley Regional District staff has confirmed that your property at 41630 Lougheed Hwy (the "property") continues to remain in breach of Regional District bylaws despite our requests for compliance. Staff verified that the unauthorized construction that caused the change of use of three accessory structures to house Marihuana Grow Operations/ clandestine lab; and the change of use to the single family dwelling to house an additional Marihuana Grow Operation were all done without proper remediation or any of the required permits. See enclosed photos below:





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

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

The Regional District continues to have an open bylaw enforcement file with regards to the illegal construction for a change of use on the three accessory structures and the single family dwelling on your property. We understand that you are the new owners of the property as of September 7, 2016, however a change in ownership of the property in no way negates the existing bylaw enforcement issues. It has now been more than almost nine years since the Regional District first discovered the unauthorized grow operations, clandestine lab, changes of use and illegal construction on your property.

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

If you do wish to take steps towards gaining compliance in the above stated matter please ensure that by **April 6, 2018** completed building permit applications are submitted for the above noted construction to the Fraser Valley Regional District's Building Department. Alternatively you may choose to demolish the unpermitted construction. If you choose to proceed with building permits, please ensure that each of these completed application forms include the following items:

- a) Fully completed building permit application form;
- b) Detailed to scale drawings for the structure;
- c) Completed Site Profile (contaminated Sites) form; and
- d) An initial application fee in the amount of \$150.00.

Following the receipt of your applications, the Building Department will advise you on any additional information needed. Should you have any questions with regard to your applications, please contact one of our Building Inspectors at 604-702-5000. Building Permit Application forms are available online for your convenience on the Regional District's website at:

<http://www.fvrd.ca/EN/main/services/building-permits-inspection/forms.html>

If you fail to meet the above stated deadline of **April 6, 2018** we will move forward to begin the process of registering a notice on the title of your property with the Land Titles Office as outlined in section 57, of the *Community Charter*.

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

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

Yours truly,



Louise Hinton,
Bylaw, Compliance and Enforcement Officer

Attach: Copy of Letter dated June 24, 2014
Copy of Letter dated May 8, 2014
Copy of Letter dated March 19, 2014
Section 57 Information Sheet

cc: Al Stobbart, Director of Electoral Area G
Margaret Thornton, Director of Planning & Development
Greg Price, Bylaw & Compliance Coordinator

COPY



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

June 24, 2014

File Number: 4010-20-G03620.100

Manmohan S. Heer
Jasbir S. Banwait
1444 Clearbrook Road
Abbotsford, BC V2T 5C3

Dear Property Owners:

Re: Issuance of Bylaw Offence Notice 23010 at 41630 Lougheed Highway; Legally Described as Parcel "C" (W166297E) North West Quarter Section 5 and of the North East Quarter Section 6 Township 24 Except: Parcel "B" (Plain in Absolute Fees Parcel Book 11/329/1286F), New Westminster District; Parcel Identifier: 013-441-949

Please find the enclosed Bylaw Offence Notice No. 23010 issued to you, the property owner, for failing to comply with the *Fraser Valley Regional District Building Bylaw No. 1188, 2013*. On the reverse side of the Bylaw Offence Notice you will find the methods available to you to pay or dispute the penalty.

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws. Please contact the Regional District if you have any further questions or concerns on how to bring your property into compliance with Regional District Bylaws. Inspections may be conducted on your property until the file is closed.

You may contact me Monday through Friday, 8:30am to 4:30pm at the toll-free number listed above, directly at 604-702-5015, or by email at jwells@fvrd.bc.ca.

Yours truly,



Jennifer Wells
Bylaw, Permits & Licences Technician

encl: Bylaw Offence Notice No. 23010
Letter dated May 8, 2014

cc: Al Stobbart, Director of Electoral Area G
Margaret Thornton, Director of Planning & Development



COPY
FRASER VALLEY REGIONAL DISTRICT

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

May 8, 2014

File Number: 4010-20-G03620.100

Manmohan S. Heer
Jasbir S. Banwait
1444 Clearbrook Road
Abbotsford, BC V2T 5C3

Dear Property Owners:

Re: Request Property Inspection of 41630 Lougheed Highway; Legally Described as Parcel "C" (W166297E) North West Quarter Section 5 and of the North East Quarter Section 6 Township 24 Except: Parcel "B" (Plan in Absolute Fees Parcel Book 11/329/1286F), New Westminster District; Parcel Identifier: 013-441-949

I am writing to you in connection with the above noted matter. Please be advised that our records indicate that you have not made an effort to contact the Regional District and your property remains in breach of Regional District bylaws. The action requested in the letter dated March 19, 2014 does not appear to have been carried out. It is imperative that this action be completed in order to avoid further bylaw enforcement.

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws. In order to accomplish this, please contact the Regional District immediately to determine a mutually convenient date for staff to inspect your property. Should you fail to contact this office by **May 22, 2014**, you may be subject to a fine under *Fraser Valley Regional District Bylaw Offence Notice Enforcement Bylaw No. 787, 2006*.

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

Yours truly,

Jennifer Wells
Bylaw, Permits & Licences Technician

encl: Letter dated March 19, 2014

cc: Al Stobbart, Director of Electoral Area G
Margaret Thornton, Director of Planning & Development



FRASER VALLEY REGIONAL DISTRICT

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Jennifer Wells
Bylaw, Permits & Licences Technician

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The Regional District has received a complaint of construction without a permit on your property at 41630 Lougheed Highway. It was also noted that there has been a change of occupancy on the property which would require a permit under the Fraser Valley Regional District Building Bylaw No. 1188, 2013.

The Regional District wishes to work with you to enable you to bring your property in to compliance with all current bylaws. In order to accomplish this, we request that you provide access for staff to inspect your property on a mutually convenient date. Should you fail to respond before April 21, 2014, your file may be referred to the Regional Board for their consideration and recommendation regarding bylaw enforcement.

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

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Yours truly,

Jennifer Wells
Bylaw, Permits and Licenses Technician

cc: Al Stobbart, Director of Electoral Area G
Margaret Thornton, Director of Planning & Development Services

NOTICE ON TITLE INFORMATION SHEET

WHAT IS A NOTICE ON TITLE?

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

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

WHAT IS THE PURPOSE OF A NOTICE ON TITLE?

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

WHEN CAN A NOTICE ON TITLE BE FILED?

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

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

HOW IS A NOTICE ON TITLE FILED?

- Step 1: When the Building Inspector is made aware of a breach, a letter is mailed to the registered owner of the property advising of the breach and the required remedial action. The owner is provided approximately thirty (30) days to contact staff and take the necessary steps to resolve the breach. This timeframe may be reduced where there appears to be a serious safety concern.
- Step 2: If no action to contact staff and resolve the issue, a second letter is mailed to the owner advising of the breach and the required remedial action. The owner is provided approximately fourteen (14) days to contact staff and take the necessary steps to resolve the breach. This timeframe may be reduced where there appears to be a serious safety concern.

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

HOW IS A NOTICE ON TITLE CANCELLED?

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

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

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

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

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

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

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

Excerpts from the *Community Charter*:

NOTE AGAINST LAND TITLE THAT BUILDING REGULATIONS CONTRAVENED

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

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

CANCELLATION OF NOTE AGAINST LAND TITLE

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

TITLE SEARCH PRINT

2018-03-16, 09:41:30

File Reference:

Requestor: Louise Hinton

Declared Value \$1520000

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

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

Title Number

From Title Number

CA5486876

CA2884733

Application Received

2016-09-07

Application Entered

2016-09-14

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

NICOMEN VALLEY FARMS CORP., INC.NO. BC1081473
7388 BASSETT PLACE
RICHMOND, BC
V7C 2Y5**Taxation Authority**

New Westminster Assessment District

Description of Land

Parcel Identifier:

013-441-949

Legal Description:

PARCEL "C" (W166297E) NORTH WEST QUARTER SECTION 5 AND OF THE
NORTH EAST QUARTER SECTION 6 TOWNSHIP 24 EXCEPT: PARCEL "B"
(PLAN IN ABSOLUTE FEES PARCEL BOOK 11/329/1286F),
NEW WESTMINSTER DISTRICT**Legal Notations**THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND
COMMISSION ACT, SEE AGRICULTURAL LAND RESERVE PLAN NO. 18
DEPOSITED 30.JULY.1974**Charges, Liens and Interests**

Nature:

EASEMENT

Registration Number:

69416C

Registration Date and Time:

1931-08-19 12:10

Remarks:

INTER ALIA
SEE 26907F

TITLE SEARCH PRINT

File Reference:

Declared Value \$1520000

2018-03-16, 09:41:30

Requestor: Louise Hinton

Nature:

EASEMENT

Registration Number:

BA76000

Registration Date and Time:

2006-03-17 09:50

Remarks:

PART PLAN BCP22752

APPURTENANT TO LOT 11 PLAN 18456

Duplicate Indefeasible Title

NONE OUTSTANDING

Transfers

NONE

Pending Applications

NONE

Folio: 775.03620.100
Civic: 41630 LOUGHEED HWY
Size: 21.12 ACRES

Pid: 013-441-949
Legal: SECTION 5, TOWNSHIP 24, NEW WESTMINSTER
 DISTRICT PARCEL C, PART NW 1/4, W166297E; & OF NE
 1/4 SEC 6; EXC PCL B PL IN ABSOLUTE FEES PCL
 BOOK 11/329/1286F.

Owner: NICOMEN VALLEY FARMS CORP
 7388 BASSETT PL
 RICHMOND BC V7C 2Y5
 (CA5486876)

2018 Actual Assessments

00 - FULLY TAXABLE LAND, STRUCTURES
 13 - AGRICULTURAL LAND RESERVE

Land Class

1 - Res

Land

1157000

Impr Class

1 - Res

Impr

178000

<u>Lto Number</u>	<u>Sales Price</u>
CA5486876	1,520,000.00
CA2884733	1,350,000.00
CA2096972	1,048,000.00
CA164515	585,000.00
BK195515	189,000.00
BK135031	107,700.00

<u>Date</u>
Sep 7, 2016
Nov 26, 2012
Jul 13, 2011
Jan 16, 2006
Jun 24, 1996
May 6, 1996

<u>Description</u>
REJECT - NOT SUITABLE FOR SALES ANALYSIS
REJECT - NOT SUITABLE FOR SALES ANALYSIS
IMPROVED SINGLE PROPERTY CASH TRANSACTI
MULTIPLE PROPERTY TRANSACTION
IMPROVED SINGLE PROPERTY CASH TRANSACTI
REJECT - NOT SUITABLE FOR SALES ANALYSIS

<u>Attribute</u>
ACTUAL USE
DEFINED AREA
ELECTORAL AREA
LAND TENURE
MANUAL CLASS
NEIGHBOURHOOD
SCHOOL DISTRICT
SERVICE AREA

<u>Value</u>
060
B
G
01
0090
801
75
45C

<u>Description</u>
2 Acres Or More (Single Family Dwelling, Duplex)
CROWN-GRANTED
1 STY SFD-AFTER 1930-STD

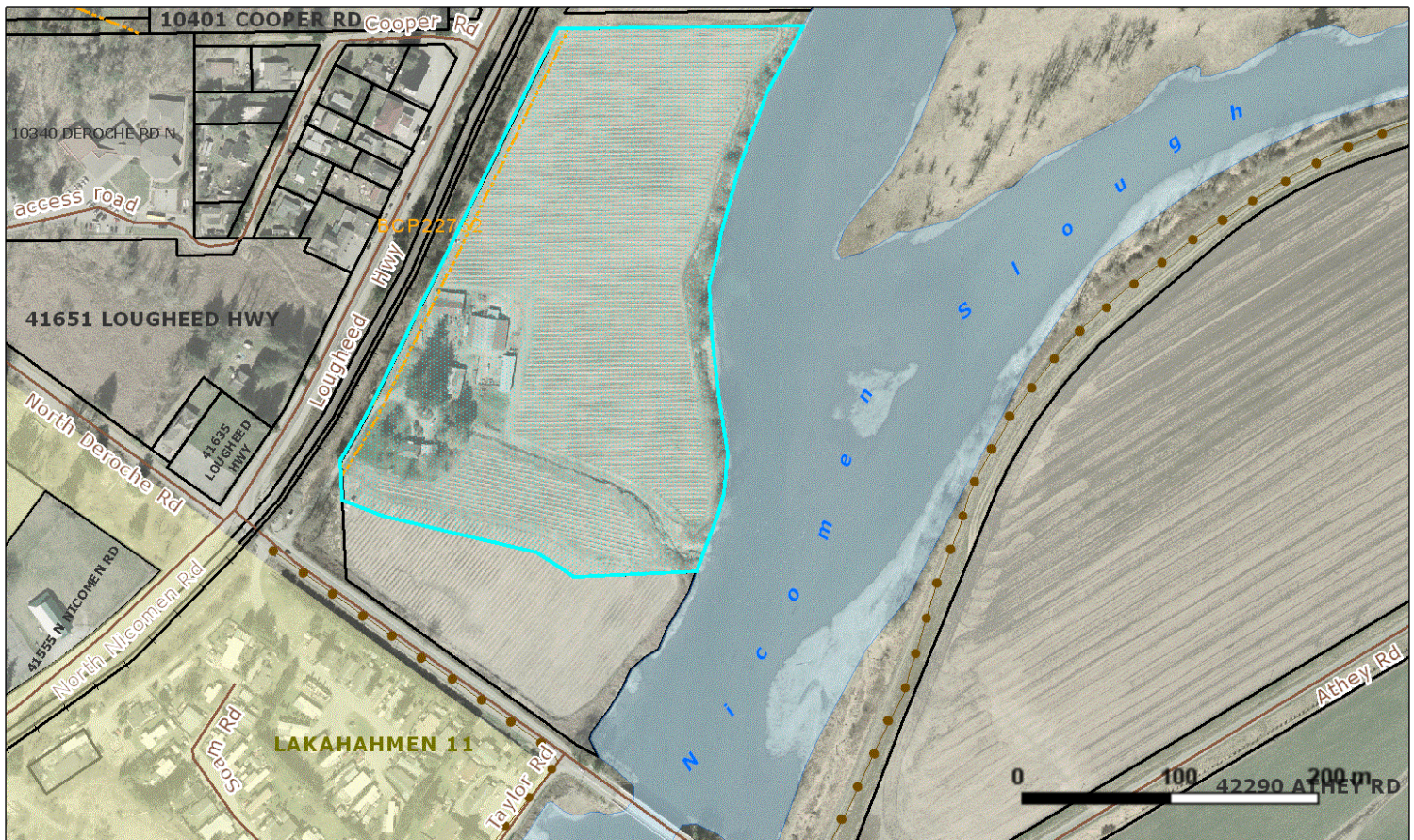
<u>Classification</u>	<u>Start Date</u>	<u>Stop Date</u>
BYLAW ENFORCEM	Oct 14, 2009	

<u>Comment</u>
See BE staff for details G03620.100

<u>Prop.Charge</u>	<u>Type</u>	<u>Sub Type</u>	<u>Project</u>	<u>Discharged</u>	<u>Text</u>
O/536	GEOTECH REPORTS	OVERVIEW			Area G OCP
S/630	GEOTECH REPORTS	SECONDARY			Deroche Creek Sediment Management Study

Property Information Report

Civic Address:	41630 LOUGHEED HWY	Lot Size:	21.12 ACRES
Folio Number:	775.03620.100	Electoral Area:	G
PID:	013-441-949	Map Scale:	1:4667
Legal Description:	SECTION 5, TOWNSHIP 24, NEW WESTMINSTER DISTRICT PARCEL C, PART NW 1/4, W166297E; & OF NE 1/4 SEC 6; EXC PCL B PL IN ABSOLUTE FEES PCL BOOK 11/329/1286F.		



Land-use Information

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

Utility Information

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

To: Electoral Area Services Committee
From: Jennifer Kinneman, Manager of Corporate Affairs and
Reg Dyck, Manager of Electoral Area Emergency Services

Date: 2018-06-12

File No: 7130-25

Subject: ePact Emergency Communications Tool

INTENT

This report is intended to advise the Electoral Area Services Committee (EASC) of information pertaining to emergency communications and ePact. Staff is not looking for a recommendation and has forwarded this information should members want more clarification to discuss the item further.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

Over the past year, both EA directors and electoral area residents have requested information about the FVRD's emergency response plan and how they would be notified in the event of an emergency. Currently, the FVRD utilizes traditional channels for emergency communication. During the recent activation of the Emergency Operations Centre and the flooding of the Fraser River, communications were managed through door-to-door delivery of advisories, alerts and orders; media releases; and posts to the FVRD web site and social media. There is potential to amplify these traditional communications methods. Staff have arranged for representatives from ePact to make a presentation to EASC.

DISCUSSION

ePact is a BC-based technology company that was created following the 2011 earthquake and tsunami that occurred in Japan. Recognizing gaps in North America's emergency management systems, ePact was designed to increase safety and help organizations better prepare for emergency events.

A wide range of organizations utilize ePact including municipalities, such as the Squamish-Lillooet Regional District and the District of Squamish. These two jurisdictions have similar challenges to the FVRD: they are geographically broad and environmentally diverse, facing a broad range of natural disasters from flooding to earthquakes to wildfires.

COST

The cost for ePact is based on registrations, with a range of \$1 to \$2 per person/year. The base cost of the service is \$2,500. Based on 2016 census data, the total number of households in all eight electoral areas is between 4,398 and 6,441. This range reflects the total number of dwellings versus the number of dwellings that are occupied by usual residents (i.e. permanent residence). Assuming only one person will register in each household the per-resident cost for ePact would be approximately \$8,796 and \$12,882 annually (if all households registered).

CONCLUSION

The FVRD could consider using ePact or another type of technology-based communications tool to further enhance its emergency management program. The cost for an enhanced emergency communications tool could be cost-shared between participating electoral areas and considered as part of the 2019 budget process.

COMMENTS BY:

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

Mike Veenbaas, Director of Financial Services Reviewed and supported.

Paul Gipps, Chief Administrative Officer: Reviewed and supported

FRASER VALLEY REGIONAL DISTRICT

ELECTORAL AREA SERVICES COMMITTEE

OPEN MEETING MINUTES

Tuesday, May 8, 2018

1:30 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

Members Present: Director Bill Dickey, Electoral Area D, Chair
Director Terry Raymond, Electoral Area A
Director Alec Niemi, Electoral Area C
Director Orion Engar, Electoral Area E
Director Ray Boucher, Electoral Area F
Director Al Stobbart, Electoral Area G
Director Taryn Dixon, Electoral Area H (*arrived 1:06 p.m.*)

Regrets: Director Dennis Adamson, Electoral Area B

Staff Present: Paul Gipps, Chief Administrative Officer
Mike Veenbaas, Director of Financial Services
Tareq Islam, Manager of Engineering & Community Services
Margaret-Ann Thornton, Director of Planning & Development
Suzanne Gresham, Director of Corporate Initiatives (part)
Graham Daneluz, Deputy Director of Planning & Development
Jennifer Kinneman, Manager of Corporate Affairs
Jaime Schween, Manager of Corporate Administration
Sterling Chan, Manager of Engineering & Infrastructure
Greg Price, Building Inspector (part)
Dawn Smith, Planner II
Louise Hinton, Bylaw Compliance and Enforcement Officer
Andrea Antifaeff, Planning Technician
Matthew Fang, Network Analyst I
Cody Bator, Summer Student, Planning
Amanda Molloy, Executive Assistant to CAO and Board
Chris Lee, Recording Secretary

Also Present: There were three members of the public.

1. CALL TO ORDER

Chair Dickey called the meeting to order at 1:03 p.m.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By STOBART

Seconded By ENGAR

THAT the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of May 8, 2018 be approved;

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

CARRIED

3. SHOW CAUSE HEARING

3.1 Contraventions of Building Bylaw No. 1188 and OCP No. 1115 at 50985 Winona Road, EA E, FVRD, BC (legally described as Lot 88 Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 30071; PID 006-487-181)

Louise Hinton, Bylaw Compliance and Enforcement Officer provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 50985 Winona Road, Electoral Area E, and the efforts of staff to encourage voluntary compliance by the property owner.

Chair Dickey asked if any members of the public wished to speak on this matter. Mr. Brad Latham of RE/MAX Nyda Realty Inc. and Marcela Runcl, property owner appeared before the Committee. Mr. Lathan advised that he was the realtor for the property. He reported that the property has now been listed strictly as a land proposition. He noted that there has been a lot of activity on this property since it was listed and requested if it was possible to defer this Notice on Title so as not to affect the sale of this property.

Mr. Gipps reported that the regional district is obligated to notify potential owners of any existing contraventions on the property. It was noted that the Notice of Title will not impede the transfer of the property and future owners can approach the Regional District to get clarification on what needs to be done and apply for the appropriate permits.

Moved By ENGAR
Seconded By BOUCHER

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013* and the *Fraser Valley Regional District Official Community Plan for Electoral Area E Bylaw No. 1115, 2011* at 50985 Winona Road, Electoral Area E, Fraser Valley Regional District, British Columbia (legally described as Lot 88 Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 30071; Parcel Identifier 006-487-181).

CARRIED

4. MINUTES/MATTERS ARISING

4.1 Minutes of the Electoral Area Services Committee Meeting - April 10, 2018

Moved By DIXON
Seconded By NIEMI

THAT the Minutes of the Electoral Area Services Committee Open Meeting of April 10, 2018 be adopted.

CARRIED

5. CORPORATE ADMINISTRATION

5.1 UBCM Resolutions

Paul Gipps, CAO reported that at the Regional District Chair/CAO Forum held in Victoria in March, 2018 an issue regarding a recent interpretation of the *Freedom of Information and Protection of Privacy Act*. With this interpretation, a person attending a Board Meeting or a Public Hearing must sign a form to allow their name to be made public. The public should also be allowed to present to the Board at a meeting without being videotaped. Mr. Gipps noted that this interpretation will have a significant impact to the FVRD.

Staff is requesting the Committee's support to have staff draft a resolution to UBCM with respect to this interpretation for their consideration. The draft resolution will be presented at the May Board meeting for consideration.

6. FINANCE

6.1 Grant-In-Aid Request – 1st Hope Scouting, Electoral Area “B”

Moved By RAYMOND
Seconded By STOBART

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,000 to 1st Hope Scouting, funded from the 2018 Electoral Area “B” grant-in-aid budget to help offset the costs associated with purchasing a used trailer to transport utility gear for events and excursions.

CARRIED

6.2 Grant-In-Aid Request – Royal Canadian Legion Branch 228, Electoral Area “B”

Moved By DIXON
Seconded By ENGAR

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,000 to the Royal Canadian Legion Branch 228, funded from the 2018 Electoral Area “B” grant-in-aid budget to help offset the costs associated with the completion of their lighting project.

CARRIED

6.3 Grant-In-Aid Request – District of Hope Ratepayers Association, Electoral Area “B”

In the absence of Electoral Area B Director Dennis Adamson, it was proposed that item 6.3 be deferred to the June EASC Meeting.

Moved By NIEMI
Seconded By RAYMOND

THAT item 6.3 be deferred to the June EASC meeting.

CARRIED

6.4 Grant-In-Aid Request – Chilliwack Community Arts Council, Electoral Area “E”

Moved By ENGAR
Seconded By BOUCHER

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$850 to the Chilliwack Community Arts Council with the grant being funded from the 2018 Electoral Area “E” grant-in-aid budget and being used to help offset the cost of a local contractor to fire the clay pots for the “Raku In The Valley” event, as well as permitting costs for park rentals.

CARRIED

6.5 Grant-In-Aid Request – Deroche Farmers Market, Electoral Areas “C” and “G”

Moved By STOBART
Seconded By NIEMI

THAT the Fraser Valley Regional District Board approve a grant-in-aid to the Deroche Farmers Market Society in the amount of \$2,500, to be funded from the 2018 Electoral Area "C" grant-in-aid budget in the amount of \$1,500 and the 2018 Electoral Area "G" grant-in-aid budget in the amount of \$1,000 to help offset the costs associated with advertising, tent repairs, acquiring new signage, new tables and chairs for the market.

CARRIED

7. ENGINEERING & UTILITIES

7.1 Building Covenant for Stonewood Place Subdivision (Thompson Road, Electoral Area "D")

Moved By BOUCHER
Seconded By STOBART

THAT, in accordance with Covenants CA6199207 and CA5744615, the Fraser Valley Regional District Board authorize staff to issue up to a maximum of ten (10) additional building permits for new single family homes between subdivision files 3320-20-2016-04061 and 3320-20-2015-04298.

CARRIED

8. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

8.1 Application for Development Variance Permit 2018-09 to vary the front lot line setback requirement for a Single Family Dwelling at 50912 Winona Road, Electoral Area E

Moved By ENGAR
Seconded By BOUCHER

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-09 for property located at 50912 Winona Road, Electoral Area E, to vary the front lot line setback requirement from 4.6 meters to 2.16 metres, clear to sky, to allow for a covered entry roof overhang.

CARRIED

8.2 Application for Development Variance Permit 2018-10 for 3655 Vance Road, Electoral Area "H"

Moved By DIXON
Seconded By RAYMOND

THAT the FVRD Board refuse the application for Development Variance Permit 2018-10 for 3655 Vance Road, Electoral Area H.

CARRIED

It was noted that there is still opposition to the Development Variance Permit.

8.3 Application for Development Variance Permit 2018-16 to vary the height requirement for a proposed meeting hall at 10789 North Deroche Road, Electoral Area "G"

Moved By STOBART
Seconded By NIEMI

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-16 for property located at 10789 North Deroche Road, EA G to increase the maximum permitted height of a building from 11.0 metres to 12.0 metres, subject to consideration of any comments or concerns raised by the public.

CARRIED

8.4 Application for Development Variance Permit 2018-18 to vary front and rear setbacks for the placement of a Park Model Trailer at 14-14600 Morris Valley Road, Area "C"

Moved By NIEMI
Seconded By STOBART

THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2018-18.

CARRIED

8.5 Application for Development Variance Permit 2018-19 to vary the setback requirement between buildings (washroom building/picnic shelter and bunk house) for the property located at 3-61855 Lougheed Highway, Electoral Area "B"

Moved By RAYMOND
Seconded By BOUCHER

THAT the Fraser Valley Regional District issue Development Variance Permit 2018-19 for the property located at 3-61855 Lougheed Highway to vary the setback requirement between buildings (washroom building/picnic shelter and bunkhouse) from 12.07 metres to 4.0 metres, subject to consideration of any comments or concerns raised by the public.

CARRIED

9. ELECTORAL AREA EMERGENCY SERVICES

No Items.

10. ADDENDA ITEMS/LATE ITEMS

No items.

11. ITEMS FOR INFORMATION AND CORRESPONDENCE

- 11.1 Letter dated April 25, 2018 from District of Kent to Hon. Premier Horgan and Hon. Popham, Minister of Agriculture regarding 'Cannabis Production Facilities on Agricultural Land Reserve lands' was provided for information.

Discussion ensued and concerns were raised regarding the use of agricultural land for marihuana production instead of food production, resulting in the following motion being brought forward:

ENGAR/DIXON

THAT staff be directed to write a letter to the Federal Government and the Province inquiring about the anticipated recreational marijuana licensing needs and impacts on traditional crops managed in the Fraser Valley.

CARRIED

12. REPORTS BY STAFF

Mr. Gipps introduced summer student in the Planning Department, Cody Bator to the Committee.

13. REPORTS BY ELECTORAL AREA DIRECTORS

Director Niemi enquired regarding the availability of sandbags for his area. Staff responded that there are 6,000 sandbags available and will be shipped to any electoral area in need of them.

Director Dixon reported on the recent Emergency Planning meeting held in Area H and noted that they are continuing to work with Soohwalie First Nation. She noted that a second meeting was held with the Cultus Lake Park Board regarding keeping the geese off the beach.

Director Raymond reported that staff has attended to concerns in his area.

Director Boucher reported on the meeting with the Ratepayers Association and issues with creeks that need some cleaning out.

Director Engar reported on numerous potholes in Chilliwack River Valley and debris from the windstorm. He also noted that he will be going to Post Creek with the Chilliwack

River Valley Fire Chief together and to give a FireSmart talk. Bell Acres is looking at solutions to rename the Bell Acres Road.

Director Dickey reported that everything is going well in his area.

14. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

None

15. ADJOURNMENT

Moved By NIEMI
Seconded By BOUCHER

THAT the Electoral Area Services Committee Open Meeting of May 8, 2018 be adjourned.

CARRIED

The Electoral Area Services Committee Open Meeting adjourned at 2:16 p.m.

MINUTES CERTIFIED CORRECT:

.....
Director Bill Dickey, Chair.

To: Electoral Area Services Committee

Date: 2018-06-12

From: Jaime Schween, Manager of Corporate Administration

File No: 0340-30

Subject: FVRD Volunteer Recognition Awards Program Policy and Procedure

RECOMMENDATION

THAT the Fraser Valley Regional District Board endorse the *FVRD Volunteer Recognition Awards Program Policy and Procedure*, as drafted.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Support Healthy & Sustainable Community

BACKGROUND

Each year, countless volunteers donate their time and efforts to make a difference within their communities. As a way to formalize a process by which Electoral Area Directors can recognize those volunteers, staff have drafted the attached FVRD Volunteer Recognition Awards Program Policy and Procedure.

DISCUSSION

The draft policy allows for volunteers to be recognized for a volunteer recognition award once every two years, and sets out three levels of recognition based on the volunteer's years of service. In addition to receiving a certificate of achievement, a volunteer would receive an award based on the level, which is set in five year increments: 1 to 5 years, 5 to 10 years, and 10 years plus.

The presentation of the volunteer recognition awards would take place as part of the April Electoral Area Services Committee meeting, which coordinates with National Volunteer Week which is celebrated in April of each year.

COST

All costs associated with the volunteer recognition awards program will be funded from the Electoral Area Administration budget 102.

CONCLUSION

The FVRD Volunteer Recognition Awards Program Policy and Procedure is a way for Electoral Area Directors to recognize the efforts of volunteers who contribute to the betterment of the FVRD.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported.

Paul Gipps, Chief Administrative Officer

Reviewed and supported



FRASER VALLEY REGIONAL DISTRICT POLICIES AND PROCEDURES

POLICY: Volunteer Recognition Awards Program

Date Issued:

Date Amended:

PURPOSE AND INTENT

Each year, volunteers work tirelessly within the Fraser Valley Regional District ("FVRD") Electoral Areas to make a difference in their communities. To encourage, support and recognize those individuals who have contributed to the betterment of the FVRD through volunteer work, the FVRD desires to establish a volunteer recognition awards program.

This policy and procedure sets out guidelines on how volunteers receive recognition awards for their years of volunteer service within the FVRD.

POLICY

In addition to a certificate of appreciation, volunteers can be recognized for their contributions through the presentation of volunteer recognition awards. A volunteer may be considered for a volunteer recognition award once every two (2) years. Presentation of these awards will be coordinated in April every two years, to coincide with the celebration of National Volunteer Week.

There are three levels of recognition awards which correlate to the volunteer's years of service:

<u>Level</u>	<u>Years of Service</u>	<u>Award</u>
1	1 to 5 years	FVRD jacket and tote bag
2	5 to 10 years	Reclaimed wood engraved plaque
3	10 years +	Shadow box with FVRD Volunteer Medal

PROCEDURE

The CAO's office will coordinate and manage all duties related to the coordination of the volunteer recognition awards program.

VOLUNTEER RECOGNITION AWARDS PROGRAM POLICY AND PROCEDURE

Starting in January of 2019, the Executive Assistant to the CAO will receive recommendations from Electoral Area Directors for recognition of volunteers within their Electoral Areas. Information required will include the volunteer's name, years of service, and contact details.

Presentation of volunteer recognition awards will take place as part of the April Electoral Area Services Committee meeting. Recognition of these volunteers will also be take place on social media or other local printed media.

All required funding from these awards shall be provided from the Electoral Area Administration budget 102.

To: Electoral Area Services Committee
From: Paul Gipps, Chief Administrative Officer

Date: 2018-06-12
File No: 4200-20-2018 Election

Subject: Remuneration Rates for 2018 General Local Election

RECOMMENDATION

THAT the Fraser Valley Regional District Board establish remuneration rates for 2018 General Local Election staff as follows:

Chief Election Officer	5 days off in lieu of overtime or cash equivalent
Deputy Chief Election Officer	3 days off in lieu of overtime or cash equivalent
Presiding Election Officials	\$500
Alternate Presiding Election Officials	\$400
Election Officials	\$240
Mileage	\$0.55/km

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The recommended remuneration rates for election staff were established as part of the 2014 General Local Elections. A review of 2018 election remuneration rates was recently conducted by www.civicinfo.bc.ca. Based on this review, staff feel that the 2014 rates are still in keeping with what is currently being paid by the FVRD's member municipalities.

It should be noted that the recommended remuneration rates for Presiding Election Officials, Alternate Presiding Election and Election Officials, are for a full day shift – generally between 13 and 15 hours for the Advanced Voting Opportunity, and between 14 and 16 hours for General Voting Day. Additionally, the rate includes attendance at mandatory elections training in the weeks leading up to elections.

The proposed rates for the Chief Election Officer and Deputy Chief Election Officers reflect the significant increase in workloads which must be managed on top of existing workloads of their regular positions.

In addition, the Chief Election Officer will be responsible for conducting elections for rural School Trustees in our Electoral Areas under agreement with the respective School District.

Historically, the FVRD has been responsible for conducting elections for Electoral Area Directors at three to four voting places for the Advanced Voting Opportunity, and 10 to 11 voting places on General Voting Day. It should be noted that as part of the 2018 General Local Elections, the ability for eligible voters to vote by way of mail ballot has been also been included.

On the assumption that there are no acclamations, and that there are elections in all Electoral Areas, the following ballots will be put forward:

8 Electoral Area Director Ballots

3 School Trustee Ballots for School District No. 78 (Fraser-Cascade)

1 School Trustee Ballot for School District No. 75 (Mission)

1 School Trustee Ballot for School District No. 33 (Chilliwack)

Depending on anticipated voter turn-out and the number of ballots being conducted at each voting place, the Chief Election Officer may choose to assign between three and four election staff at each location.

DISCUSSION

At the January 2018 Board meeting, appointments were made for the 2018 General Local Elections Chief Election Officer (Jaime Schween) and Deputy Chief Elections Officers (Pam Loat and Tina Mooney). As previously noted, the *Local Government Act* (the "Act") requires that the Board appoint a Chief Election Officer and a Deputy for the purposes of conducting a General Local Election. Although the Act prescribes the procedures for conducting a General Local Election, it does not prescribe the rates to be paid to the Chief Election Officer and his/her Deputy, or the Election Officials. Rather, it is left to each jurisdiction to set its own rates.

COST

The amount of \$25,000 has been budgeted as part of the 2018 budget. Costs recovered as part of administering the elections for School Districts 33, 75 and 78 will offset these costs.

CONCLUSION

Staff is bringing forward the recommended remuneration rates for elections staff as part of the 2018 General Local Elections.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services:

Reviewed and supported.

To: Electoral Area Services Committee

Date: 2018-06-12

From: Beth Klein, Accounting Clerk II

File No: 1880-20

Subject: 2017 Annual Development Cost Charge Report

INTENT

This report is intended to advise the Committee of information pertaining to the annual Development Cost Charge Report. Staff is not looking for a recommendation and has forwarded this information should members want more clarification to discuss the item further.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

BACKGROUND

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

DISCUSSION

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

As at December 31, 2017 the Regional District had two (2) DCC Bylaws that require annual reporting to the Board. These DCC Bylaws are:

Bylaw 1074, 1992

West Popkum Storm Drainage

Bylaw 1096, 2011

Electoral Area D Integrated Water System

COST

There are no costs associated with this report.

CONCLUSION

This report summarizes the DCC activities for the Regional District in 2017 and meets the requirements of Section 569 of the Local Government Act.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

Schedule "A"

Fraser Valley Regional District

2017 Development Cost Charge Report

In accordance with Division 19 Section 569 Annual Development Cost Charges Report, below is information regarding Development Cost Charges within Electoral Area D which includes the following; the amount of development cost charges received, expenditures from the development cost charge reserve funds, the balance in the development cost charge reserve funds at the beginning and at the end of 2017, as well as any waivers and reductions.

	Opening Balance	DCC Contributions	Investment Income	Expenses	Closing Balance
Bylaw 1074, Drainage	\$ 131,391	\$64,000	\$4,357	\$ -	\$199,748
Bylaw 1096, Area D Water	\$ 291,574	\$104,723	\$2,379	\$ -289,609	\$109,067

Waivers and reductions provided under Section 563 (2)

There were no waivers or reductions for the 2017 fiscal year.

To: Electoral Area Services Committee

Date: 2018-05-08

From: Kristy Hodson, Manager of Financial Operations

File No: 1850-20 / 003

Subject: Grant-In-Aid Request – District of Hope Ratepayers Association, Electoral Area “B”

RECOMMENDATION

THAT the Electoral Area Services Committee provide direction to Staff regarding the grant-in-aid request from the District of Hope Ratepayers Association to fund a video camera with the intention of recording Hope Council and other community group meetings.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

BACKGROUND

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

DISCUSSION

The District of Hope Ratepayers Association is a volunteer run organization that is highly involved in the community.

The District of Hope Ratepayers Association is requesting a \$1,000 grant-in-aid to pay for a video camera with good sound quality with the intent of recording Hope Council meetings and other community group meetings that will be available for public viewing. If any funds remain, they will be used for the next Lego Expo.

Director Adamson is in support of providing a grant-in-aid of \$1,000 to the District of Hope Ratepayers Association for this event.

COST

The \$1,000 cost will be funded from the Electoral Area "B" grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

A grant-in-aid application has been received from the District of Hope Ratepayers Association seeking funds to purchase a video camera to record Hope Council and other community group meetings to be available for public viewing.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

As the request meets an eligibility requirement of the EA Grant In Aid policy, it is being presented to EASC for direction.

Paul Gipps, Chief Administrative Officer

Reviewed and seeking direction



GRANT-IN-AID APPLICATION

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

Applicant Name: DISTRICT OF HOPE RATEPAYERS ASSOCIATION
Mailing Address: 63740 OLD YALE ROAD
HOPE, BC V0X 1L2
Email Address: noir1@telus.net

Contact:

SHIRLEY CORBEIL
Name

604 869-9439
Telephone/Fax Number

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

THE DISTRICT OF HOPE RATEPAYERS IS A NON PROFIT SOCIETY WHOSE AIM IS TO PROMOTE AWARENESS OF PUBLIC ISSUES AND OFFER AID TO AND FOR INDIVIDUALS AND PROJECTS IN THE COMMUNITY. WE ARE PROUD TO BE ASSOCIATED WITH OUR COUNTERPARTS IN AREA B, THE YALE AND SUNSHINE VALLEY RATEPAYERS.

APPLICATION SUMMARY:

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

FUNDS WOULD GO TOWARD THE PURCHASE OF A VIDEO CAMERA WITH GOOD SOUND QUALITY. ONE OF OUR ONGOING PROJECTS IS TO ENSURE THAT ALL HOPE COUNCIL MEETINGS AND OTHER COMMUNITY GROUP MEETINGS ARE RECORDED FOR PUBLIC VIEWING. ANY ADDITIONAL FUNDS WILL BE USED FOR PARK ST. PROJECTS AND OF COURSE ... THE NEXT 'LEGO EXP6'!!

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

MANY ISSUES DECIDED BY THE DISTRICT OF HOPE COUNCIL DIRECTLY EFFECT RESIDENTS OF AREA B AS WELL AS HOPE ITSELF. HAVING OUR RECORDINGS AVAILABLE TO ALL ENSURES AND WILL CONTINUE TO PROVE BENEFICIAL FOR PUBLIC AND PERSONAL PLANNING. OUR EFFORTS AT PARK ST. MANOR WILL CONTINUE TO ENSURE RESIDENT SAFETY AND ENJOYMENT.

Amount of Grant Requested: \$ 1000

**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.

[Signature]
EXEC. DIR. DISTRICT OF HOPE RATEPAYERS
Signature of Authorized Signatory and Title

Amount Approved: _____

Date: _____

Signature of Electoral Area Director _____

To: Electoral Area Services Committee

Date: 2018-06-12

From: Kristy Hodson, Manager of Financial Operations

File No: 1850-20 / 003

Subject: Grant-In-Aid Request – Coquihalla Elementary School PAC, Electoral Area “B”

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to the Coquihalla Elementary School Parent Advisory Committee (PAC), funded from the Electoral Area “B” grant-in-aid budget, to assist with the costs of hosting the Missoula Children’s Theatre program.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

BACKGROUND

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

DISCUSSION

The Coquihalla Elementary School PAC is a non-profit organization who raises funds and provides resources to Coquihalla Elementary School.

The Coquihalla Elementary School PAC is requesting a \$2,500 grant-in-aid to assist with the costs associated with hosting Missoula Children’s Theatre program. The theatre is a travelling program that goes to schools to teach students about theatre and specifically a role in a play. At the end of the week the students put on a play for their families and the community.

COST

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

CONCLUSION

A grant-in-aid application has been received from Coquihalla Elementary School PAC seeking support to help offset the costs of hosting a travelling children's theatre program whose aim is to expose the children to theatre and arts through the Missoula Children's Theatre program.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported. We are told that this type of program is above and beyond the standard school curriculum and is therefore not financially supported by the School District (in kind support provided via the location).

Paul Gipps, Chief Administrative Officer:

Reviewed and supported

Coquihalla Elementary School PAC
PO Box 969
Hope, BC V0X 1L1
604.869.9904

Fraser Valley Regional District
Attn. Kristy Hodson
45950 Cheam Avenue
Chilliwack, BC V2P 1N6

May 22, 2018

Dear Kristy,

I am writing to request funding through the Fraser Valley Regional District's Grant In Aid Program, which I hope can be considered at your May 23 meeting.

If approved, the funds would be used to bring Missoula Children's Theatre to the school. They do workshops and also work with the children to do a live performance. Students audition for the play and participate in acting classes for 1 week prior to the performance. They then participate in 2 performances for their families and our community to enjoy. make up classes and other workshops, as well as coaching the children through acting classes so that they could perform Rumpelstiltskin at the school for their families and community.

Some details of interest related to this event are:

- Date of Productions - TBD
- Name of Production that was performed: TBD
- Total cost to bring Missoula Theatre to the school: \$4,500.00
- # of Students who participate: approximately 55

We would appreciate it if the FVRD would provide \$2500.00 in funding for this activity. One of the teachers at our school sells smencils during the year to cover the costs over and above the funding that we receive through the Grant-In-Aid.

I have included a number of photographs from last year's show and some of the activities that were associated with this event. Our students and families enjoy it very much.

Thanks so much for your support.

Michelle Richardson

Michelle Richardson, Co-Chair
Coquihalla PAC

To: Electoral Area Services Committee

Date: 2018-06-12

From: Kristy Hodson, Manager of Financial Operations

File No: 1850-20 / 003

Subject: Grant-In-Aid Request – Hope Volunteer Search & Rescue Group, Electoral Area “B”

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$1,000 to the Hope Volunteer Search and Rescue Group, funded from the 2018 Electoral Area “B” grant-in-aid budget to help offset the costs associated with training, purchasing equipment and minimizing expenses incurred by their members.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

BACKGROUND

Hope Search and Rescue will receive an operating grant of \$8,200 from the Fraser Valley Regional District in 2018 as part of the Sub-Regional Search and Rescue service.

This request for funding is eligible under the Electoral Area Grant-In-Aid policy under the “Promotion of volunteer participation and citizen involvement” and “Activities/programs which are accessible to a large portion of the electoral area” options.

DISCUSSION

Hope Search and Rescue Group is a non-profit organization whose goal is to respond to search and rescue situations with a team of skilled volunteers, with the proper training and equipment to locate and assist persons in distress.

Hope Search and Rescue Group are requesting a grant-in-aid to help with the costs of providing training to their volunteers, as well as providing equipment. Volunteers typically donate their expenses back to the organization in order to keep costs low, however, there are a number of large value pieces of safety equipment that need to be purchased such as: doors and heaters for their UTV, first aid equipment,

FLIR heat censor, and Sonetic headsets to protect from high noise levels and provide hands free communication for boat and UTV operator.

Director Adamson is in support of providing a grant-in-aid of \$1,000 to Hope Search and Rescue Group for this purpose.

COST

The \$1,000 cost will be funded from the Electoral Area "B" grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

A grant-in-aid application has been received from Hope Search and Rescue Group seeking support to help offset the costs associated with training, purchasing equipment and minimizing expenses incurred by their members.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

HOPE VOLUNTEER SEARCH AND RESCUE



May 2018

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Annex 'B' **10 years call statistics**

INTRODUCTION

Hope Volunteer Search and Rescue Team Society is a registered non-profit organization operating out of the town of Hope, British Columbia. Its primary function is that of a community resource to assist the Royal Canadian Mounted Police in a variety of search and rescue functions.

Although operating under guidelines set out by the Provincial Emergency Program (PEP), Hope Volunteer Search and Rescue (HSAR) is manned solely by volunteers. Of these volunteers (an average of 25), 25 members are on call 24 hours through the use of pagers. Call-outs are usually initiated by the local detachment of the RCMP which contacts one of the volunteers through the Fraser Valley Fire Dispatch and briefs them regarding the operation to be carried out.

Volunteers are called to the base where a briefing is given and resources are deployed. A call is placed to the PEP duty officer in Victoria to obtain a task number which is used to reclaim expenses (meals and mileage) on the completion of the task. In some cases the designated search and rescue (SAR) leader will request other resources such as neighbouring SAR teams or aerial support (RCMP or local private helicopter services). It is important that volunteers respond promptly and are properly equipped, as valuable time can be lost at the outset of an operation.

HSAR's resources include one Chev crew cab 3500 trucks and one 3 ton International 4x4 equipped with a comprehensive array of rope rescue, medical and ground search equipment, a full complement of auto extrication tools. (On both trucks), two 2006 Bombardier snowmobiles and two 2006 Polaris Sportsman 500 quads and one 22 foot Storm Jet Boat. The volunteers are requested to spend approximately \$1000.00 of their own money to ensure that they are properly equipped (The group is willing to assist with supplying the minimum needed for those members who are financially unable). All clothing is the responsibility of the volunteers who are requested to spend up to \$1,000.00 of their own money to ensure that they are properly equipped.

In 2017 Hope Search and Rescue performed 1560 hours of operational service (incident responses) and 1808 hours of documented training.

Calculations show that, because most personal expense reimbursements are donated back to the team, it actually COSTS volunteers over \$4 for each hour that they participate in tasks.

EXECUTIVE SUMMARY

Hope Search and Rescue is a volunteer organization, much like the volunteer Fire Department except that **volunteers do not receive any payment for call-outs**. With the current funding arrangement, the Provincial Emergency Program (PEP) only provides funding for training and reimbursement of expenses incurred during call-outs. The volunteers donate most of the expense reimbursements back to the team.

In 2017, an annual operating budget of \$8200.00 was secured from the Fraser Valley Regional District. This operating budget is used to cover telephone costs, BC Hydro, Vehicle/Equipment insurance. It is not enough to cover our operating expenses, as insurance alone is \$10,000. Therefore outside funding is needed to keep to group operating. EMIL Anderson, Envision Credit Unions, the Lions Club, Rotary, Eagles, Home Restaurant, Teresan, Duke Energy and BC Gaming have provided critical funding over the last three decades.

During our 2017 operational year, GSAR members attended 93 tasks resulting in 1,560 volunteer hours, Table (1) summarizes these calls –outs and their associated volunteer hours based on the types of rescue services that were provided. The Values recorded below summarize a typical year for HSAR. These extreme high calls out volumes make HSAR one of the busiest volunteer rescue organizations in the province.

All of the hours put into operational activities by our members are on a strictly volunteer basis. If compared to a professional rescuer making \$30.00 per hour. It could be stated that **our rescuers donated an additional \$ 46,800.000** to the operation of our organization during 2017. This figure does not include the thousands of training and administrative hours that our members provide each year to ensure a well-trained crew and efficient operation of our rescue operation. Once again the dedication of our volunteer members is what truly makes up the backbone of the Hope.

Service	Callouts 2017	Volunteer hours
MVA 'S	55	742
Searches	14	285
Water Rescue / Recoveries	10	122
Rescues	18	411
Misc Calls	0	
Totals	97	1,560 Volunteer Hours

HOPE SEARCH AND RESCUE 10 YEAR CALL STATS											ANNEX B RISK 10 YEAR CALL VOLUME STATS
CALL TYPE	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	
MVA	81	43	38	50	37	63	61	51	52	59	
SEARCH	17	6	14	15	20	7	23	16	17	15	
BOAT	7	1	5	10	9	7	2	3	4	5	
RESCUE	4	5	9	15	14	18	8	10	20	10	
AIRCRAFT											
ROPE		1	4	8		5	4				
DISASTER/ RECOVERY	1	1							5	3	
CALL TOTAL	110	57	70	98	80	100	98	85	98	93	

GRANT-IN-AID APPLICATION

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

Applicant Name:

Hope Volunteers Search and Rescue Group
BN/Registration Number: 131879363RR0001
HSAR Societies Registration # S-0006735

Mailing Address:

P.O. Box 1335,
Hope, BC V0X 1L0

Email Addresses:

HSAR: hopesarbase@hopesar.ca

Contact(s):

Name: Mario Levesque – President
Cellphone: (604) 860-9040
HSAR Fax: (604) 869-2211
Email: wanderingrv@outlook.com

Name: Tanya MacNeish - Treasurer
Work Phone: (604) 869-3506
Fax Number: (604) 869-2211
Email: groupwco@telus.net

Statement as to eligibility:

Hope Search & Rescue is a non-profit organization whose goal is to respond to such occurrences with a team of skilled volunteers, “unpaid professionals” with the proper training and equipment to locate and assist persons in distress. We operate under the Emergency Management BC (EMBC) Program, providing our services to assist agencies such as the Royal Canadian Mounted Police and BC Ambulance Service. While EMBC does provide reimbursement for volunteer expenses such as mileage and meals while on tasks, most of these reimbursements are donated by members back to the team to help cover operational costs. In addition, members also purchase and use their own personal equipment for SAR operations. Due to these circumstances it has been shown that it often costs volunteers money to participate in Search and Rescue.

Application Summary:

With this in mind, we are currently seeking financial contributions from businesses and individuals in order to support our team. Donations will be used to provide training and purchase equipment, minimizing expenses incurred to our members, and allowing us to continue conducting safe, efficient, and effective Search and Rescue services in the Fraser Valley. Some of the safety equipment required we are looking for includes:

- Funding for doors and heater for our UTV ~ Cost is approx. \$6,100.00;
- Funding for Sonetic headset to protect from high noise level and provide hand free communication for boat and UTV operator ~ Cost is approx. \$8,500.00 Cdn;
- Funding to upgrade first aid equipment for providing necessary care to subjects. The cost is approx. \$6,000.00; and/or
- Funding for a FLIR heat sensor ~ Cost approx. \$5,000.00

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

As you may be aware, outdoor activity in our area is steadily rising. A greater number of people from all walks of life are using the backcountry: local and visiting sportsmen and recreational users, wildlife and nature enthusiasts, and industrial workers just to name a few. Many factors have contributed to this trend, such as development of new resorts and trails, increases in population, expanding industry, and the spreading reputation of our area's natural beauty and recreational opportunities. Of course, with more people using our outdoors comes additional risk of someone becoming lost or injured.

To: Electoral Area Services Committee

Date: 2018-06-12

From: Kristy Hodson, Manager of Financial Operations

File No: 1850-20 / 002

Subject: Grant-in-Aid Request – Post Creek Ratepayers Association, Electoral Area “E”

RECOMMENDATION

THAT the Fraser Valley regional District Board authorize a grant-in-aid in the amount of \$3,000 to the Post Creek Ratepayers Association, funded from the 2018 Electoral Area “E” grant-in-aid budget to help offset the costs associated with the removal and disposal of the community green waste piles.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship

Support Healthy & Sustainable Community

PRIORITIES

Priority #1 Waste Management

Priority #2 Air & Water Quality

BACKGROUND

This request for funding is eligible under the Electoral Area Grant-In-Aid policy through the “Promotion of volunteer participation and citizen involvement” and “Activities/programs which are accessible to a larger portion of the electoral area” options.

DISCUSSION

The Post Creek Ratepayers Association is a community group servicing the Post Creek Community and surrounding area located adjacent to Chilliwack Lake. They work to keep the area safe from wildfires, garbage dumping and illegal shooting. They are trained in CPR, including the use of a defibrillator, and how to use their fire equipment safely and effectively.

The Post Creek Ratepayers Association is requesting a grant-in-aid of \$3,000 to remove and dispose two piles of communal green waste from the fire break burn location in the Chilliwack Lake area. In previous years, similar piles would get burned under the permit from the BC Wildfire Branch. In 2018, the Post Creek Ratepayers Association was unable to get a burn permit and is looking at the alternative ways to remove and dispose of that waste. This community initiative aligns well with the FVRD effort to promote safe disposal of green waste and air quality program on wood smoke reduction.

Director Engar is in support of providing a \$3,000 grant-in-aid for this request.

COST

The \$3,000 cost will be funded from the Electoral Area "E" grant-in-aid budget which has sufficient funds to support this request.

CONCLUSION

A funding request has been received from The Post Creek Ratepayers Association to help offset the costs of safely disposing of accumulated green yard waste from the community fire break burn location as well as hauling fees.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

GRANT-IN-AID APPLICATION

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

Applicant Name: POST CREEK RATE PAYERS ASSOCIATION
 Mailing Address: 5143 PAULSEN RD. W.
CHILLIWACK, BC. V4Z 1B2
 Email Address: ronhudsonsr@hotmail.com

Contact:

RON HUDSON 604-858-7444
 Name Telephone/Fax Number

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

The post creek rate-payers are a community not-for-profit group, living in the remote area of electoral area 1E. The grant-in-aid will be used to keep the area of Chilliwack Lake safe from wild fires.

APPLICATION SUMMARY:

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

The grant-in-Aid will be used to assist in removing large burn piles of disposed tree branches, brush etc, collected by the community due to lot clearing in the interest of fire prevention, burning was an option in past years, but has been denied by governments this year.

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

People of the post-creek community have been using this clearing method to maintain the safety of their properties and the surrounding areas - for the prevention of wild fires. The funds will go towards disposal of these organic materials, instead of burning them.

Amount of Grant Requested: \$ 3,000

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

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

R. Hudson
President Post Creek Rate Payers.
 Signature of Authorized Signatory and Title

Amount Approved:

Date:

Signature of Electoral Area Director

To: Electoral Area Services Committee

Date: 2018-06-12

From: Margaret-Ann Thornton, Director of Planning & Development

File No: 0110-01

Subject: Appointment of Building Official, Building Inspector and Bylaw Enforcement Officer

RECOMMENDATION

THAT the Fraser Valley Regional District Board appoint Barry Johnston, Jarrett Humphrey and Karl Rohde as "Building Official," "Building Inspector" and "Bylaw Enforcement Officer" of the Fraser Valley Regional District effective immediately.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The terms "Building Official," "Building Inspector" and "Bylaw Enforcement Officer" are used somewhat interchangeably in context of various regulatory bylaws of the FVRD, e.g. Building Bylaw, Ticket Information Utilization Bylaw, and the Bylaw Offence Notice Enforcement Bylaw. These designations must be made by appointment of the Fraser Valley Regional District Board.

DISCUSSION

It is recommended that the following staff members be appointed and designated by the Board as "Building Official," "Building Inspector" and Bylaw Enforcement Officer":

- Barry Johnston, Building Inspector (relief);
- Jarrett Humphrey, Building Inspector / Plan Checker;
- Karl Rohde, Building Inspector / Plan Checker.

These appointments are in keeping with the duties, roles and responsibilities of the position and will round out the balance of the other staff appointments that have been made previously by the Board.

COST

There are no direct costs associated with this report.

COMMENT BY:

Mike Veenbaas, Director of Financial Services

No further financial comments.

COMMENT BY:

Paul Gipps, Chief Administrative Officer

Reviewed and supported

To: Electoral Area Services Committee

Date: 2018-06-12

From: Jaime Schween, Manager of Corporate Administration

File No: 3920-20-1409

Subject: FVRD Electoral Area Commercial Gravel Operations Service Area Establishment Bylaw No. 1409, 2018

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving three readings to the bylaw cited as *Fraser Valley Regional District Electoral Area Commercial Gravel Operations Service Area Establishment Bylaw No. 1409, 2018*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Foster a Strong & Diverse Economy

Support Environmental Stewardship

BACKGROUND

In September 2016, the FVRD Board adopted the FVRD Commercial Gravel Operations Bylaw No. 1181, 2014. Bylaw 1181, 2014 regulates commercial gravel operations within the Electoral Areas of the Regional District.

The proposed FVRD Electoral Area Commercial Gravel Operations Service Area Establishment Bylaw will replace the historic service area establishment bylaw to modernize and update the wording to better reflect the purpose of Bylaw No. 1181, 2014.

DISCUSSION

The FVRD currently operates a service area created for the purpose of controlling the deposit and removal of soil, rock, gravel, sand and other substances of which land is composed. With the adoption of Bylaw No. 1181, 2014 Staff are proposing that the FVRD Electoral Area Commercial Gravel Operations Service Area Establishment Bylaw be brought forward as a housekeeping measure to have the Service Area bylaw be more reflective of the wording in Bylaw No. 1181, and in anticipation of the collection of fees established in Bylaw No. 1181, 2014.

CONCLUSION

The FVRD Commercial Gravel Operations Bylaw No. 1181, 2014 was adopted by the Board in September 2016. As a housekeeping measure, the FVRD Electoral Area Commercial Gravel Operations Service Area Establishment Bylaw is being brought forward for the Board's consideration.

COMMENTS BY:

Margaret Thornton, Director of Planning & Development

Reviewed and supported.

Mike Veenbaas, Director of Financial Services

Reviewed and supported.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1409, 2018

A bylaw to establish a service area for commercial gravel operations regulation

WHEREAS the Fraser Valley Regional District Board of Directors ("the Board") deems it desirable and necessary to establish the Electoral Area Commercial Gravel Operations Service Area;

AND WHEREAS consent on behalf of the electoral participating areas of the Fraser Valley Regional District has been obtained;

THEREFORE the Board enacts as follows:

1) CITATION

This bylaw may be cited as *Fraser Valley Regional District Electoral Area Commercial Gravel Operations Service Area Establishment Bylaw No. 1409, 2018*.

2) ENACTMENTS

- a) The Board hereby establishes the Electoral Area Commercial Gravel Operations Service Area for the purposes of:
 - i. regulating and prohibiting the removal and deposit of soil under section 327 of the Local Government Act ("the Act");
 - ii. regulating and prohibiting noise under section 324 of the Act;
 - iii. regulating and prohibiting dust and other nuisances under section 325 of the Act; and
 - iv. setting standards for and regulating screening and landscaping under section 527 of the Act;all in relation to aggregate operations, including aggregate removal and deposit, processing and other related activities.
- b) The participating areas for the service established by this bylaw shall be Electoral Areas A, B, C, D, E, F, G and H of the Fraser Valley Regional District.
- c) The boundaries of the service area established by this bylaw shall be the boundaries of all Electoral Areas of the Fraser Valley Regional District.
- d) The annual costs for the service established by this bylaw shall be recovered by one or more of the following:
 - i. The requisition of money to be collected by a property value tax;

- ii. The imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs; and/or
 - iii. Revenues received by way of agreement, enterprise, gift, grant or otherwise.
- e) The maximum amount that may be requisitioned annually for the entire service established by this bylaw shall be \$0.04 per \$1000 of net taxable value of land and improvements.

3) **REPEAL**

Fraser Valley Regional District Soil Deposit and Removal Extended Service Establishment Bylaw No. 0061, 1996 and any amendments thereto are hereby repealed and replaced with this bylaw.

4) **SEVERABILITY**

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

5) **READINGS AND ADOPTION**

READ A FIRST TIME this _____ day of _____

READ A SECOND TIME this _____ day of _____

READ A THIRD TIME this _____ day of _____

APPROVED BY THE INSPECTOR
OF MUNICIPALITIES this _____ day of _____

ADOPTED this _____ day of _____

Chair/Vice-Chair

Corporate Officer/Deputy

6) **CERTIFICATION**

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Commercial Gravel Operations Service Area Establishment Bylaw No. 1409, 2018* as read a third time by the Fraser Valley Regional District Board on the _____ day of _____

Dated at Chilliwack, BC this _____ day of _____

Corporate Officer/Deputy

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

Date: 2018-06-12
 File No: 3090-20-2018-20

Subject: Application for Development Variance Permit 2018-20 to reduce the flanking street setback to permit the addition to a mobile home at 10435 Rutley Road, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-20 to reduce the flanking street setback from 25 feet (7.6 metres) to 8.5 feet (2.6 metres), clear to sky, to facilitate an addition to a mobile home at 10435 Rutley Road, Area "D", subject to consideration of any comments or concerns raised by the public

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

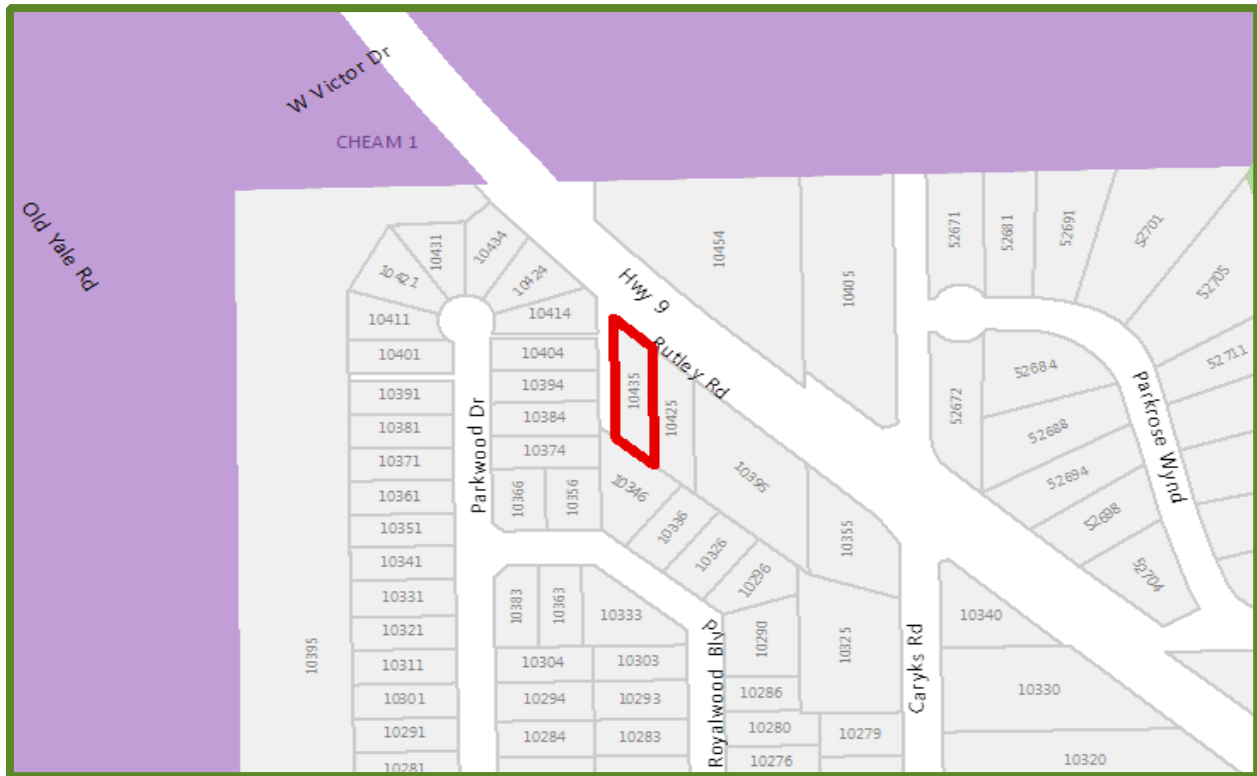
The owners of the property have made an application for a Development Variance Permit (DVP) in order to reduce the required setback to a flanking street lot line as outlined in *Zoning By-law for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	D		
Address	10435 Rutley Road		
PID	009-088-229		
Folio	733.06643.050		
Lot Size	0.34 acres		
Owner	Willem-Jan Kersten & Berendina Quik	Agent	n/a
Current Zoning	Country Residential (CR)	Proposed Zoning	No change
Current OCP	Suburban Residential	Proposed OCP	No change
Current Use	Residential	Proposed Use	No change
Development Permit Areas	None		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Hwy 9
East	>	Country Residential (CR), Single Family Dwelling
West	<	Suburban Residential 2 (SBR-2), Single Family Dwelling
South	v	Suburban Residential 2 (SBR-2), Single Family Dwelling

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The owners of the subject property are undertaking a significant addition to their existing mobile home and have revised their proposal since DVP 2017-12 was issued. Their new proposal is to remove the existing legally non-conforming carport and construct an addition to the mobile home (living space and garage). Appendix A illustrates the proposed site plan for development.

History of Issued Variance – DVP 2017-12

At the FVRD Board meeting on June 27, 2017 the board issued Development Variance Permit 2017-12, reducing the flanking street setback along the west side of the property line from 25 feet (7.62 metres) to 14 feet 3 inches (4.34 metres) clear to sky, to enclose a patio and for the construction of an addition to a mobile home. Development Variance Permit 2018-20 would replace Development Variance Permit 2017-12.

Bylaw Enforcement

The construction of an enclosed patio and mobile home addition commenced without a building permit. Consequently, the property is in bylaw contravention for construction without a permit. In order to bring the property back into conformity, the property owners are cooperating with the FVRD and MOTI, and have applied for a building permit for the works (BP013903). The owners have also applied

for and have been issued a permit from MOTI to construct within the 3.0 metre MOTI setback (unconstructed road).

Property History

The subject property was issued a building permit for a carport in 1984. To issue the building permit for the carport, the property owners required a setback relaxation to the west property line (flanking street). The owners appealed to the Board of Variance for setback relief to allow the construction of a carport and the request was granted June 8, 1984. The Board of Variance relaxed the setback 15 feet.

Variance Requested – DVP 2018-20

Application Rationale

The applicant advises that the reasons in support of their variance are: 1. flanking street is an old existing fire lane with no traffic, no access and no hydrants; and 2. no impact to surrounding properties.

Flanking Street Variance

The owners are seeking a 16.5 foot (5 metre) relaxation to the required flanking street setback, reducing the setback requirement from 25 feet (7.6 metres) to 8.5 feet (2.6 metres), clear to sky.

The flanking street of 10435 Rutley Road is an un-developed Ministry of Transportation and Infrastructure (MOTI) road that lies adjacent to the west property line. Figure 1 demonstrates the undeveloped road. The mobile home addition encroaches into the 3.0 metre MOTI setback (unconstructed road) by 0.4 metres (1.3 feet). MOTI has issued a permit to reduce the building setback to less than 3.0 metres from the property line fronting an unconstructed road (Appendix B). MOTI has indicated there are no plans to construct the road; however, cannot guarantee the road will not be constructed at some point in the future. The MOTI permit may be terminated any time at the discretion of the Minister.

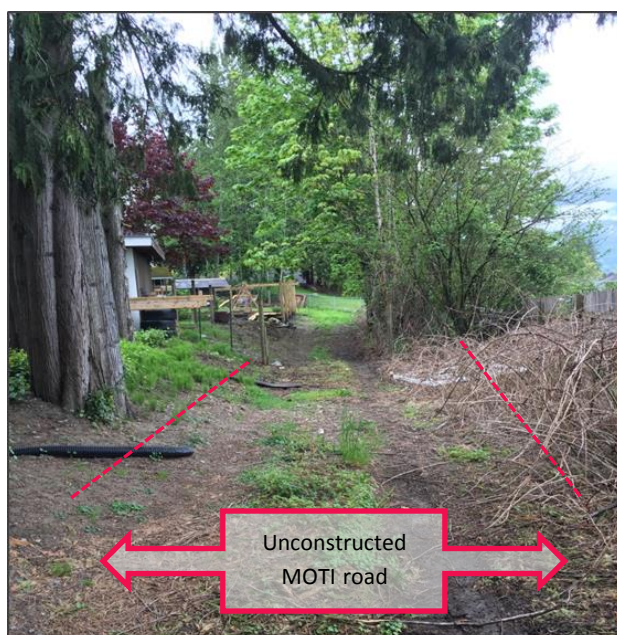


Figure 1 – West property line adjacent to MOTI unconstructed road

Neighbourhood Notification and Input

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

COST

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

CONCLUSION

The property owners have applied for a DVP to reduce the required flanking street setback. Staff recommend that the FVRD Board issue the permit. The variance is not anticipated to negatively affect surrounding properties, given the reduced setback is to an unconstructed MOTI road and the previous DVP was approved in 2017 and did not receive any objections from the neighbourhood. The property also has an irregular configuration with the siting of the existing mobile home.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2018-20 for the property located at 10435 Rutley Road, Electoral Area D to reduce the required flanking street setback from 25 feet (7.6 metres) to 8.5 feet (2.6 metres), subject to consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2018-20 for the property located at 10435 Rutley Road, Electoral Area D.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2018-20 for the property located at 10435 Rutley Road, Electoral Area D to FVRD Staff.

COMMENTS BY:

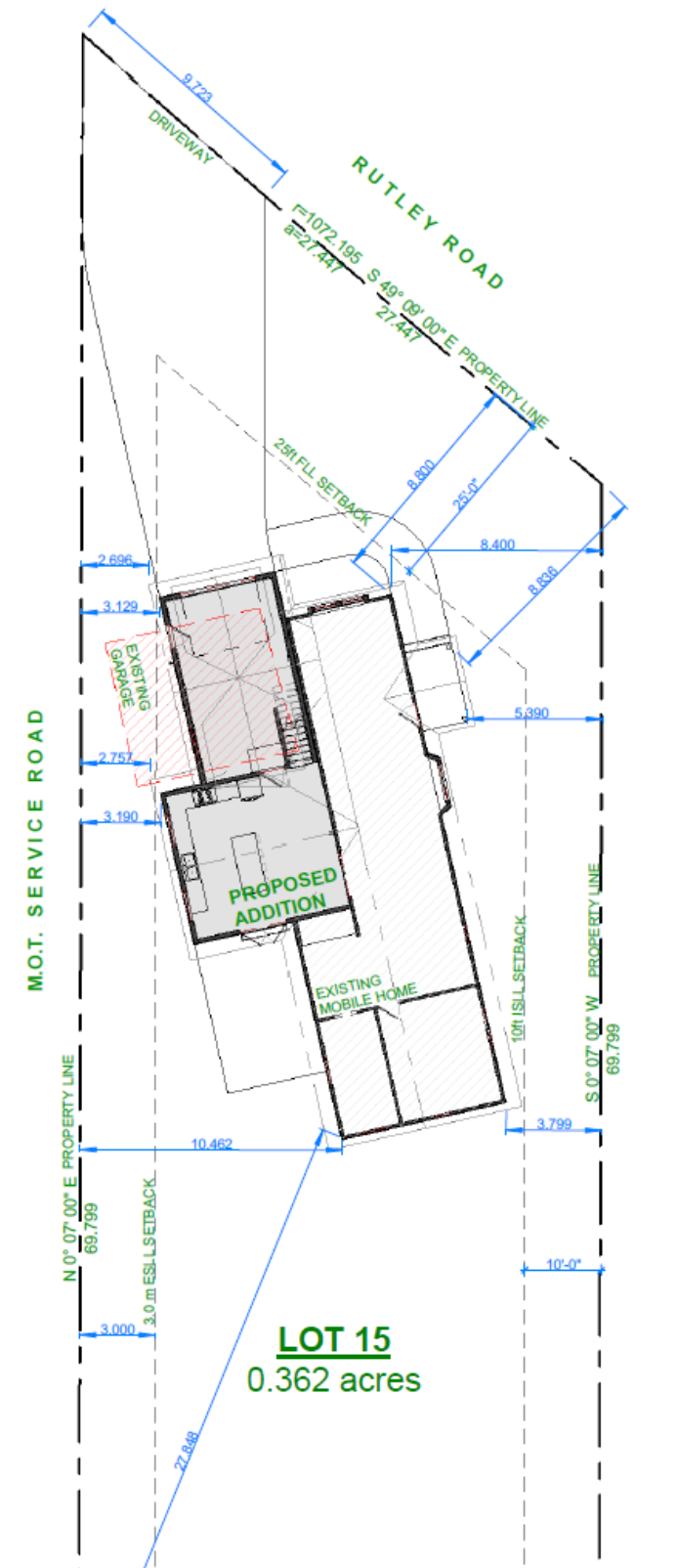
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported.

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

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

Paul Gipps, Chief Administrative Officer: Reviewed and supported

Appendix A



Appendix B



BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

Permit/File Number: 2017-03450 rev. 1

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:

Willem J Kersten
10435 Rutley Road
Chilliwack, British Columbia V0X 1X1
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, namely; to allow structures within the 3.0m setback from Ministry right of way (unconstructed), as shown on submitted sketch plan.

- 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. If the structures are to be removed or destroyed for any reason, they must be replaced at 3.0 meters from the legal boundary of all road allowances.
- 4. Please be advised that in the event of future road widening, the Ministry of Transportation may ask the applicant to re-locate or remove the permitted structures at the applicant's expense.
- 5. The Ministry of Transportation and Infrastructure will not be held responsible for any damage to the structures.



BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

Permit/File Number: 2017-03450 rev. 1
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 26 day of May, 2017

A handwritten signature in black ink, appearing to be "Ken", written over a horizontal line.

On Behalf of the Minister

SCHEDULE A-4

Permit Application

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

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

Civic

Address 10435 Rutley Rd PID 009-088-229

Legal Description Lot 15 Block _____ Section 1 Township 3 Range 29 Plan NWP 29162

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

Owner's
Declaration

Name of Owner (print)	Signature of Owner	Date
Willem Jan Kersten		27/04/2018
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information

Address <u>Same as above</u>		City
Email	Postal Code	
Phone	Fax	

Office Use Only	Date	File No.
	<u>APRIL 27, 2018</u>	<u>3090-20 2018-20</u>
	Received By	Folio No.
	<u>AA</u>	<u>733.06643.050</u>
	Receipt No.	Fees Paid: \$ <u>350.00</u>

Agent

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

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

Signature of Owner	Date
Signature of Owner	Date

Agent's contact information and declaration

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

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

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

Development Details

Property Size _____ Present Zoning _____

Existing Use _____

Proposed Development Single Family Home

Proposed Variation / Supplement Highway setback on the west side off the property to + 2,8m (clear to sky.)

Reasons in Support of Application old existing Fine lane with no Traffic and not accessible and doesn't impact neighbours and was fine Hydrants.

(use separate sheet if necessary)

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


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

Owner's
Declaration

Name of Owner (print)	Signature of Owner	Date
Willem Jan Kersten		27/04/2018
Name of Owner (print)	Signature of Owner	Date
Berendina Kersten		27/04/2018

Owner's
Contact
Information

Address <u>Same as above</u>		City
Email	Postal Code	
Phone	Fax	

Office Use Only	Date	File No.
	<u>APRIL 27, 2018</u>	<u>3090-20 2018-20</u>
	Received By	Folio No.
	<u>AA</u>	<u>733.06643.050</u>
	Receipt No.	Fees Paid: \$ <u>350.00</u>

Provincial Requirements

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

Riparian Areas Regulation

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

yes

☐

no

☒

30 metres of the high water mark of any water body

yes

☐

no

☒

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

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

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

Contaminated Sites Profile

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

yes

☐

no

☒

the property has been used for commercial or industrial purposes.

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

Archaeological Resources

Are there archaeological sites or resources on the subject property?

yes

☐

no

☒

I don't know

☐

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

Required Information

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

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

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



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2018-20 **Folio No.** 733.06643.050

Issued to: Willem Kersten & Berendina Quik

Address: 10435 Rutley Road, Rosedale, B.C., V0X 1X1

Applicant: Willem Kersten & Berendina Quik

Site Address: 10435 Rutley Road, Rosedale, B.C. V0X 1X1

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 15, SECTION 1, TOWNSHIP 3, RANGE 29, WEST OF THE 6TH MERIDIAN, NEW WESTMINSTER
DISTRICT, PLAN NWP29162
009-088-229

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

AUTHORITY TO ISSUE

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

BYLAWS SUPPLEMENTED OR VARIED

Zoning By-law for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam is **varied** as follows:
Section 604(a) Highways: is reduced from 25 feet (7.6 metres) for the flanking street setback along the west side of the property line to 8.5 feet (2.6 metres), clear to sky for the construction of an addition to a mobile home.

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.013903.

GENERAL TERMS AND CONDITIONS

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

SECURITY DEPOSIT

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

Should the holder of this permit:

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

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

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

Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2018-20. The notice shall take the form of Appendix I attached hereto.

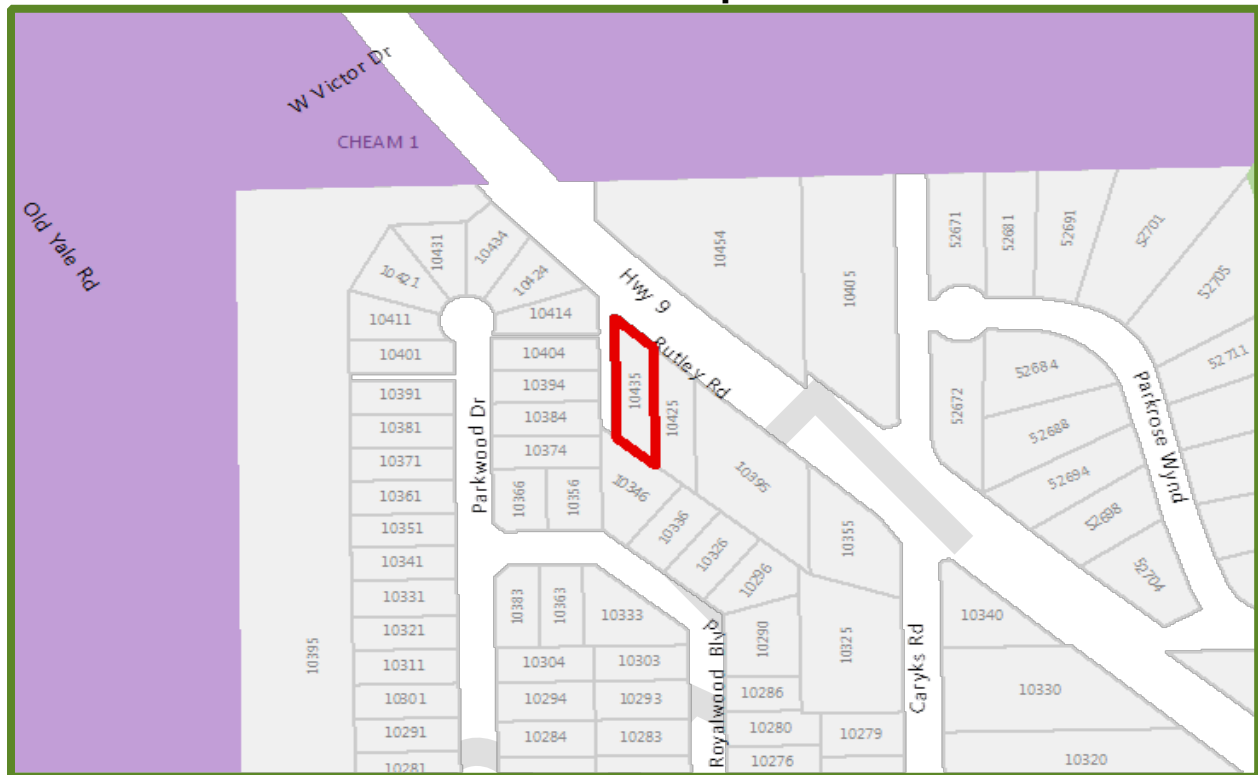
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE 26TH DAY OF JUNE, 2018.

Chief Administrative Officer / Deputy

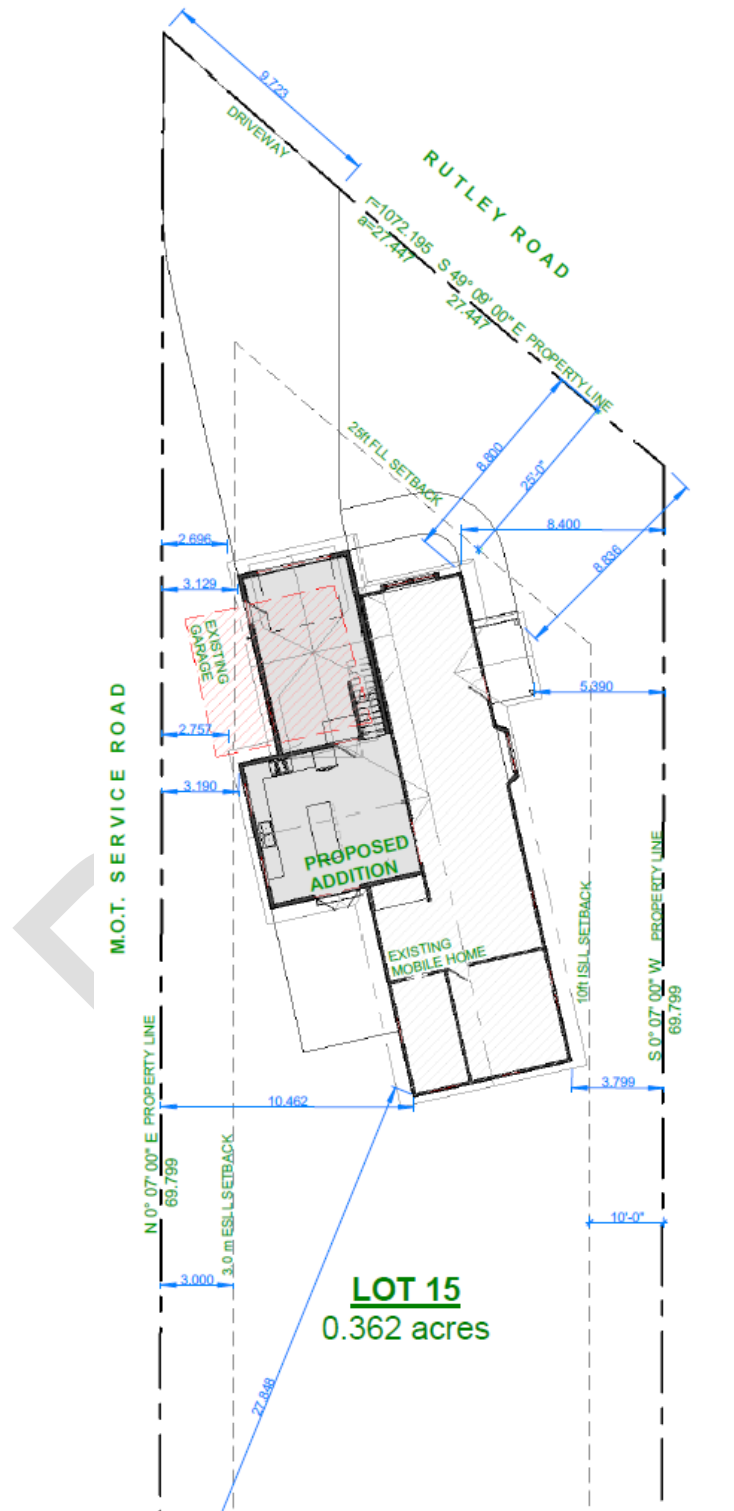
THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2018-20
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2018-20
SCHEDULE "B"
Site Plan



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

Date: 2018-06-12
 File No: 3090-20-2018-22

Subject: Application for Development Variance Permit 2018-22 to reduce the ancillary building setback from the interior side lot line to permit the addition to the existing water reservoir at 1777 Columbia Valley Road, Electoral Area H

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-22 for the property located at 1777 Columbia Valley Road, Electoral Area H to reduce the ancillary building setback from 6 metres (19.68 feet) to 0.9metres (2.95 feet) from the interior side lot line, clear to sky in order to facilitate an addition to the existing water reservoir, subject to consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to reduce the required setback for an ancillary building to any other lot line (interior side lot line) as outlined in *Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser Cheam*.

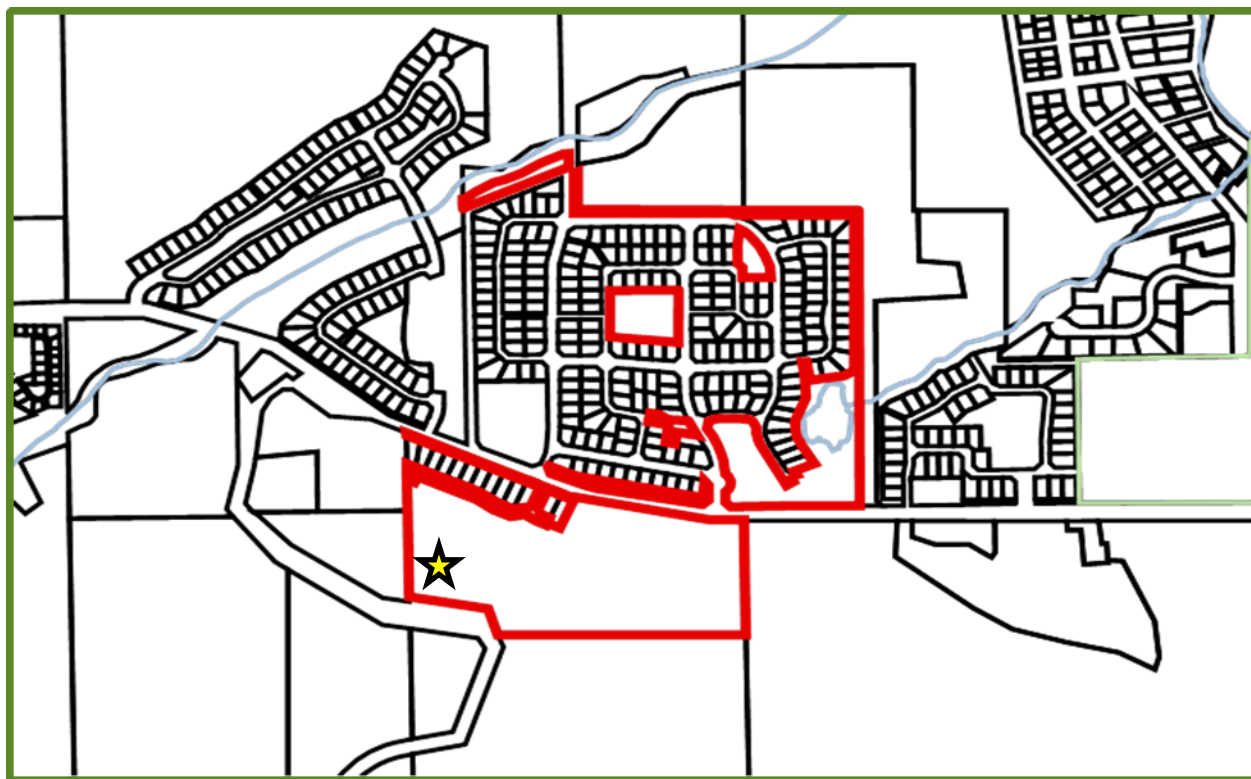
PROPERTY DETAILS			
Electoral Area	E		
Address	1777 Columbia Valley Road		
PID	n/a		
Folio	733.03153.001		
Lot Size			
Owner	Cultus Country Investments Ltd.	Agent	Aquadel Crossing
Current Zoning	Campground Holiday Park (CHP)	Proposed Zoning	No change
Current OCP	Resort (RT)	Proposed OCP	No change
Current Use	Water Reservoir	Proposed Use	Water Reservoir Expansion

Development Permit Areas	DPA 4-E, 5-E, and 7-E
Agricultural Land Reserve	No

ADJACENT ZONING & LAND USES

North	^	Campground Holiday Park (CHP), Residential
East	>	Campground Holiday Park(CHP), Residential
West	<	Rural(R), Residential
South	v	Campground Holiday Park (CHP), Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

There is an existing water reservoir located at 1777 Columbia Valley Road that serves area developments, primarily the Cottages at Cultus Lake. The applicants wish to expand the capacity of the water reservoir in order to serve future area developments (Aquadel Crossing). The existing reservoir is located on a right-of-way and the current siting was approved by Development Permit following a geotechnical review. Appendix A illustrates the proposed site plan for development.

The existing water reservoir, completed in 2008, is a private water system servicing licensed by the Ministry of Environment. The existing reservoir was issued a Development Permit and a building permit. Prior to construction of the proposed expansion the following approvals are required:

- Development Variance Permit (for siting)
- Geo-Hazard Review
- Building Permit

To expand a water reservoir, the new capacity must be located at the same geodetic elevation as the existing infrastructure. This means that there are only two locations to add capacity to the existing reservoir, to the west or to the east as the grades are favorable at these locations. The applicants wish to expand towards the west lot line because access to the site would be constrained if the expansion was on the east side.

History of Issued Variance – DVP 2012-16

At the FVRD Board meeting on December 11, 2012 the Board issued Development Variance Permit 2012-16, reducing the required setback for an ancillary building from 6 metres (19.68 feet) to 3 metres (9.84 feet) from any other site line or boundary (interior side lot line), clear to sky for an addition to the existing water reservoir. The property owners never commenced the construction of the addition to the existing water reservoir and the DVP has now expired.

Variance Requested – DVP 2018-22

Application Rationale

The applicant advises that the variance is required because the proposed siting of the water reservoir expansion is the only feasible option. The expansion location is adjacent to the existing water reservoir and is in an isolated and treed area not visible from Frosst Road.

Ancillary Building Setback Variance

The owners are seeking a 5.1 metre (16.7 foot) relaxation to the required reduce the required setback for an ancillary building from 6 metres (19.68 feet) to 0.9metres (2.95 feet) from any other site line or boundary (interior side lot line), clear to sky.

Neighbourhood Notification and Input

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

COST

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

CONCLUSION

The property owners have applied for a DVP to reduce the required setback for an ancillary building from any other site line or boundary (interior side lot line). Staff recommend that the FVRD Board issue the permit. The variance is not anticipated to negatively affect surrounding properties and is buffered by existing landscaping and the siting is required to meet the technical requirements of the water utility. The previous DVP was approved in 2012 and did not receive any objections from the neighbourhood.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2018-22 for the property located at 1777 Columbia Valley Road, Electoral Area H to reduce the required setback for an ancillary building from 6 metres (19.68 feet) to 0.9metres (2.95 feet) from any other site line or boundary (interior side lot line), clear to sky, subject to consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2018-22 for the property located at 1777 Columbia Valley Road, Electoral Area H.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2018-22 for the property located at 1777 Columbia Valley Road, Electoral Area H to FVRD staff.

COMMENTS BY:

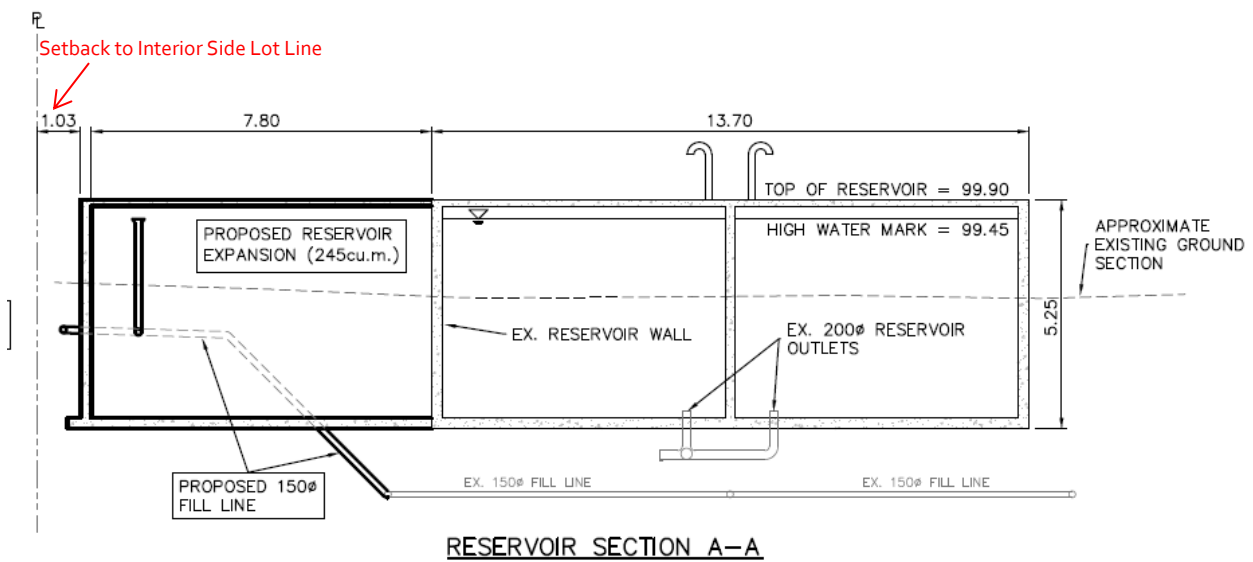
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported.

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

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

Paul Gipps, Chief Administrative Officer: Reviewed and supported

Appendix A



SCHEDULE A-4

Permit Application

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

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

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

Civic

Address 1777 COLUMBIA VALLEY RD PID _____

Legal

Lot _____ Block _____ Section 15 Township 22 Range _____ Plan BCS 3022

Description

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>AQUADEL CROSSING</u>	Signature of Owner	Date
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information

Address <u>PO Box 2267</u>		City <u>CHILLIWACK</u>
Email		Postal Code <u>V2R 1A6</u>
Phone	Cell	Fax <u>604 858 2864</u>

Office Use Only	Date <u>10 MAY 2018</u>	File No. <u>3090-20 2018-22</u>
	Received By <u>J.H.</u>	Folio No. <u>775.02269.051</u>
	Receipt No. <u>5976/4</u>	Fees Paid: \$ <u>350.00</u>

Agent

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

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

Signature of Owner	Date
Signature of Owner	Date

Agent's contact information and declaration

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

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

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

Development Details

Property Size _____ Present Zoning _____

Existing Use _____

Proposed Development WATER RESERVOIR EXPANSION

Proposed Variation / Supplement ALLOW FOR NEW STRUCTURE TO ENCRACH ON SIDEYARD SETBACK.

(use separate sheet if necessary)

Reasons in Support of Application THIS IS THE ONLY FEASIBLE PLACE TO ADD THE EXPANSION

Provincial Requirements

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

Riparian Areas Regulation

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

yes
☐

no
☒

30 metres of the high water mark of any water body

yes
☐

no
☒

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

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

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

Contaminated Sites Profile

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

yes
☐

no
☒

the property has been used for commercial or industrial purposes.

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

Archaeological Resources

Are there archaeological sites or resources on the subject property?

yes
☐

no
☒

I don't know
☐

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

Required Information

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

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

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



PLANNING &
DEVELOPMENT

www.fvrd.bc.ca | building@fvrd.bc.ca

LETTER OF AUTHORIZATION

Registered Authority

Please be advised that I/we, BCS3022 THE COTTAGES AT CULTUS LAKE
(Print names of ALL Registered Owners or Corporate Director)

Representing, _____
(Corporate name - if applicable)

am/are the registered owner(s);

Site Civic Address: 1777 COLUMBIA VALLEY RD

Lot# _____ Block _____ Plan _____ PID# _____

SEC 15, TOWNSHIP 22 NEW WEST DIST
STRATA PLAN BCS 3022

Appointed Authorized Agent

Name of Authorized Agent AQUADEL CROSSING LTD.

Company Name

Mailing Address PO BOX 2267, CHILLIWACK, BC V2P 1A6.

City: Chilliwack Postal Code: V2P 1A6.

Email: _____

Phone: _____

Signature of Authorized Agent

X

Permission to act:

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

- ☐ to view and obtain copies of all plans and permits
- ☒ to apply for and obtain building permits for proposed construction to the above reference Civic Address
- ☒ to apply for Planning File: Development Permit ☐ Development Variance Permit ☐ Subdivision ☐
- ☒ other: CORIX WATER TANK EXPANSION BLDG PERMIT ON

CORIX
R/W ONLY

THIS LETTER OF AUTHORIZATION EXPIRES SEPT. 1, 2018.

Authorized Signature (Registered Owner or Corporate Director)

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

X Karen Weaver

Sign KAREN WEAVER

Print

Date: 04-13-18

X

Sign

Print

Date: _____

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

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

April 13, 2018
Project: 17-241

Re: Aquadel Crossing Water Reservoir Expansion
31859 Gabriola Court, Abbotsford, BC

This letter is to confirm that in our structural design of the reservoir expansion, the effects of the following noted items were taken into account, including any impacts on the existing tank structure:

- Additional weights of the new structure and design loadings
- The new openings in the existing walls to allow water passage between the new and existing.

The specified sizes and locations of the new openings do not require additional reinforcing of the existing tank structure. The structural integrity of the existing tank is not compromised by the proposed reservoir expansion as detailed on our drawings.

We trust the above meets your requirements and understanding. If you have any questions, please contact the undersigned.

Sincerely,
van den Brink Engineering Ltd.



Ivan van den Brink, P.Eng., Struct. Eng.



Owner(s) Acknowledgement of Responsibility

Re: Property Address: 1777 COLUMBIA VALLEY RD

Legal Description: SECTION 15, TOWNSHIP 22, NEW WESTMINSTER DISTRICT, STRATA PLAN BCS3022.

Permit #: BP014215 - (Water Reservoir Expansion)

This undertaking is given by the undersigned, as the **owner(s)** of the property described above, with the intention that it be binding on the **owner(s)** and that the **Regional District** will rely on same.

I/We confirm that I/we have applied for a permit pursuant to Fraser Valley Regional District Building Bylaw No. 1188, 2013 and that I/we have carefully reviewed and fully understand all of the provisions of the Bylaw and in particular understand, acknowledge and accept the provisions describing the purpose of the Bylaw, the conditions under which permits are issued, the disclaimer of warranty or representation and the limited extent of the scope of the Bylaw and inspections there under.

Without in any way limiting the foregoing, I/we acknowledge fully that it is my/our responsibility, whether or not any work to be performed pursuant to the permit applied for is done by me/us, my/our **agent**, a contractor or a **registered professional** to ensure compliance with the **Building Code** and the Bylaw.

I/we am/are not in any way relying on the **Regional District** or the **Building Official** to protect the **owner(s)** or any other persons as set out in the Bylaw and I/we will not make any claim alleging any such responsibility or liability on the part of the **Regional District** or its **Building Official**.

Owner(s) Information:

Name: CORIX MULTI-UTILITY SERVICES (CMUS)

Address: 19900 84TH AVE LANGLEY BC V2Y3C2

Signature: [Signature] - BOB SHIELDS ON BEHALF OF CMUS

Date: MAY 2, 2018.

The personal information on this form is being collected in accordance with Section 27 of the *Freedom of Information and Protection of Privacy Act, RSBC 1996 Ch. 165* and Part 9, Division 1 of the *Local Government Act, RSBC 2015 Ch. 1* and regulations thereto. The personal information collected on this form will only be collected, used and disclosed for the purposes of administering matters with respect to Building Regulation. Questions with respect to the collection, use and disclosure of the personal information being collected on this form may be directed to the Fraser Valley Regional District Privacy Officer and Head of Freedom of Information and Privacy at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6; by telephone at 604-702-5000 or toll free at 1-800-528-0061; or by email to FOI@fvrd.ca.



Owner(s) Acknowledgement of Responsibility

Re: Property Address: 1777 COLUMBIA VALLEY RD

Legal Description: SECTION 15, TOWNSHIP 22, NEW WESTMINSTER DISTRICT, STRATA PLAN BCS3022.

Permit #: BP014215 - (Water Reservoir Expansion)

This undertaking is given by the undersigned, as the **owner(s)** of the property described above, with the intention that it be binding on the **owner(s)** and that the **Regional District** will rely on same.

I/We confirm that I/we have applied for a permit pursuant to Fraser Valley Regional District Building Bylaw No. 1188, 2013 and that I/we have carefully reviewed and fully understand all of the provisions of the Bylaw and in particular understand, acknowledge and accept the provisions describing the purpose of the Bylaw, the conditions under which permits are issued, the disclaimer of warranty or representation and the limited extent of the scope of the Bylaw and inspections there under.

Without in any way limiting the foregoing, I/we acknowledge fully that it is my/our responsibility, whether or not any work to be performed pursuant to the permit applied for is done by me/us, my/our **agent**, a contractor or a **registered professional** to ensure compliance with the **Building Code** and the Bylaw.

I/we am/are not in any way relying on the **Regional District** or the **Building Official** to protect the **owner(s)** or any other persons as set out in the Bylaw and I/we will not make any claim alleging any such responsibility or liability on the part of the **Regional District** or its **Building Official**.

Owner(s) Information:

Name: CORIX MULTI-UTILITY SERVICES (CMUS)

Address: 19900 84TH AVE LANGLEY BC V2Y3C2

Signature: [Signature] - BOB SHIELDS ON BEHALF OF CMUS

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File Number: 3800-30-BP014215H

4 April 2018

AQUADEL CROSSING LTD
PO BOX 2267
CHILLIWACK, BC V2R 1A6

Dear sir:

Re: Building Permit Application No. BP014215 for the purposes of constructing a Water Reservoir Expansion on property legally described as SECTION 15, TOWNSHIP 22, NEW WESTMINSTER DISTRICT, STRATA PLAN BCS3022, 1777 COLUMBIA VALLEY RD

In connection with the above referenced application, an inspection of the proposed site carried out on **4 April 2018** indicated that the proposed construction would be on land which may be subject to certain geotechnical hazards. Therefore, pursuant to Section 56 of the Community Charter (2003, SBC Chap 326), in order to have your building permit application processed further, you are required to submit a report from a qualified professional which certifies that the land may be used safely for the use intended. This report may then have to be registered on the title of the subject property before the building permit is issued.

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

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

Yours sincerely,

Mike
Foster

Mike Foster
Building Inspector.

Digitally signed by Mike Foster
DN: cn=Mike Foster, o=Fraser
Valley Regional District,
ou=Building and Bylaw,
email=mfoster@fvrd.ca, c=CA
Date: 2018.04.04 10:52:02
-07'00'

4 April 2018

File Number: 3800-30-BP014215H

AQUADEL CROSSING LTD
PO BOX 2267
CHILLIWACK, BC V2R 1A6

SENT VIA EMAIL TO: wendyb@genicadev.com

Dear Sir or Madam:

Re: Building Permit Application on property at 1777 COLUMBIA VALLEY RD

Building Permit Application Number:	BP014215
Proposed works:	Water Reservoir Expansion
Legally described as:	SECTION 15, TOWNSHIP 22, NEW WESTMINSTER DISTRICT, STRATA PLAN BCS3022, DUMMY FOLIO FOR COMMON PROPERTY PROPERTY MANUALLY ADDED BY FVRD, NOT ON BCA ROLL.
Parcel Identifier (PID):	

Thank you for submitting a building permit application on Feb 14, 2018 for the project referenced above. Building permits benefit you and your neighbours in many ways. They ensure buildings are safe for you, your family and visitors. They support higher market value for your property by increasing buyer confidence. They reduce your insurance costs because insurers know the building meets the BC Building Code, and building permits reduce lifecycle repair and maintenance costs by ensuring the building is efficient and well-built. Not only do building permits provide value to you, they also benefit your neighbours by enhancing the overall safety and quality of your neighbourhood.

Professional builders know the process inside and out. However, most people only experience building permitting a few times in their lives so it can be challenging. We carefully reviewed your application and have prepared the checklist below to guide you. Whether you are a pro or a first-timer, this checklist will help you get your building permit quickly and efficiently.

PLANNING REQUIREMENTS

**Check When
Complete**

1. Development Variance Permit - The proposed Water Reservoir Expansion does not comply with Area H Zoning Bylaw No. 66 due to the encroachment on the side setback. Please revise your plans to meet FVRD bylaw requirements. If you cannot meet the requirements because of unique conditions on your property, please contact FVRD Planning to discuss the possibility of a Development Variance Permit. Call 604-702-5000 or email planning@fvrd.ca.



2. **GeoHazard Report** - The proposed structure may be subject to a geotechnical hazard due to Land slip. To protect your safety, a report and a Hazard Assurance Statement from a geotechnical engineer is required that states that the Water Reservoir Expansion will be safe for its intended use. The report will be registered on your property title as a Covenant. A Covenant can take time but there are a couple of things you can do to speed it up:

- **Lawyer / notary contact.** Provide us with contact information for the notary or lawyer who will handle the covenant for you.
- **Priority Agreement.** If your property title includes a mortgage or other financial charge, your financial institution will need to sign a Priority agreement. Contact your financial institution about this early on to avoid delays.

Questions & Contacts. Detailed info on property development can be found on our web site at www.fvrd.ca. Contact FVRD Planning staff at 604-702-5000 or planning@fvrd.ca.

BUILDING REQUIREMENTS

3. **Engineering Design – BC Building Code** - Please submit the following information prepared by a *Registered Professional of Record*:

- a) Structural Engineers (Van Den Brink) sealed letter stating that the new holes into the existing tank will not lower the current level of structural integrity of the tank and further detail on how the tank will be reinforced, if necessary to maintain its integrity. This is needed to meet the requirements of the BC Building Code.

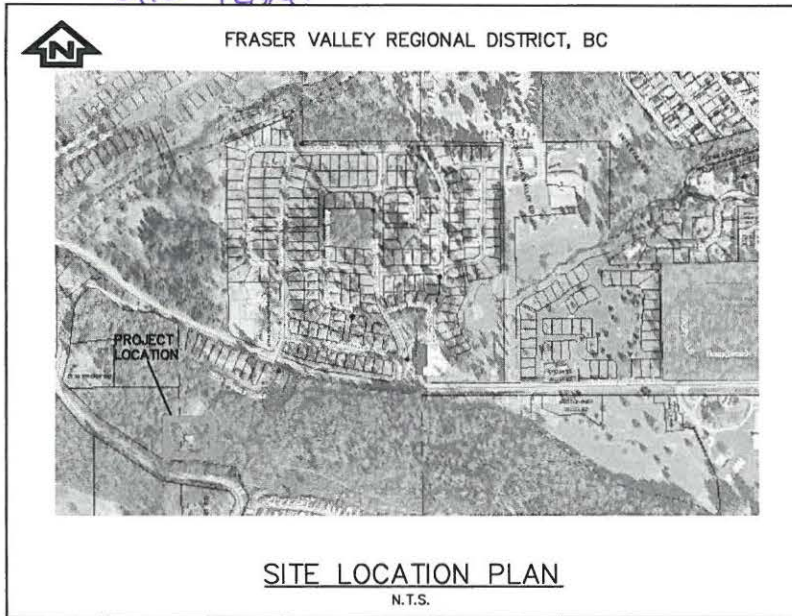
A *Registered Professional of Record* is a person who is may practise as an Architect under the *Architects Act*, or a person who is may practise as a Professional Engineer under the *Engineers and Geoscientists Act*.

4. **Letter of Authorization from the Registered Property Owner(s)** - Written confirmation from all property owners registered on the title of the property is required to authorize the application. Please have Strata Corporation BCS3022 or Corix Utilities complete and submit the attached form for Aquadel Crossing Ltd.

5. **Owners Acknowledgement of Responsibility** - Please provide written confirmation from all property owners registered on the title of the property to acknowledge responsibility for the proposed construction. Please have Strata Corporation or Corix Utilities complete and submit the attached "Owners Acknowledgement of Responsibility" form.

Once you have submitted all of the items identified in the checklist above, we will review your building plans and move on to the next steps of the permitting process. This may require additional information or clarification. Our goal is to issue your permit within four weeks of receiving a complete application. If you provide complete and timely information we can often do it more quickly.

SITE PLAN.



Drawing Index: Rev #3

Drawing No.	Revision	Title of Drawing
		COVER SHEET
C16-5365/D-01	C	STANDARD NOTES
C16-5365/D-02	C	WATER SYSTEM CONTEXT PLAN
C16-5365/D-03	C	RESERVOIR SITE PLAN
C16-5365/D-04	C	RESERVOIR GRADING & WATER DETAILS

DRAWING INDEX
REVISION #3

Project No: C16-5365/D
Date: APRIL 2018
ISSUED FOR BUILDING PERMIT



LOCAL GOVERNMENT FILE: SUB

Client:

AQUADEL CROSSING JOINT VENTURE

Project:

AQUADEL CROSSING
WATER RESERVOIR EXPANSION
1777 COLUMBIA VALLEY ROAD

Engineering Services Provided by:



WEDLER
ENGINEERING

www.wedler.com

THE WEDLER GROUP

- Abbotsford
1.604.746.0300
- Chilliwack
1.604.792.0651
- Courtenay
1.250.334.3263
- Surrey
1.604.588.1919

GENERAL

1. THE GOVERNING JURISDICTION FOR THIS PROJECT IS THE FRASER VALLEY REGIONAL DISTRICT (FVRD) AND CORIX UTILITIES.
2. ALL WORKS, MATERIALS AND TESTING SHALL BE IN ACCORDANCE WITH THE CURRENT BYLAWS OF THE GOVERNING JURISDICTIONS, THE MASTER MUNICIPAL CONSTRUCTION DOCUMENTS (PRINTED 2000 "PLATINUM" EDITION) (MCMC) AND THE A.S. PLUMBING CODE AS APPLICABLE.
3. FOR SITE DIMENSIONS, REFER TO LEGAL SURVEY PLANS. FOR BUILDING LAYOUT DIMENSIONS, REFER TO ARCHITECTURAL PLANS. ALL ELEVATIONS ARE SHOWN IN METERS RELATED TO GEODETIC SURVEY OF CANADA, UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE SHOWN IN METERS AND ALL PIPE DIAMETERS ARE SHOWN IN MILLIMETERS.
4. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE TO WEDLER ENGINEERING A DIGITAL VIDEO AND PHOTOGRAPHIC RECORD IDENTIFYING ANY AND ALL EXISTING FEATURES TO BE DISTURBED. THE CONTRACTOR SHALL RESTORE ALL DISTURBED PAVEMENT, CURBS, SIDEWALKS, BOULEVARDS, LANDSCAPING, FENCES OR ANY OTHER FEATURES AFFECTED BY THE WORK IN COMPLIANCE WITH THE SPECIFICATIONS OF THE GOVERNING JURISDICTION, MCMC AND ANY RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER AND TO THE SATISFACTION OF THE GOVERNING JURISDICTION AND WEDLER ENGINEERING.
5. THE CONTRACTOR MUST CONTACT THE GOVERNING JURISDICTION AND WEDLER ENGINEERING PRIOR TO CONSTRUCTION TO SCHEDULE A PRE-CONSTRUCTION MEETING.
6. THE CONTRACTOR SHALL NOTIFY WEDLER ENGINEERING A MINIMUM OF 2 WORKING DAYS PRIOR TO REQUIRED INSPECTIONS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:
 - A) MOBILIZATION
 - B) DURING PIPE LAYING
 - C) DURING CONSTRUCTION OF DETENTION FACILITIES
 - D) DURING PREPARATION OF PAVEMENT STRUCTURE
 - E) TESTING OF ALL UTILITIES
 - F) AFTER COMPLETION OF ALL WORK
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION LAYOUT, CONFIRM BENCH MARK OR TEMPORARY BENCH MARK PRIOR TO CONSTRUCTION. ADVISE WEDLER ENGINEERING OF ANY DISCREPANCIES.
8. ANY VARIATIONS FROM THE PROPOSED WORK MUST BE APPROVED IN WRITING BY WEDLER ENGINEERING. FAILURE TO NOTIFY WEDLER ENGINEERING IN ADVANCE MAY RESULT IN REJECTION OF THE WORK. SUBSTITUTION OF ANY SPECIFIED MATERIALS, PRODUCTS OR EQUIPMENT WITH AN APPROVED EQUAL OR APPROVED EQUIVALENT WILL BE PERMITTED ONLY WITH THE EXPRESS WRITTEN APPROVAL OF WEDLER ENGINEERING, AT ITS DISCRETION.
9. THE CONTRACTOR SHALL ADJUST THE TOPS OF ALL ACTIVE MANHOLES, CATCH BASINS, VALVE BOXES, ETC. AS REQUIRED TO MATCH NEAR GRADING.
10. ALL TRENCH BACKFILL WITHIN PUBLIC RIGHTS-OF-WAY TO BE IMPORTED GRANULAR BACKFILL UNLESS OTHERWISE APPROVED BY THE GEOTECHNICAL ENGINEER.
11. CONNECTIONS TO EXISTING STORM AND SANITARY SEWERS TO BE MADE WITH METHODS AND MATERIALS APPROVED BY THE GOVERNING JURISDICTION. APPROVAL TO BE OBTAINED BEFORE INSTALLATION.
12. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONSTRUCTION SAFETY AT THE PLACE OF WORK AS AND TO THE EXTENT REQUIRED BY APPLICABLE CONSTRUCTION SAFETY LEGISLATION, REGULATIONS AND CODES, AND BY GOOD CONSTRUCTION PRACTICE. THE CONTRACTOR SHALL PERFORM ITS WORKS IN STRICT COMPLIANCE WITH THE REQUIREMENTS, RULES, REGULATIONS AND BY-LAWS OF ANY FEDERAL, PROVINCIAL OR MUNICIPAL AUTHORITY HAVING JURISDICTION. THE CONTRACTOR SHALL APPLY FOR AND OBTAIN ALL REQUIRED PERMITS.
13. THE CONTRACTOR SHALL MAINTAIN AND REPAIR ALL PUBLIC AND PRIVATE ROADS AFFECTED BY THE WORK AND ARRANGE FOR ADEQUATE STREET CLEANING DURING WORKING DAYS.
14. THE CONTRACTOR SHALL PREPARE A TRAFFIC MANAGEMENT PLAN FOR APPROVAL BEFORE START OF CONSTRUCTION. TRAFFIC MANAGEMENT PLAN TO BE IN ACCORDANCE WITH THE GOVERNING JURISDICTION'S REGULATIONS. AS A MINIMUM ONE LANE TRAFFIC MUST BE MAINTAINED AND KEPT OPEN AT ALL TIMES.
15. THE CONTRACTOR SHALL CARRY OUT THE WORK SO AS TO MINIMIZE THE INCONVENIENCE TO THE PUBLIC. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN SERVICES AND ACCESS TO RESIDENCES AND BUSINESSES AT ALL TIMES FOR VEHICLES AND PEDESTRIANS. ANY DISRUPTIONS THAT ARE UNAVOIDABLE WILL REQUIRE A MINIMUM NOTICE OF 2 WORKING DAYS BE GIVEN TO PROPERTY OWNERS, THE GOVERNING JURISDICTION AND WEDLER ENGINEERING.
16. THE CONTRACTOR SHALL RECORD ON A CURRENT SET OF PLANS IN A NEAT MANNER, ALL CHANGES, ADDITIONS AND DELETIONS TO REFLECT THE "AS CONSTRUCTED" INSTALLATION. THIS SET OF PLANS SHALL BE RETURNED TO WEDLER ENGINEERING AT THE COMPLETION OF THE WORKS AND PRIOR TO THE ISSUANCE OF SUBSTANTIAL PERFORMANCE. ANY ADDITIONAL SURVEY REQUIRED TO COMPLETE THE RECORD DRAWINGS

EXISTING STRUCTURES, UTILITIES AND PROPERTIES

1. INFORMATION ON THE DRAWINGS REGARDING EXISTING UTILITIES WAS OBTAINED FROM RECORD DRAWINGS, CONSTRUCTION DRAWINGS AND FIELD SURVEYS. THIS INFORMATION IS NOT NECESSARILY ACCURATE OR COMPLETE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL DATA BY EXPOSURE BEFORE ANY CONSTRUCTION AND TO IMMEDIATELY REPORT ANY DISCREPANCIES TO MEDLER ENGINEERING. BEFORE CONSTRUCTION, ALL TIE-IN INVERTS SHALL BE CONFIRMED, AND EXPOSURES PERFORMED WHERE THERE IS POTENTIAL FOR CONFLICTS BETWEEN EXISTING AND PROPOSED SERVICES. ANY COSTS RESULTING FROM THE CONTRACTOR'S FAILURE TO DO SO SHALL BE AT THE CONTRACTOR'S EXPENSE.
2. BEFORE CONSTRUCTION THE CONTRACTOR SHALL ASCERTAIN FOR HIMSELF THE EXACT LOCATION OF BOUNDARIES OF PROPERTIES, RIGHTS-OF-WAY OR EASEMENTS. ANY COST RESULTING FROM SPECIAL CONSTRUCTION METHODS, EQUIPMENT OR MATERIALS REQUIRED TO PERFORM THE WORK WITHOUT ENDOINGRAVING ON OR CAUSING DAMAGE TO OTHER PROPERTY, SHALL BE INCLUDED IN THE CONTRACT PRICE, AND

COORDINATION WITH OTHER WORK

1. CONTRACTOR TO IMMEDIATELY REPORT (TO WEDLER ENGINEERING AND OTHERS AS REQUIRED) ANY CONFLICTS, DISCREPANCIES, ETC. BETWEEN WORKS SHOWN ON WEDLER ENGINEERING PLANS AND WORKS SHOWN ON ANY OTHER PLANS.

WATERWORKS

1. THE COMPLETED WORK SHALL BE FLUSHED, DISINFECTED, AND BACTERIOLOGICALLY TESTED ACCORDING TO MMCD PRINTED 2009 "PLATINUM" (SECTION 33 11 01 WATERWORKS) AND HEALTH AUTHORITY STANDARDS.
2. WATER MAINS TO BE PRESSURE TESTED TO 200 PSI (1380 KPA).
3. CURRENT PROCEDURES OF THE GOVERNING JURISDICTION FOR ACCEPTANCE AND TIE-IN OF NEW WATERMAINS SHALL BE FOLLOWED.
4. PIPE MATERIALS AND FITTINGS TO BE AS SPECIFIED ON DRAWINGS AND TO MEET MMCD PRINTED 2009 "PLATINUM" (SECTION 33 11 01 WATERWORKS). WATER MAIN PIPE TO BE PVC C900 DR18 AND FITTINGS TO BE CAST IRON.
5. ALL MECHANICAL JOINTS, FITTINGS, VALVES, APPURTENANCES, AND MECHANICAL RESTRAINTS TO BE c/w DENSOL PASTE, DENSOL MASTIC AND DENSOL TAPE OR APPROVED EQUAL, APPLIED TO MANUFACTURER'S RECOMMENDATIONS TO PREVENT CORROSION.
6. MINIMUM HORIZONTAL SEPARATION BETWEEN ANY WATER MAIN AND STORM OR SANITARY SEWER OR FORCEMAIN IS 3.0m. WHERE A WATER MAIN MUST CROSS A STORM OR SANITARY SEWER OR FORCEMAIN, THE WATER MAIN MUST PASS ABOVE THE OTHER PIPE WITH A MINIMUM 0.5m CLEARANCE BETWEEN THE PIPES. WHERE THESE SEPARATIONS ARE NOT ATTAINABLE, ALL WATER MAIN JOINTS ARE TO BE PROTECTED PER THE REQUIREMENTS OF SECTION 33 11 01 WATERWORKS AND TEST PRACTICE TO BE USED TO KEEP WATER MAIN JOINTS AS FAR FROM THE SEPARATION VIOLATION AS POSSIBLE.

STORM SEWERS & SANITARY SEWERS

1. THE PIPE DISTANCES SHOWN ON STORM AND SANITARY SEWER DRAWINGS ARE MEASURED HORIZONTALLY FROM MANHOLE CENTERLINE TO MANHOLE CENTERLINE.

QUALITY CONTROL

1. ALL TESTING SHALL BE PERFORMED BY INDEPENDENT AND CERTIFIED TESTING AGENCIES AT THE CONTRACTOR'S COST.
2. ALL REQUIRED TESTING OF THE SUBGRADE, EMBANKMENT, BACKFILL, GRANULAR MATERIALS, COMPACTION, CONCRETE, ASPHALT, GROWING MEDIUM, ETC. IS THE RESPONSIBILITY OF THE CONTRACTOR AND AT THE CONTRACTOR'S COST.
3. ALL CLEANING, FLUSHING, PRESSURE AND LEAKAGE TESTING, VIDEO INSPECTION, DISINFECTION AND BACTERIOLOGICAL TESTING AS REQUIRED FOR WATER, SANITARY AND DRAINAGE SYSTEMS ARE AT THE CONTRACTOR'S COST.
4. MATERIAL TESTS SHALL BE PERFORMED AT THE MINIMUM FREQUENCIES / INTERVALS AS PER THE GOVERNING JURISDICTION'S REGULATIONS, OR AS PER "MEDLER MINIMUM MATERIAL TEST FREQUENCIES", WHICHEVER IS GREATER.
5. IN ADDITION TO THE REQUIREMENTS OF THE GENERAL CONDITIONS, THE CERTIFICATE OF SUBSTANTIAL PERFORMANCE WILL NOT BE ISSUED PRIOR TO RECEIPT BY MEDLER ENGINEERING OF COPIES OF ALL REQUIRED PERFORMANCE TEST REPORTS.

GEOTECHNICAL AND GEOSYNTHETICS

1. DESIGN AND CONSTRUCTION OF ALL SLOPES AND RETAINING WALLS TO BE CERTIFIED BY THE GEOTECHNICAL ENGINEER.
2. ALL GEOSYNTHETICS TO BE REVIEWED AND APPROVED BY THE GEOTECHNICAL ENGINEER.

EROSION & SEDIMENT MANAGEMENT

1. ALL WORK IS TO BE UNDERTAKEN TO COMPLETED BY THE CONTRACTOR IN SUCH MANNER AS TO PREVENT THE RELEASE OF SILT, SEDIMENT OR SEDIMENT LADEN WATER, CONCRETE OR CONCRETE LEACHATE, OR ANY OTHER DELETERIOUS SUBSTANCES INTO ANY STORM SEWER, LAWN DRAIN, SOAK-AWAY, DITCH OR WATERCOURSE. (SEDEMENT LADEN WATER MAY BE DISCHARGED TO STORM SYSTEMS THAT ARE USED TO CONVEY FLOWS TO A SEDIMENT FACILITY).
2. INSTALL TEMPORARY PIPES, SNALES, CULVERTS, ETC. AS REQUIRED TO DIRECT SEDIMENT LADEN FLOWS TO SEDIMENT MANAGEMENT FACILITIES. REMOVE TEMPORARY WORKS WHEN NO LONGER NEEDED. BACKFILL WITH MATERIALS AND LEVELS OF COMPACTION AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
3. TO PREVENT EROSION:
 - a. PREVENT CONCENTRATED OVERLAND FLOWS FROM OCCURRING.
 - b. COVER STOCKPILES, EXPOSED EARTH AND DISTURBED AREAS WITH STRAW OR BY OTHER COVERINGS.
 - c. LIMIT CLEARING AS MUCH AS POSSIBLE TO AREAS TO BE IMMEDIATELY WORKED.
4. PREVENT WIND BLOWN EROSION BY WATERING, COVERING EXPOSED EARTH OR BY OTHER APPROVED MEASURES.
5. CONTRACTOR TO INSTALL SILT FENCE SOUTH OF SPRING CREEK ALONG ENTIRE ENVIRONMENTAL SETBACK LINE, AS WELL AS AFTER EROSION & SEDIMENT MANAGEMENT WORKS BEFORE ANY OTHER WORK, INCLUDING CLEARING AND EARTHWORKS, AS REQUIRED.
6. ALL EROSION & SEDIMENT MANAGEMENT WORKS TO BE MAINTAINED BY THE CONTRACTOR AT ALL TIMES TO ASSURE PROPER OPERATION. REPLACEMENT OF FENCES AND/OR BERMS, THE FLUSHING OF SEWERS AND THE CLEANING OF SUMPS MAY BE REQUIRED DURING THE COURSE OF CONSTRUCTION.
7. REMOVE AND DISPOSE OF ACCUMULATED SEDIMENT FROM SEDIMENT MANAGEMENT FACILITIES ON OR BEFORE SEDIMENT REACHING ONE THIRD THE HEIGHT OF THE FACILITY.
8. MONITOR EROSION AND SEDIMENT MANAGEMENT WORKS AT LEAST ONCE PER WEEK AND AFTER HEAVY RAIN OR SNOW MELT EVENTS.
9. BEFORE CONSTRUCTION ACTIVITIES, CONTRACTOR TO CLEAN EXISTING SLUMPS AND FIT EXISTING CATCH BASINS & LAWN DRAINS WITH A FILTERMESH INLET SOX OR APPROVED EQUIVALENT TO PREVENT SEDIMENT FROM ENTERING ANY STORM SYSTEMS. DO NOT USE FILTER FABRIC.
10. IMMEDIATELY UPON INSTALLATION, THE CONTRACTOR SHALL FIT ALL NEW CATCH BASINS AND LAWN DRAINS WITH A FILTERMESH INLET SOX OR APPROVED EQUIVALENT TO PREVENT SEDIMENT FROM ENTERING ANY STORM SYSTEMS (UNLESS THE STORM SYSTEM IS USED TO CONVEY FLOWS TO A SEDIMENT MANAGEMENT FACILITY). DO NOT USE FILTER FABRIC.
11. DURING CONSTRUCTION THE CONTRACTOR MAY NEED TO EMPLOY ADAPTIVE MEASURES, AND/OR ADDITIONAL MEASURES, AND/OR ADJUST THE INSTALLED EROSION AND SEDIMENT MANAGEMENT WORKS TO PREVENT THE RELEASE OF SEDIMENT LADEN WATER AS SITE CONDITIONS CHANGE.
12. EROSION & SEDIMENT MANAGEMENT WORKS ARE TO REMAIN IN PLACE UNTIL BUILDING ACTIVITIES ARE 80% COMPLETE, AND UNTIL VEGETATION HAS DEVELOPED IN EXPOSED AND DISTURBED AREAS WHICH CONTRIBUTE FLOWS TO THE EROSION & SEDIMENT MANAGEMENT WORKS.

POST-CONSTRUCTION DRAINAGE MAINTENANCE

PROVIDE REGULAR MONITORING OF:

- ALL DRAINAGE COLLECTION AND CONVEYANCE SYSTEMS (SUCH AS LAWN DRAINS, CATCH BASINS, MANHOLES, SWALES, ETC.)
- ALL DRAINAGE STORAGE AND TREATMENT SYSTEMS (SUCH AS DETENTION TANKS, OIL INTERCEPTORS, SETTLING CHAMBERS, FILTER CHAMBERS, ETC.)
- ALL MANUFACTURED DRAINAGE PRODUCTS (SUCH AS STORMTEC, ETC.). MONITOR AS PER MANUFACTURER'S RECOMMENDATIONS.
- ALL DRAINAGE INFILTRATION SYSTEMS (SUCH AS ROCK PITS, INFILTRATION GALLERIES, PERFORATED DRAINS, ETC.)

CLEAN ALL SYSTEMS AS REQUIRED ON A REGULAR BASIS (MINIMUM ONCE PER YEAR), OR WHEN MONITORING INDICATES CLEANING IS REQUIRED, OR AS PER MANUFACTURER'S RECOMMENDATIONS.

CLEAN ALL SUMPS ON A REGULAR BASIS (MINIMUM ONCE PER YEAR), OR WHEN MONITORING INDICATES SUMPS ARE FILLING.

REPLACE PEA GRAVEL WHEN CLEANING FILTER CHAMBER(S). ENSURE SCREENS REMAIN INTACT.

GRADING & RETAINING WALL NOTES

1. ALL EARTHWORKS, CUT SLOPES, FILL SLOPES, RETAINING WALLS AND OVERALL SITE GRADE DESIGNS ARE TO BE REVIEWED AND APPROVED BEFORE CONSTRUCTION BY THE GEOTECHNICAL ENGINEER OF RECORD FOR THE PROJECT. FURTHER, THE CONSTRUCTION OF THESE WORKS MUST BE FIELD REVIEWED BY THE GEOTECHNICAL ENGINEER OF RECORD FOR THE PROJECT.
2. RETAINING WALLS SUPPORTING SOILS, STRUCTURES, ETC. WITHIN LOTS, TO BE LOCATED ENTIRELY ON THE LOTS.
3. SEE GEOTECHNICAL DRAWINGS FOR SPECIFIC DETAILS FOR TYPE OF WALLS, THE BACKS, BATTER, BULKY CONFIGURATION, DRAINAGE, ETC.
4. INSTALL HANDRAIL AS PER MANDC STD DWG C-1, OR GUARD AS PER BUILDING CODE ON RETAINING WALLS EXCEEDING 600mm in HEIGHT.
5. PROVIDE HANDRAILS AND GUARDS FOR ALL STAIRS AND ELEVATOR SYSTEMS TO BE INSTALLED ON THE SAME SIDE OF THE STAIR OR ELEVATOR.
6. ALL SLOPES TO BE VEGETATED UPON COMPLETION.
7. SLOPES TO BE SLOPED AT 2:1 AWAY FROM THE BUILDING.
8. THE LOT GRADING SHOWN HAS BEEN DETERMINED BASED ON THE BUILDINGS AND DRIVEWAYS BEING SIZED, LOCATED AND ELEVATED AS SHOWN, ASSUMING THE BUILDING IS CONSTRUCTED.
9. DO NOT REVERSE BUILDING AND/OR DRIVEWAY SIZES, LOCATIONS AND ELEVATIONS WITHOUT CONSULTING CITY BUILDING DEPARTMENT, ARCHITECT, CIVIL ENGINEER AND GEOTECHNICAL ENGINEER TO DETERMINE IMPACTS ON CIVIL WORKS, EARTH WORKS, GRADING AND RETAINING WALLS.
10. ALL LOTS AND DRIVEWAYS ARE TO BE RECONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO. NO RETAINING WALLS SHALL BE ALTERED OR RECONSTRUCTED ON INDIVIDUAL LOTS.
11. ALL EXISTING AND PROPOSED LAWN DRAINS ARE TO BE GRADED TO PREVENT PONDING OF SURFACE WATER.

FOUNDATIONS

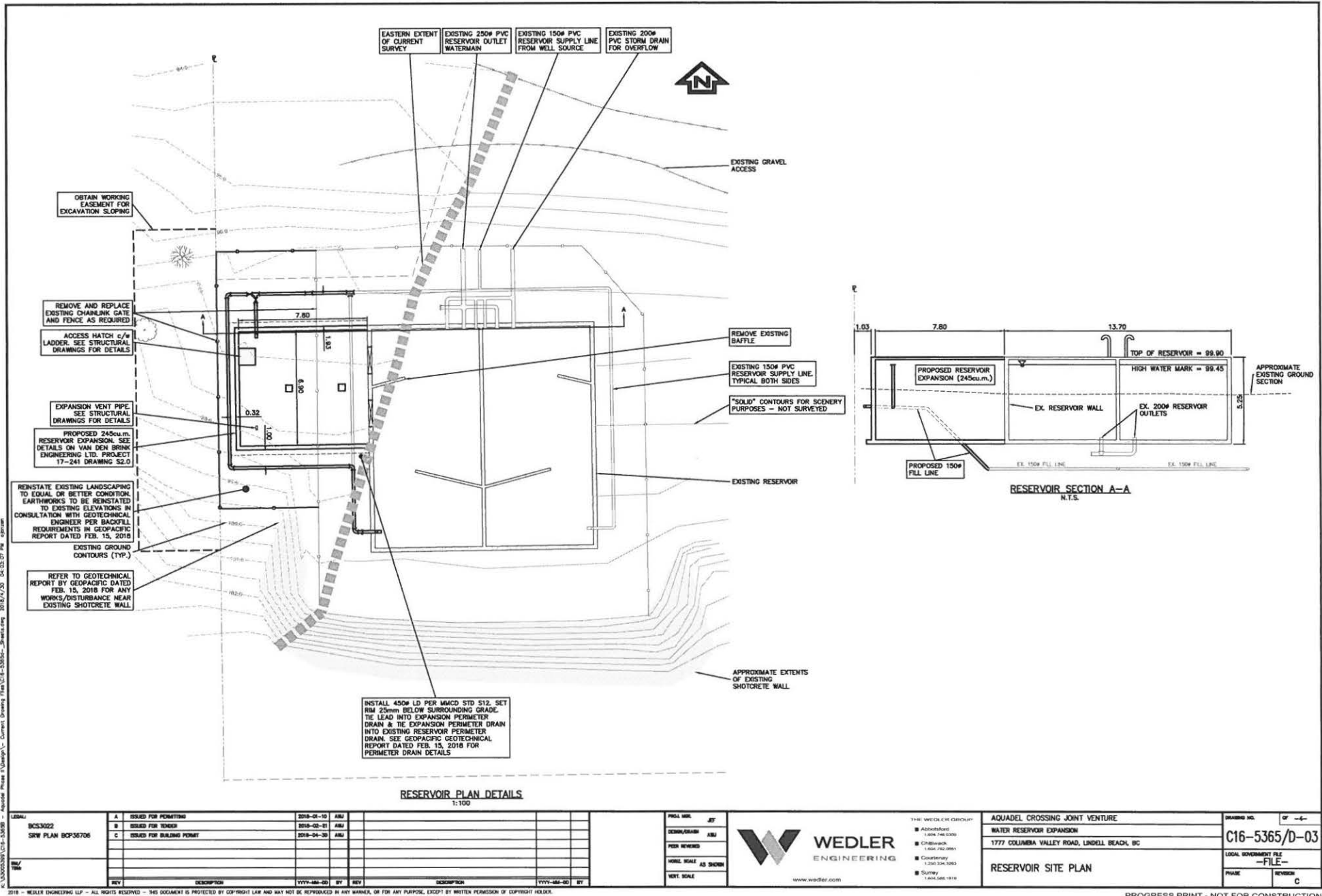
1. TOP OF CONCRETE SLAB / FOUNDATION STRUCTURE TO BE MINIMUM 0.2m HIGHER THAN EXTERNAL FINISHED ELEVATIONS.
- STORM SERVICES
1. ALL RAIN WATER LEADERS, PERIMETER DRAINS, TRENCH DRAINS AND LAWN DRAINS FROM ALL LOTS TO BE CONNECTED TO THE SEWERAGE SYSTEM AS INDICATED.
2. TRENCH DRAINS REQUIRED AS PART OF HOUSE CONSTRUCTION FOR DRIVEWAYS GRADED TOWARDS HOUSES.

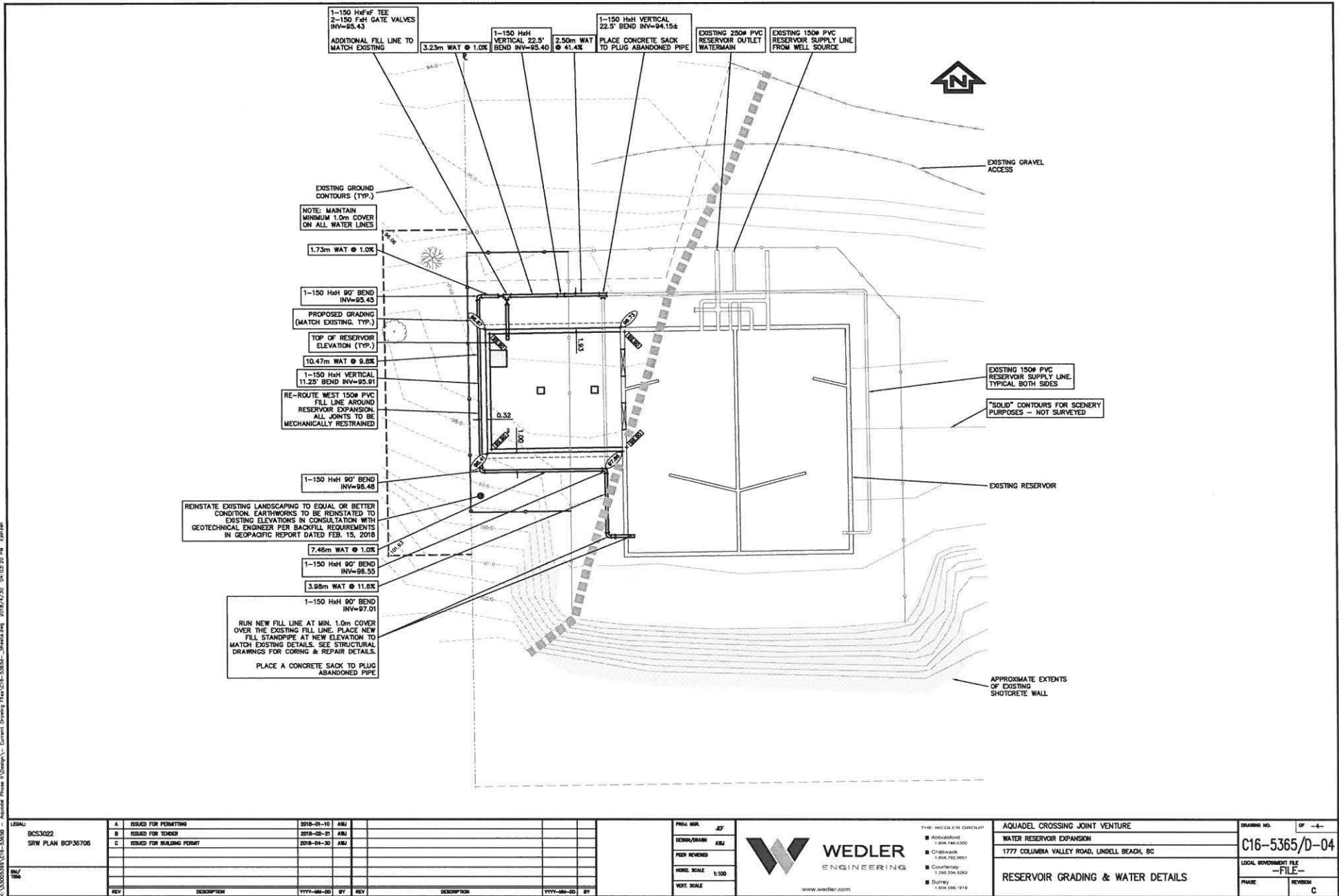
STORM SERVICES

BEFORE YOU DIG

INFORMATION ON THE DRAWINGS REGARDING EXISTING UTILITIES WAS COMPILED FROM MUNICIPAL RECORD DRAWINGS AND FIELD SURVEYS. THIS INFORMATION IS NOT NECESSARILY ACCURATE OR COMPLETE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL DATA BY EXPOSURE PRIOR TO ANY CONSTRUCTION AND TO IMMEDIATELY REPORT ANY DISCREPANCIES TO WELDER ENGINEERING PRIOR TO CONSTRUCTION. ALL THE CONTRACTOR SHALL CONFIRM, AND EXPOSURES PERFORMED WHERE THERE IS POTENTIAL FOR CONFLICTS BETWEEN EXISTING AND PROPOSED SERVICES. ANY COSTS RESULTING FROM THE CONTRACTOR'S FAILURE TO DO SO SHALL BE AT THE CONTRACTOR'S EXPENSE.

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	B	ISSUED FOR TENDER	2018-02-21	ANJ	
	C	ISSUED FOR BUILDING PERMIT	2018-04-20	ANJ	
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DESIGN/DRW. NO.	ANJ
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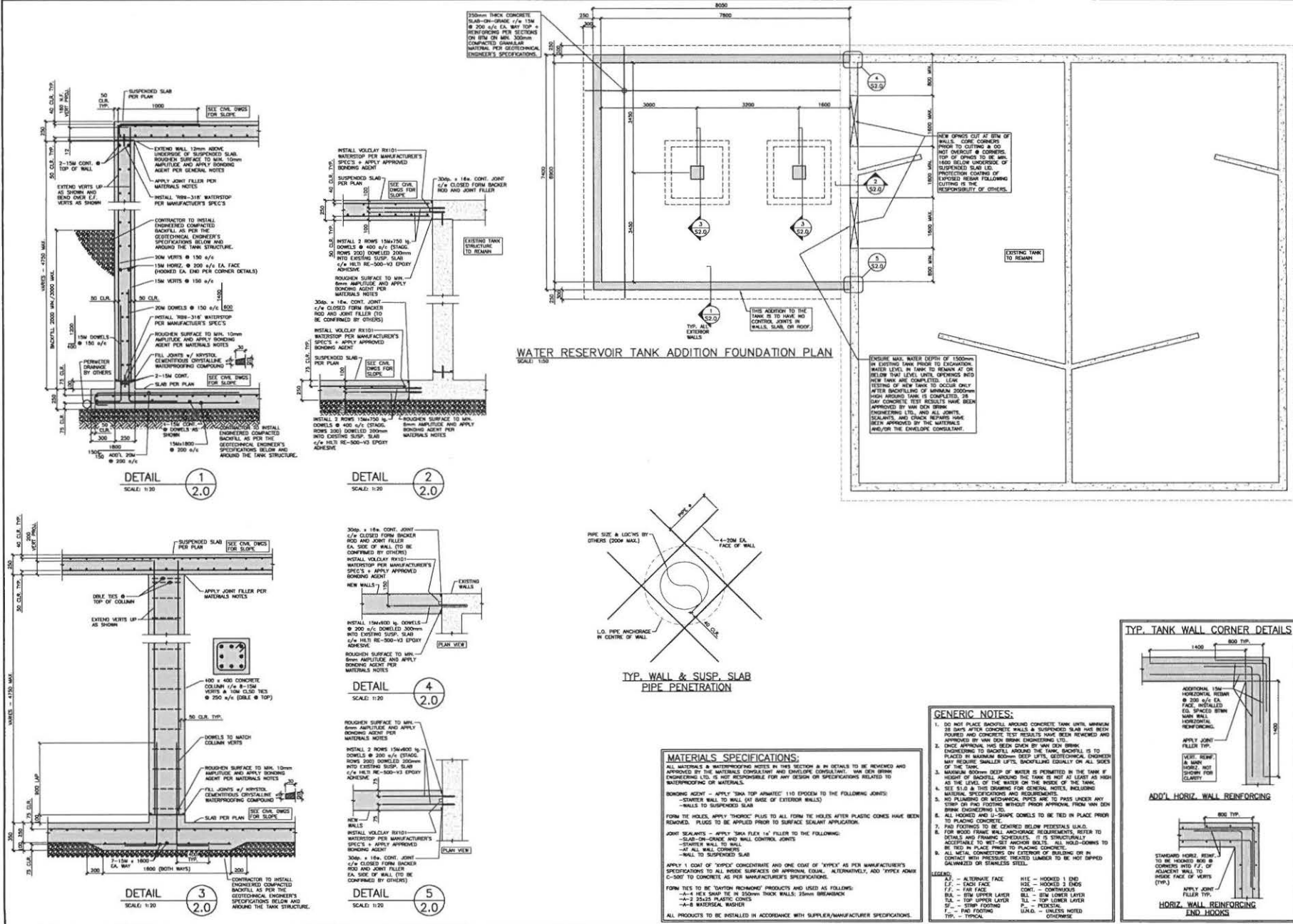
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AQUADEL CROSSING JOINT VENTURE
WATER RESERVOIR EXPANSION
1777 COLUMBIA VALLEY ROAD, LINDELL BEACH, BC
RESERVOIR GRADING & WATER DETAILS

DRAWING NO.	OF -4-
C16-5365/D-04	
LOCAL GOVERNMENT FILE	-FILE-
PHASE	REVISION
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PROGRESS PRINT - NOT FOR CONSTRUCTION



DRAWING INDEX:

S1.0	GENERAL NOTES
S2.0	WATER RESERVOIR TANK ADDITION FOUNDATION PLAN, NOTES & DETAILS
S2.1	WATER RESERVOIR SUSPENDED SLAB PLAN & NOTES

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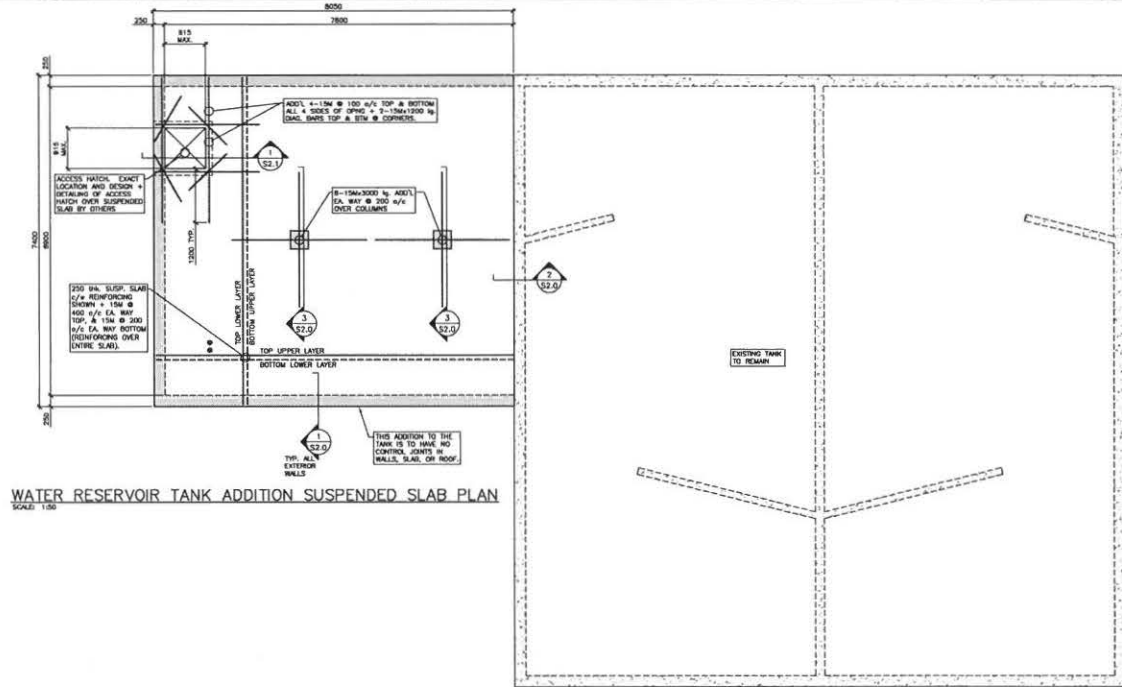
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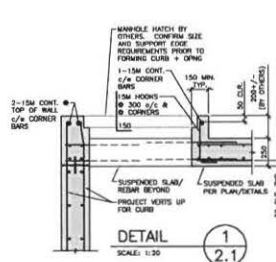
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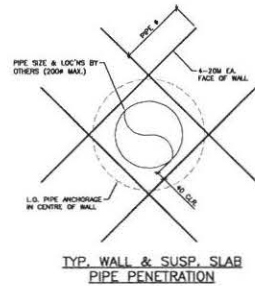
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WATER RESERVOIR TANK ADDITION SUSPENDED SLAB PLAN
SCALE: 1:50



DETAIL 1
SCALE: 1:30



TYP. WALL & SUSP. SLAB
PIPE PENETRATION

MATERIALS SPECIFICATIONS:

ALL MATERIALS & WATERPROOFING NOTES IN THIS SECTION & IN DETAILS TO BE REVIEWED AND APPROVED BY THE MATERIALS CONSULTANT AND ENVELOPE CONSULTANT. VAN DEN BRINK ENGINEERING LTD. IS NOT RESPONSIBLE FOR ANY DESIGN OR SPECIFICATIONS RELATED TO WATERPROOFING OR MATERIALS.

BRICKING AGENT - APPLY "Sika TOP ARMATEX" 110 EPOXY TO THE FOLLOWING JOINTS:

- STARTER WALL TO WALL (AT BASE OF EXTERIOR WALLS)
- WALLS TO SUSPENDED SLAB

FORM THE HOLES APPLY "THORNIC" PLUS TO ALL FORM THE HOLES AFTER PLASTIC CONES HAVE BEEN REMOVED. PLUS TO BE APPLIED PRIOR TO SURFACE SEALANT APPLICATION.

JOINT SEALANTS - APPLY "Sika FLEX 1A" FILLER TO THE FOLLOWING:

- SLAB ON-GRADE AND WALL CONTROL JOINTS
- STARTER WALL TO WALL
- AT ALL WALL CORNERS
- WALL TO SUSPENDED SLAB

APPLY 1 COAT OF "THORNIC" CONCENTRATE AND ONE COAT OF "THORNIC" AS PER MANUFACTURER'S SPECIFICATIONS TO ALL WIDE SURFACES OR APPROX. EQUAL. ALTERNATELY, AND TYPES JOINTS C-5007 TO CONCRETE AS PER MANUFACTURER'S SPECIFICATIONS.

FORM TIES TO BE "BUTTER BROWNING" PRODUCTS AND USED AS FOLLOWS:

- A-4 HEB SHAPES IN 200mm THICK WALLS, 30mm BREAKAWAY
- A-3 25x25 PLASTIC CONES
- A-8 METALLIC WADERS

ALL PRODUCTS TO BE INSTALLED IN ACCORDANCE WITH SUPPLIER/MANUFACTURER SPECIFICATIONS.

GENERIC NOTES:

- DO NOT PLACE BACKFILL AROUND CONCRETE TANK UNTIL APPROX. 28 DAYS AFTER CONCRETE WALLS & SUSPENDED SLAB HAS BEEN POURED AND CONCRETE TEST RESULTS HAVE BEEN REVIEWED AND APPROVED BY VAN DEN BRINK ENGINEERING LTD.
 - ONCE APPROVAL HAS BEEN GIVEN BY VAN DEN BRINK ENGINEERING TO BACKFILL AROUND THE TANK, BACKFILL IS TO BE PLACED IN MAXIMUM 300mm DEEP LIFTS. GEOTECHNICAL ENGINEER MAY REQUIRE SMALLER LIFTS, BACKFILLING EQUALLY ON ALL SIDES OF THE TANK.
 - MAXIMUM DEPTH OF WATER IS PERMITTED IN THE TANK IF HEIGHT OF BACKFILL AROUND THE TANK IS NOT AT LEAST AS HIGH AS THE LEVEL OF THE WATER ON THE INSIDE OF THE TANK.
 - SEE S2.2 & THIS DRAWING FOR GENERAL NOTES, INCLUDING MATERIAL SPECIFICATIONS AND REQUIREMENTS.
 - NO PILING OR MECHANICAL PIPES ARE TO PASS UNDER ANY STEP OR TWO FOOTING WITHOUT PRIOR APPROVAL FROM VAN DEN BRINK ENGINEERING LTD.
 - ALL HOLES AND 10-CHARGE DOWELS TO BE TIED IN PLACE PRIOR TO PLACING CONCRETE.
 - ALL FOOTINGS TO BE CONTROLLED BELOW PRELIMINARIES U.N.G.
 - FOR WOOD FRAME WALL ANCHORAGE REQUIREMENTS, REFER TO DETAILS AND FRAMING SCHEDULES. IT IS STRUCTURALLY ACCEPTABLE TO USE SET-ANCHOR BOLTS. ALL HOLD-DOWNS TO BE TIED IN PLACE PRIOR TO PLACING CONCRETE.
 - ALL METAL CONNECTIONS ON EXTERIOR OF BUILDING OR IN CONTACT WITH PRESSURE TREATED LUMBER TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL.
- LEGEND:**
- | | |
|------------------------|---------------------------------|
| A.F. - ALTERNATE FACE | H.E. - HOOKED 1 END |
| E.F. - EACH FACE | H.E. - HOOKED 2 ENDS |
| F.F. - FAN FACE | C.O.M. - CONTINUOUS |
| B.L. - 80% UPPER LAYER | B.L. - 80% LOWER LAYER |
| T.L. - TOP UPPER LAYER | T.L. - TOP LOWER LAYER |
| P.F. - JOINT FOOTING | P.F. - JOINT |
| F.O. - FAN FOOTING | U.N.G. - UNLESS NOTED OTHERWISE |

DRAWING INDEX:

S2.0	GENERAL NOTES
S2.0	WATER RESERVOIR TANK ADDITION REINFORCEMENT PLAN, NOTES & DETAILS
S2.1	WATER RESERVOIR SUSPENDED SLAB PLAN & NOTES

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Aquadel Crossing JV
PO Box 2267
Chilliwack, BC V2R 1A6

May 8, 2018

Attention: Mr. Cody Les

Regarding: Reservoir Addition Risk Analysis Hazard Report
1777 Columbia Valley Highway, Cultus Lake, FVRD
Project: 44588-01

1. INTRODUCTION

Valley Geotechnical Engineering Services Ltd. (Valley Geo) has been retained by Aquadel Crossing to complete a Hazard Assessment Report for the proposed water reservoir expansion. This report, with the site plans, summarizes our work to date and presents recommendations pertinent to the proposed reservoir addition (extension) at the subject site.

This report has been prepared in accordance with the Fraser Valley Regional District (FVRD) guidelines for geotechnical reports and hazard assessments, pursuant to Section 56 of the Community Charter and the APEGBC "Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC (Revised May 2010)." This report may be used by FVRD Approving Officer for the reservoir addition (extension) building permit approval for a period of two years from the above date.

Based on our review we confirm that the land can be used safely for the use intended provided the recommendations presented in this report are completed. We note that this report only addresses the hazards for the subject site.

2. INFORMATION REVIEWED

Valley Geo previously completed the geotechnical works associated with the original reservoir located on the subject site. This project and several Valley Geo projects in the vicinity were reviewed and referenced in preparation of this report.

- Geotechnical Investigation & Report, Lots 2, 3 Columbia Valley Highway, Lot 4 Frost Road dated October 31, 2018.
- Report Addendum for the Booster Station at 1760 & 1766 Columbia Valley Highway dated August 31, 2011.

Valley Geotechnical Engineering Services Ltd.

- Geotechnical Investigation & Report, 1800 Block Columbia Valley Highway dated December 20, 2007
- Addendum: Geotechnical Recommendations for Proposed Water Reservoir at the 1800 Block of Columbia Valley Highway (Lot 2) dated March 31, 2017
- Excavation, Shoring Installation, and Wall Construction for the Existing Reservoir

In addition to the above, the following external documents were also reviewed:

- Online Aerial Photos (Google Maps & Earth)
- FVRD online Mapping System
- Hazard Acceptability Thresholds for Development Approvals by Local Government by Dr. Peter W. Cave dated 1993
- UBC Surficial Geology Maps

3. SITE DESCRIPTION

Valley Geo completed a site reconnaissance on April 26, 2018 and desktop study for the subject site and surrounding area.

The site consists of a rural property located at 1777 Columbia Valley Highway in the Fraser Valley Regional District with a legal description as follows:

- Plan BCS3022 Section 10 and 15 Township 22 NWD

The site is irregularly shaped with approximate dimensions of 115.73m (N-S) and 95.56m (E-W). A reservoir exists on the site and services the local subdivisions below. As part of the original construction a combined temporary and permanent shotcrete wall was constructed to retain the upper slopes to the south. The shotcrete wall extends approximately 4m below the finished grade surrounding the existing reservoir. A gravel road with flat turn-around provides access for the existing reservoir.

The site is surrounded by rural properties to the west and east and a recent cabin development to the north and Frost Road the south. The site slopes range from 60% above the reservoir to 25% below the reservoir towards the north and north-east. The majority of the site is vegetated with mature coniferous and deciduous growth. Several trees are slightly pistol butt indicating minor surficial creep.

The slopes south of the subject site generally plateau outside of the Frost Road right-of-way. The slopes to the north of the subject site range from 25% to relatively flat in the valley bottom. Immediately south of Frost Road, localized steeper slopes were observed during our site review. This suggests fill may have been placed in this area. The site is located approximately 1km from the nearest mountain that may be subject to an avalanche hazard.

A road side ditch is located on the south side of Frost Road. A 500mm culvert under the road discharges the collected water on the road right-away which flows onto the subject site. Minor erosion channels were observed in the north-east direction away from the existing reservoir.

Frost Creek is located well below the reservoir location at the toe of the slopes. No other notable water courses were observed during our site reconnaissance.

See Appendix A attached for a site location and survey plans.

4. PROPOSED DEVELOPMENT

It is proposed to construct an 8.05m by 7.40m addition at the north-west corner of the existing reservoir. The addition is generally confined to the existing flatter area at the end of the access road.

See Appendix B for the addition civil drawings completed by Wedler Engineering.

5. SOIL CONDITIONS

The Surficial Geological Map Survey of Canada (Map 1485A) indicates the soil at the site is classified as stream deposits (SAj) mountain stream channel gravel and minor sand, up to 10m thick.

Valley Geo previously completed a test pit investigation on June 17, 2006 as part of the existing reservoir geotechnical report. In addition, the soil conditions encountered during the existing reservoir excavation and shotcrete placement encountered were referenced in preparation of this report. The soil conditions generally consist of the following:

- 0.3m of topsoil with roots over
- 0.6m of brown medium dense fine silty sand over
- Loose to medium dense (possibly colluvium) sub-rounded to angular sandy silt to silty sand matrix was encountered to depths explored.

Weak shale like rock was encountered in the vicinity at depth underlying the above profile. No free water was encountered during any work completed on or in the vicinity of the site.

6. SLOPE STABILTY

As part of the hazard review a slope stability analysis was completed. The slope stability analysis was carried out using Slope/W program with limit equilibrium analysis using Morgenstern-Price's Method. The analysis is based on 2012 BC Building Code (BCBC) and the APEGBC's "Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC (revised in May 2010)". Requirements for a "safe" slope consist of the following:

- Static factor of safety greater than 1.5, and
- Under seismic conditions;
 - a. Factor of safety greater than 1.0, or
 - b. Horizontal displacements along the slip surface of 15cm or less.

The results of stability analysis indicate that from a global perspective the slopes have the required factors of safety and fall with the required design criteria under both static and seismic conditions. However, minor localized surficial sloughs may occur if the topsoil becomes saturated or with loss of root structure.

See the slope analysis plots attached as Appendix C.

7. HAZARDS AND MITIGATION

Valley Geo has reviewed the site for potential hazards as summarized in the Community Charter. The hazard levels were compared to the acceptable hazard levels as summarized in the Hazard Acceptability Thresholds paper by Dr. Peter W. Cave for an extension.

During our site reconnaissance and desktop review, no rock bluffs or evidence of debris floods was observed. The site is located 1km from the nearest mountain that may be subject to avalanche hazard. The site is well above any creeks that may be subject to flooding or avulsion.

We have therefore concluded that the following hazards to not exist:

- Inundation by Flood Waters
- Mountain stream erosion and avulsion
- Snow Avalanche
- Rock Fall
- Debris Flood

Due to the hillside slopes in the vicinity and uncontrolled water discharge from the culvert under Frost Road, the hazards that may affect the proposed development include:

- Landslides, Small Scale, Localized
- Major Catastrophic Landslide
- Debris Floods, Debris Flows, and Debris Torrents

The following summarizes our review, probability of occurrence, remedial recommendations, and covenant requirements. A Geo-Hazard Assurance Statement is attached as Appendix D.

7.1 Landslides, Small-Scale, Localized (Static)

Slopes up to 1.5 horizontal to 1 vertical exist above the reservoir and 4 horizontal to 1 vertical below the reservoir and generally heavily vegetated. Several pistol-butt trees were observed indicating localized creepage. There is a potential for surficial failures during saturated conditions from extended rainfall, from the culvert under Frost Road, or loss of root structure. We estimate an unmitigated annual probability of damage of 1:500 – 1:10,000.

The proposed addition is located outside the runout of any small surficial sloughs and the grades below the culvert are to the north-east and any failures would be directed away from the addition. The root structure of the trees is essential for maintaining the strength of the upper soils and must not be disturbed to minimize the risk of surficial sloughing.

Based on the above, we estimate a probability of damage to the reservoir addition due to small scale localized landslides to be <1:10,000.

7.2 Major Catastrophic Landslide

Valley Geo has reviewed the surrounding topography, soil conditions, and available online aerial photos. To the best of our knowledge there have not been any large-scale slippages or slides in the area and no evidence of historical slides was observed that may affect the reservoir addition location. However, due to the lack of past studies and monetary restraints for a full analysis, we are unable to entirely rule out the risk of a major landslide.

On this basis, we estimate the annual probability of hazard from a Massive and Catastrophic Landslide to be 1:1,000 to 1:10,000.

7.3 Debris Flows, and Debris Torrents

No creeks subject to debris flooding and torrents are located in the vicinity of the subject site. However, a culvert draining the Frost Road road-side ditch discharges onto the subject site. Several minor erosion channels were observed during our site reconnaissance. Currently, the flow is generally directed away from the proposed reservoir location.

It is our experience that erosion from uncontrolled discharge onto slope of this magnitude is unpredictable and may change. In addition, the current building permit application has no ability to control any increase of flows from future development or drainage re-alignments.

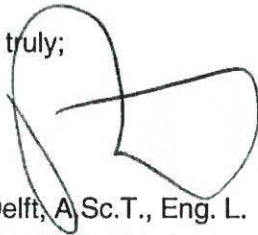
For this reason, we are unable to rule out this hazard entirely. On this basis we estimate the annual probability of hazard from debris flows and torrents to be 1:500 – 1:10,000.

8.0 CONCLUSIONS AND CLOSURE

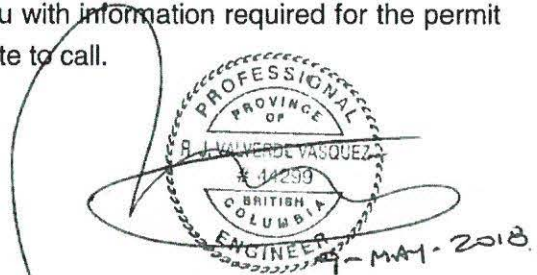
Valley Geo has concluded that the subject site is safe for the use intended provided the annual probabilities of hazards are understood by all parties involved. We should be given an opportunity to review any changes to the building layout and provide additional recommendations, if required.

We trust that this hazard assessment report provides you with information required for the permit process. If you have any questions, please do not hesitate to call.


Yours very truly;



Brad VanDelft, A.Sc.T., Eng. L.
Senior Geotechnical Engineer – Principal



Raul Valverde, P.Eng.
Principal Engineer



Joel Blanco, P.Eng.
Senior Geotechnical Engineer

LIST OF ATTACHMENTS:

- Appendix A: Site Location and Survey Plans
- Appendix B: Addition Civil Drawings
- Appendix C: Slope Analysis
- Appendix D: Geo-Hazard Assurance Statement

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Appendix A

Site Location and Survey Plans



SITE PLAN OF SELECTED TOPOGRAPHIC FEATURES

ON: PART OF COMMON PROPERTY STRATA PLAN BCS3022 SECTION 10 AND 15 TOWNSHIP 22 NEW WESTMINSTER DISTRICT

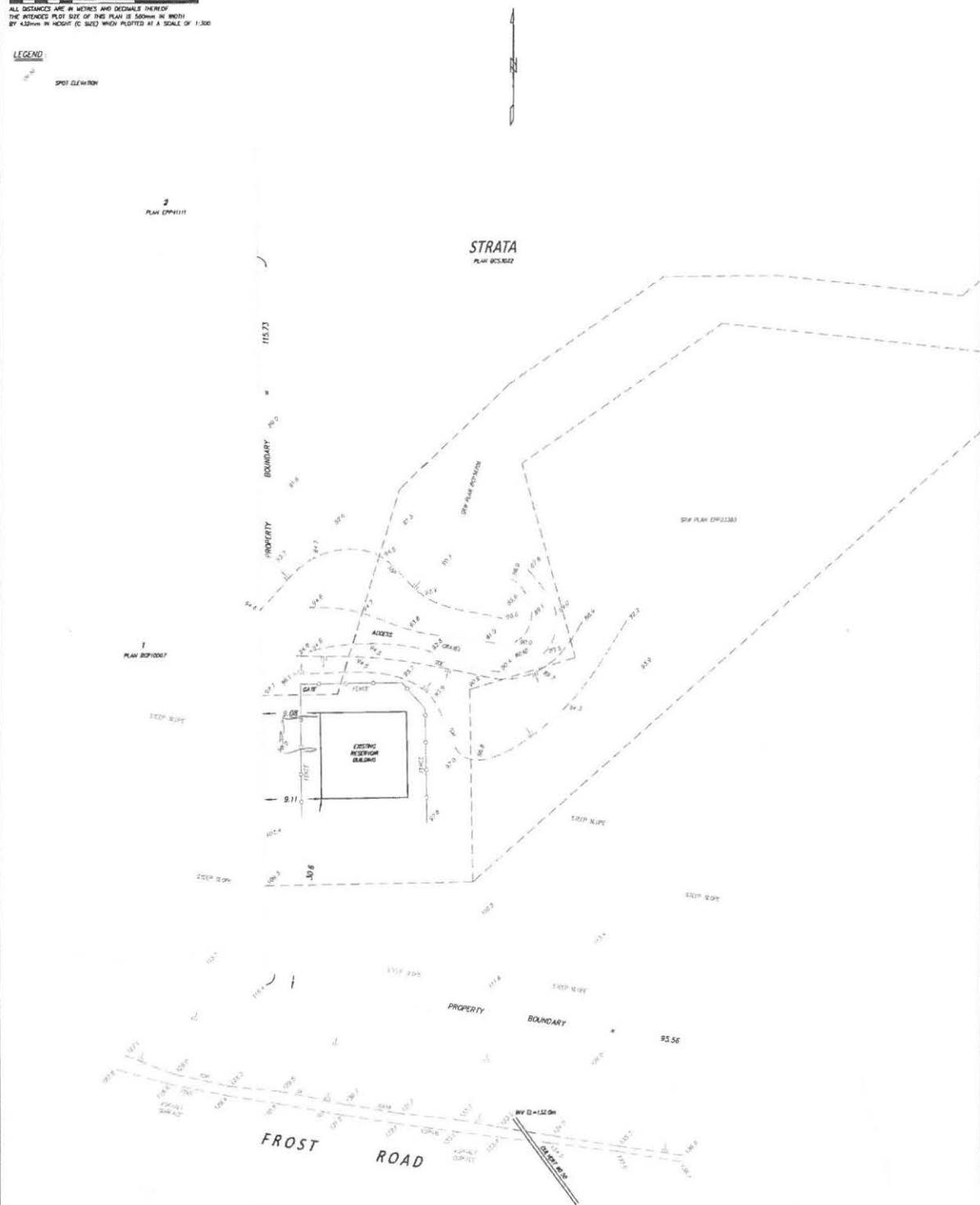
SCALE 1:300

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
THE INTENDED PLOT SIZE OF THIS PLAN IS 500mm BY 432mm IN HEIGHT (C. SIZE) WHICH PLOTTED AT A SCALE OF 1:300

LEGEND:

SPOT ELEVATION

ADDRESS: 1777 COLUMBIA VALLEY ROAD



NOTES:

1. THIS PLAN IS PREPARED FOR ARCHIVAL PURPOSES ONLY. IT IS NOT TO BE USED FOR PROPERTY LINE RE-ESTABLISHMENT.
2. ELEVATIONS ARE QUOTED, SHOWN IN METRES, AND ARE DERIVED FROM GPS OBSERVATIONS SATURN CODES.

DATED THIS 25TH DAY OF APRIL, 2018

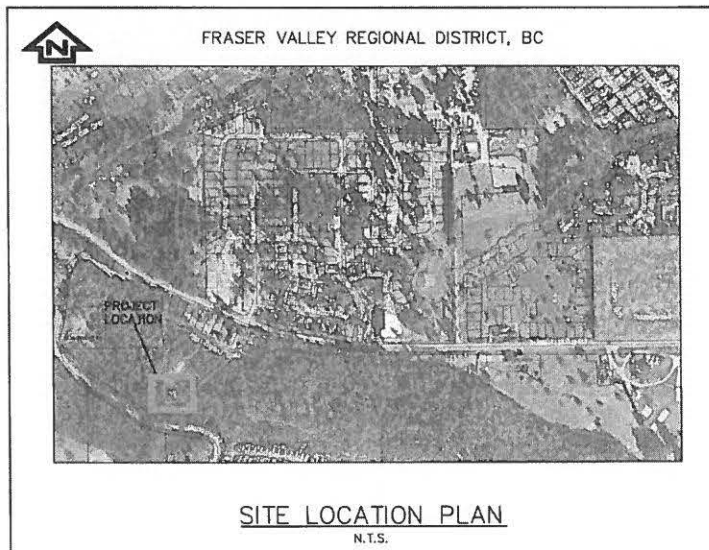
RANDY ARNOLD, B.C.S.
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A
DRAWING
PLAN 28304

ARNOLD & ASSOCIATES
B.C. LAND SURVEYORS
29446 COLUMBIA VALLEY DR. ABERTSFORD BC V4S 1Z2
PHONE: 804-651-0511
804-316-8448
EMAIL: info@arnold.ca
FILE: 18302_5

Appendix B

Addition Civil Drawings



Drawing Index: Rev #1

Drawing No.	Revision	Title of Drawing
		COVER SHEET
C16-5365D-01	A	STANDARD NOTES
C16-5365D-02	A	WATER CONTEXT PLAN
C16-5365D-03	A	RESERVOIR SITE PLAN

DRAWING INDEX
REVISION #1

Client:

AQUADEL CROSSING JOINT VENTURE

Project:

AQUADEL CROSSING
WATER RESERVOIR EXPANSION
1777 COLUMBIA VALLEY ROAD

Engineering Services Provided by:



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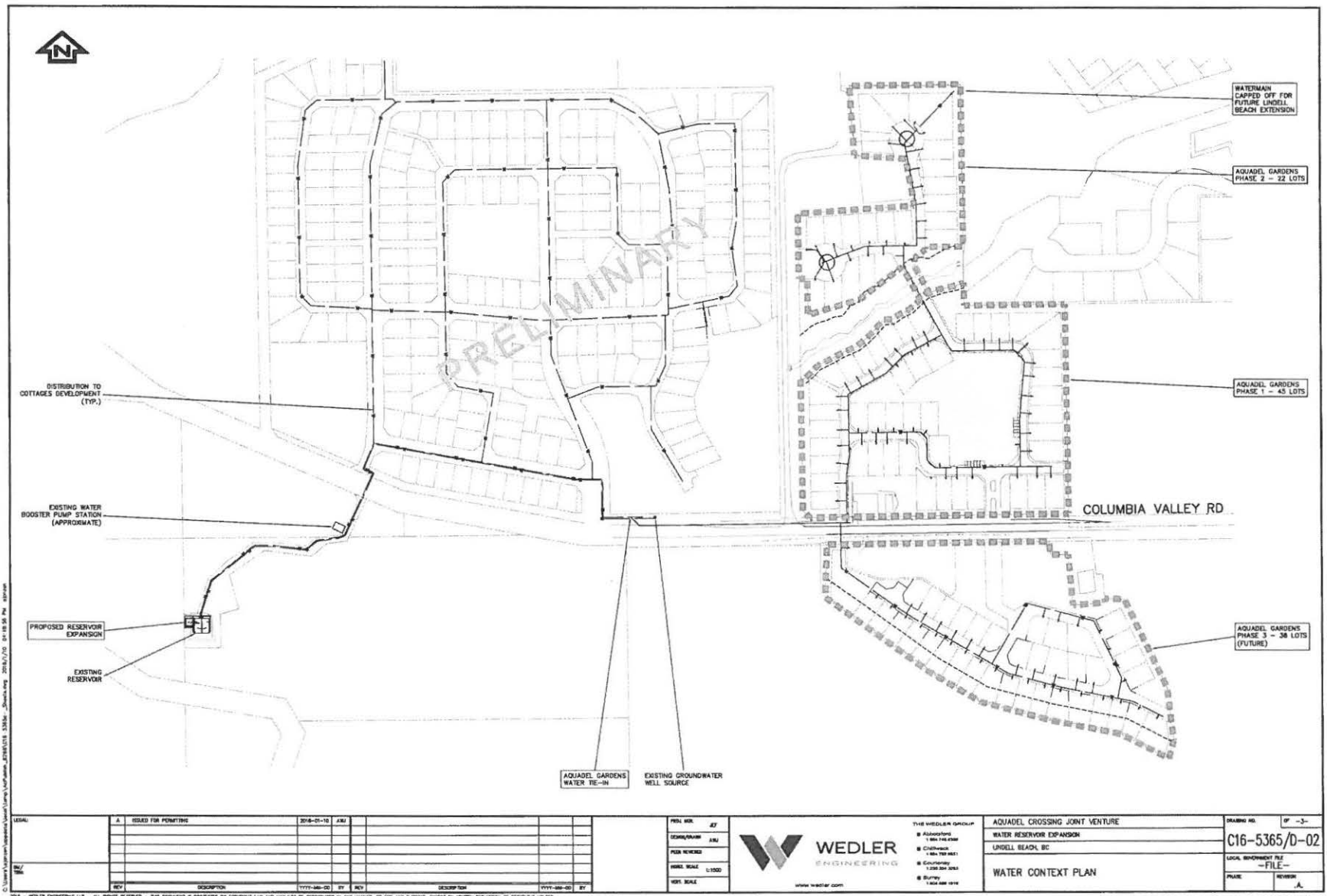
PRELIMINARY

Project No: C16-5365/D
Date: JANUARY 2018
ISSUED FOR PERMITTING



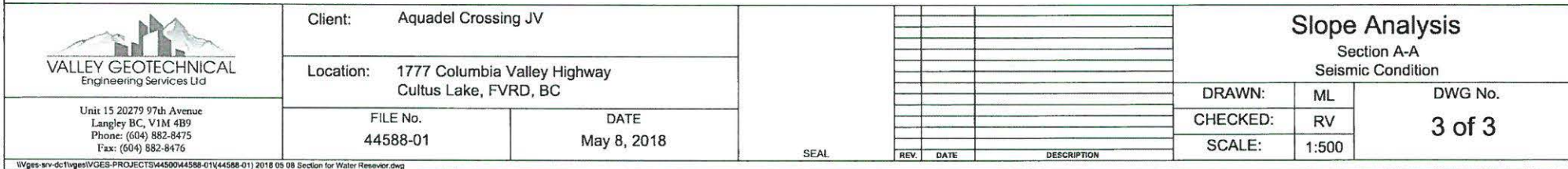
WEDLER
ENGINEERING

LOCAL GOVERNMENT FILE: SUB



Appendix C

Slope Analysis



Appendix D

Geohazard Assurance Statement

Geo-Hazard Assurance Statement

for Development Approvals

A. Project Information

Date May 8, 2018 FVRD File No. _____

Property Information

Project Name & Description Reservoir Addition (Extension)
Legal Description Plan BCS3022 Section 10 and 15 Township 22 NWD
Site Address 1777 Columbia Valley Highway PID _____

Client Information

Name Aquadel Crossing Ltd
Role ☐ Property Owner ☒ Developer ☐ Other
Client Address PO Box 2267, V2R 1A6

Qualified Professional Information

Name Raul Valverde
APEGBC Designation ☒ P.Eng. ☐ P. Geo. ☐ Eng.L. ☐ Geo.L.
Company Name Valley Geotechnical Engineering Services Ltd.
Mailing Address #15, 20279 - 97 Avenue, Langley
Email Address _____ Phone # _____

Geo-Hazard Report Reference

Title Reservoir Addition Risk Analysis Report Date May 8, 2018

Personal information on this form is being collected in accordance with Section 27 of the Freedom of Information and Protection of Privacy Act, RSBC 1996 Ch. 165; Part 9, Division 1 [Building Regulation] and Part 14 [Planning and Land Use Management] of the Local Government Act, RSBC 2015 Ch. 1; and Section 56 of the Community Charter, SBC 2003 Ch. 26 and will only be collected, used and disclosed for the purpose of administering geo-technical hazard reviews and assurance statements related to development approvals. Questions? Contact FVRD Privacy Officer at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6; 604-702-5000 or 1-800-528-0061; or FOI@fvrd.ca.



Geo-Hazard Assurance Statement

for Development Approvals

B. Assurance

Based on the contents of this Assurance Statement and the Report, I hereby give assurance that:

(check as applicable)

<input type="checkbox"/>	Development Permit	The Report will "assist the local government in determining what conditions or requirements under it will impose in the permit", as required by the <i>Local Government Act</i> (Division 7)
<input checked="" type="checkbox"/>	Building Permit	
<input checked="" type="checkbox"/>	Community Charter	"The land may be used safely for the use intended", as required by the <i>Community Charter</i> (Section 56)
<input checked="" type="checkbox"/>	Seismic Slope	The Report addresses the requirements of the BC Building Code 2006, 4.1.8.1.6 (8) and 9.4.4.4 (2), as detailed in the BC Building & Safety Policy Branch Information Bulletin B10-01, Jan 18, 2010
<input type="checkbox"/>	Floodplain Management Bylaw Exemption	"The land may be used safely for the use intended", as required by the <i>Local Government Act</i> . (Section 524)
<input type="checkbox"/>	Subdivision	"The land may be used safely for the use intended", as required by the <i>Land Title Act</i> (Section 86).
<input type="checkbox"/>	Other (e.g. Zoning Bylaw Amendment, Official Community Plan Amendment, Temporary Use Permit, etc.)	<Insert statement as appropriate>

C. APEGBC Professional Practice Guidelines

The Report and this Assurance Statement should be completed in accordance with the current version of one or both of the following Professional Engineers and Geoscientists of BC (APEGBC).

- *Legislated Flood Assessments in a Changing Climate in BC*
- *Legislated Landslide Assessments for Proposed Residential Development in British Columbia, ("APEGBC Landslide Guidelines")*.

These two documents are collectively referred to as the "APEGBC Guidelines". The italicized words in this Assurance Statement are defined in the APEGBC Guidelines.

The Report has been prepared pursuant to the following APEGBC Guidelines (check one or both as applicable).

- ☐ APEGBC Flood Guidelines
- ☒ APEGBC Landslide Guidelines



Geo-Hazard Assurance Statement

for Development Approvals

If the Report is **not** prepared pursuant to either of the APEGBC Guidelines, please explain.

D. Background Information

Qualified Professionals **must** confirm and check that each item is included in the Report.

- ☒ 1. Property location map — 8.5 x 11 size
- ☒ 2. Development proposal site plan — 8.5 x 11 size. *If a subdivision, show the parent parcel and all lots to be created, including any remainder.*
- ☒ 3. Description of the proposed development project (including building use) to the extent this is known at the time of Report preparation.
 - ☐ residential
 - ☐ industrial
 - ☐ commercial
 - ☐ institutional
 - ☒ other water reservoir

Geo-Hazard Assurance Statement

for Development Approvals

E. Technical Requirements

Qualified Professionals **must** review, confirm and check completed items (as applicable).

Report Content

- ☒ 4. Relevant information pertaining to the Property and pertinent potential hazards from appropriate background sources, including the FVRD online library.
- ☒ 5. Time limitation or condition statement to describe extent the FVRD may rely on the Assurance Statement and Report for development approvals, and when resubmittal is recommended.
- ☒ 6. Maps, illustrations and diagrams to illustrate areas referred to in the Report.
- ☒ 7. Description of field work conducted on and, if required, beyond the Property.
- ☒ 8. Contact and consultation with the Fraser Valley Regional District. Provide name and title of contact.
FVRD Planner - Mike Foster
- ☒ 9. Review of relevant FVRD bylaws and other statutory requirements.
- ☒ 10. Restrictive covenants registered against the Property title that pertain to geo-hazards (if registered, the Report provides relevant information about the covenants).
- ☒ 11. Notation of any visibly apparent natural hazards or other hazards identified in background reports, which are not identified and addressed in this Report. If yes, provide details in Section H: Geo-Hazard Summary Table.
 - ☐ Yes
 - ☒ No
- ☒ 12. Does the report rely on one or more supporting reports, each of which is independently reviewed, signed and sealed. If yes, provide details in Section H: Geo-Hazard Summary Table.
 - ☐ Yes
 - ☒ No
- ☐ 13. For subdivision approval, the Report addresses natural hazards for:
 - ☐ the parent parcel prior to subdivision
 - ☐ any lots to be created (including any remainder)

Geo-Hazard Assurance Statement

for Development Approvals

Geo-hazard Assessment, Risk Acceptability and Risk Transfer

- ☒ 14. In considering the above-noted potential hazards that may affect the property, I have:
- ☒ reviewed and characterized the potential hazard(s)
 - ☒ estimated the potential frequency and magnitude of the potential hazard(s)
 - ☒ relied on supporting reports as noted above
 - ☒ relied on a pre-existing assessment of hazard frequency and magnitude
 - ☒ considered the potential effects of climate change in the context identified in the Report
 - ☒ considered the potential effects of changed future conditions (upstream watershed changes, forestry activity, land use changes, sea level rise, etc.) in the context identified in the Report
- ☒ 15. This Assurance Statement pertains to all geo-hazards that are assessed in the Report and any supporting reports, and accurately reflects the contents of those documents.
- ☒ 16. The FVRD has adopted "Hazard Acceptability Thresholds for Development Approvals by Local Government", which provides a specific level of hazard or risk tolerance. I have included a Hazard Summary Table which:
- ☒ lists all the potential hazards addressed by the Report and any supporting reports
 - ☒ provides an annual return frequency and acceptability threshold classification for the unmitigated condition
 - ☒ proposes mitigative measures to appropriately reduce the geo-hazard risk
 - ☒ provides an annual return frequency and acceptability threshold classification for the mitigated condition
- ☒ 17. The Report describes the potential transfer of natural hazard risk to other properties or infrastructure as a result of the proposed project (including any proposed *mitigation works*) and
- ☒ considered the potential for transfer of natural hazard risk
 - ☒ concludes that there is no significant transfer of natural hazard risk
 - ☒ identifies the potential transfer of natural hazard risk and proposes measures to offset such transfer of risk

Geo-Hazard Assurance Statement

for Development Approvals

Mitigation and Design Recommendations (if recommended)

The Report contains the following items:

- ☐ 18. Implementation steps for the identified structural mitigation works (in terms of design, construction and approval).
- ☒ 19. Clearly identified safe locations for building(s), ancillary structures, and onsite utility services (as applicable, such as a septic field) out of the natural hazard area as a preferred development alternative.
- ☒ 20. Commentary on the effectiveness of proposed structural mitigation works in terms of ability to reduce the potential hazard impact, and identification of any residual risk that would remain.
- ☐ 21. Proposed Flood Construction Level (FCL) for future development and including specification of an appropriate method of achieving the FCL.
- ☐ 22. Proposed watercourse setback, which is clearly referenced from the natural boundary, top of bank or another suitable basis.
- ☐ 23. Proposed operation and maintenance actions that will be necessary in order for the level of safety to be maintained in the future, with indications of who should be responsible for those actions and when.

Riparian Area Regulation (if applicable)

- ☐ 24. QP must review RAR assessment report to avoid conflict with Geo-Hazard Report recommendations.

F FVRD Supplemental Requirements

The following points are understood by the Qualified Professional when submitting a Report:

- ☒ 25. Permission is granted to the FVRD to use the Report in considering approval of the proposed development on the property, provided that such permission is limited only to the proposed development project for which the Report was prepared.
- ☒ 26. Methodology used in the Report is described in sufficient detail to facilitate a professional review of the study by the FVRD when necessary.
- ☒ 27. Professional liability insurance coverage of at least \$1 million per claim is carried by the QP.
- ☒ 28. Third party review or supplemental information may be required by the FVRD where complex development proposals warrant.
- ☒ 29. Permission is granted to the FVRD to include the Report in the online FVRD geo-hazard report library (as background information, not for other parties to rely).

Geo-Hazard Assurance Statement

for Development Approvals

G. Qualified Professional (QP)

Prepared by: (QP of Record)

Name Raul Valverde

Designation ☒ P.Eng. ☐ P. Geo. ☐ Eng.L ☐ Geo.L

Reviewed by:

Name Joel Blanco

Designation ☒ P.Eng. ☐ P. Geo.

The Report has received appropriate technical review which is consistent with both the APEGBC Professional Practice Guidelines, and APGBC Quality Management Guidelines. The name of the reviewer is noted in the Report and below.

Professional Seal, Signature and Date:



- ☒ I am a Qualified Professional as defined in the APEGBC Guidelines, and I fulfill the education, training and experience requirements as outlined in the APEGBC Guidelines
- ☒ I have signed, sealed, dated and thereby certify, this Assurance Statement and the attached report.

Geo-Hazard Assurance Statement

for Development Approvals

H. Geo-Hazard Summary Table

The geo-hazard report and/or any supporting reports addresses the following hazard types.

Geo-Hazard Type #1		Geo-Hazard Type #2	
Small Scale Localized Landslip		Major Catastrophic Landslide	
Annual Return Frequency (Unmitigated) 1:500 - 1:10000		Annual Return Frequency (Unmitigated) 1:1000 - 1:10000	
Acceptability Threshold Classification	3	Acceptability Threshold Classification	2
MITIGATION (if necessary)			
Proposed Mitigation Measures	Yes <input checked="" type="radio"/> No <input type="radio"/>	Proposed Mitigation Measures	Yes <input type="radio"/> No <input checked="" type="radio"/>
Annual Return Frequency (Mitigated) <10000		Annual Return Frequency (Mitigated)	
Acceptability Threshold Classification	1	Acceptability Threshold Classification	
Comments		Comments	
SUPPORTING REPORT			
Was this report prepared by others?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Was this report prepared by others?	Yes <input type="radio"/> No <input checked="" type="radio"/>
If yes, list report name, date and author.		If yes, list report name, date and author.	

Geo-Hazard Type #3		Geo-Hazard Type #4	
Debris Flow and Debris Torrent			
Annual Return Frequency (Unmitigated) 1:500 - 1:10000		Annual Return Frequency (Unmitigated)	
Acceptability Threshold Classification	2	Acceptability Threshold Classification	
MITIGATION (if necessary)			
Proposed Mitigation Measures	Yes <input type="radio"/> No <input checked="" type="radio"/>	Proposed Mitigation Measures	Yes <input type="radio"/> No <input type="radio"/>
Annual Return Frequency (Mitigated)		Annual Return Frequency (Mitigated)	
Acceptability Threshold Classification		Acceptability Threshold Classification	
Comments		Comments	
SUPPORTING REPORT			
Was this report prepared by others?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Was this report prepared by others?	Yes <input type="radio"/> No <input type="radio"/>
If yes, list report name, date and author.		If yes, list report name, date and author.	

Geo-Hazard Assurance Statement

for Development Approvals

Indicate which hazards were NOT reviewed:

- | | |
|--|--|
| <input type="checkbox"/> Chilliwack River Valley Erosion or Avulsion | <input type="checkbox"/> Seismic Effects/Liquefaction |
| <input type="checkbox"/> Debris Flow and Debris Torrent | <input type="checkbox"/> Rockfall - Small Scale Detachment |
| <input type="checkbox"/> Debris Flood | <input type="checkbox"/> Slope Stability |
| <input type="checkbox"/> Fraser River & tributaries flooding | <input type="checkbox"/> Small Scale Localized Landslide |
| <input type="checkbox"/> Mountain Stream Erosion or Avulsion | <input type="checkbox"/> Snow Avalanche |
| <input type="checkbox"/> Major Catastrophic Landslide | <input checked="" type="checkbox"/> Tsunami |

Hazard Acceptability Thresholds Classification, as per Hazard Acceptability Thresholds for Development Approvals by Local Government dated November 1993 by Dr. Peter Cave.

- 1 Approval with conditions relating to hazards.
- 2 Approval, without siting conditions or protective works conditions, but with a covenant including "save harmless" conditions.
- 3 Approval, but with siting requirements to avoid the hazard, or with requirements for protective works to mitigate the hazard.
- 4 Approval as (3) above, but with a covenant including "save harmless" conditions as well as siting conditions, protective works or both.
- 5 Not approvable.

Additional Comments



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2018-22 **Folio No.** 733.03153.001

Issued to: BCS3022 The Cottages at Cultus Lake

Address: 1777 Columbia Valley Road, Electoral Area "H"

Applicant: Aquadel Crossing Ltd.

Site Address: 1777 Columbia Valley Road, Electoral Area "H"

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

SECTION 15, TOWNSHIP 22, NEW WESTMINSTER DISTRICT, STRATA PLAN BCS3022, DUMMY FOLIO
FOR COMMON PROPERTY

PROPERTY MANUALLY ADDED BY FVRD, NOT ON BCA ROLL.

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

AUTHORITY TO ISSUE

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

BYLAWS SUPPLEMENTED OR VARIED

Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser-Cheam is **varied** as follows:
Section 18.4.1(b)(ii)

The ancillary building setback from any other site line or boundary (interior side lot line) is varied by reducing the lot line setback from 6 metres to 0.9 metres, clear to sky for the water reservoir expansion.

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. 014215.

GENERAL TERMS AND CONDITIONS

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

SECURITY DEPOSIT

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

Should the holder of this permit:

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

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

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

Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2018-22. The notice shall take the form of Appendix I attached hereto.

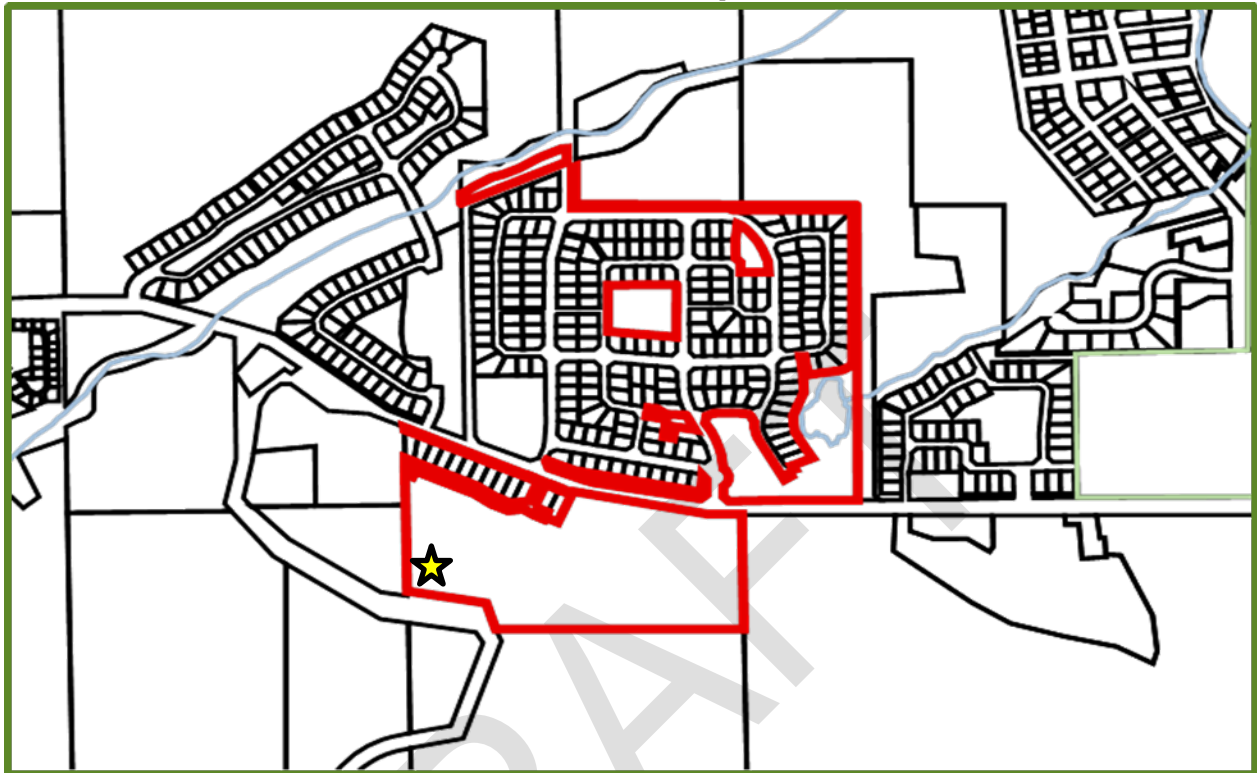
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE 24TH DAY OF JUNE, 2018.

Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

DRAFT

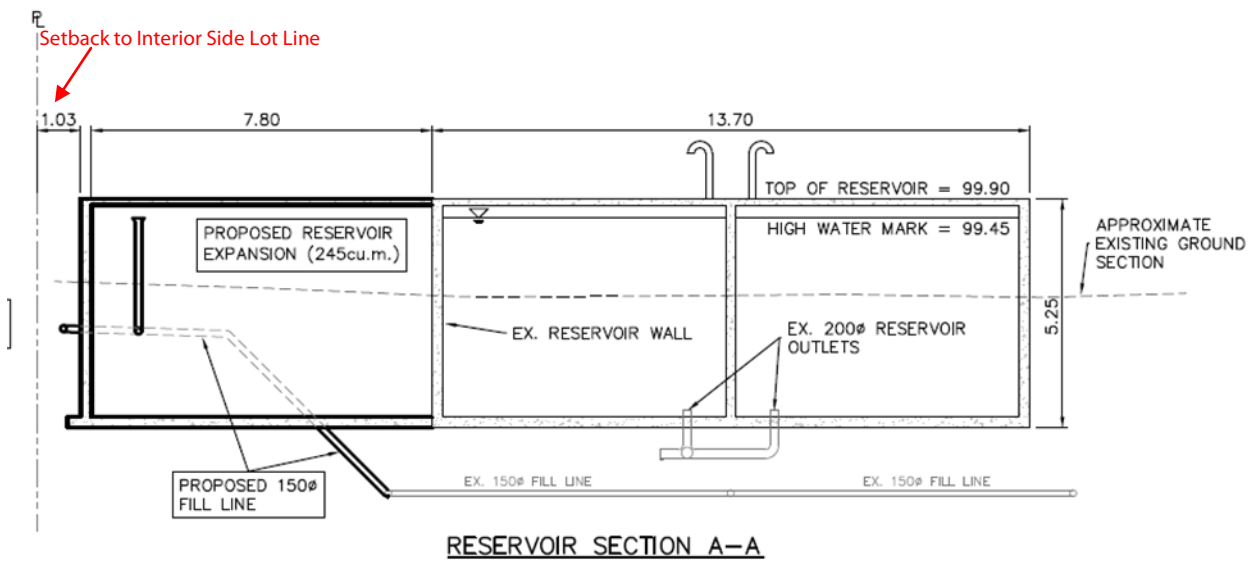
DEVELOPMENT VARIANCE PERMIT 2018-22
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2018-22

SCHEDULE "B"

Site Plan



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

Date: 2018-06-12
 File No: 3090-20-2018-23

Subject: Application for Development Variance Permit 2018-23 to vary the definition of Accessory Family Residential Use from single-width manufactured home to double-width manufactured home for the property located at 44428 Malcolm Road, Electoral Area C

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-23 for the property located at 44428 Malcolm Road, Electoral Area C, to vary the definition of Accessory Family Residential Use from single-width manufactured home to double-width manufactured home, subject to consideration of any comments or concerns raised by the public.

AND THAT the Fraser Valley Regional District Board authorize its signatories to execute all legal instruments associated with this application.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to vary the definition of Accessory Family Residential Use as outlined in *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*.

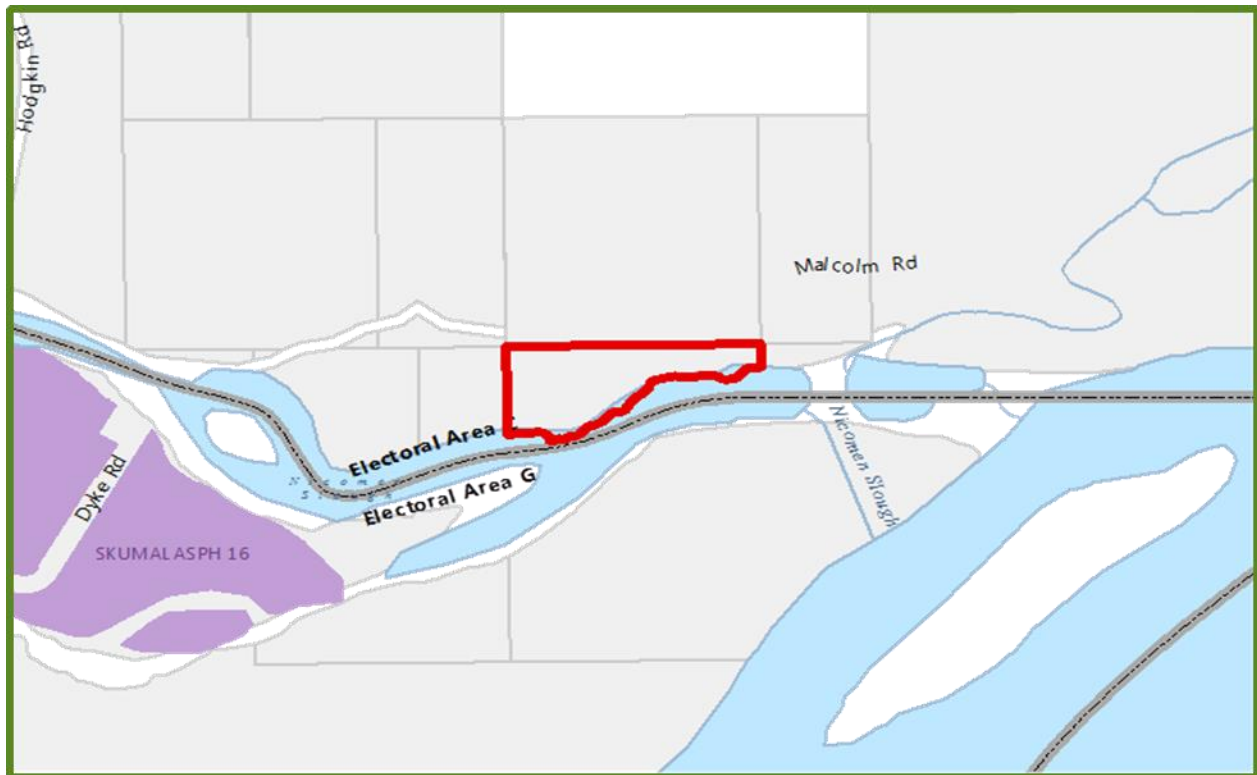
PROPERTY DETAILS			
Electoral Area	C		
Address	44428 Malcolm Road		
PID	013-173-685		
Folio	775.06708.100		
Lot Size	10.2 acres		
Owner	Hopkins	Agent	n/a
Current Zoning	Rural 3 (R-3)	Proposed Zoning	No change
Current OCP	Limited Use (L)	Proposed OCP	No change

Current Use	Residential	Proposed Use	Acc. Residential
Development Permit Areas	DPA 1-C (geo hazards), DPA 2-C (env. sensitive), 3-C (RAR)		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Rural 3 (R-3), Residential
East	>	Rural 3 (R-3), Residential
West	<	Floodplain Agriculture (A-2)
South	v	Nicomen Slough

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The owners of the property have made an application to vary the size of a permitted structure within the definition of accessory family residential use from a single-width manufactured home to a double-width manufactured home on the property located at 44428 Malcolm Road. In addition, the applicants have offered a covenant in favour of the Regional District for an accessory family residential use. This offer also includes a security bond of \$2,000.00, rather than the \$1,000.00 currently required by the conditions of the Zoning Bylaw. Appendix A illustrates the proposed site plan for development.

The subject property, located at 44428 Malcolm Road, is zoned Rural 3 (R-3), which permits an accessory family residential use. The property currently has a single family dwelling located in the northwest corner of the parcel. The owners have applied for a building permit (BP014309) to locate a manufactured home on the property, in accordance with the permitted accessory family residential use. The need for a variance arises because under the zoning bylaw an accessory family residence must be located within a single-width manufactured home, whereas the applicants have identified a double-width manufactured home as their preferred choice.

The placement of the manufactured home will also require a Development Permit. The applicants are in the process of obtaining a geohazard report and will be making the development permit application. All Zoning Bylaw setback requirements and watercourse setbacks (RAR) are being met. The property is elevated and not within a floodplain.

Application Rationale

The applicants advise that the reasons in support of the variance are: 1. a double-width manufactured home would be more aesthetically appealing; and 2. would fit the site better.

Accessory Family Residential Use Variance

The owners are seeking a variance to the definition of Accessory Family Residential Use.

Current definition:

Accessory Family Residential Use means the use of a single-width manufactured home as a dwelling unit for the accommodation of the father, mother, father-in-law, mother-in-law or grandparent of an owner of the parcel.

Proposed definition:

Accessory Family Residential Use means the use of a double-width manufactured home as a dwelling unit for the accommodation of the father, mother, father-in-law, mother-in-law or grandparent of an owner of the parcel.

The most significant difference between a single-width and a double-width manufactured home is approximately 3 metres in additional width and between 100 to 750 square feet of additional internal space. The proposed manufactured home is approximately 1,056 square feet and would be manufactured in accordance with Canadian Standards Z240 series, a requirement of the bylaw. A double-width manufactured home would be constructed with the same transportable sub-structure as a single-width and requires minimal additional work at the installation or removal stage.

Neighbourhood Notification and Input

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

COST

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

CONCLUSION

The property owners have applied for a DVP to vary the definition of Accessory Family Residential Use. Staff recommend that the FVRD Board issue the permit. The variance is not anticipated to negatively affect surrounding properties, given the setbacks to property lines.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2018-23 for the property located at 44428 Malcolm Road, Electoral Area C to vary the definition of Accessory Family Residential Use from single-width manufactured home to double-width manufactured home, subject to consideration of any comments or concerns raised by the public.

Option 2 – Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2018-23 for the property located at 44428 Malcolm Road, Electoral Area C.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2018-23 for the property located at 44428 Malcolm Road, Electoral Area C to FVRD staff.

COMMENTS BY:

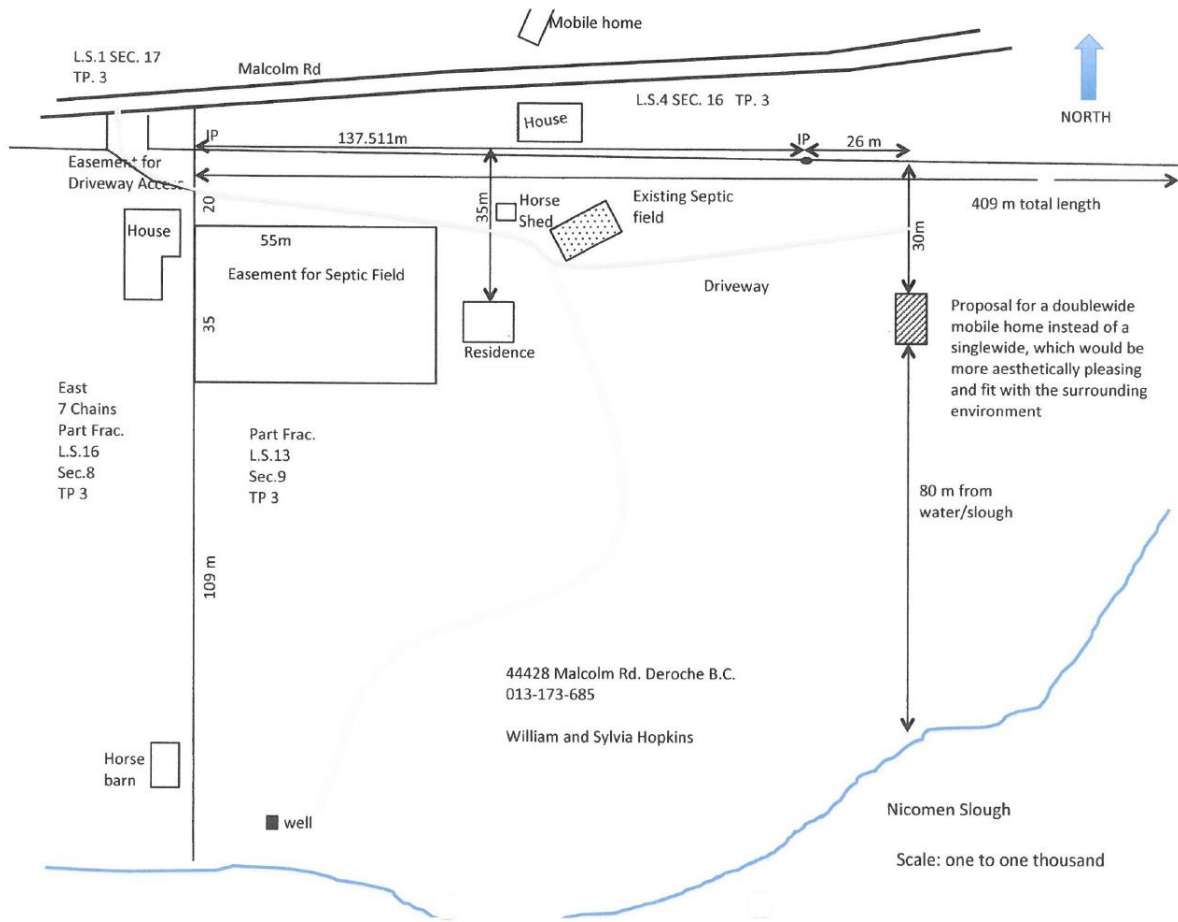
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported.

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

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

Paul Gipps, Chief Administrative Officer: Reviewed and supported

Appendix A



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

350.00

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 44428 Malcolm Rd. Deroche PID 013-173-685

Legal Description Lot 36 Block 9 Section 3 Township 30 Range 30 Plan _____

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

Owner's
Declaration

Name of Owner (print) William K. Hopkins	Signature of Owner	Date May 12, 2018
Name of Owner (print) Sylvia Hopkins	Signature of Owner	Date May 12, 2018

Owner's
Contact
Information

Address Box 114, 44428 Malcolm Rd	City Deroche
1	Postal Code V0M 1G0
Cell	Fax

Office Use Only	Date 16 MAY 2018	File No. 3090-20 2018-23
	Received By KW	Folio No. 775.06708.100
	Receipt No. 6014/7	Fees Paid: \$ 350.00

Agent

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

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

Signature of Owner	Date
Signature of Owner	Date

Agent's contact information and declaration

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

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

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

Development Details

Property Size 9 acres Present Zoning R-3
Existing Use rural residential
Proposed Development Double wide mobile for the purpose of accessory Family Residential use

Proposed Variation / Supplement To allow the use of a double wide mobile home from a single wide

Reasons in Support of Application A double wide mobile home would be aesthetically more pleasing, and fit the site better. A double wide mobile home would be easier to install.

Provincial Requirements

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

Riparian Areas Regulation

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

yes
☐

no
☒

30 metres of the high water mark of any water body

yes
☐

no
☒

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

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

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

Contaminated Sites Profile

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

yes
☐

no
☒

the property has been used for commercial or industrial purposes.

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

Archaeological Resources

Are there archaeological sites or resources on the subject property?

yes
☐

no
☒

I don't know
☐

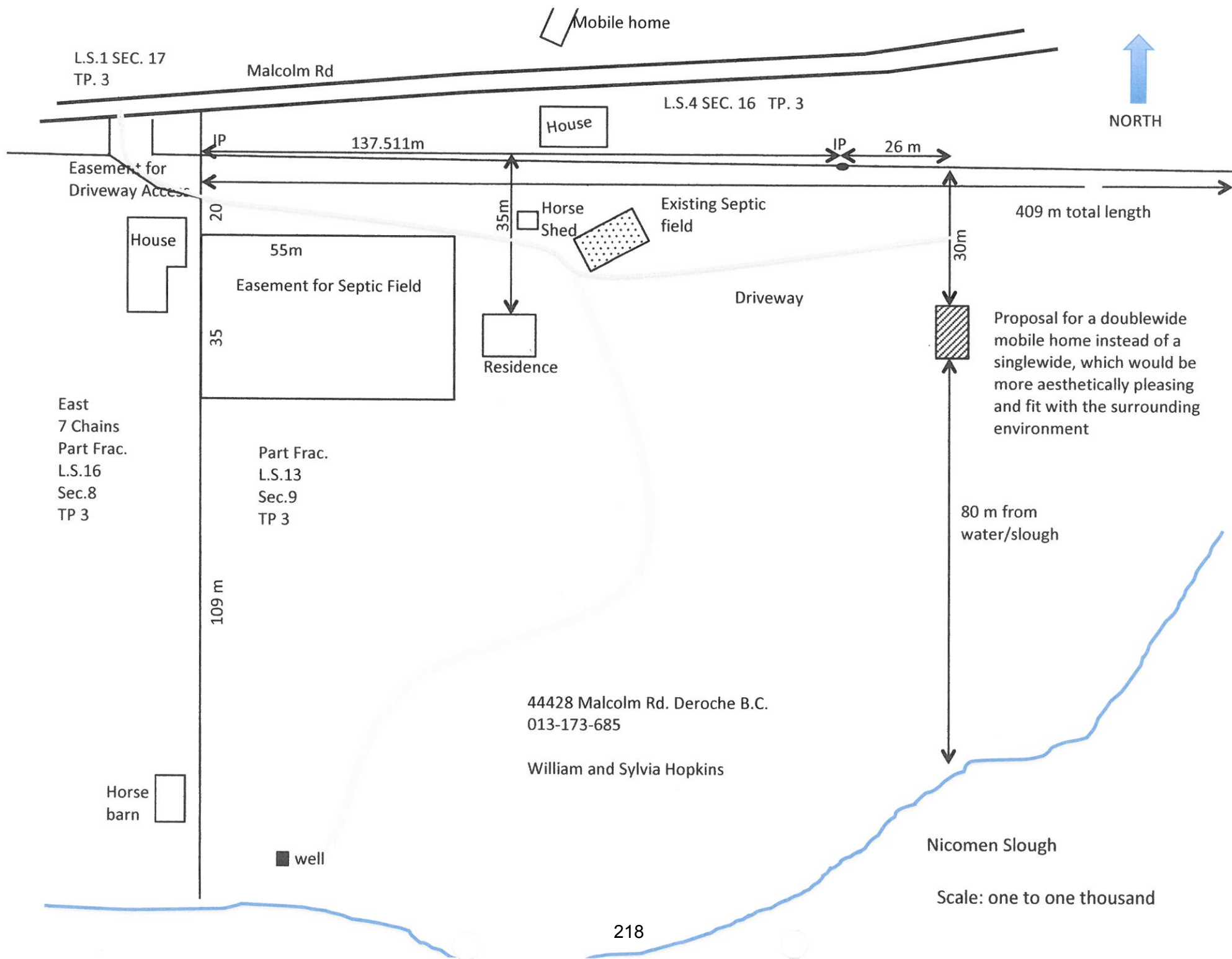
If you responded 'yes' or 'I don't know' you may be advised to contact the Archaeology Branch of the Ministry of Tourism, Sport and the Arts for further information.

Required Information

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

	Required	Received	Details
Location Map			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
Site Plan At a scale of: 1: <u>1000</u>			Reduced sets of metric plans
			North arrow and scale
			Dimensions of property lines, rights-of-ways, easements
			Location and dimensions of existing buildings & setbacks to lot lines, rights-of-ways, easements
			Location and dimensions of proposed buildings & setbacks to lot lines, rights-of-ways, easements
			Location of all water features, including streams, wetlands, ponds, ditches, lakes on or adjacent to the property
			Location of all existing & proposed water lines, wells, septic fields, sanitary sewer & storm drain, including sizes
			Location, numbering & dimensions of all vehicle and bicycle parking, disabled persons' parking, vehicle stops & loading
			Natural & finished grades of site, at buildings & retaining walls
			Location of existing & proposed access, pathways
			Above ground services, equipment and exterior lighting details
			Location & dimensions of free-standing signs
			Storm water management infrastructure and impermeable surfaces
			Other:
Floor Plans			Uses of spaces & building dimensions
			Other:
Landscape Plan Same scale as site plan			Location, quantity, size & species of existing & proposed plants, trees & turf
			Contour information (_____ metre contour intervals)
			Major topographical features (water course, rocks, etc.)
			All screening, paving, retaining walls & other details
			Traffic circulation (pedestrian, automobile, etc.)
			Other:
Reports			Geotechnical Report
			Environmental Assessment
			Archaeological Assessment
			Other:

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

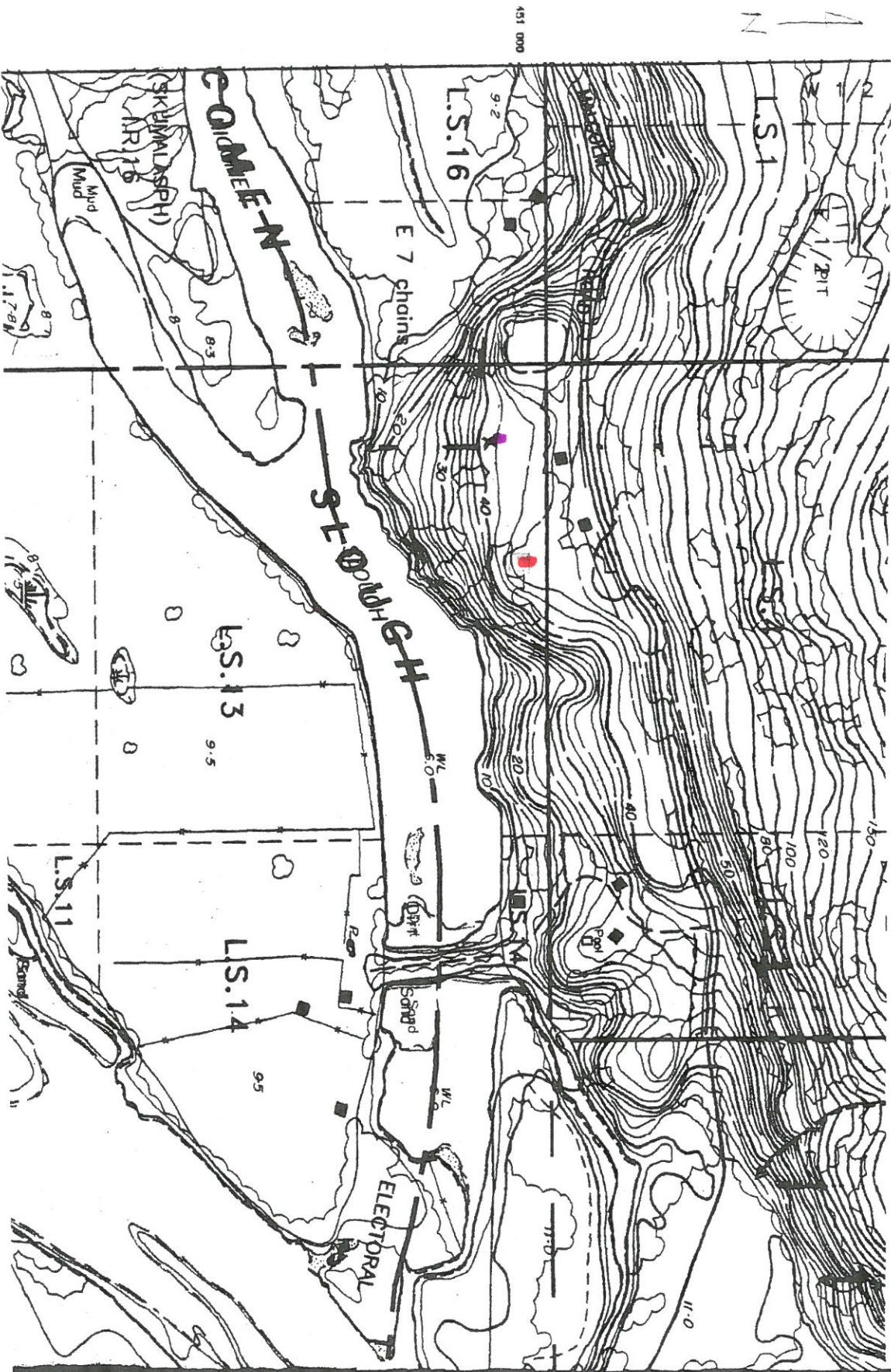




Proposed site of double
wide mobile home

44428 Malcolm Rd, Deroche, B.C.
William and Sylvia Hopkins

- Existing residence
- Proposed doublewide mobile



44448 Malcolm Rd. X - Approx, PROPOSED BUILDING LOCATION
 Sylvia and William Hopkins

William and Sylvia Hopkins
44428 Malcolm Rd.
Deroche, B.C.
May 16 2018

RE: Development Variance Permit

Dear Fraser Valley Regional Staff and
Honourable Members of the Electoral Area services Committee,

My Husband and I have had the privilege of living here for more than 10 years. We have come to love the rural lifestyle, the land, and the community that we are part of. Recently, we have made the decision to have our aging parents move onto the property with us, so that they can be close to family and the care that they now need.

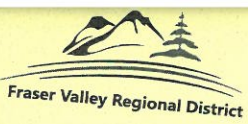
We ask that a development variance be granted to allow for a doublewide mobile home from that of a singlewide, which, is presently allowed. This change would allow a temporary residence that would fit better with the site parameters, allow ease of installation and give our parents a more "home like" residence, which, would contribute to their quality of life.

The site for the proposed home is over 163 meters from our neighbour to the west, over 240 meters from our neighbour to the east. The doublewide mobile home can be sited 30 meters from the property line of our neighbour to the north, which is now used for vehicle parking. One can see by the documents provided that a doublewide mobile home would not impede or adversely influence the neighbourhood.

We hope to be able to share this beautiful area with our parents and ask for your consideration. If you need more information, please call and we will answer your questions, 604 751-1109

Thank you for your time,

Sylvia and William Hopkins



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

Receipt

Date May 16/18

Received from HOPKINS

Description of Payment and GL Code _____

DVP APPLICATION

44428 MALCOLM RD

GST #89221 4750 RT0001

For Office Use Only
Do not write in the space below

Fraser Valley Regional District

Receipt: 6014/7

Dated: May 16, 2018

Station: EA SERVICE/CASH2

May 16, 2018

11:56:48 AM

1 PLANNING DVP APPLICATION - 444 350.00

Total

CASH HOPKINS

CHANGE

350.00

-340.00

10.00

White - Cashier | Yellow - Department | Pink - Customer



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit2018-23 **Folio No.** 775.06708.100

Issued to: William & Sylvia Hopkins

Address: 44428 Malcolm Road, Electoral Area "C"

Applicant: William & Sylvia Hopkins

Site Address: 44428 Malcolm Road, Electoral Area "C"

The lands affected by and subject to this permit are shown on Schedule "A", Location Map, attached hereto, which forms an integral part of this permit, and are legally described as:
PART FRACTIONAL LEGAL SUBDIVISION 13 OF SECTION 9 TOWNSHIP 3 RANGE 30 WEST OF THE SIXTH
MERIDIAN LYING NORTH OF NICOMEN SLOUGH NEW WESTMINSTER DISTRICT
013-173-685

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

AUTHORITY TO ISSUE

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

BYLAWS SUPPLEMENTED OR VARIED

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

Part 200 – Definitions

ACCESSORY FAMILY RESIDENTIAL USE means the use of a double-width manufactured home as a dwelling unit for the accommodation of the father, mother, father-in-law, mother-in-law or grandparent of an owner of the parcel.

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. 014309.

GENERAL TERMS AND CONDITIONS

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

SECURITY DEPOSIT

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

Should the holder of this permit:

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

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

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

 (b) the deposit of the following specified security: \$ 2,000.00.

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 2018-23. The notice shall take the form of Appendix I attached hereto.

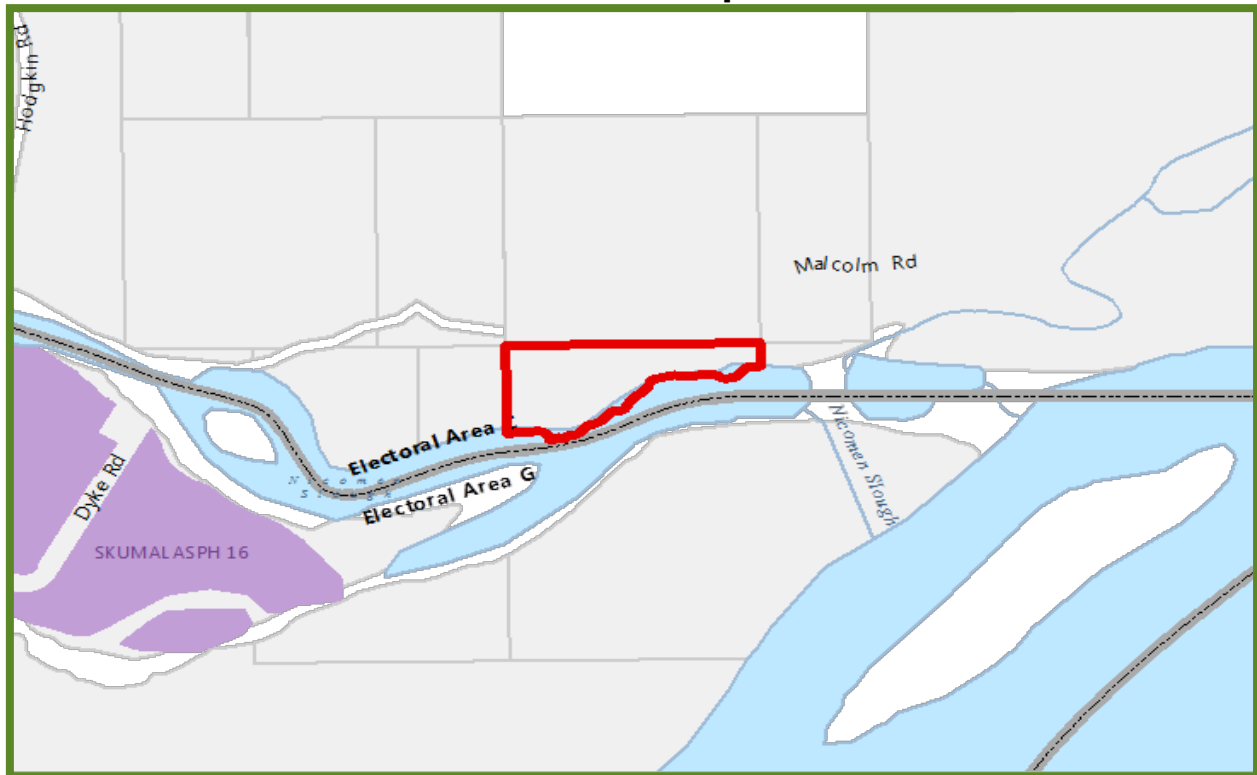
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF THE FRASER VALLEY REGIONAL DISTRICT ON THE 26th DAY OF JUNE, 2018.

Chief Administrative Officer / Deputy

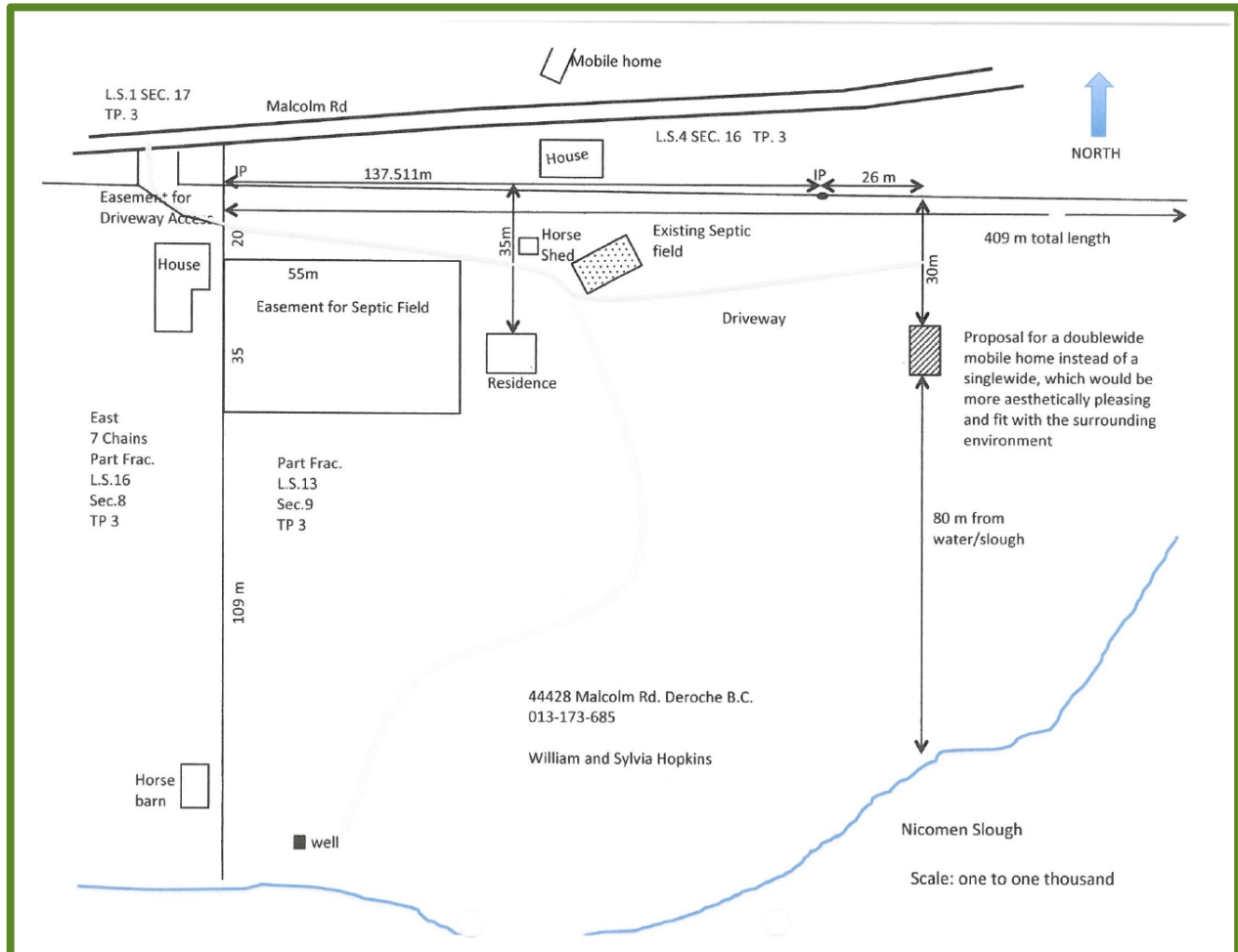
THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2018-23
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2018-23
SCHEDULE "B"
Site Plan



To: Electoral Area Services Committee

Date: 2018-06-12

From: David Bennett, Planner II

File No: 3060-20-2018-10

Subject: Development Permit 2018-10 regarding the form and character of Phase II of Aquadel Crossing at 1885 Columbia Valley Road Electoral Area "H".

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Permit 2018-10 regarding the form and character of Phase II of Aquadel Crossing at 1885 Columbia Valley Road Electoral Area "H" to permit the construction of a mix of rancher and two storey single family detached resort residential dwellings;

AND THAT the Fraser Valley Regional District Board authorize amendments to the existing form and character covenant (charge CA5854378) to permit the form and character of Phase II of the development as detailed in Development Permit 2018-10

STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy

Provide Responsive & Effective Public Services

BACKGROUND

Aquadel Crossing, located at 1885 Columbia Valley Road Electoral Area "H", is a single family resort residential community near Lindell Beach, Cultus Lake. The project is being subdivided and developed in phases.

The subdivision of Phase I of Aquadel Crossing is completed and homes are now under construction. Phase I includes 45 single family resort residential lots, 9 homes are finished and occupied.

The subdivision of Phase II of Aquadel Crossing is nearing completion. Phase II is situated on the North side of Spring Creek and includes 23 new single family resort residential lots.

The developers submitted a development permit application to amend the 2017 form and character development permit to permit a mix of two storey and single storey (rancher type) single detached homes within Phase II of the development.

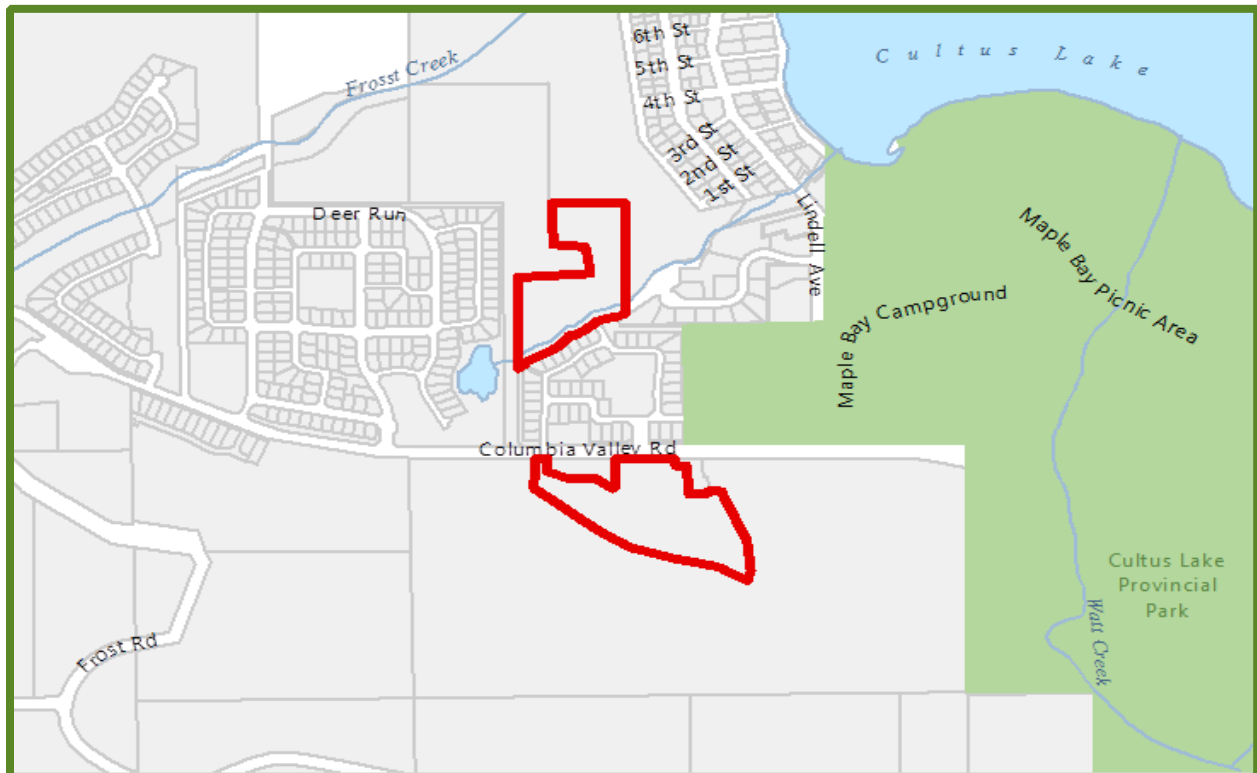
PROPERTY DETAILS

Electoral Area	H		
Address	n/a		
PID	030-179-122		
Folio	733.02970.001		
Lot Size	14.164 acres		
Owner	Aquadel Crossing Ltd.	Agent	Cody Les
Current Zoning	Private Resort Residential (PRD-1)	Proposed Zoning	No change
Current OCP	Resort (RT)	Proposed OCP	No change
Current Use	Vacant Land	Proposed Use	Residential
Development Permit Areas	DPA 4-E, 5-E, and 7-E		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Park Reserve (P-2)
East	>	Cultus Lake Provincial Park and Urban Residential (RS-1)
West	<	Campground / Holiday Park (CHP), Residential
South	v	Campground / Holiday Park (CHP), Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



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

DISCUSSION

The developer is applying to amend the existing form and character development permit for Aquadel Crossing to allow smaller, single storey detached rancher style homes with a smaller floor area than the first phase of the development. Letters of support for this minor variation have been submitted from the surrounding community.

The lands are located in four (4) development permit areas. A Comprehensive Development Permit was issued for this property as part of the overall subdivision and development approvals for a 103 lot resort residential subdivision known as Aquadel Crossing, Permit 2017-01. Permit 2017-01 addressed geo-hazard, form and character, and environmental aspects of the project including riparian areas. No amendments to the riparian, geo-hazard or environmental aspects of the previously issued development permit are proposed with this application.

Frosst Creek Development Permit Area 1-E

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

Riparian Areas Development Permit Area 5-E

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

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

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

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

This development is located in an area of high recreational and aesthetic amenities, such as Cultus Lake, and this area experiences high intensity of visitation and recreational use. Development in this area is highly visible, and, in turn, relies on the natural beauty and recreational amenity of the area. Visual values and recreational amenity are integral to the economy and community of these areas. Accordingly, there is a need to ensure that resort development is of a form and character which does not detract from the aesthetic experience of the area or resort uses and visual values on adjacent parcels. Development should reflect, and enhance the natural landscape of the area in which it is located. In addition, the concentration of resort development in nodes such as Cultus Lake South requires that developments are carefully designed to coordinate and be compatible with adjacent developments to create a cohesive functional resort node.

2015 Original Form and Character Design Control Covenant

In 2015, prior to the adoption of the rezoning bylaw that re-designated the lands PRD-1 to permit this 103 lot single family homes resort residential development, a covenant was registered on title detailing the form and character requirements for future construction on the lands. The covenant included elevation drawings for future clubhouse buildings, residential buildings and includes colour schematics. The covenant drawings were made available prior to the public hearing for the rezoning and were reviewed by the FVRD Board prior to covenant registration and zoning adoption.

2017 Phase I Form and Character Development Permit and Amended Covenant

In 2017, the developers made their formal submission for a form and character development permit for the project. The design drawings differed from the design drawings attached to the 2015 covenant. There were no changes to the layout, density, buffers or location of amenities reviewed at public hearing. The FVRD Board consider these new design drawings an approved the issuance of the comprehensive form and character development permit.

2018 Phase II and Character Development Permit and Amended Covenant

The developers wish to construct smaller, single storey homes in Phase II.

The developers were instructed to consult with the Lindell Beach neighbourhood (Spring Creek Strata, the Cottages at Cultus Lake Strata, and the Lindell Beach Ratepayers Association) and obtain written support prior to submitting an application to amend the form and character development permit. Letters of Support from the Lindell Beach Ratepayers Association, the Cottages at Cultus Lake strata, and the Spring Creek Strata were submitted with the application.

In support of the application, a revision to the comprehensive architectural theme was developed. The overall design theme for Phase II is changed slightly to include single storey rancher style homes with smaller floor areas than the homes in the first phase of the project.

The new homes in Phase II will incorporate all of the rural and modern elements seen in Phase I. This development permit will guide all future construction with respect to the form and character of individual homes within Phase II. This permit does not address changes to any future phases of the project (the final phases are located on the south side of Columbia Valley Road).

COST

Development permit application fee \$350.00 paid

Covenant amendment – developer is responsible for costs associated with covenant registration.

New development will add 103 parcels and assessment of the new construction to the service areas which will help to either offset these costs increases or reduce the existing service participant's costs. All costs for the operation and maintenance of the community sewer system are the responsibility of the parcels within the service area.

CONCLUSION

To obtain a form and character development permit, applicants submitted a written report, prepared by a Member of the Architectural Institute of British Columbia, outlining the design rationale for the development, including statements explaining how the design responds to the guidelines of this development permit area and 'fits' in relation, form, character and scale to nearby development and the natural environment.

FVRD staff also review the application to ensure compliance with the development permit area guidelines. Applicants who meet the guidelines of the development permit areas are entitled to the issuance of a development permit.

Letters of support from neighbouring the Spring Creek strata, the Cottages as Cultus Lake strata and the Lindell Beach Ratepayers Associated were submitted.

The Board may now consider issuance of this development permit. Staff recommend issuance of this development permit and that the Regional Board amend the existing form and character covenant to reflect the designed submitted for the development permit for Phase II. Other options for the Board's consideration are:

OPTION 2 Refuse the Development Permit

THAT the Fraser Valley Regional District Board **refuse** Development Permit 2018-10.

OPTION 3 Refer to the Development Permit back to Staff

THAT the Fraser Valley Regional District Board **refer** the application for Development Permit 2018-10 to FVRD staff.

COMMENTS BY:

Graham Daneluz, Deputy Director of Planning & Development

Reviewed and Supported

Margaret Thornton, Director of Planning & Development

Reviewed and Supported

Mike Veenbaas, Director of Financial Services

No further financial comments.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

Rem. 79
REFERENCE PLAN 13708

F
PLAN 23152

SITE PLAN OF PROPOSED SUBDIVISION

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

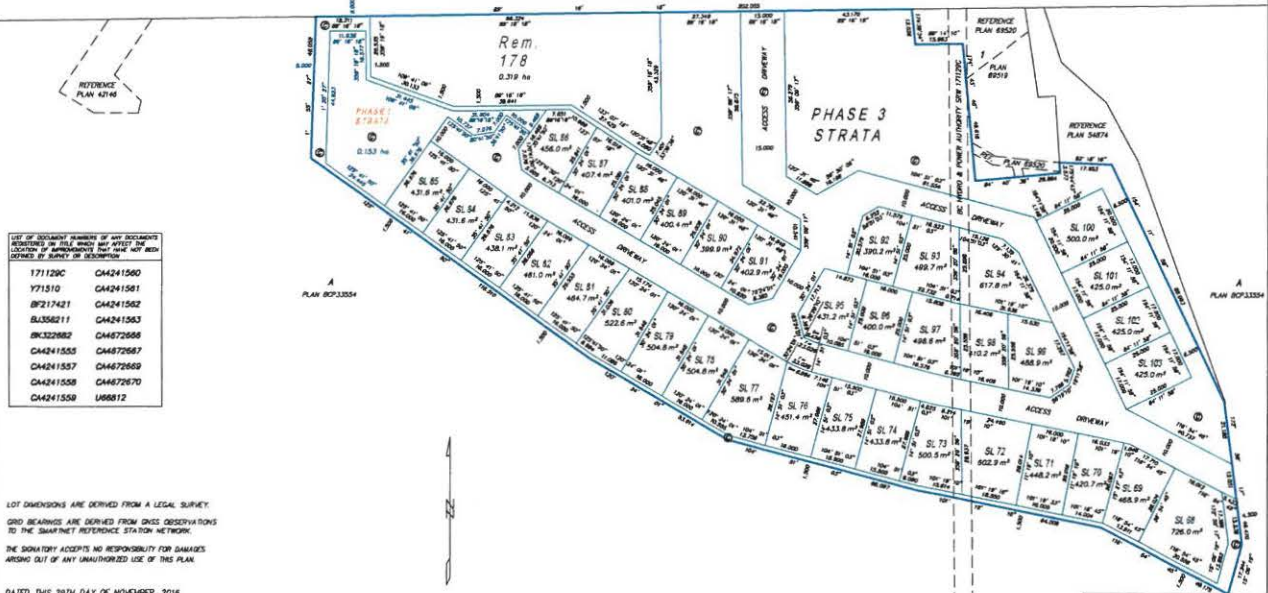
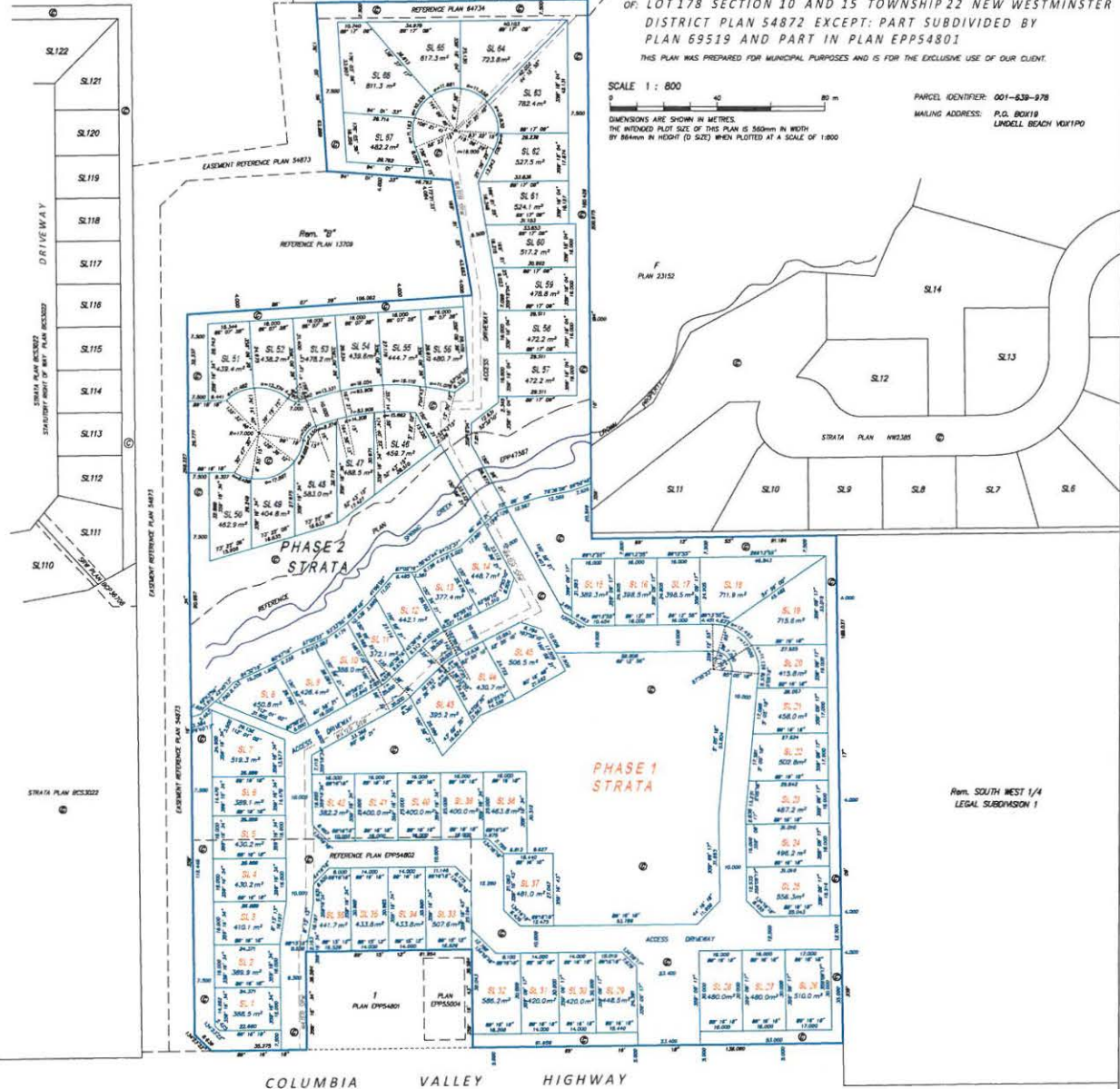
THIS PLAN WAS PREPARED FOR MUNICIPAL PURPOSES AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.

SCALE 1 : 800

DIMENSIONS ARE SHOWN IN METRES.
THE MINIMUM PLOT SIZE OF THIS PLAN IS 500mm IN WIDTH
BY 800mm IN HEIGHT (D SIZE) WHEN PLOTTED AT A SCALE OF 1:800

PARCEL IDENTIFIER: 001-638-978

MAILING ADDRESS: P.O. BOX 19
LINCOLN BEACH VICTORIA



LIST OF DOCUMENT NUMBERS OF ANY DOCUMENTS
REFERENCED BY THIS PLAN AND ANY OTHER
LOCATION OF REFERENCED DOCUMENTS AND ANY
OTHER INFORMATION AS REQUIRED BY THE
LEGISLATION IN FORCE

171129C	CA4241560
Y71510	CA4241561
BF217421	CA4241562
BL356211	CA4241563
BC322862	CA4672668
CA4241553	CA4672667
CA4241557	CA4672669
CA4241558	CA4672670
CA4241559	U98812

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

DATED THIS 29TH DAY OF NOVEMBER, 2016

GEORGE W. BAERG, B.C.L.S. (AL) (M)
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.
© COPYRIGHT, 2016 - GEORGE W. BAERG, B.C.L.S.

BAERG LAND SURVEYING LTD.
801 2550 SARDIS ST. W.
VICTORIA, B.C. V8N 1A8
PHONE: 250-625-4348
Email: gbaerg@baerg.ca
FILE: 16210_1_R1



May 17, 2018

16-167

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

Attn: *David Bennett, MCIP, RPP, Planner II*

Re: *Aquadel Crossing Phase II*
1859 Columbia Valley Road, Lindell Beach, BC

Dear Sir,

The proposed Aquadel Crossing Phase II development consists of 22 single-family homes located northeast of the current Phase I development.

Similar to Phase I, the concept of the development is designed to be a place of community within a natural, historic and organic setting, where people can come out from urban structure to enjoy a vibrant, sustainable, and healthy lifestyle. It has been carefully designed in compliance with the development guidelines identified in OCP Bylaw No. 1115 for Electoral Area 'E' and in compliance with Division 24 PRD-1 (Private Resort Development 1)

The single-family homes consist of both two-storey and single-storey ranchers each designed with diversity and variety in order to enhance a sense of community yet tied together by theme, material and colours, while respecting the existing natural and agricultural context, and typically consist of approx. 1,450 sq. ft. to 2,000 sq. ft. two and three-bedroom homes with 2.5 baths.

The design concept is intended to be that of a 'country style' vernacular referencing early subsistence farming homesteads common in the Columbia Valley during the early 1900's with early period farmhouse concept detailing, materials and colour pallet consistent with that of the single-



family homes made up typically of composite wood siding, board & batten, wood trim, cedar shakes, manufactured stone, corrugated metal and some exposed timbers features.

The individual houses are designed to meet the colour and finishes as per the exterior colour combinations attached as well as present a homestead image. Each house will have a different colour scheme from the adjacent houses, but all colours are complimentary and in context in accordance with the specifications. The colour scheme is designed to fit into the forest setting and not dominate the natural environment of the surroundings.

The landscape design continues off the themes laid out in the architecture by responding to the history and context of the site. Beyond the requirements for permit, such as appropriate buffers with native plantings, the goal is to retain as many of the large trees on site as possible. This again pays tribute to the design work created by the former golf course and provides some immediate large tree coverage on site.

Native and native cultivar plant material are proposed and encouraged for both common and private spaces, so the site can be incorporated back into the surrounding lake and mountainous environment.

We trust the information provided satisfies the FVRD requirements for this DVP submission, however, if you have any questions or require any further information, please do not hesitate to contact us.

Regards,

Eric Poxleitner Principal
Architect AIBC, AAA, MRAIC, LEED® AP BD + C

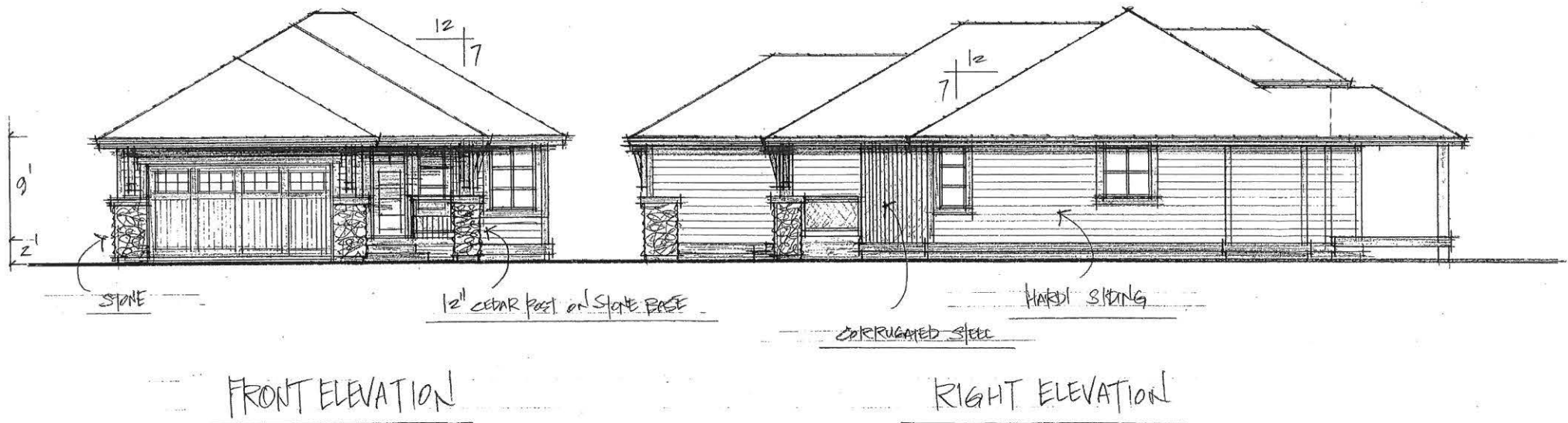
EP/mf

Attachments



AQUADEL CROSSING - PLAN C2 (lots 47 & 50)

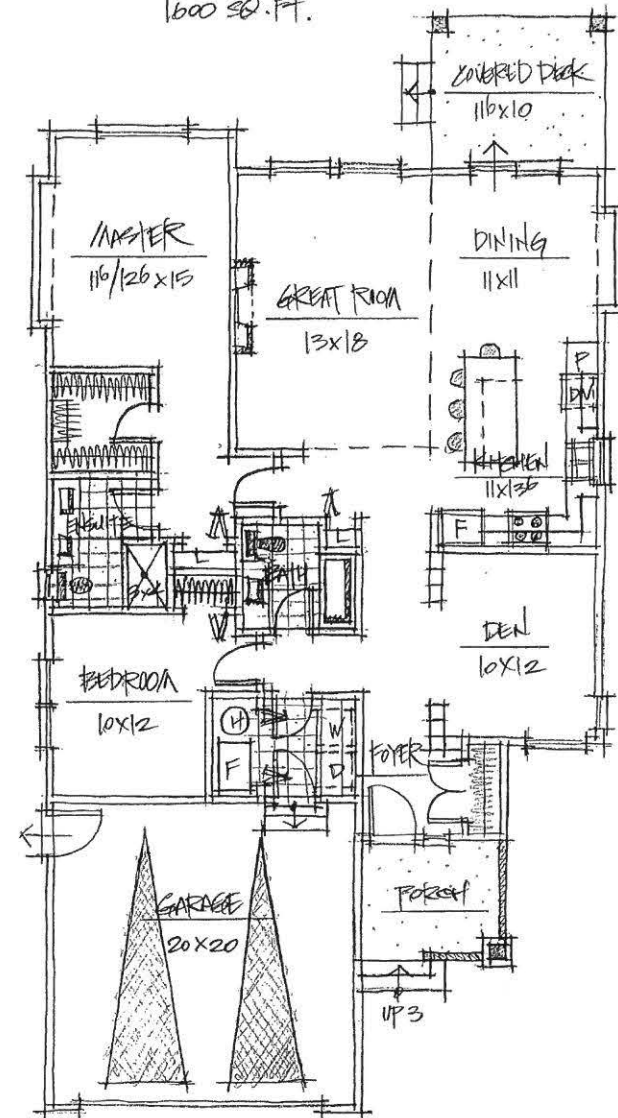
TOTAL: 1600 SQ. FT.



AGUADEL - RANCHER PLAN C

37' x 65' / 72.5'

1600 SQ. FT.



MAIN FLOOR - 1600 SQ. FT.

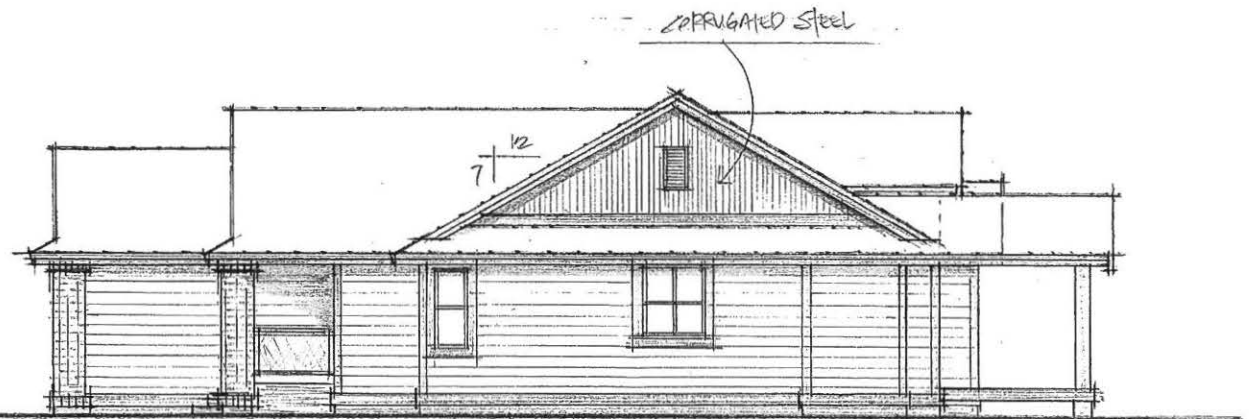
08.25/2017

AQUADEL CROSSING-RANCHER C1 (LOTS 48 & 56)

TOTAL: 1450 SQ. FT.



FRONT ELEVATION



FLANKING SIDE ELEVATION

001-05/2017

AQUADEL CROSSING - PLAN C2 (lots 47 & 50)

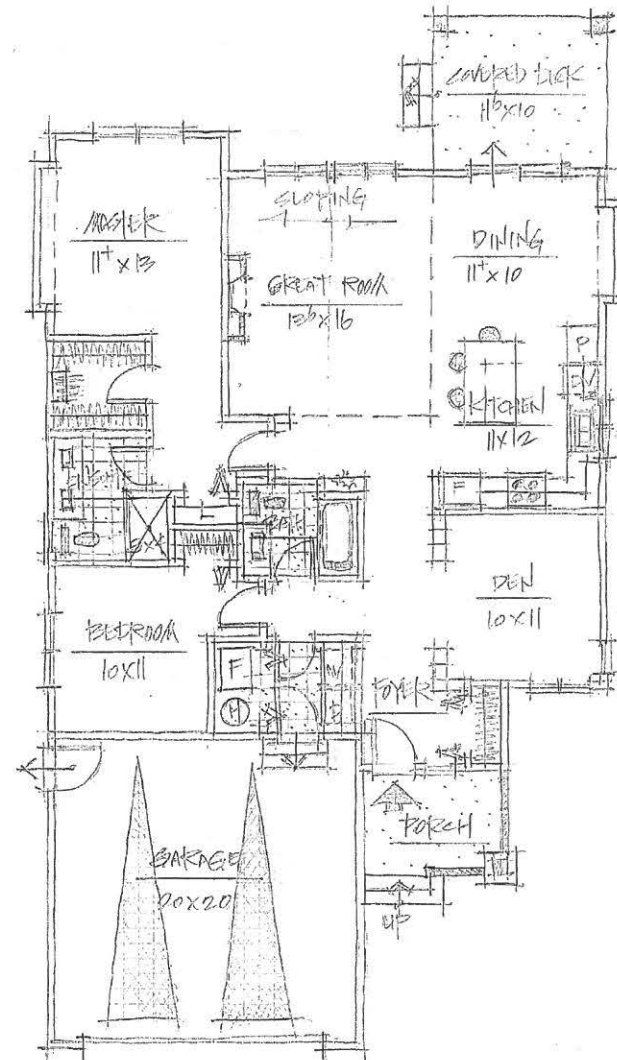
total: 1450 sq. ft.



ADRIANDEL CROSSING - RANCHER C

total: 1450 sq. ft.

27'x61' / 68.5'



APRIL 19/2018

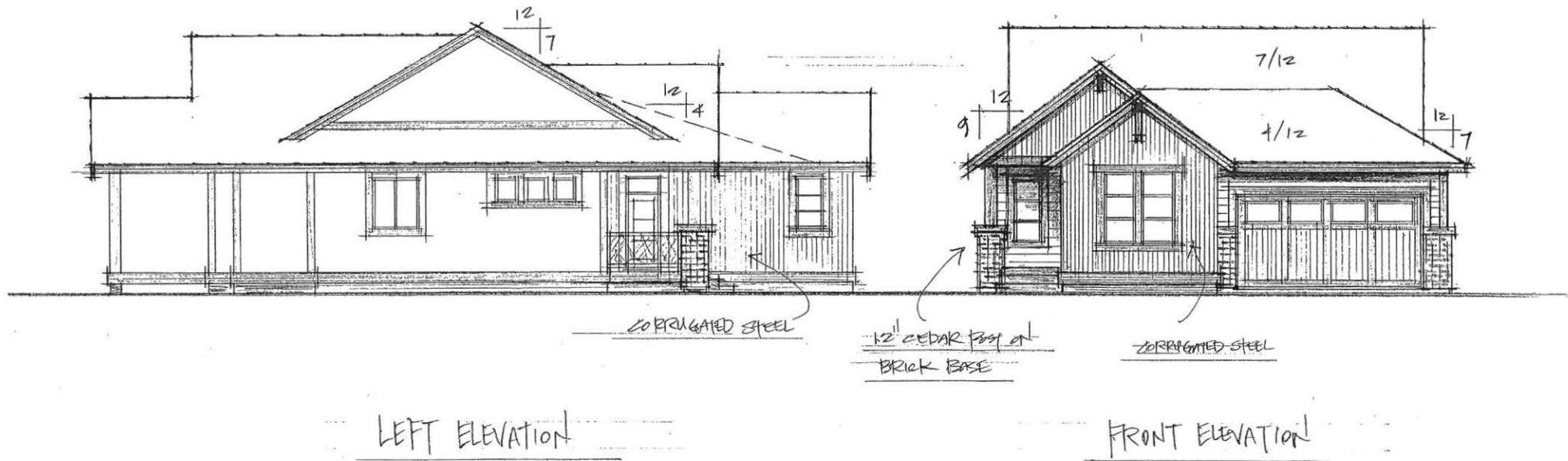
AQUADEL CROSSING 2- RANCHER A1

TOTAL: 1600 SQ FT.

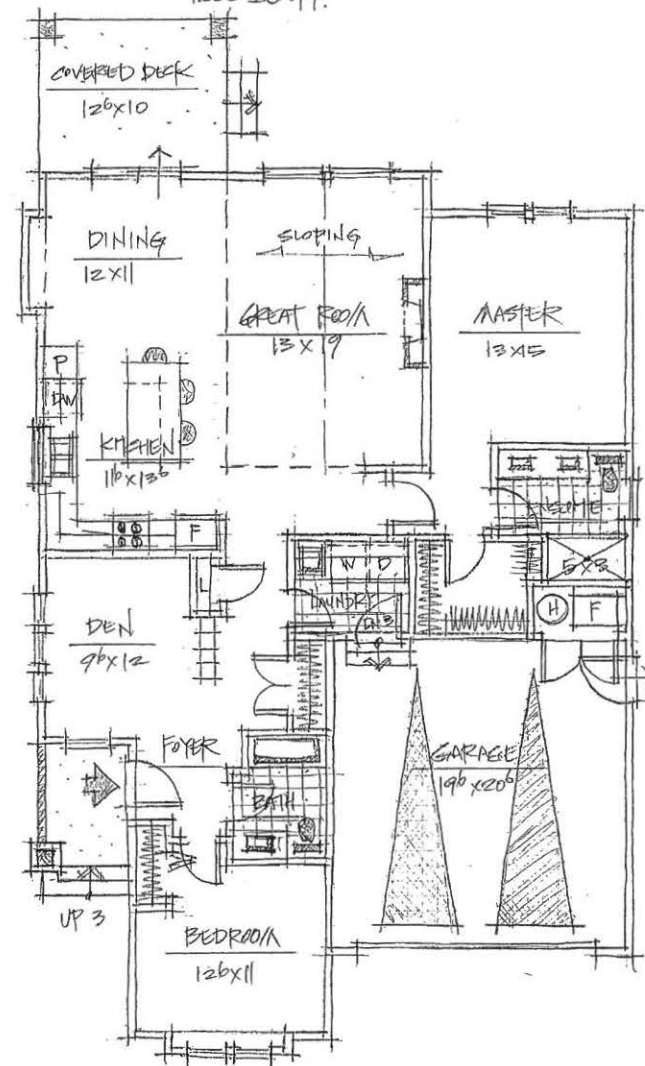


AQUADEL CROSSING 2 - RANCHER A2

total: 1600 sq-ft.



1600 SQ. FT.

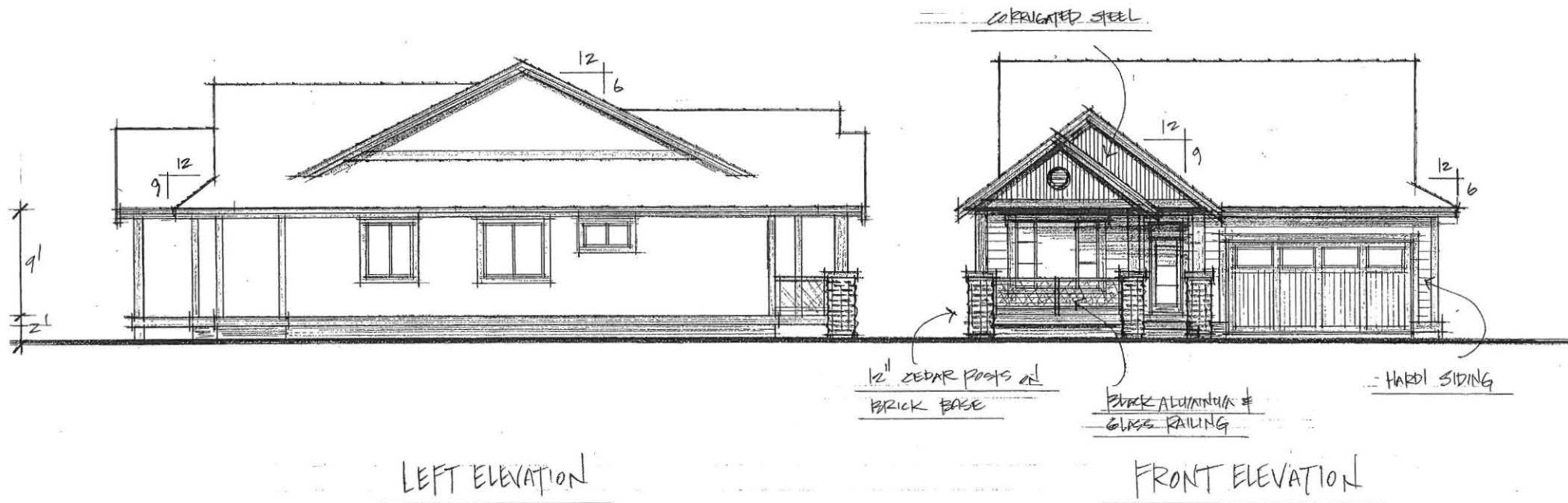
$$39.5' \times 57.5' / 67.5'$$


MAIN FLOOR = 1600 SQ. FT.

APRIL 19/2018

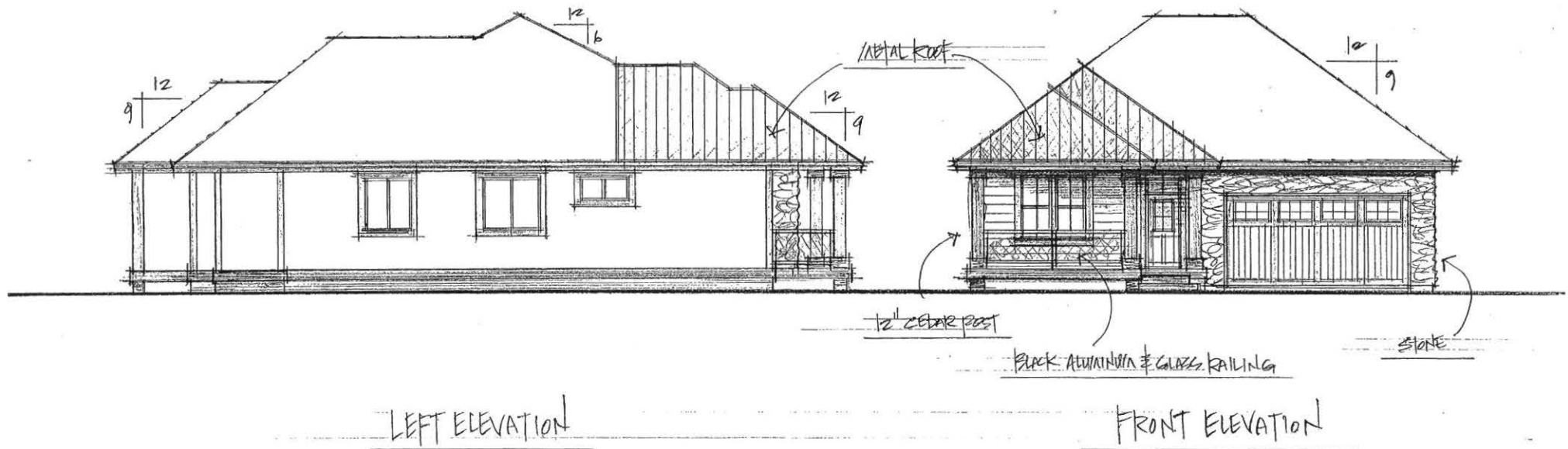
AQUADEL CROSSING 2 - RANCHER B1

total: 1600 sq. ft.



AQUADEL CROSSING 2-RANCHER B2

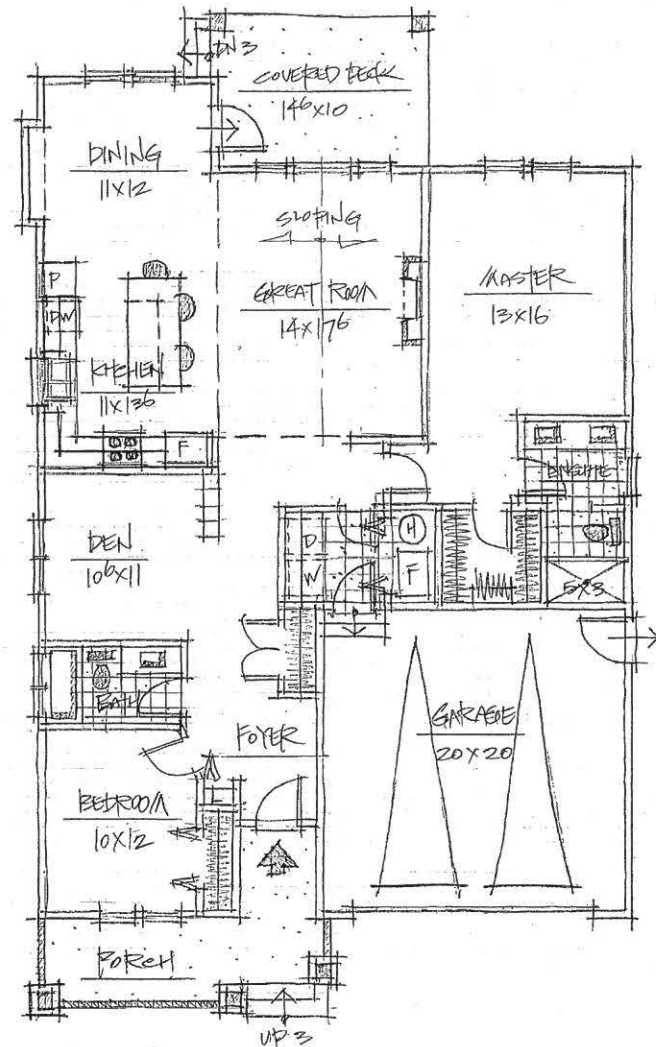
total: 1600 sq ft.



AQUABEL RANCHER PLAN B

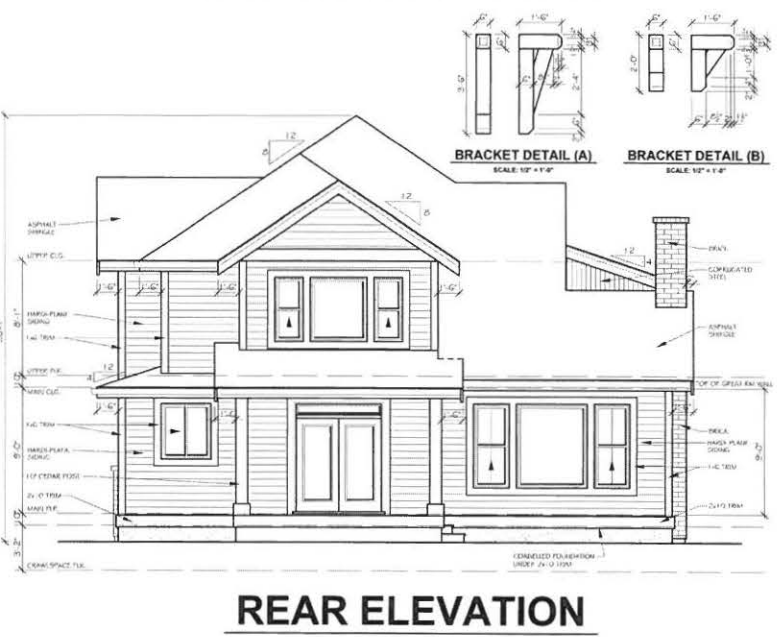
1600 SQ. FT.

39.5' x 56' / 66'



MAIN FLOOR - 1600 SQ. FT.

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 The General Contractor shall check and report all dimensions and report all errors and omissions to the designer.
 Do not scale the drawings.



Key Plan

Project North

Revisions	Description	Date
1	Issued for Review	05/03/17

1 Issued for Review 05/03/17

Genica Developments

Project: Aquadel Crossing Plan F2R

Drawing Title: Elevations

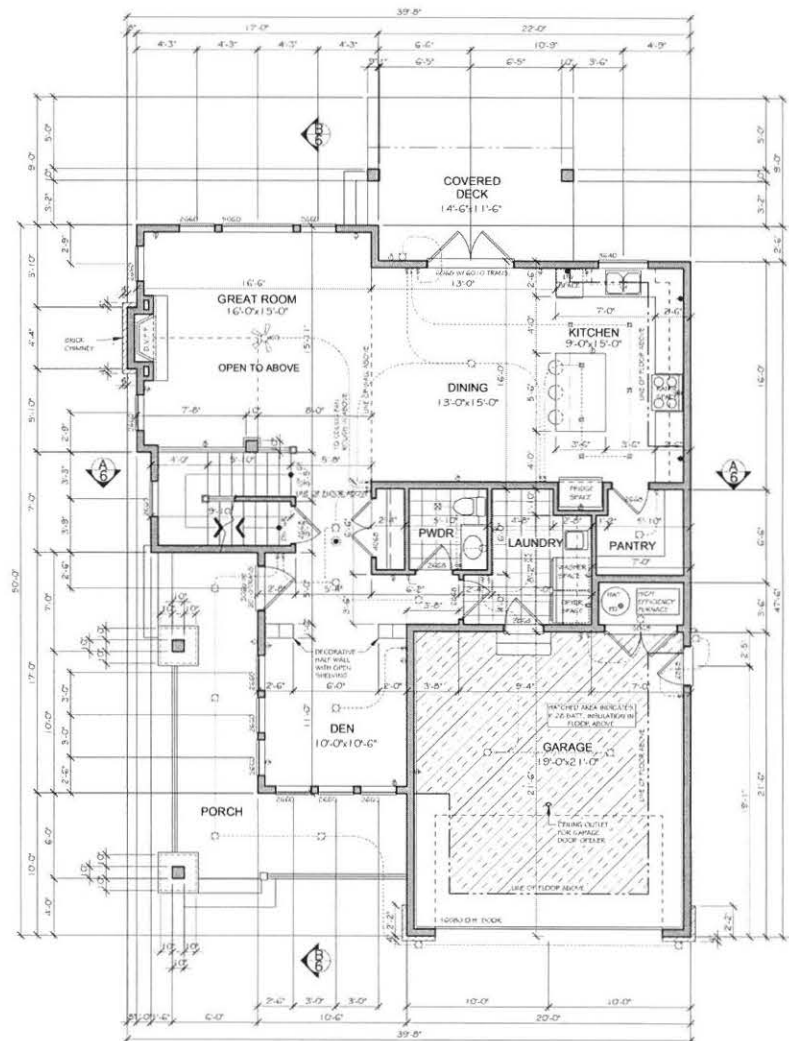
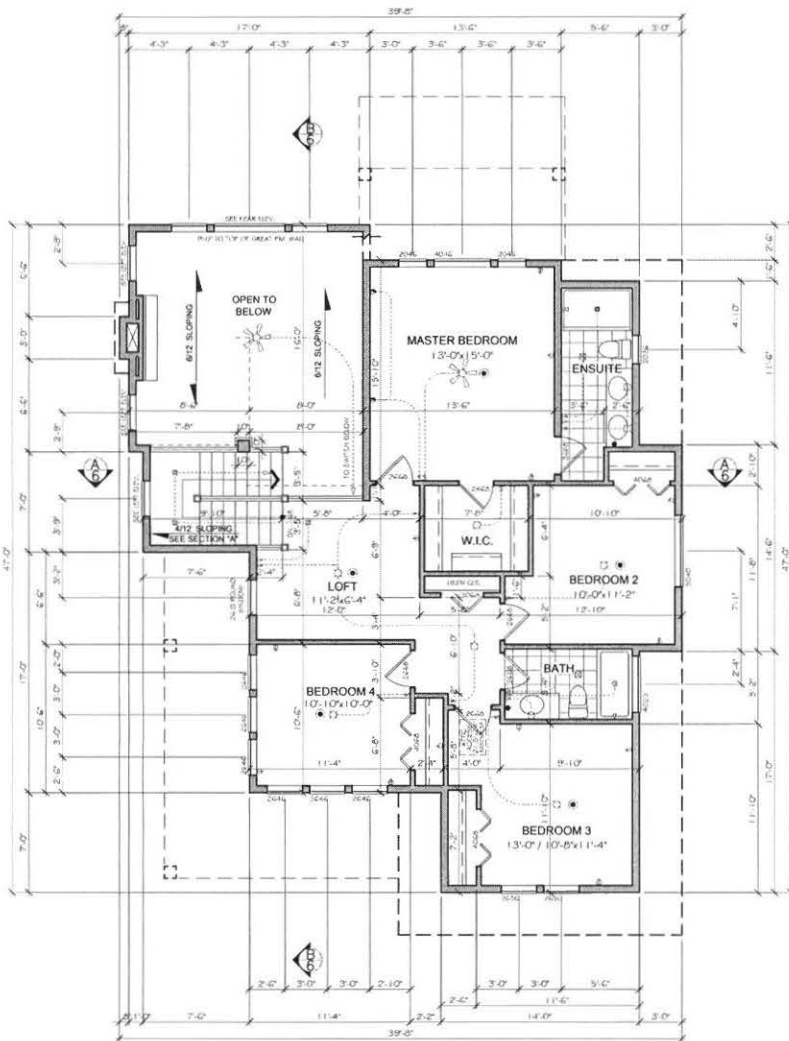
Drawn By: 4723 Hastings Street, Burnaby, B.C. V5C 2B8
 Tel: 604.662.8008
 Fax: 604.662.8078
 www.3design.ca

Checked: G.M.

Date: April 18, 2017
 Scale: 1/4" = 1'-0"

Sheet Number: **A2.0**

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 Do not build from drawing.



Key Plan

Project North

Revisions

#	Description	Date
1	Issued for Review	05/02/17

Client
 Genica Developments

ELECTRICAL SCHEDULE

SWITCHES

- 1-WAY
- 2-WAY
- 3-WAY
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Project
 Aquadel Crossing
 Plan F2R

Drawing Title
 Main Floor Plan
 Upper Floor Plan

Drawn By:
 4723 Flamingo Street
 Burnaby, B.C.
 V5C 2M5

Tel: 604 662 8006
Fax: 604 662 8078
Web: www.i3design.ca

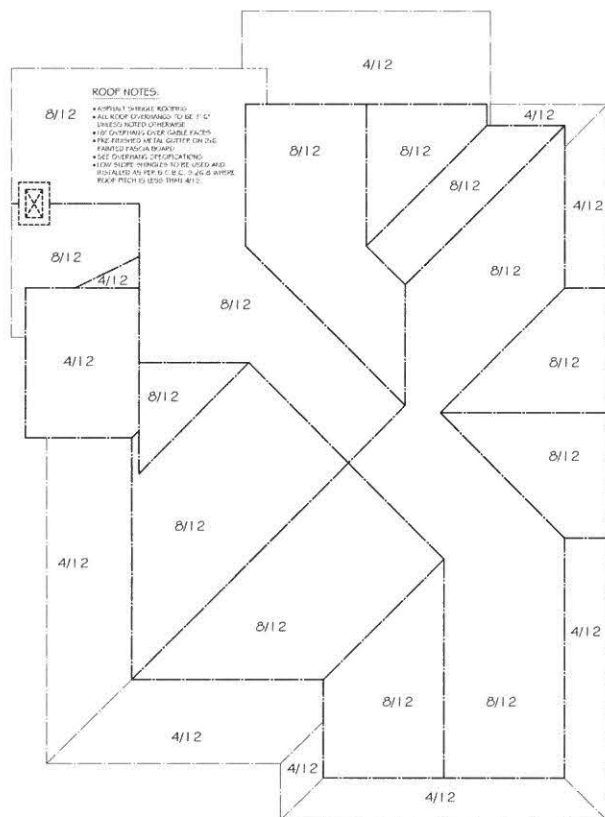
Designed/Drawn By: Checked: GLE

Date: 4/28/2017 **Scale:** 1/4"=1'-0"

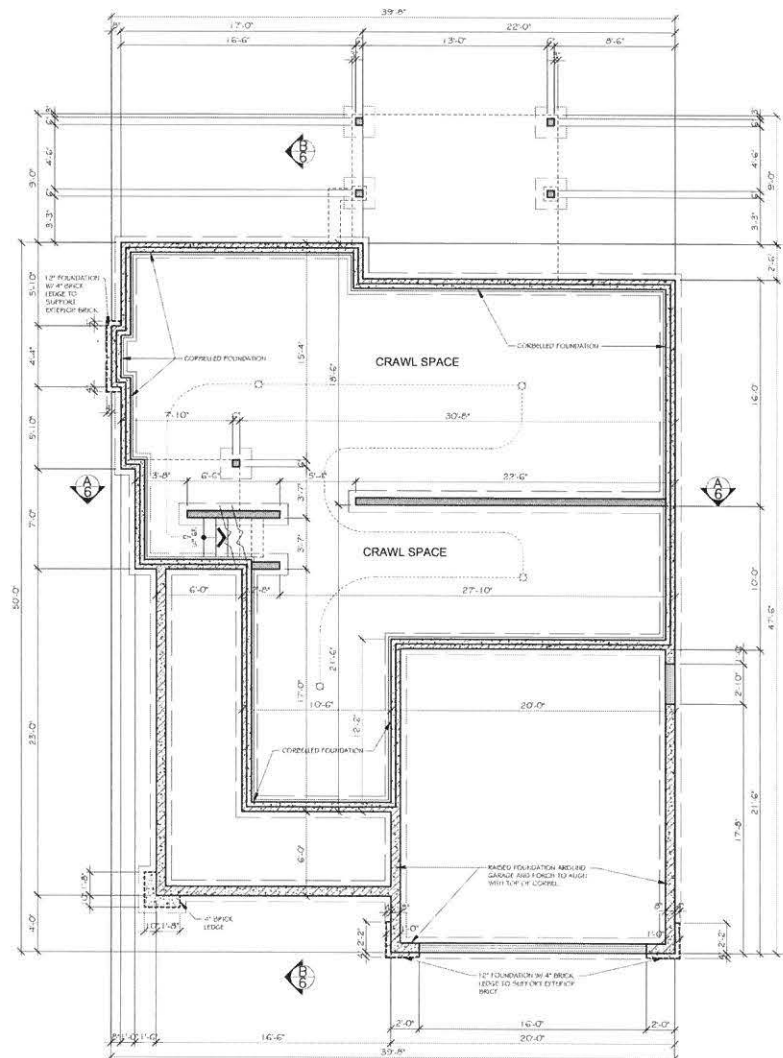
Sheet Number:
A3.0

NOTE: ELECTRICAL SCHEDULE FOR REFERENCE ONLY. ALL ELECTRICAL PLANS AND ELECTRICAL SCHEDULES SHALL BE DETERMINED BY THE ELECTRICAL ENGINEER.

THESE PLANS HAVE BEEN DESIGNED BY A PROFESSIONAL ENGINEER IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE.



ROOF PLAN



FOUNDATION PLAN

FLOOR AREA = 1135 SQ.FT.

THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE 2012 EDITION OF THE D.C. BUILDING CODE.

[illegible]

Genica
Developments

[illegible]

Project
**Aquadel Crossing
Plan F2R**

Drawing Title
Basement Plan
Roof Plan

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2R8

Tel: 604.662.8008
Fax: 604.662.8078
www.i3design.ca

● ● ● i₃ design

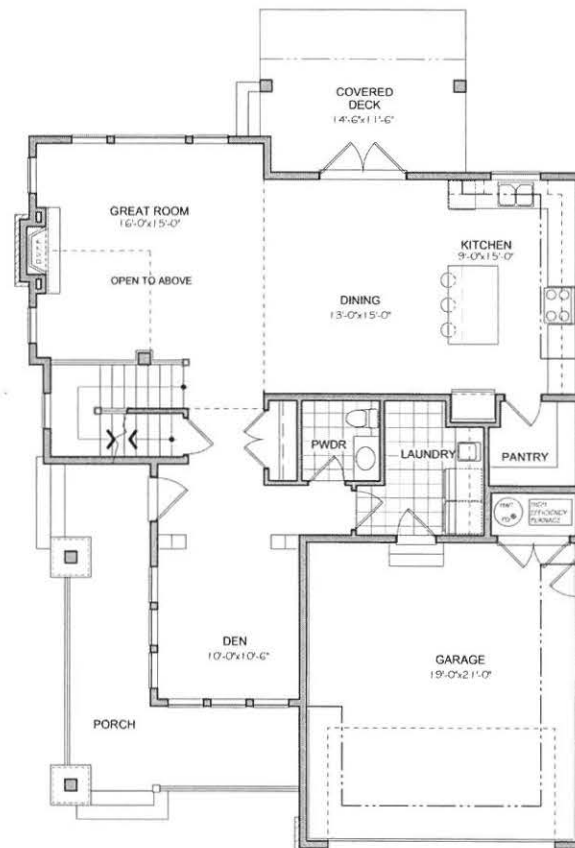
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Date April 28, 2017	Scale 1/4"=1'-0"

Sheet Number

A4.0



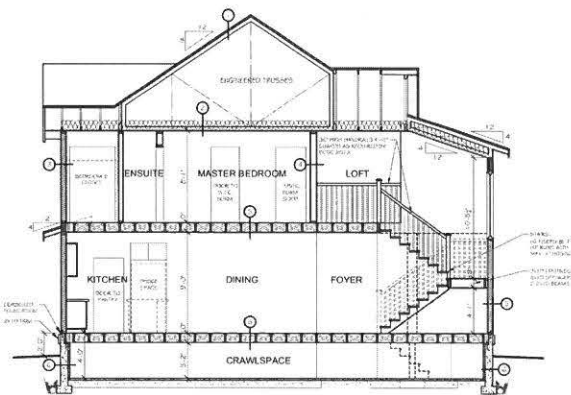
UPPER STRUCTURAL PLAN



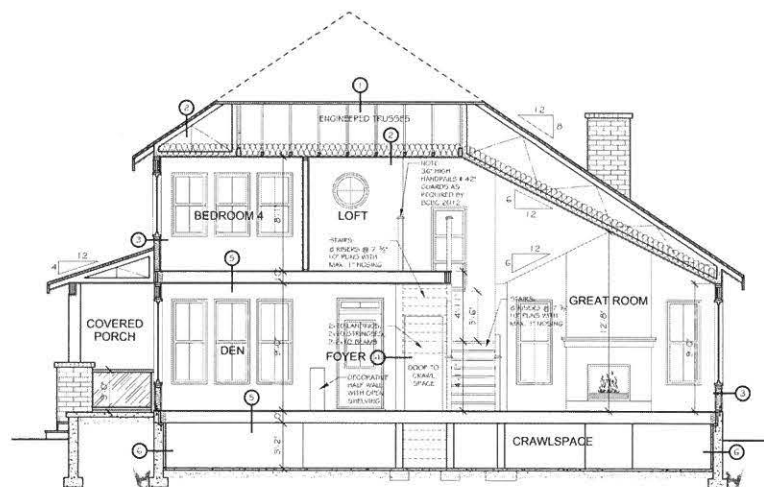
MAIN STRUCTURAL PLAN

Key Plan		
Project Month		
Revisions	Description	Date
1	Issued for Review	05/02/17
Client		
Genica Developments		
Project		
Aquadel Crossing Plan F2R		
Drawing Title		
Structural Plans		
Drawn By	Tel: 804.662.8596	
4723 Hastings Street	Burnaby, B.C.	
V5C 2H8	Fax: 604.662.8078	
	www.i3design.ca	
Designed/Drawn By		
Calvin	Checked	
Calvin	Gill	
Date	Scale	
April 18, 2017	1/4" = 1'-0"	
Sheet Number		
A5.0		

THIS FLOOR PLAN HAS BEEN DESIGNED IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE

[illegible]

SECTION A



SECTION B

THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE
WITH THE 2012 EDITION OF THE B.C. BUILDING CODE

Project North

[illegible]

Client
**Genica
Developments**

Project
**Aquadel Crossing
Plan F2R**

Drawing Title

Building Sections Assembly Specs

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2K8

Tel: 604.662.8008
Fax: 604.662.8078
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●●● i3 design

Designed/Drawn By	Checked
GM/MP	GM

Date	Scale
April 28, 2017	4.5 (100%)

Sheet Number

A6.0

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Key Plan

Project Month

Revisions	Description	Date
1	Issued for Review	04/28/17

Client
Genica Developments

Project
**Aquadel Crossing
Plan F1R**

Drawing Title
Elevations

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2M8

Tel: 604.662.8008
Fax: 604.662.8078
www.i3design.ca

Designed/Drawn By: **i3 design**

Checked: **Gen**

Date: **April 28, 2017**

Sheet Number: **A2.0**

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UPPER FLOOR PLAN

MAIN FLOOR PLAN

FLOOR AREA = 1130 SQ.FT.
TOTAL FLOOR AREA = 2205 SQ.FT.

Key Plan		
Project Month		
Revisions		
#	Description	Date
T	Sent for Review	04/28/11

Genica
Developments

[illegible]

Project
Aquadel Crossing
Plan F1R

Drawing Title
Main Floor Plan
Upper Floor Plan

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2K8

Tel: 604.662.8000
Fax: 604.662.8000
www.i3design.ca

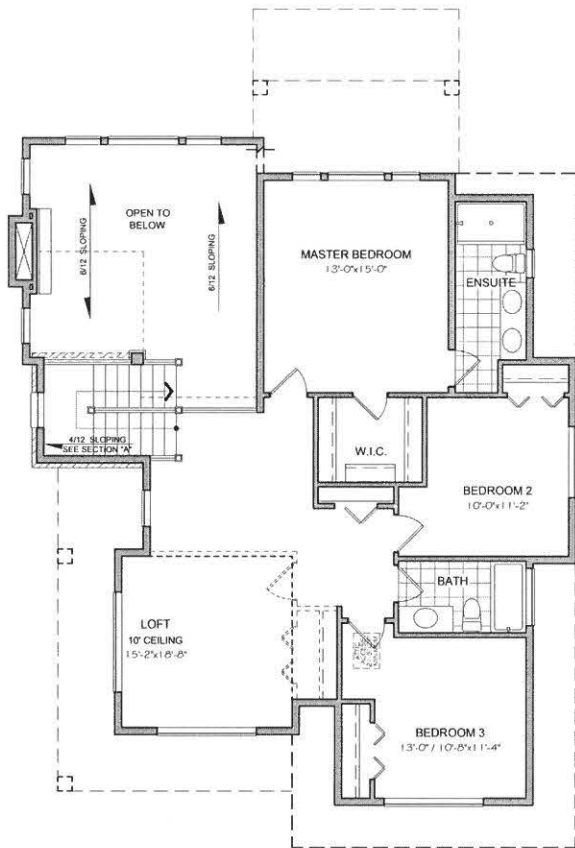
 i3 design

Designed/Drawn By CAK/HP	Checked G
Date April 28, 2017	Scale 1/4"=1'-0"

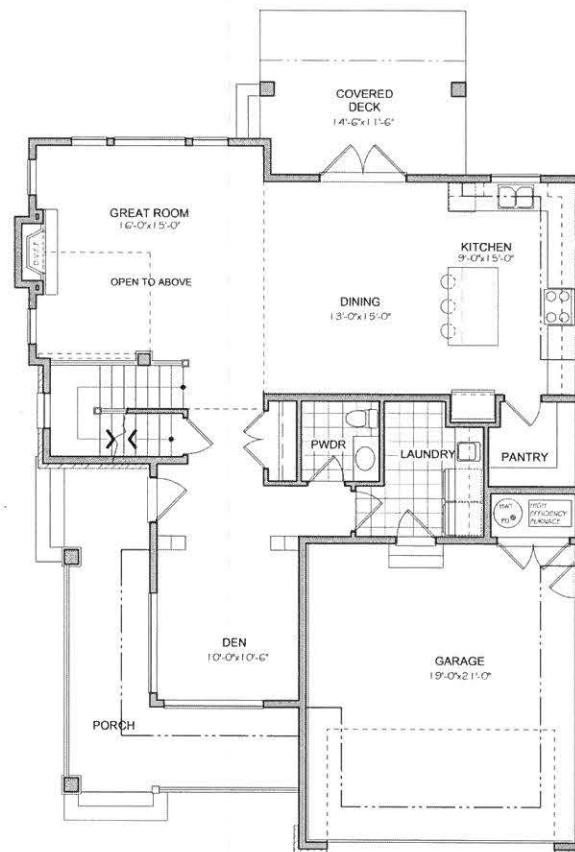
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NOTE: ELECTRICAL LOADS FOR PESTER ONLY. ALL ELECTRICAL PANEL AND ELEC. BASEBOARD HEATER LOCATIONS TO BE DETERMINED BY ELECTRICAL TRADES.

THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE 2012 EDITION OF THE I.C. BUILDING CODE.



UPPER STRUCTURAL PLAN



MAIN STRUCTURAL PLAN

Key Plan

Project North

Revisions	Description	Date
1	Issued for Review	04/28/17

Client
**Genica
Developments**

Project
**Aquadel Crossing
Plan F1R**

Drawing Title
Structural Plans

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2B8
i3 design

Designed/Drawn By:
C.M.P.
Date:
April 18, 2017

Checked:
G.H.
Scale:
1/4" = 1'-0"

Sheet Number
A5.0

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WITH THE 2012 EDITION OF THE B.C. BUILDING CODE

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 Do not scale the drawings.



LEFT /FLANKING ELEVATION
PLAN E1



FRONT ELEVATION
PLAN E1

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> ASPHALT/SHINGLE ROOFING w/ RAISED EDGE CAY | <input type="checkbox"/> POLYMER BRICK SIDING w/ ZINC CORNER 1 HIRE | <input type="checkbox"/> ALUM. # GLASS GARAGE | <input type="checkbox"/> CORRUGATED METAL SIDING |
| <input type="checkbox"/> PAINTED METAL GUTTER ON ZINC FINISHED FASCIA BOARD | <input type="checkbox"/> VINYL WINDOWS w/ BALANCED SHAD AND HALF SHADDED UPST & 6" FRAM & SILL | <input type="checkbox"/> CEDAR WALL BRIDGES | <input type="checkbox"/> METAL ROOFING |
| <input type="checkbox"/> GABLE BRACKET DETAILS | <input type="checkbox"/> DARGE BOARD 2-4" WITH 1/4" OCK | <input type="checkbox"/> BURNT CLAY BRICK VENEER WITH SQUARE CORNER | <input type="checkbox"/> POLY D CEDAR POSTS |



RIGHT ELEVATION
PLAN E1



REAR ELEVATION
PLAN E1

OPTIMAL VENTILATION & AREA OF UNPROTECTED OPENINGS	
DECK ONLY AREA	107.25 SF
SPRINKLING DISTANCE	12.00 FT
PERMITTED OPENINGS	137.00 SF (31.00 SF)
PROPOSED OPENINGS	107.25 SF (16.75 SF)

Key Plan

Project Name

Revision

No.	Description	Date
1	Issued for Permit	24/04/27

Client
Genica Developments

Project
Auquedel Crossing
Plan E1
Lot

Drawing Title
Elevations

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2H8

Tel: 604.562.8008
Fax: 604.562.8078
www.i3design.ca

i3 design

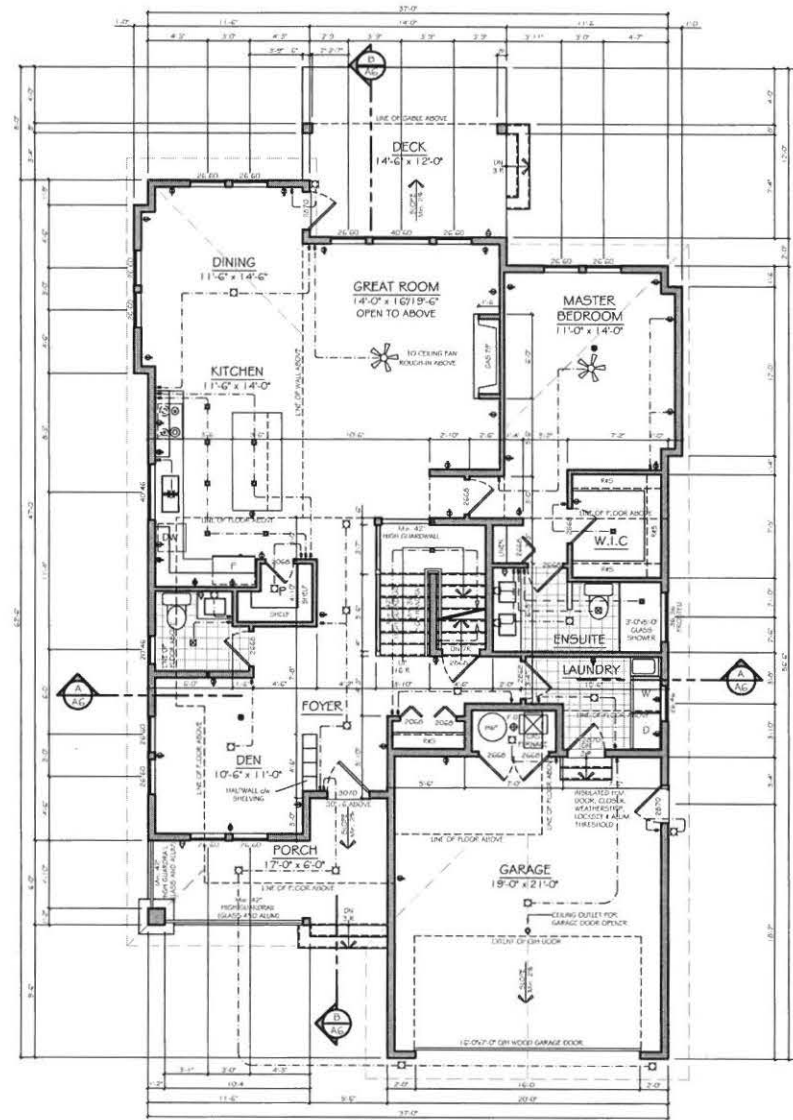
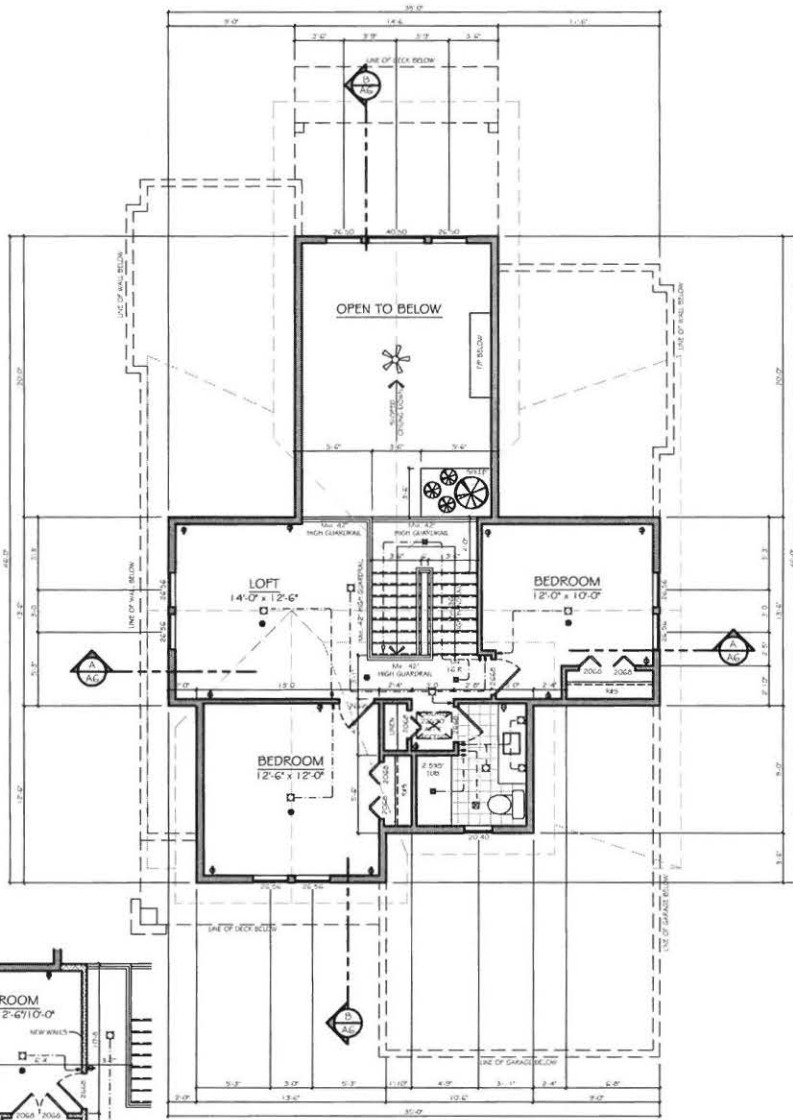
Designed/Drawn By: _____
Checked: _____

Date: April 2017
Scale: 1/4" = 1' @ 1/2" = 1'

Sheet Number:

A2.0

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Key Plan

Project North



Revision	Description	Date
1	Issued for Permit	12/04/17

Genica Developments

QTY	DESCRIPTION
1	SWITCH
1	3 WAY SWITCH
1	WALL SWITCH
1	UNDER SWITCH
1	LIGHTS
1	PULL DOWN LIGHT
1	TRUCK LIGHT
1	FLUORESCENT
1	RECEPTACLES
1	OUTLET
1	SWITCH
1	SPUR
1	GROUND FAULT
1	WATERPROOF
1	ESR
1	CEILING
1	FLOOR
1	MISCELLANEOUS
1	PHONE JACK
1	TV CABLE
1	SHUTTER/FRAME
1	SMOKE ALARM
1	CEILING FAN
1	CEILING FAN LIGHT
1	EXHAUST FAN
1	MECHANICAL
1	FORCED AIR FLOOR
1	FORCED AIR CEILING
1	THERMOSTAT
1	SOLAR HP CONDENSAT
1	HOSE END
1	4" DRAIN

Project
Aquadel Crossing
Plan E1
Lot

Drawing Title
Upper Floor Plan
Main Floor Plan

Drawn By:
4773 Hastings Street
Burnaby, B.C.
V5C 2A8

For: 404-862-8008
Fax: 404-862-8079
www.i3design.ca

i3 design

Designed/Drawn By: _____

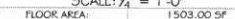
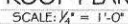
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Date: April 2017

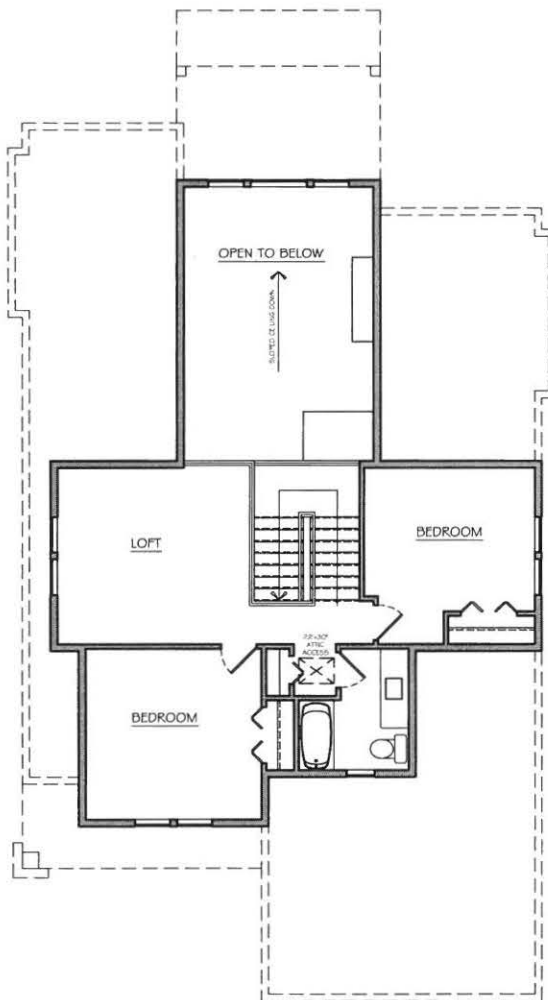
Scale: 1/4" = 1'-0"

Sheet Number

A3.0



A4.0



PLAN E1
UPPER FLOOR STRUCTURAL PLAN
SCALE: 1/4" = 1'-0"



PLAN E1
MAIN FLOOR STRUCTURAL PLAN
SCALE: 1/4" = 1'-0"

Key Plan

Project North

Revision	No.	Description	Date
1	1	Issued for Permit	24-04-17

Client
Genica
Developments

Project
Auquedel Crossing
Plan E1
Lot

Drawing Title
Structural
Upper Floor Plan
Main Floor Plan

Drawn By:
4733 Hastings Street
Burnaby, B.C.
V5C 2H8

Tel: 604-562-8808
Fax: 604-562-8878
www.i3design.ca

i3 design

Designed/Drawn By: Checked
G.M.S. G.M.

Date: April 2017 Scale: 1/4" = 1'-0"
U.S.D.

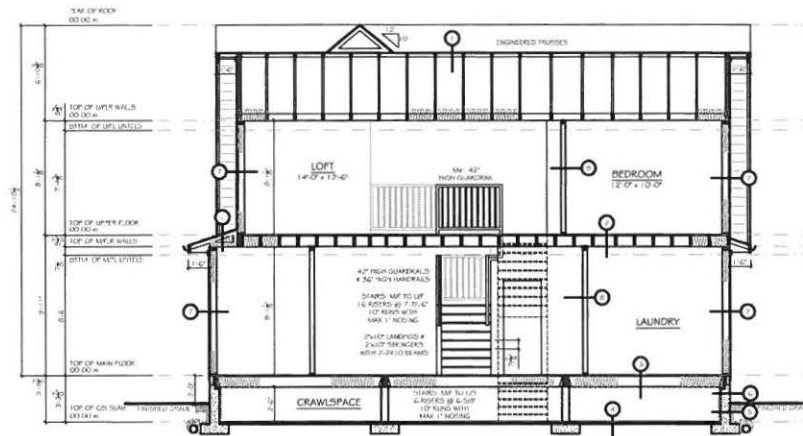
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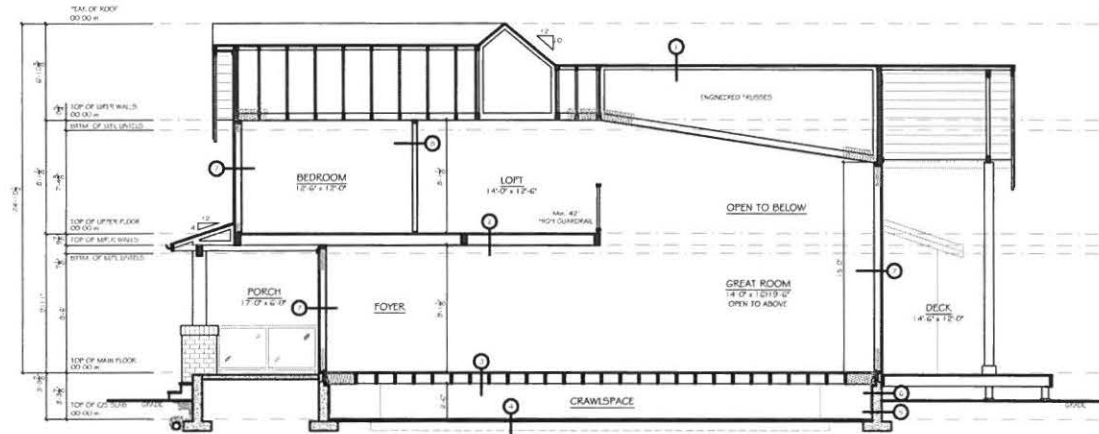
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ASSEMBLY SPECIFICATIONS:

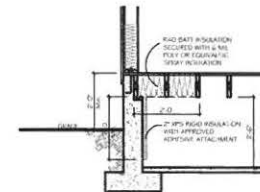
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 2" EXPOSED ROCKFLOOF FIBER
 3" VITR ROOFING
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SECTION A



SECTION B



CRAWLSPACE DETAIL

1/2" = 1'-0"

Key Plan

Project Name

Revision	No.	Description	Date
1	1	Issued for Permit	2/15/21

Client
Genica
Developments

Project
Auquedel Crossing
Plan E1
Lot

Drawing Title
Building Sections
Assembly Specs

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2A8

1st: 604.662.8808
Fax: 604.662.8809
www.3dvision.ca

Designed/Drawn By: GSK/RS

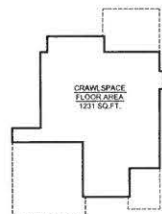
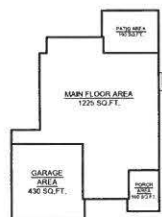
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Date: April 2021

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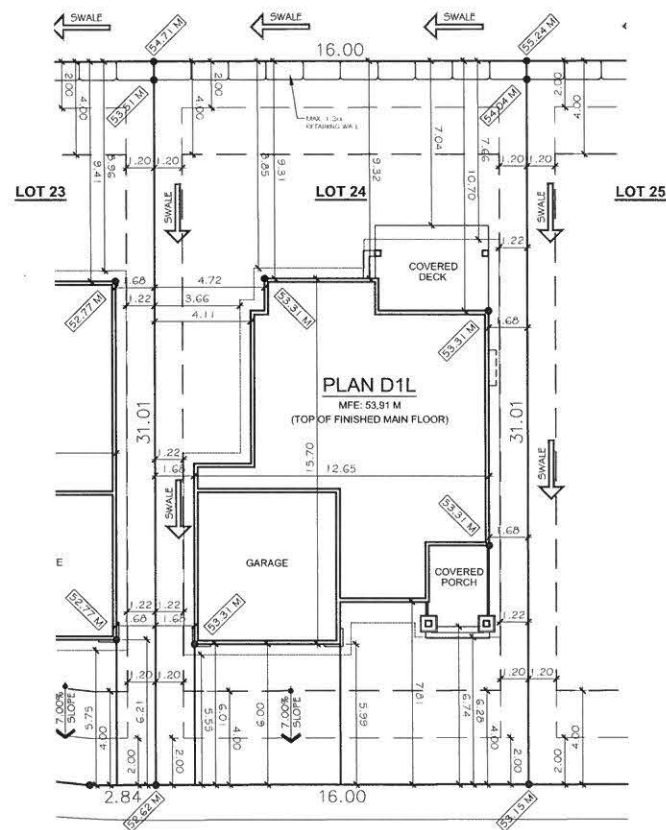
Sheet Number

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AREA SCHEMATICS
SCALE: 1/16" = 1'-0"

PROJECT INFORMATION			
CIVIC ADDRESS			
LOT NUMBER 24			
LEGAL DESCRIPTION			
ZONING DISTRICT			
SETBACKS (CLEAR TO SKY)			
FRONT TO BUILDING	4.00 M.	13.12 FT.	
REAR TO BUILDING	4.00 M.	13.12 FT.	
FRONT TO DECK	2.00 M.	6.56 FT.	
REAR TO DECK	2.00 M.	6.56 FT.	
SIDE (INTERIOR)	1.20 M.	3.94 FT.	
SIDE (PLANNING)	2.00 M.	6.56 FT.	
SITE AREA			
EXISTING	476.70 SQ. M.	5341.87 SQ. FT.	
SITE COVERAGE			
EXISTING	272.31 SQ. M.	2937.58 SQ. FT.	55.00 %
PROPOSED	163.60 SQ. M.	1761.00 SQ. FT.	32.97 %
GROSS FLOOR AREA			
MAIN FLOOR	113.80 SQ. M.	1225.50 SQ. FT.	
UPPER FLOOR	87.33 SQ. M.	940.50 SQ. FT.	
GARAGE FLOOR	33.95 SQ. M.	365.50 SQ. FT.	
PROPOSED	241.08 SQ. M.	2595.50 SQ. FT.	



ROAD A
SITE PLAN
SCALE: 1/8" = 1'-0"

THESE PLANS HAVE BEEN EXCLUDED IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE.

Key Plan

Project North

Revisions

#	Description	Date
1	Issue Return (R)	03/14/17
2	Issue Return (R)	03/14/17
3	Issue Return (R)	03/14/17
4	Issue Return (R)	03/14/17
5	Issue Return (R)	03/14/17
6	Issue Return (R)	03/14/17
7	Issue Return (R)	03/14/17
8	Issue Return (R)	03/14/17
9	Issue Return (R)	03/14/17
10	Issue Return (R)	03/14/17

Client
Genica Developments

Project
**Aquadel Crossing
Plan D1L
Lot 24**

Drawing Title
Site Plan

Drawn By
4723 Hastings Street
Burnaby, B.C.
V5C 2S8

Tel: 604.662.8008
Fax: 604.662.8078
www.i3design.ca

Designed/Drawn By
Gai-De

Checked
Gai

Date
February 10, 2017

Scale
1/8" = 1'-0"

Sheet Number
A1.0

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 The General Contractor shall check and verify all dimensions and report all errors and omissions to the designer.
 Do not scale for drawings.



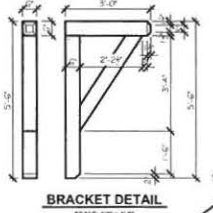
LEFT ELEVATION

UNPROTECTED OPENINGS:
 WALL AREA: 420 SQ. FT.
 RAFTING DISTANCE: 4'-0" W.
 PERMITTED OPENINGS: 111.35 SQ. FT. 18.00%
 REDUCED OPENINGS: 59.00 SQ. FT. 9.52%

UNPROTECTED OPENINGS:
 WALL AREA: 281 SQ. FT.
 RAFTING DISTANCE: 1'-0" W.
 PERMITTED OPENINGS: 22.44 SQ. FT. 8.00%
 REDUCED OPENINGS: 17.14 SQ. FT. 6.29%



FRONT ELEVATION



RIGHT ELEVATION

UNPROTECTED OPENINGS:
 WALL AREA: 317 SQ. FT.
 RAFTING DISTANCE: 1'-0" W.
 PERMITTED OPENINGS: 73.34 SQ. FT. 23.13%
 REDUCED OPENINGS: 63.50 SQ. FT. 20.00%



REAR ELEVATION

THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE 2012 EDITION OF THE I.C. BUILDING CODE.

Key Plan

Project North

Revisions	Description	Date
1	Issue for Review	02/10/17
2	Final Review	02/10/17
3	Plan Approved	02/10/17
4	Issue for Review	02/10/17
5	Issue for Review	02/10/17

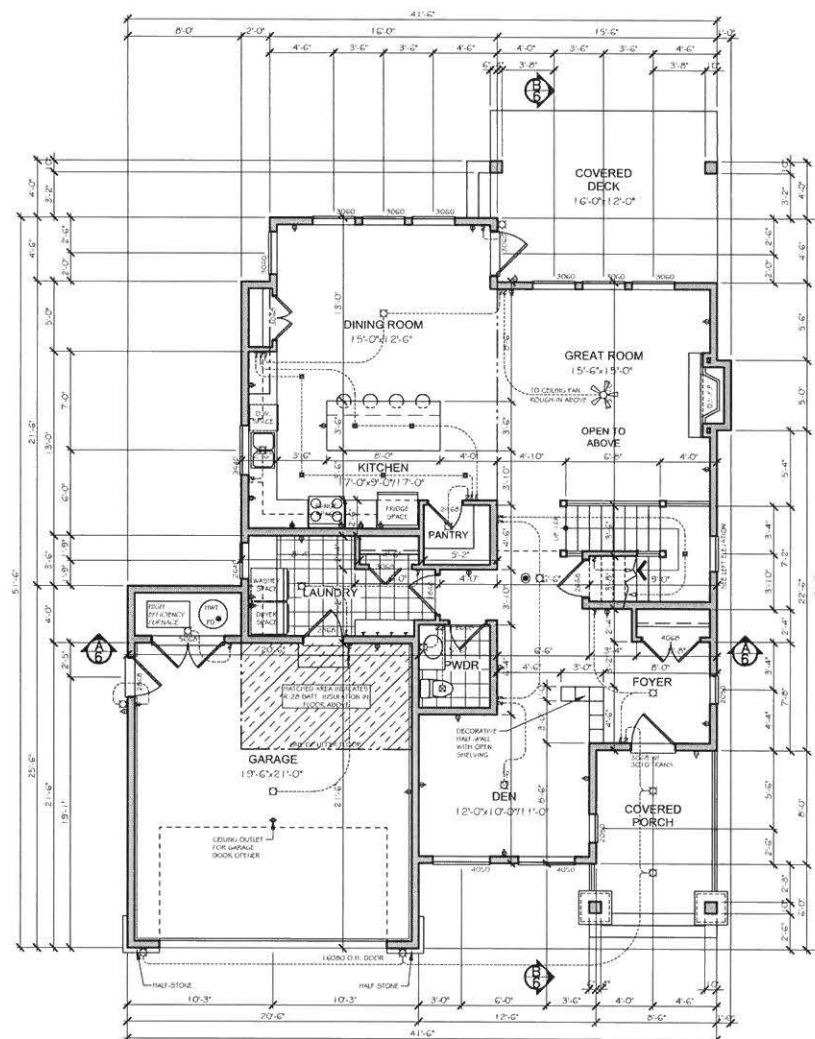
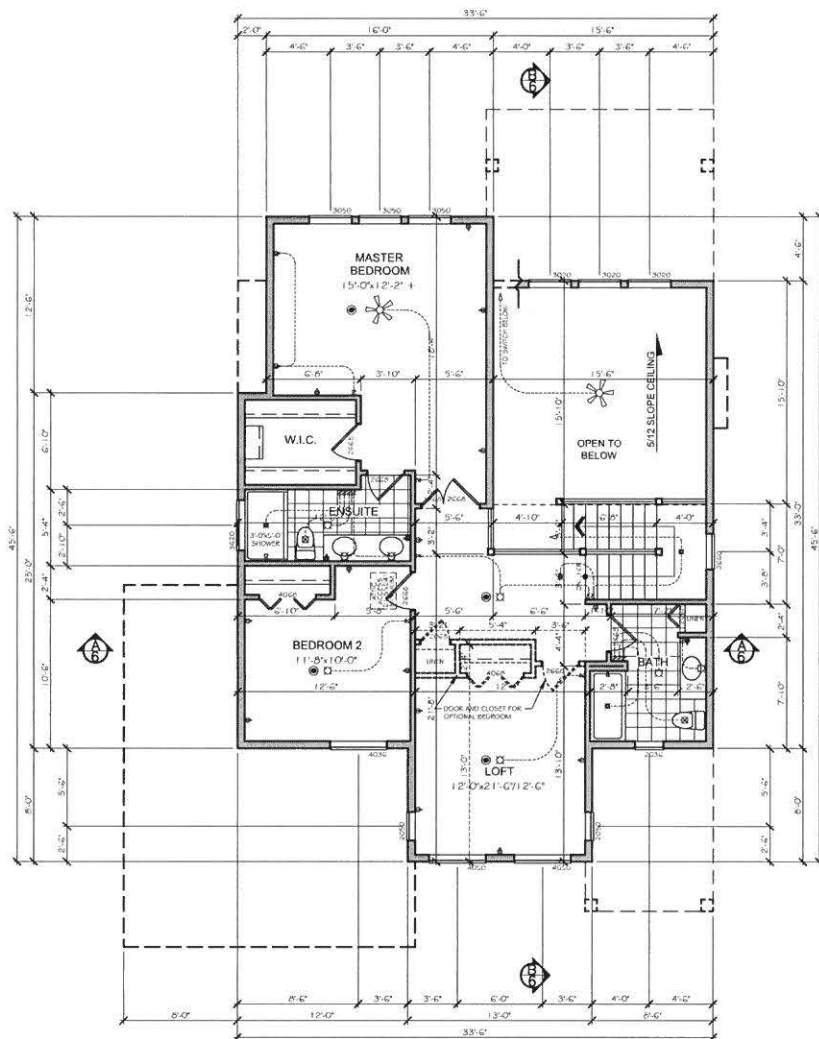
Client: Genica Developments

Project: Aquadel Crossing Plan D1L Lot 24 Elevations

Drawn By: 4723 Hastings Street, Burnaby, B.C. V5C 3C9
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 Fax: 604.662.8078
 www.i3design.ca

Designed/Drawn By: [Signature] Checked: [Signature]
 Date: January 30, 2017 Scale: 1/4" = 1'-0"

Sheet Number: **A2.0**



Key Plan		
Project North		
Revisions		
#	Description	Date
1	Revised Section 18 - Revised Details Added	03/10/01
2	Revised Section 18 - Revised Details Added	03/12/01
3	Plan Rechecked	03/15/01
4	Finalize Projection and Overlaid Redlines 4	03/16/01
1	Issued for Review	01/17/01

Client
**Genica
Developments**


ELECTRICAL SCHEDULE	
QTY	DESCRIPTION
	SWITCHES
	→ SWITCH
	→ 3 WAY SWITCH
	→ 4 WAY SWITCH
	→ DIMMER SWITCH
	LIGHTS
	→ LIGHT
	→ PULL CHAIN LIGHT
	→ POT LIGHT
	→ TRACK LIGHT
	→ FLUORESCENT
	RECEPTACLES
	→ DUPLEX
	→ SWITCHED
	→ SPLIT
	→ GROUND FAULT
	→ WATERPROOF
	→ 220
	→ CEILING
	→ FLOOR
	MISCELLANEOUS
	→ PHONE JACK
	→ TV CABLE
	→ DATA/TEL./CABLE
	→ BATHING LAMP
	→ CEILING FAN
	→ CEILING FAN/LIGHT
	→ DOWNST. FAN
	MECHANICAL
	→ FORCED AIR FLOOR
	→ FORCED AIR CEIL.
	→ THERMOSTAT
	→ SOLAR AIR COND.
	→ FLOOR HEAT
	→ A/C UNIT

Project
**Aquadel Crossing
Plan D1L
Lot 24**

Drawing Title
**Main Floor Plan
Upper Floor Plan**

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2K8

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 i3 design

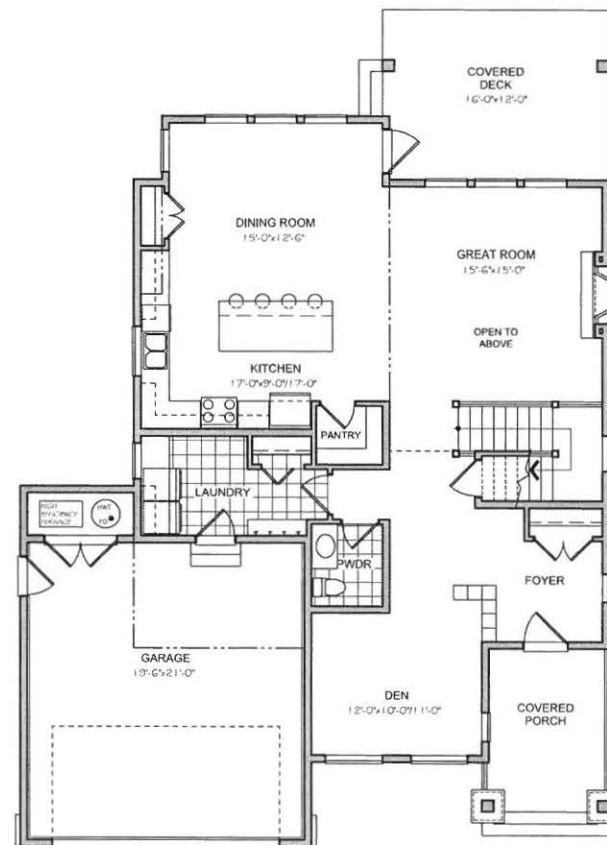
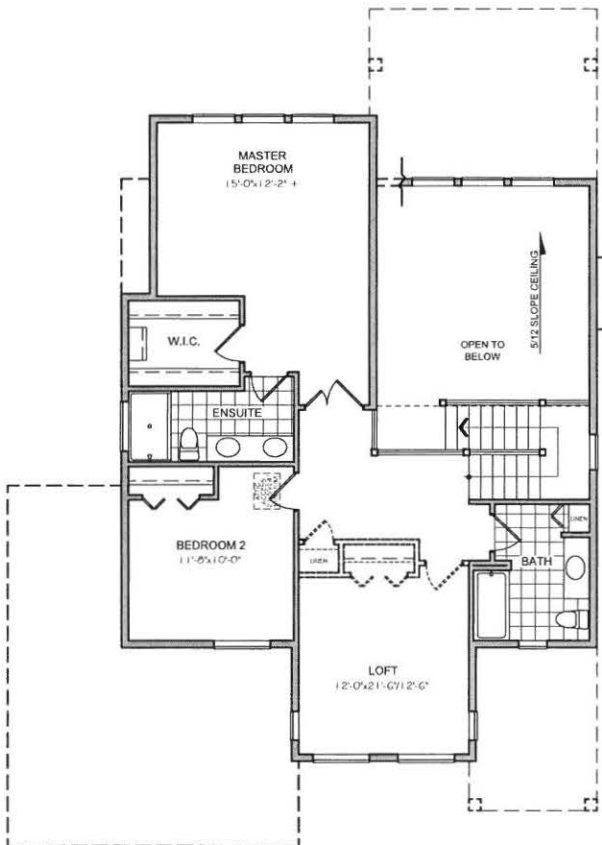
Designed/Drawn By GM/DN	Checked GM
Date January 30, 2017	Scale 1/4" = 1'-0"

Sheet Number

A3.0

NOTE: ELECTRICAL LAYOUT FOR REFERENCE ONLY. ALL ELECTRICAL PANEL AND ELECTRIC BASEBOARD HEATER LOCATIONS TO BE DETERMINED BY ELECTRICAL ENGINEER.

THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE
WITH THE 2012 EDITION OF THE B.C. BUILDING CODE



Key Plan

Project North

Revisions	Description	Date
1	Issue Raised (W.I.C. and Ensuite)	03/14/17
2	Issue Raised (W.I.C. and Ensuite)	03/14/17
3	Issue Raised (W.I.C. and Ensuite)	03/14/17
4	Issue Raised (W.I.C. and Ensuite)	03/14/17
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11	Issue Raised (W.I.C. and Ensuite)	03/14/17
12	Issue Raised (W.I.C. and Ensuite)	03/14/17
13	Issue Raised (W.I.C. and Ensuite)	03/14/17
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16	Issue Raised (W.I.C. and Ensuite)	03/14/17
17	Issue Raised (W.I.C. and Ensuite)	03/14/17
18	Issue Raised (W.I.C. and Ensuite)	03/14/17
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97	Issue Raised (W.I.C. and Ensuite)	03/14/17
98	Issue Raised (W.I.C. and Ensuite)	03/14/17
99	Issue Raised (W.I.C. and Ensuite)	03/14/17
100	Issue Raised (W.I.C. and Ensuite)	03/14/17

Client: Genica Developments

Project: Aquadel Crossing Plan D1L Lot 24

Drawing Title: Structural Plans

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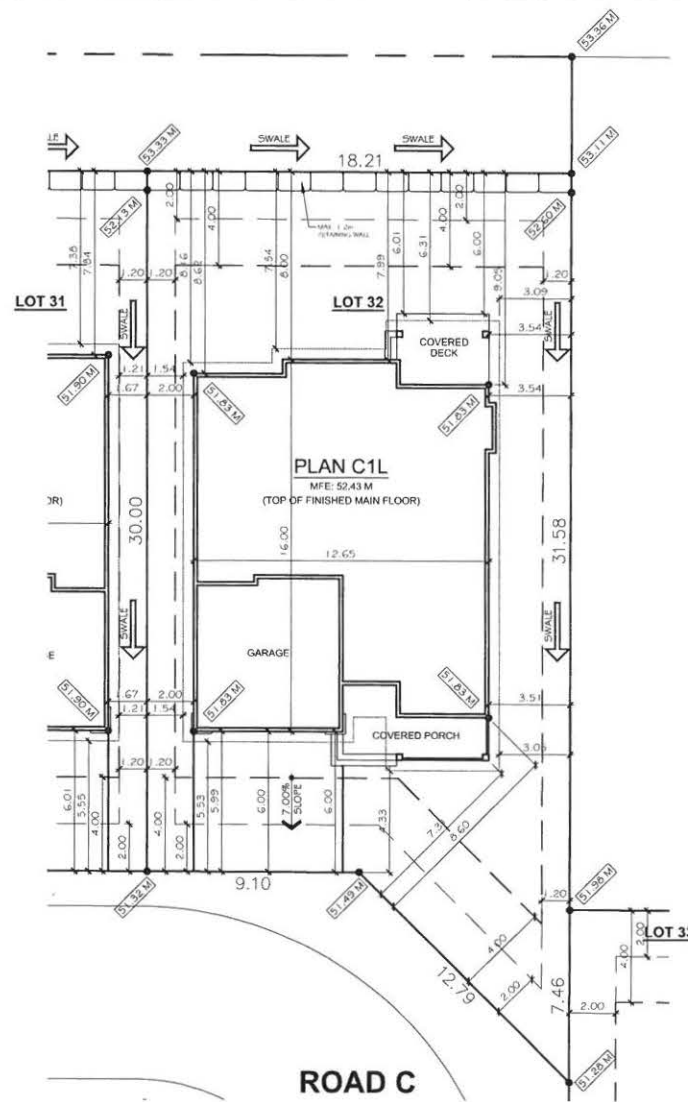
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Sheet Number: A5.0



AREA SCHEMATICS

PROJECT INFORMATION		
CIVIC ADDRESS		
LOT NUMBER		
37		
LEGAL DESCRIPTION		
ZONING DISTRICT		
DETACHES (CLEAR TO SKY)		
FACED TO BUILDING	4.00 M	73.12 FT
REAR TO BUILDING	4.00 M	13.12 FT
FACED TO STREET	7.00 M	6.56 FT
REAR TO STREET		6.56 FT
SIDE INTERLOCK	1.20 M	3.94 FT
SIDE FLOORING	1.00 M	6.56 FT
SITE AREA		
	506.20 SQ. M.	4709.00 SQ. FT.
SITE COVERAGE		
PERMITTED	322.41 SQ. M.	3470.39 SQ. FT.
PROPOSED	214.27 SQ. M.	2320.00 SQ. FT.
GROSS FLOOR AREA		
MAIN FLOOR	141.271 SQ. M.	1507.30 FT.
UPPER FLOOR	49.162 SQ. M.	533.56 FT.
GARAGE FLOOR	40.41 SQ. M.	435.50 FT.
PROPOSED	230.04 SQ. M.	2575.75 FT.



SITE PLAN

SCALE: 1/8" = 1'-0"

Key Plan		
Project South		
Revisions		
#	Description	Date
1	Initial	01/26/11
2	Revised	01/26/11
3	Revised	01/26/11
4	Revised	01/26/11
5	Revised	01/26/11
6	Revised	01/26/11
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60	Revised	01/26/11
61	Revised	01/26/11
62	Revised	01/26/11
63	Revised	01/26/11
64	Revised	01/26/11
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92	Revised	01/26/11
93	Revised	01/26/11
94	Revised	01/26/11
95	Revised	01/26/11
96	Revised	01/26/11
97	Revised	01/26/11
98	Revised	01/26/11
99	Revised	01/26/11
100	Revised	01/26/11


Client
**Genica
Developments**

Project
**Aquadel Crossing
Plan C1L
Lot 32**

Drawing Title
Site Plan

Drawn by:
4723 Hastings Street
Burnaby, B.C.
V5C 2K8

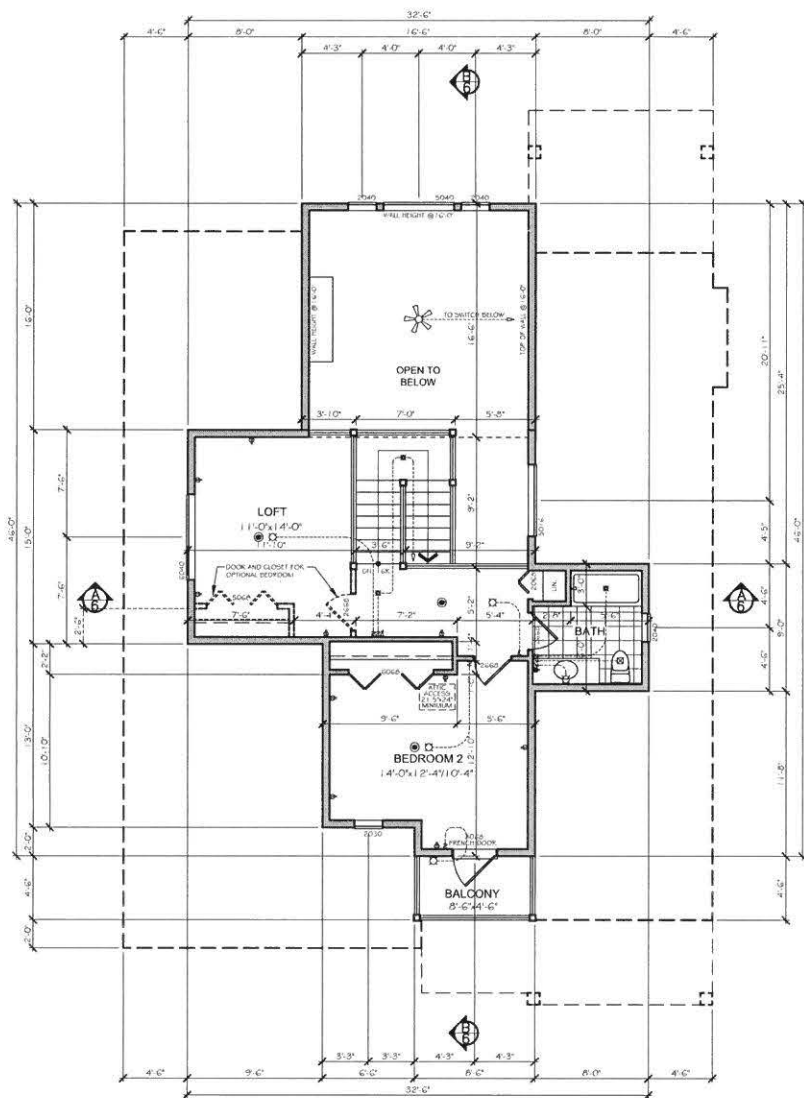
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Designed/Drawn By G.M. DM	Checked GM
Date February 23, 2017	Scale 1/8" = 1'-0"
Sheet Number	

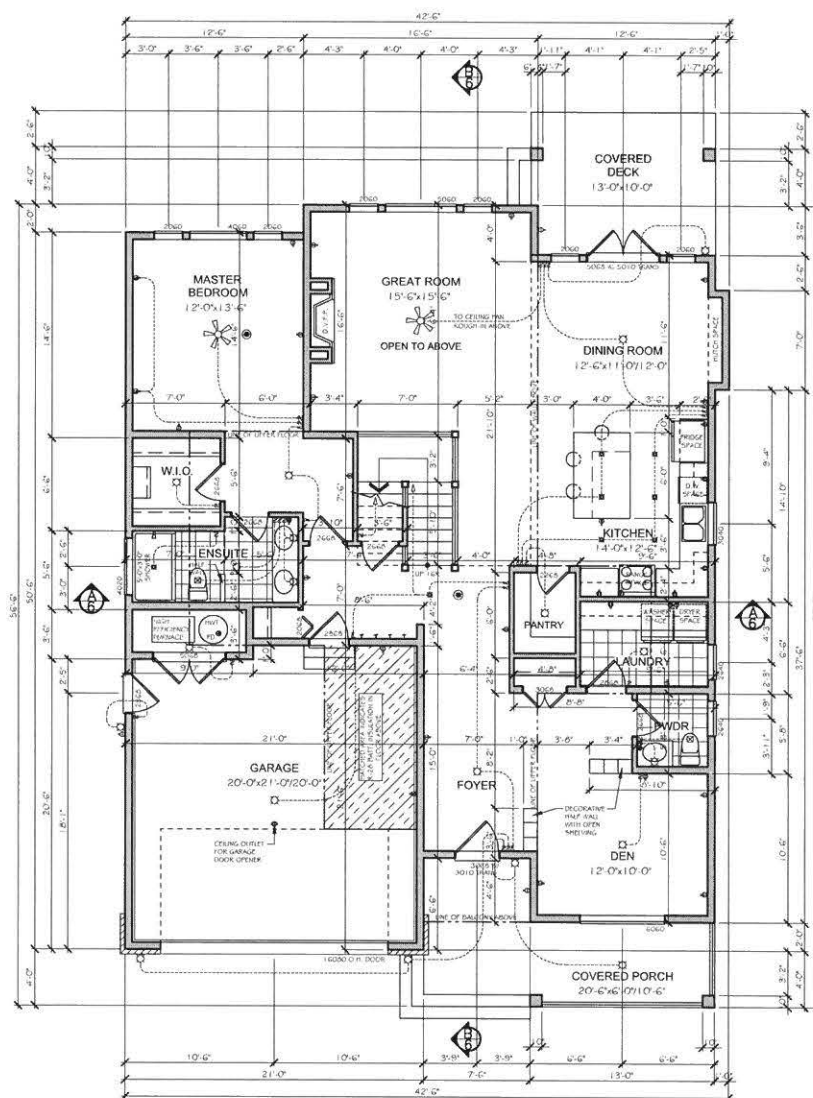
A1.0

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UPPER FLOOR PLAN

FLOOR AREA = 533 SQ.FT.



MAIN FLOOR PLAN

FLOOR AREA = 1607 SQ.FT.
TOTAL FLOOR AREA = 2140 SQ.FT.

NOTE: ELECTRICAL LAYOUT FOR REFERENCE ONLY. ALL ELECTRICAL PANELS AND ELECTRIC WIRING AND RECEPT LOCATIONS TO BE DETERMINED BY ELECTRICIAN ENGINEER.

THIS PLAN AND ALL REVISIONS DESIGNED IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE.

Key Plan

Project North

Revisions	Description	Date
1	Foundation Added Under Deck	03/15/17
2	Corbelled Foundation Added	03/16/17
3	Master Bedroom 15' x 15'6"	03/16/17
4	Roof Added over Rear Patio	03/16/17
5	Final Approved	02/08/17
6	Revised for Review	09/26/17

Client: Genica Developments

Electrical Schedule

QTY	DESCRIPTION
1	SWITCHES
1	3 WAY SWITCH
1	4 WAY SWITCH
1	DIMMER SWITCH
1	LIGHTS
1	PULL CHAIN LIGHT
1	POST LIGHT
1	TRUCK LIGHT
1	FLOORSCALES
1	RECEPTACLES
1	OUTLET
1	SWITCHED
1	GROUND FAULT
1	WATERPROOF
1	220V
1	CEILING FAN/LIGHT
1	EXHAUST FAN
1	MISCELLANEOUS
1	PHONE JACK
1	TV CABLE
1	DATA/VOICE CABLE
1	SMALL ALARM
1	CEILING FAN
1	CEILING FAN/LIGHT
1	EXHAUST FAN
1	MECHANICAL
1	FORCED AIR FLOOR
1	FORCED AIR CEILING
1	THERMOSTAT
1	SOLAR 120V CONDUIT
1	HOSE BIBB
1	4" DRAIN

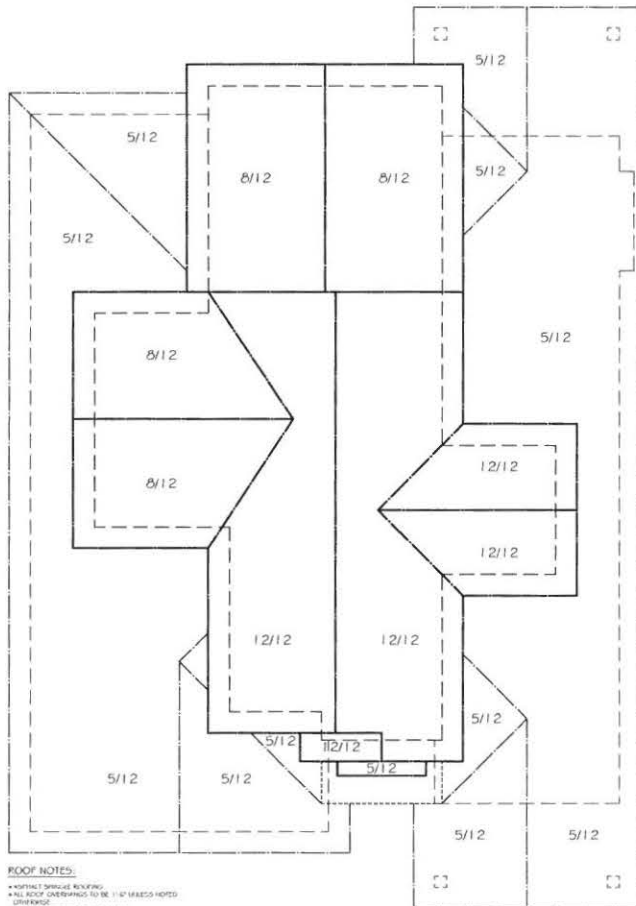
Project: Aquadel Crossing Plan C1L Lot 32

Drawing Title: Main Floor Plan Upper Floor Plan

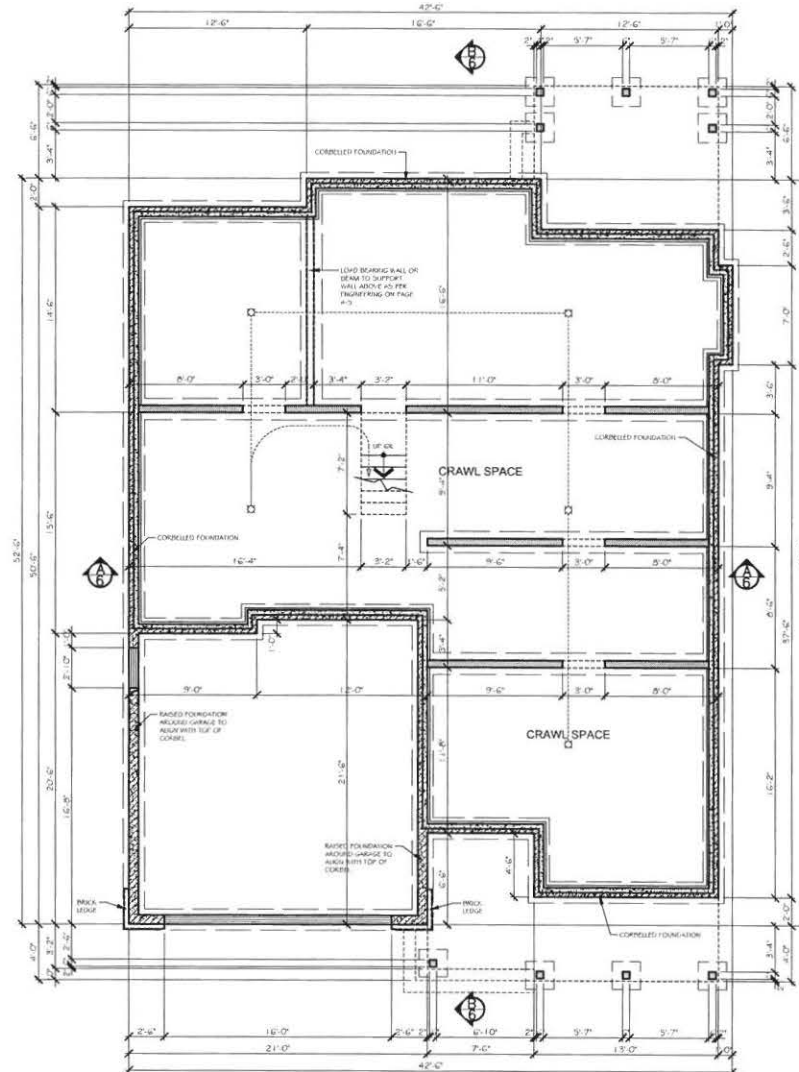
Drawn By: 4723 Hastings Street, Burnaby, B.C. V5C 3B8
Tel: 604.662.8008
Fax: 604.662.8078
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Designed/Drawn By: Gm
Date: January 26, 2017
Scale: 1/4" = 1'-0"

Sheet Number: A3.0



ROOF PLAN



Key Plan

Project North

Revision	Description	Date
1	Foundation Added Under Hatch	03/15/17
2	Correlled Foundation Added	03/16/17
3	Revised Hatch 11	03/16/17
4	Labelled Foundation Removal, Hatch North Added	03/16/17
5	Roof Added over Rear Patio	02/23/17
6	Plan Revised	02/09/17
7	Revised for Review	01/26/17

Client

Genica Developments

ELECTRICAL SCHEDULE

QTY	DESCRIPTION
SWITCHES	
1	SWITCH
3	3 WAY SWITCH
4	4 WAY SWITCH
1	DIMMER SWITCH
LIGHTS	
1	PULL CHAIN LIGHT
1	POLE LIGHT
1	TRACK LIGHT
1	FLUORESCENT
RECEPTACLES	
1	OUTLET
1	SWITCHED
1	SPLIT
1	GROUND FAULT
1	WATERPROOF
1	E20
1	CEILING
1	FLOOR
MISCELLANEOUS	
1	PHONE JACK
1	TV CABLE
1	DATA/TEL. JUMBLE
1	SMOKE ALARM
1	CEILING FAN
1	CEILING FAN/LIGHT
1	EXHAUST FAN
MECHANICAL	
1	FORCED AIR FLOOR
1	FORCED AIR CEILING
1	THERMOSTAT
1	SOLAR HW CONDUIT
1	HOSE BIBB
1	1" DRAIN

Project

Aquadel Crossing Plan C1L Lot 32

Drawing Title

Basement Plan Roof Plan

Drawn By: 4723 Hastings Street, Burnaby, B.C. V5C 3B5
Tel: 604.662.8088
Fax: 604.662.8078
www.i3design.ca

Designed/Drawn By: Gen (H) Checked: Gen

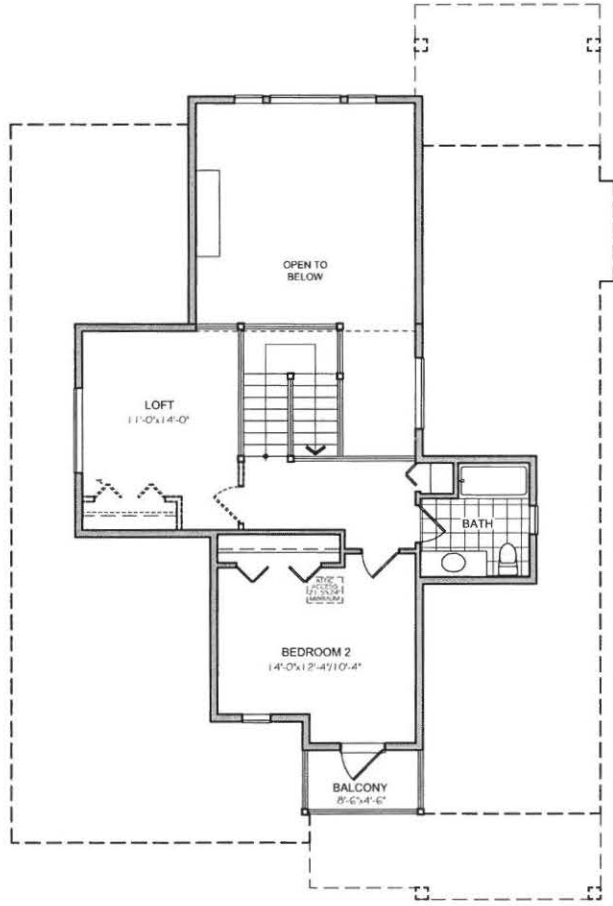
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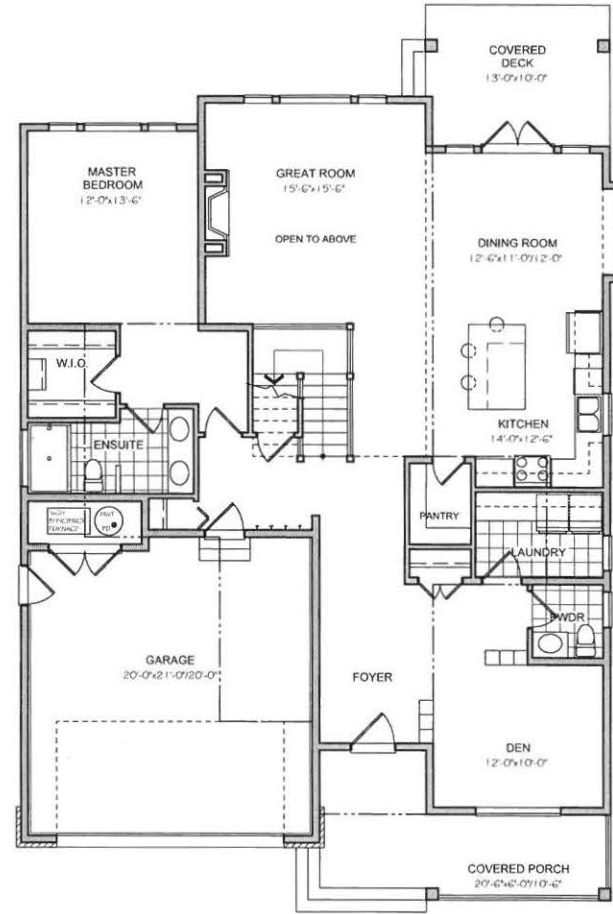
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UPPER STRUCTURAL PLAN



MAIN STRUCTURAL PLAN

Key Plan

Project Name: _____

Revisions

#	Description	Date
1	Revised Foundation Address	03/15/17
2	Revised Foundation Address	03/16/17
3	Revised Foundation Address	03/16/17
4	Revised Foundation Address	03/16/17
5	Revised Foundation Address	03/16/17
6	Revised Foundation Address	03/16/17
7	Revised Foundation Address	03/16/17
8	Revised Foundation Address	03/16/17
9	Revised Foundation Address	03/16/17
10	Revised Foundation Address	03/16/17

Client: **Genica Developments**

Project: **Aquadel Crossing Plan C1L Lot 32**

Drawing Title: **Structural Plans**

Drawn By: 4723 Hastings Street
Burnaby, B.C.
V5C 3B8

Tel: 604.642.8088
Fax: 604.642.8018
www.i3design.ca

i3 design

Designed/Drawn By: _____
Gib CH

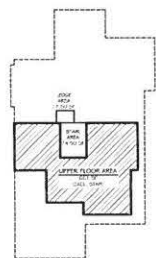
Checked: _____
Gib

Date: January 26, 2017

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

Sheet Number: **A5.0**

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AREA SCHEMATICS
SCALE: 1/4" = 1'-0"

PROJECT INFORMATION			
CIVIC ADDRESS			
1850 COLUMBIA VALLEY HWY, CLATSOP LAND, BRITISH COLUMBIA			
LOT NUMBER			
00-00			
LEGAL DESCRIPTION			
LOT 178 (EXCEPT PART BEING NOTED BY PARCELS 178, 179 AND 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000			
ZONING DISTRICT			
ELECTORAL AREA 11, 110% OF THE REGION, DISTRICT OF FRASER CREEK			
SITE AREA			
000 00.00 sq ft			
SETBACKS			
FRONT	2.00 m	6.56	
REAR	4.00 m	13.12	
INTERIOR	1.20 m	3.94	
GARAGE FRONT	4.00 m	13.12	
GARAGE INTERIOR	1.20 m	3.94	
PORCH INTERIOR	1.20 m	3.94	
SITE COVERAGE			
PERMITTED	000 00.00 sq ft	000 00.00 sq ft	00.00 %
PROPOSED	206.43 sq ft	222.139 sq ft	00.00 %
GROSS FLOOR AREA			
MAIN FLOOR	142.70 sq ft	15.36 00.00 sq ft	
UPPER FLOOR	61.41 sq ft	6.61 00.00 sq ft	
GARAGE FLOOR	29.80 sq ft	3.22 00.00 sq ft	
PROPOSED	243.90 sq ft	242.2 00.00 sq ft	
HEIGHT DATUM			
PROPOSED (EGL)	00.00 m	000 00	8.11 m / 26.61 ft



STREET

SITE PLAN

SCALE: 1/8" = 1'-0"

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- THESE DRAWINGS ARE PREPARED FOR BUILDING AND CONSTRUCTION CONFORMING TO LOCAL, PROVINCIAL, AND NATIONAL BUILDING CODES AND STANDARDS.
- THESE DRAWINGS SHOW ALL MATERIALS, EQUIPMENT, AND CONSTRUCTION IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND ACCEPTED METHODS OF GOOD BUILDING PRACTICE.
- CONSTRUCTION SHALL ALWAYS HAVE PRECEDENCE OVER DATA.
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THE BUILDING SITE:

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- CONCRETE SHALL BE PLACED ON UNDISTURBED SOIL. THE MINIMUM COMPRESSIVE STRENGTH OF CONCRETE SHALL BE 25 MPa (3600 PSI) FOR ALL CONCRETE. THE MINIMUM COMPRESSIVE STRENGTH OF CONCRETE SHALL BE 20 MPa (2900 PSI) FOR ALL CONCRETE.
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- ALL DIMENSIONS SHALL BE IN METERS (M) UNLESS OTHERWISE SPECIFIED.
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- ALL DIMENSIONS SHALL BE IN METERS (M) UNLESS OTHERWISE SPECIFIED.

Key Plan

Project North

Revision No. Description Date

1 Issued for Permit 24/04/17

Client: Genica Developments

Project: Auquedel Crossing Plan E2 Lot

Drawing Title: Site Plan Area Schematics Project Info General Notes

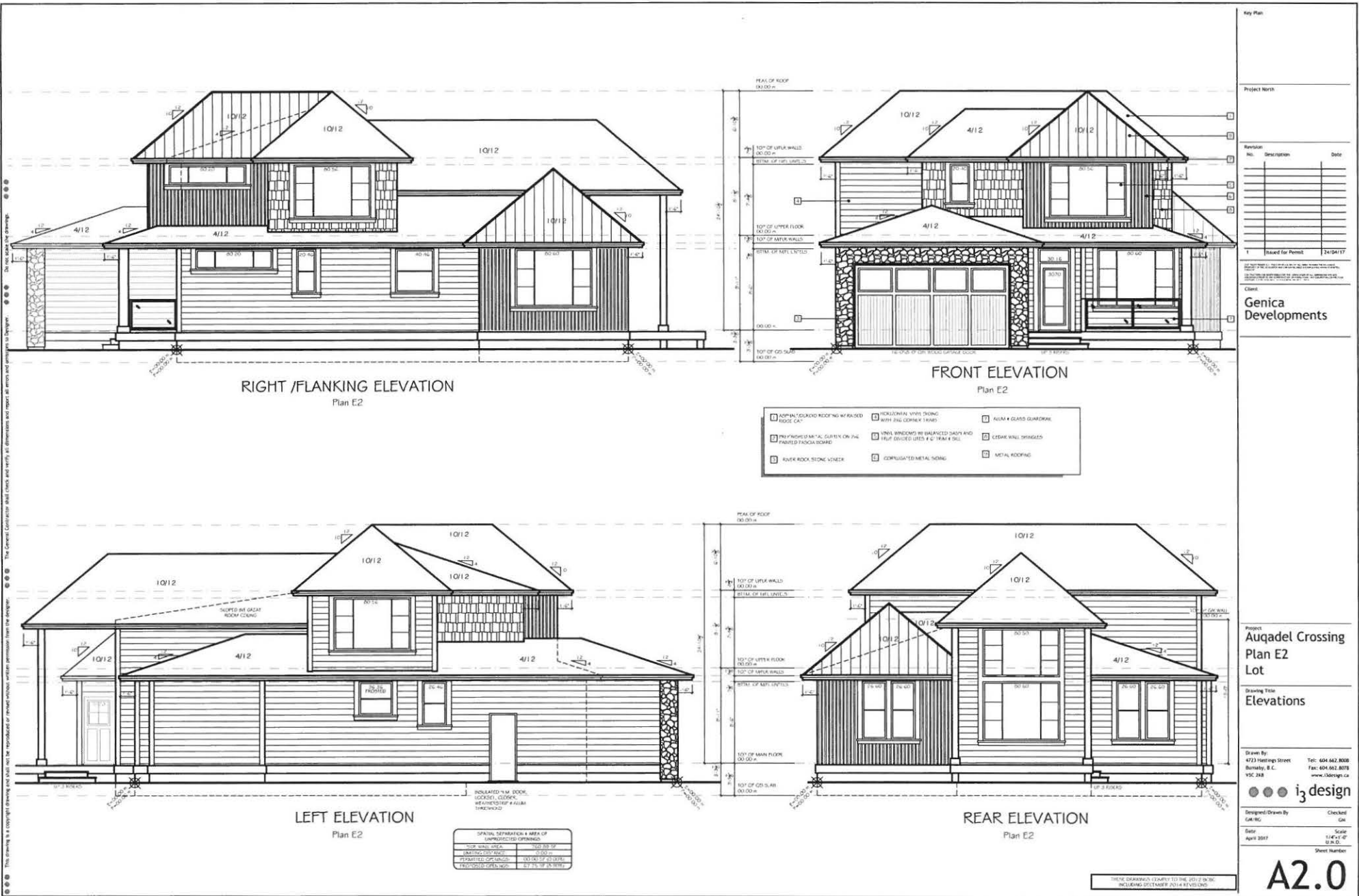
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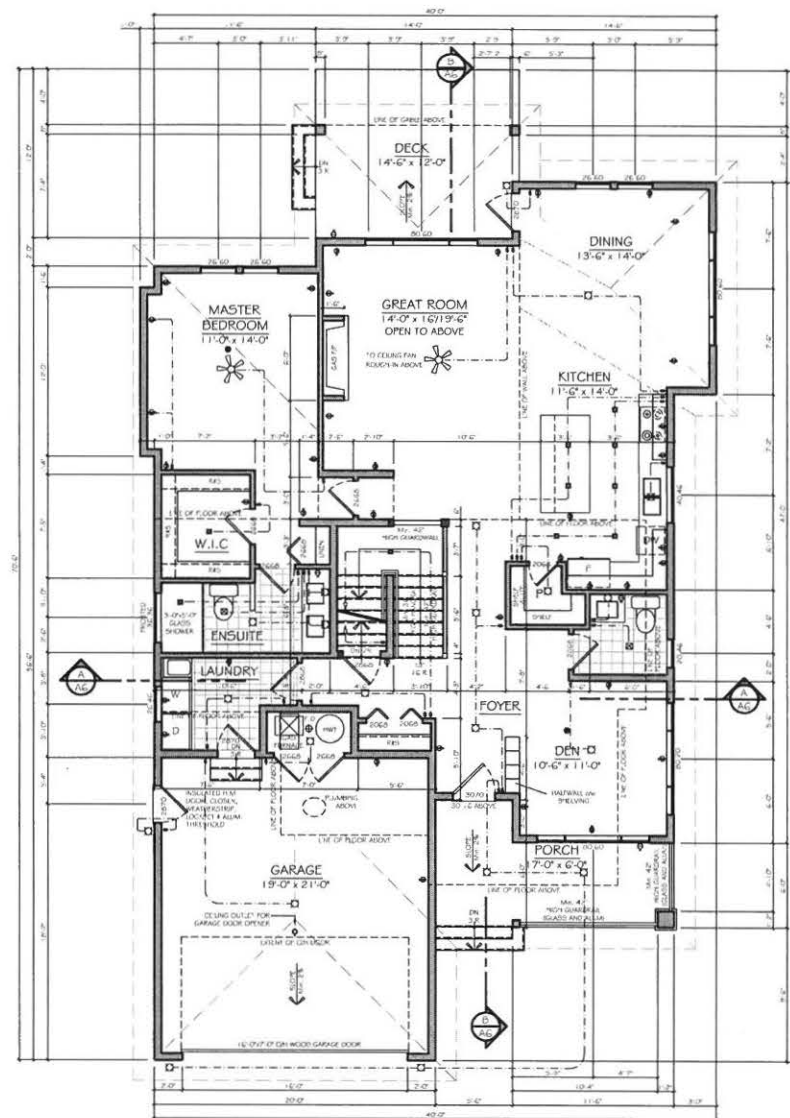
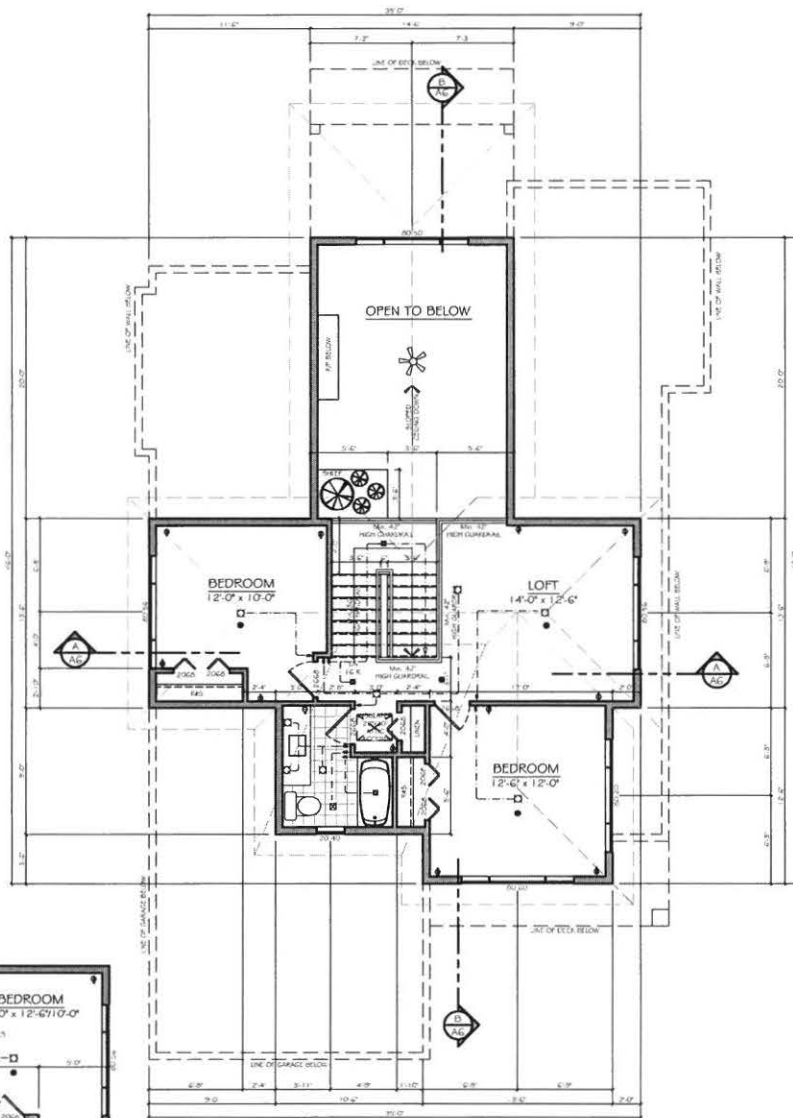
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Sheet Number: A1.0



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Key Plan

Project North

Revision:

No.	Description	Date
1	Issued for Permit	24/04/17

Client:

Genica Developments

ELECTRICAL SCHEDULE

QTY	DESCRIPTION
	SWITCHES
	1 SWITCH
	1 3-WAY SWITCH
	1 4-WAY SWITCH
	1 DIMMER SWITCH
	LIGHTS
	1 LIGHT
	1 PULL CHAIN LIGHT
	1 FAN LIGHT
	1 TRACK LIGHT
	1 RECESSED LIGHT
	RECEPTACLES
	1 DUPLEX
	1 SWITCHED
	1 SPLIT
	1 GROUND FAULT
	1 BATTERY
	1 220
	1 CEILING
	1 FLOOR
	MISCELLANEOUS
	1 POWER JACK
	1 TV CABLE
	1 DATA/TELEPHONE
	1 SMOKE ALARM
	1 CEILING FAN
	1 CEILING FAN LIGHT
	1 EXHAUST FAN
	MECHANICAL
	1 FORCED AIR FLOOR
	1 FORCED AIR CEILING
	1 THERMOSTAT
	1 SOLAR HEAT CONDUIT
	1 HOSE BOND
	1 4" DRAIN

Project:

Aquadel Crossing
Plan E2
Lot

Drawing Title:

Upper Floor Plan
Main Floor Plan

Drawn By:

4723 Hastings Street, Tel: 404.862.8088
Bumbody, S.C. Fax: 404.862.8088
VSC 208 www.vscdesign.ca

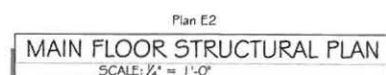
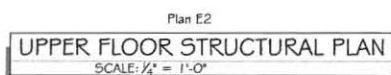
Designed/Drawn By: Checked:

Gal RG Gal

Date: April 2017 Scale: 1/4" = 1'-0"

Sheet Number:

A3.0



Client
**Genica
Developments**

Project
Auqadel Crossing
Plan E2
Lot

Drawing Title
Structural
Upper Floor Plan
Main Floor Plan

Drawn By:
4723 Hastings Street Tel: 604.662.8008
Burnaby, B.C. Fax: 604.662.8078

● ● ● i3 design

Designed/Drawn By	Checked
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Date	Scale
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	U.N.O.
	Street Number

A5.0

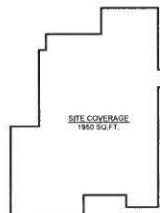
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$$1/2^* = 1' - 0^*$$


THESE DRAWINGS CORRECT TO THE 2012 BOD
INCLUDING DECEMBER 2014 REVISIONS

Client
**Genica
Developments**

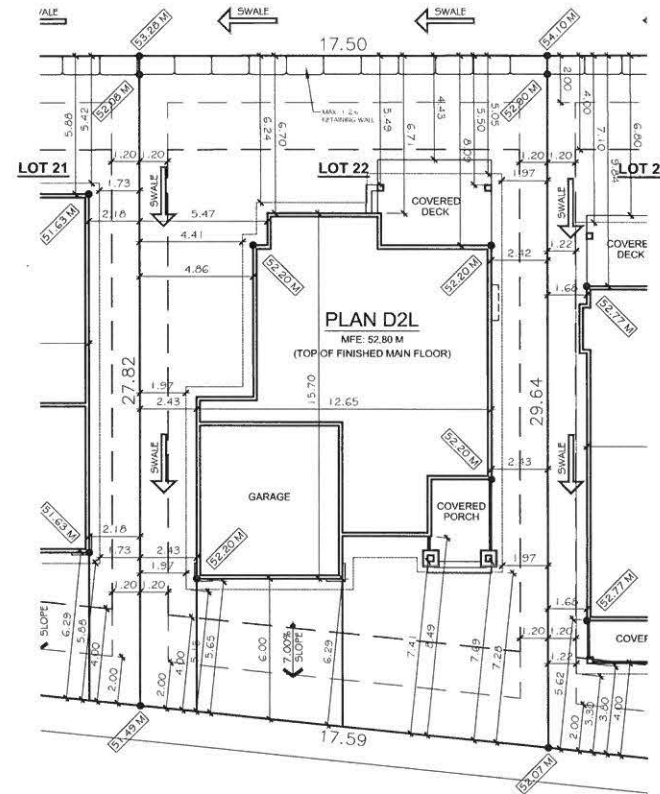
Sheet Number

A6.0



AREA SCHEMATICS
SCALE: 1/16" = 1'-0"

PROJECT INFORMATION			
CIVIC ADDRESS			
LOT NUMBER			
LEGAL DESCRIPTION			
ZONING DISTRICT			
SETBACKS (CLEAR TO SKY)			
FRONT (TO BUILDING)	4.00 M.	13.12 FT.	
REAR (TO BUILDING)	4.00 M.	13.12 FT.	
FRONT (TO DECK)	2.00 M.	6.56 FT.	
REAR (TO DECK)	2.00 M.	6.56 FT.	
SIDE (ENTRANCE)	1.20 M.	3.94 FT.	
SIDE (PLANNING)	2.00 M.	6.56 FT.	
SITE AREA			
	502.00 SQ. M.	5412.09 SQ. FT.	
SITE COVERAGE			
PERMITTED:	276.54 SQ. M.	2976.05 SQ. FT.	55.06 %
PROPOSED:	151.16 SQ. M.	1630.00 SQ. FT.	30.09 %
GROSS FLOOR AREA			
MAIN FLOOR:	113.01 SQ. M.	1225 SQ. FT.	
UPPER FLOOR:	57.33 SQ. M.	616 SQ. FT.	
GARAGE FLOOR:	33.95 SQ. M.	365 SQ. FT.	
PROPOSED:	241.08 SQ. M.	2595 SQ. FT.	



SITE PLAN
SCALE: 1/8" = 1'-0"

Key Plan

Project North

Revisions

#	Description	Date
1	Issue Permitted	01/30/17
2	Issue Permitted	01/30/17
3	Issue Permitted	01/30/17
4	Issue Permitted	01/30/17
5	Issue Permitted	01/30/17
6	Issue Permitted	01/30/17
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98	Issue Permitted	01/30/17
99	Issue Permitted	01/30/17
100	Issue Permitted	01/30/17

Client: Genica Developments

Project: Aquadel Crossing Plan D2L Lot 22

Drawing Title: Site Plan

Drawn By: 4723 Hastings Street Tel: 604.642.8078 Burnaby, B.C. Fax: 604.642.8078 www.i3design.ca

Designed/Drawn By: GSK/DR Checked: GSK/DR

Date: February 23, 2017 Scale: 1/8"=1'-0"

Sheet Number: A1.0

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LEFT ELEVATION

UNPROTECTED OPENINGS:

WALL AREA	421.30 SQ. FT.
GLAZING DISTANCE	4.0 ft.
PERMITTED OPENINGS	111.79 SQ. FT. 10.00%
REDUCED OPENINGS	50.40 SQ. FT. 5.00%

UNPROTECTED OPENINGS:

WALL AREA	281.30 SQ. FT.
GLAZING DISTANCE	1.5 ft.
PERMITTED OPENINGS	22.44 SQ. FT. 5.00%
REDUCED OPENINGS	17.54 SQ. FT. 6.20%



RIGHT ELEVATION

UNPROTECTED OPENINGS:

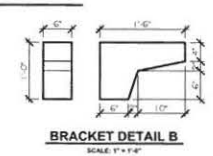
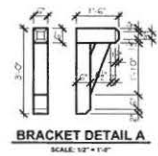
WALL AREA	623.90 SQ. FT.
GLAZING DISTANCE	1.5 ft.
PERMITTED OPENINGS	63.40 SQ. FT. 8.00%
REDUCED OPENINGS	47.52 SQ. FT. 5.71%

UNPROTECTED OPENINGS:

WALL AREA	66.50 SQ. FT.
GLAZING DISTANCE	6.0 ft.
PERMITTED OPENINGS	19.84 SQ. FT. 34.00%
REDUCED OPENINGS	10.90 SQ. FT. 19.70%



FRONT ELEVATION



REAR ELEVATION

Key Plan

Project North

Revisions	Description	Date
1	Issue Revised 18	03/28/17
2	Issue Revised 18	03/28/17
3	Issue Revised 18	03/28/17
4	Issue Revised 18	03/28/17
5	Issue Revised 18	03/28/17
6	Issue Revised 18	03/28/17
7	Issue Revised 18	03/28/17
8	Issue Revised 18	03/28/17
9	Issue Revised 18	03/28/17
10	Issue Revised 18	03/28/17

Genica Developments

Project: Aquadel Crossing Plan D2L Lot 22

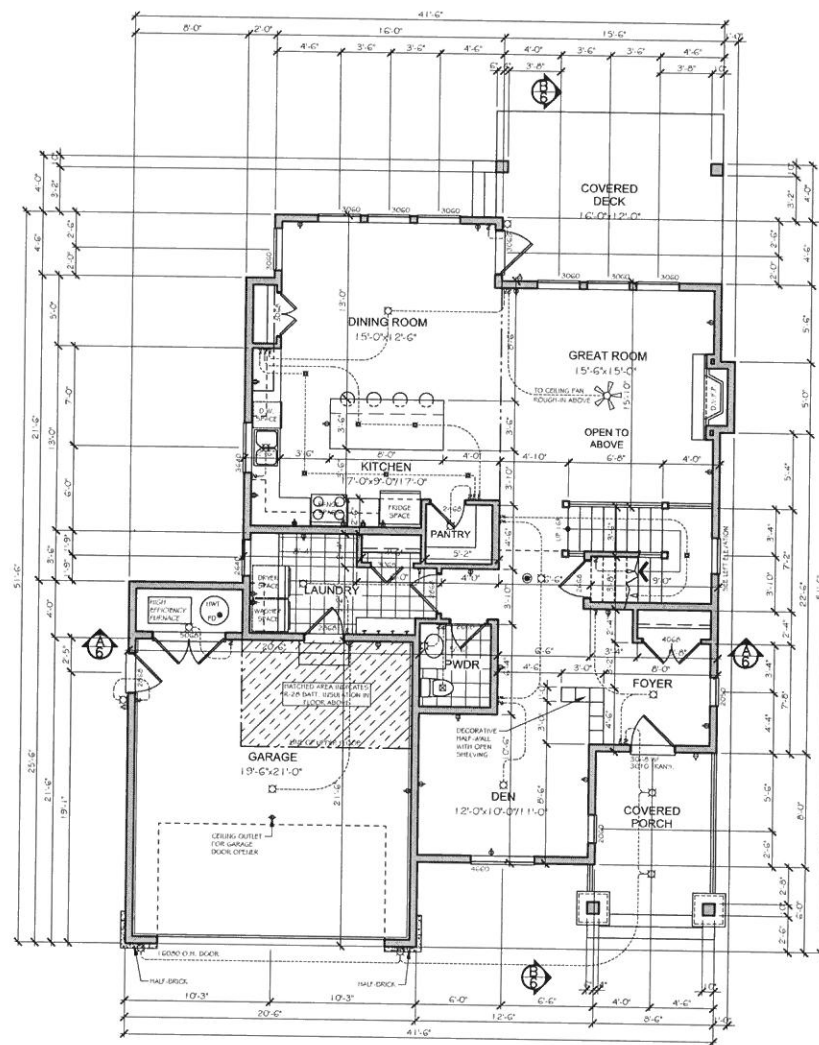
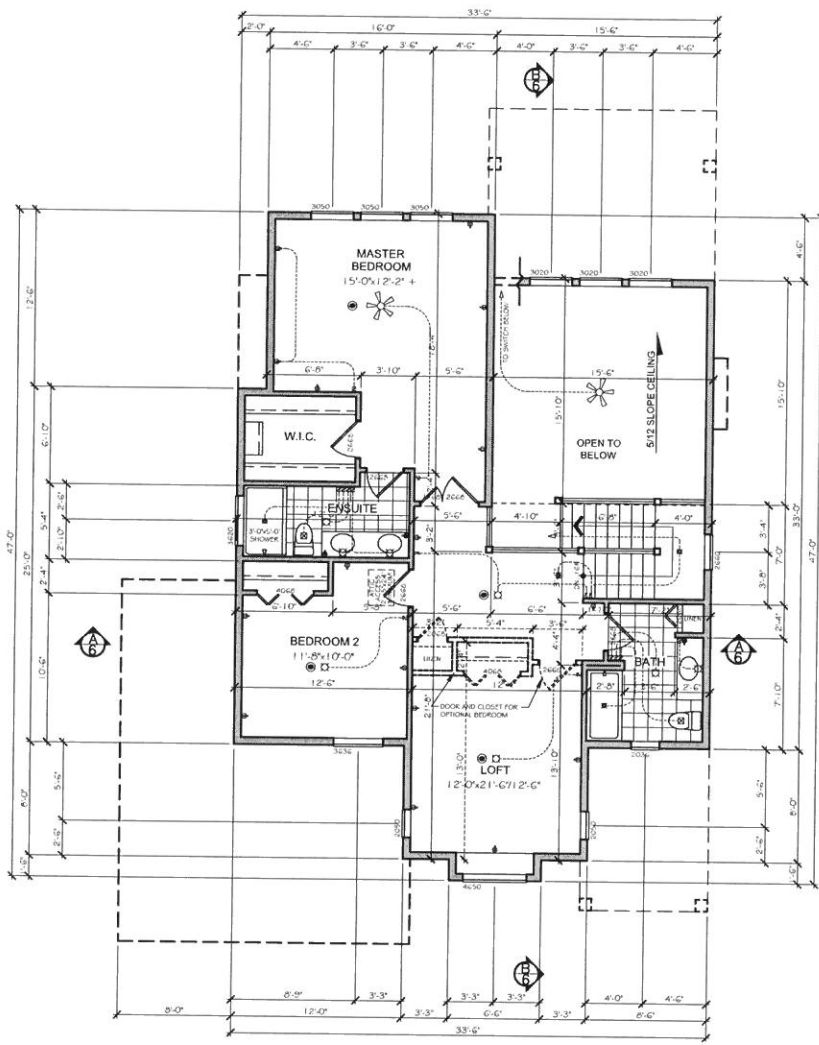
Drawing Title: Elevations

Drawn By: 4723 Hastings Street, Burnaby, B.C. Tel: 604.662.8008

Designed/Drawn By: GJM/SH Checked: GJM

Date: January 30, 2017 Scale: 1/4\"/>

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Key Plan

Project North

Revisions

#	Description	Date
1	Initial Review	03/20/17
2	Second Review	03/27/17
3	Third Review	03/28/17
4	Final Review	03/28/17
5	Final Review	03/28/17
6	Final Review	03/28/17

Client

Genica Developments

Project

Aquadel Crossing
Plan D2L
Lot 22

Drawing Title

Main Floor Plan
Upper Floor Plan

Drawn By

4723 Hastings Street
Burnaby, B.C.
V5C 3B3

Tel: 604.662.8008
Fax: 604.662.8079
www.i3design.ca

Designed/Drawn By

Checked

Date

Scale

January 30, 2017

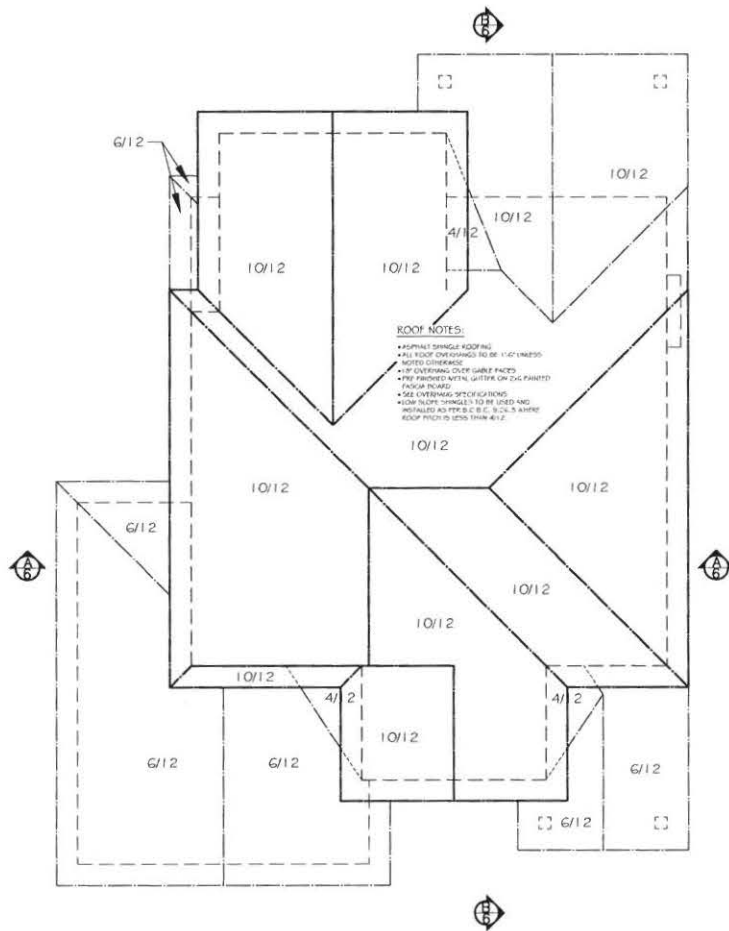
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A3.0

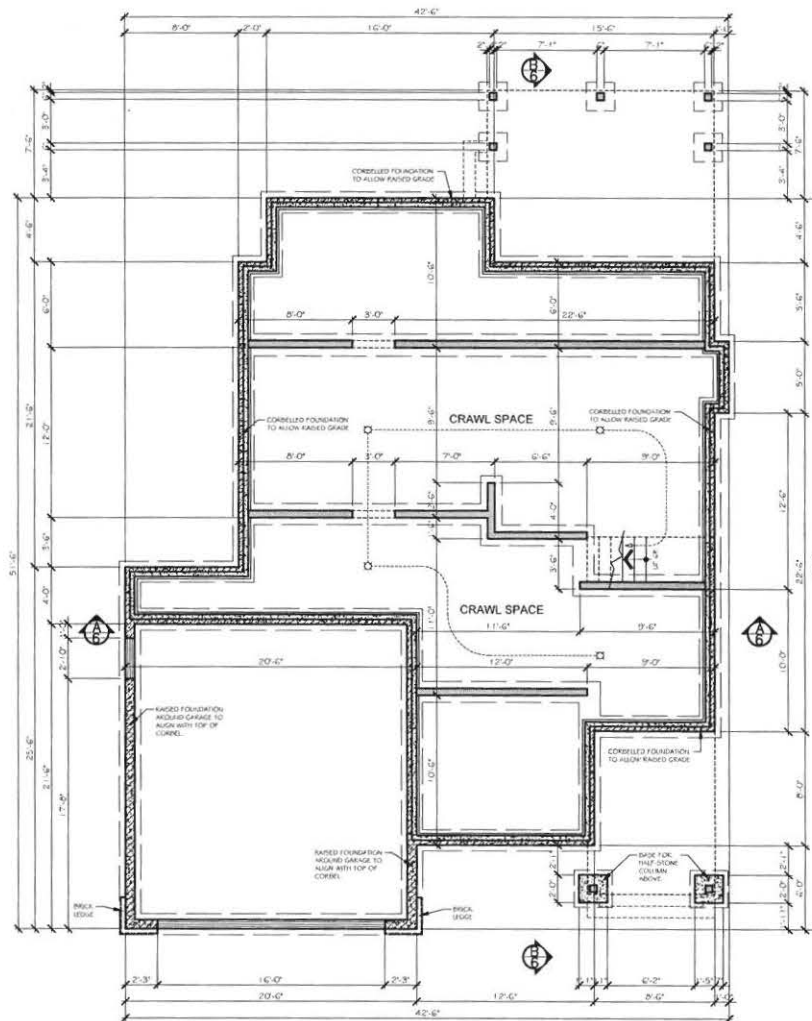
NOTE: ELECTRICAL LAYOUT FOR REFERENCE ONLY. ALL ELECTRICAL PANEL AND ELECTRIC BACKSOWN RE-USE LOCATIONS TO BE DETERMINED BY ELECTRICAL ENGINEER.

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ROOF PLAN



FOUNDATION PLAN

FLOOR AREA = 1231 SQ.FT.

Key Plan

Project Name

Revisions		
#	Description	Date
1	Issue for Review	01/10/17
2	Issue for Review	01/10/17
3	Issue for Review	01/10/17
4	Issue for Review	01/10/17
5	Issue for Review	01/10/17
6	Issue for Review	01/10/17

Client

**Genica
Developments**

QTY	DESCRIPTION
1	SWITCHES
1	3 WAY SWITCH
1	4 WAY SWITCH
1	DIAGNOSTIC SWITCH
1	LIGHTS
1	1" PULL CHAIN LIGHT
1	1" PULL CHAIN LIGHT
1	1" TRACK LIGHT
1	FLUORESCENT
1	RECEPTACLES
1	OUTLET
1	SWITCHES
1	SPLIT
1	GROUND FAULT
1	WATERPROOF
1	EZD
1	CEILING
1	FLOOR
1	MISCELLANEOUS
1	TV CABLE
1	DATA/TEL/COINTEL
1	SHOCK ALARM
1	CEILING FAN
1	CEILING FAN/SPLIT
1	CEILING FAN
1	MECHANICAL
1	FORCED AIR FLOOR
1	FORCED AIR CEILING
1	THERMISTAT
1	SOLAR HM CONDUIT
1	HOSE BIBB
1	4" DRAIN

Project

**Aquadel Crossing
Plan D2L
Lot 22**

**Basement Plan
Roof Plan**

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2A5

Tel: 604.662.8008
Fax: 604.662.8078
www.i3design.ca

i3 design

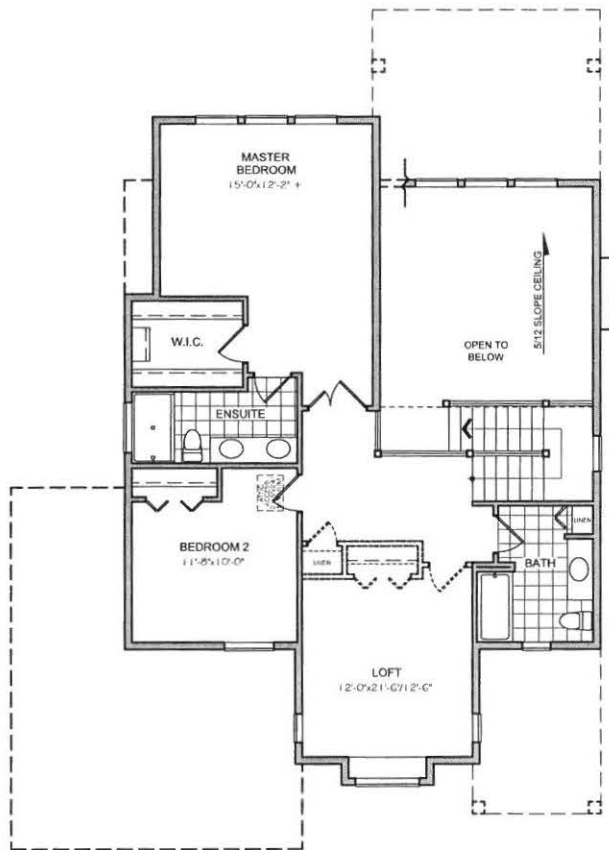
Designed/Drawn By: GAB
Checked: GAB

Date: January 30, 2017 Scale: 1/4"=1'-0"

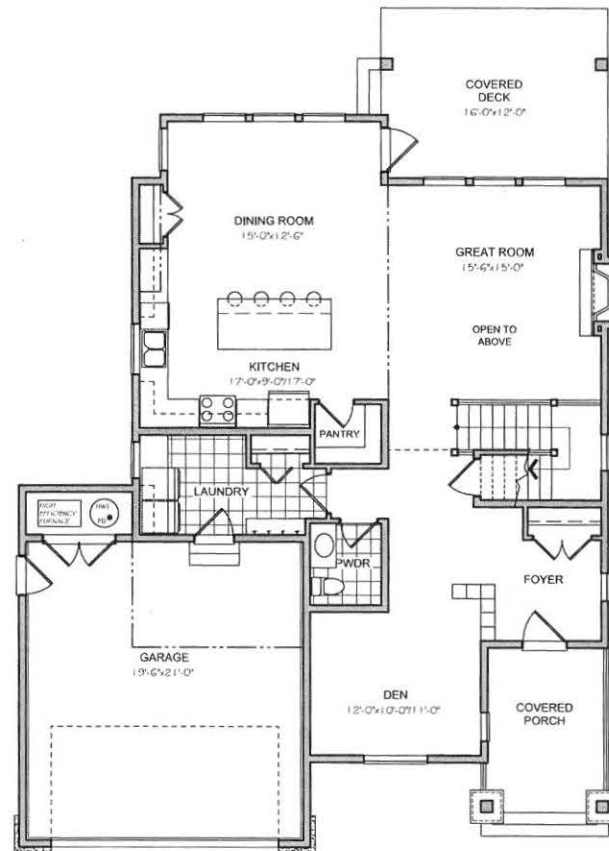
Sheet Number

A4.0

THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE



UPPER STRUCTURAL PLAN



MAIN STRUCTURAL PLAN

Key Plan

Project Month

Revisions

#	Description	Date
1	Issue Based 10	03/28/17
2	Issue Based 10	03/28/17
3	Issue Based 10	03/28/17
4	Issue Based 10	03/28/17
5	Issue Based 10	03/28/17
6	Issue Based 10	03/28/17
7	Issue Based 10	03/28/17
8	Issue Based 10	03/28/17
9	Issue Based 10	03/28/17
10	Issue Based 10	03/28/17

Client

Genica
Developments

Project
Aquadel Crossing
Plan D2L
Lot 22

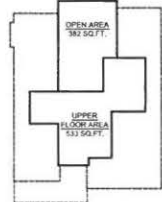
Drawing Title
Structural Plans

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2K8
Tel: 604.662.8008
Fax: 604.662.8078
www.i3design.ca

Designed/Drawn By
Gae Sh
Date
January 30, 2017
Scale
1/4" = 1'-0"

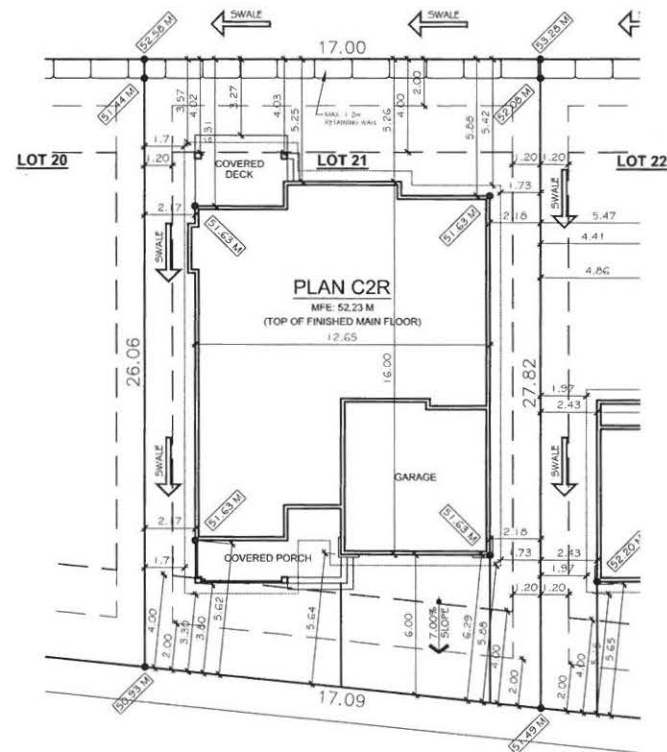
Sheet Number
A5.0

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE



AREA SCHEMATICS
SCALE: 1/16" = 1'-0"

PROJECT INFORMATION			
CIVIC ADDRESS			
LOT NUMBER			
LEGAL DESCRIPTION			
ZONING DISTRICT			
SETBACKS (CLEAR TO SKY)			
FRONT (TO BUILDING)	4.00 M.	13.12 FT.	
REAR (TO BUILDING)	4.00 M.	13.12 FT.	
FRONT (TO DECK)	2.00 M.	6.56 FT.	
REAR (TO DECK)	2.00 M.	6.56 FT.	
SIDE (INTERIOR)	1.20 M.	3.94 FT.	
SIDE (EXTERIOR)	2.00 M.	6.56 FT.	
SITE AREA			
EXISTING	418.00 SQ. M.	4929.87 SQ. FT.	
SITE COVERAGE			
EXISTING	251.30 SQ. M.	2711.43 SQ. FT.	35.00 %
PROPOSED	214.27 SQ. M.	2324.00 SQ. FT.	47.22 %
GROSS FLOOR AREA			
MAIN FLOOR	147.25 SQ. M.	1587 SQ. FT.	
UPPER FLOOR	49.12 SQ. M.	533 SQ. FT.	
GARAGE FLOOR	40.41 SQ. M.	435 SQ. FT.	
PROPOSED	233.77 SQ. M.	2517 SQ. FT.	



SITE PLAN
SCALE: 1/8" = 1'-0"

Key Plan

Project North

Revisions

#	Description	Date
1	Plan Approved	03/20/17
2	Second Elevation Applied	03/20/17
3	Elevation Added Under Match	03/15/17
4	Carved Out Elevation Added	03/15/17
5	House Added 18'	03/15/17
6	Carved Out Elevation Added	03/15/17
7	House Added 18'	03/15/17
8	House Added 18'	03/15/17
9	House Added 18'	03/15/17
10	House Added 18'	03/15/17
11	House Added 18'	03/15/17
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97	House Added 18'	03/15/17
98	House Added 18'	03/15/17
99	House Added 18'	03/15/17
100	House Added 18'	03/15/17

Client: Genica Developments

Project: Aquadel Crossing Plan C2R Lot 21

Drawing Title: Site Plan

Drawn By: 4723 Hastings Street, Burnaby, B.C. V5C 2A5

Tel: 604.662.8008

Fax: 604.662.8078

www.i3design.ca

i3 design

Designed/Drawn By: Checked: GSK-SH GSK

Date: February 10, 2017

Scale: 1/8" = 1'-0"

Sheet Number: A1.0

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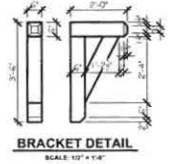
LEFT ELEVATION

UNPROTECTED OPENINGS:

TOTAL AREA:	744.50 SQ. FT.
MINIMUM DISTANCE:	#0
PERMITTED OPENINGS:	41.13 SQ. FT. 5.53%
PROPOSED OPENINGS:	47.50 SQ. FT. 6.39%



FRONT ELEVATION



RIGHT ELEVATION

UNPROTECTED OPENINGS:

TOTAL AREA:	756.50 SQ. FT.
MINIMUM DISTANCE:	#0
PERMITTED OPENINGS:	43.02 SQ. FT. 5.69%
PROPOSED OPENINGS:	50.50 SQ. FT. 6.68%



REAR ELEVATION

BRIDGE PLANS HAVE BEEN DETAILLED BY ALLOWANCE WITH THE 2012 EDITION OF THE D.C. BUILDING CODE.

Key Plan

Project Month

#	Description	Date
1	Initial Plan	03/20/17
2	Revised Plan	03/20/17
3	Foundation added below porch	03/21/17
4	Corbelled Foundation added	03/21/17
5	House Moved 18"	03/21/17
6	Corbelled Foundation Removed, Metal Deck Added	03/21/17
7	Revised Plan	03/21/17
8	Revised Plan	03/21/17
9	Revised Plan	03/21/17
10	Revised Plan	03/21/17
11	Revised Plan	03/21/17
12	Revised Plan	03/21/17
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97	Revised Plan	03/21/17
98	Revised Plan	03/21/17
99	Revised Plan	03/21/17
100	Revised Plan	03/21/17

Client: Genica Developments

Project: Aquadel Crossing Plan C2R Lot 21

Drawing Title: Elevations

Drawn By: 4723 Hastings Street, Burnaby, B.C. V5C 2A2

Tel: 604.642.8008 Fax: 604.642.8078 www.i3design.ca

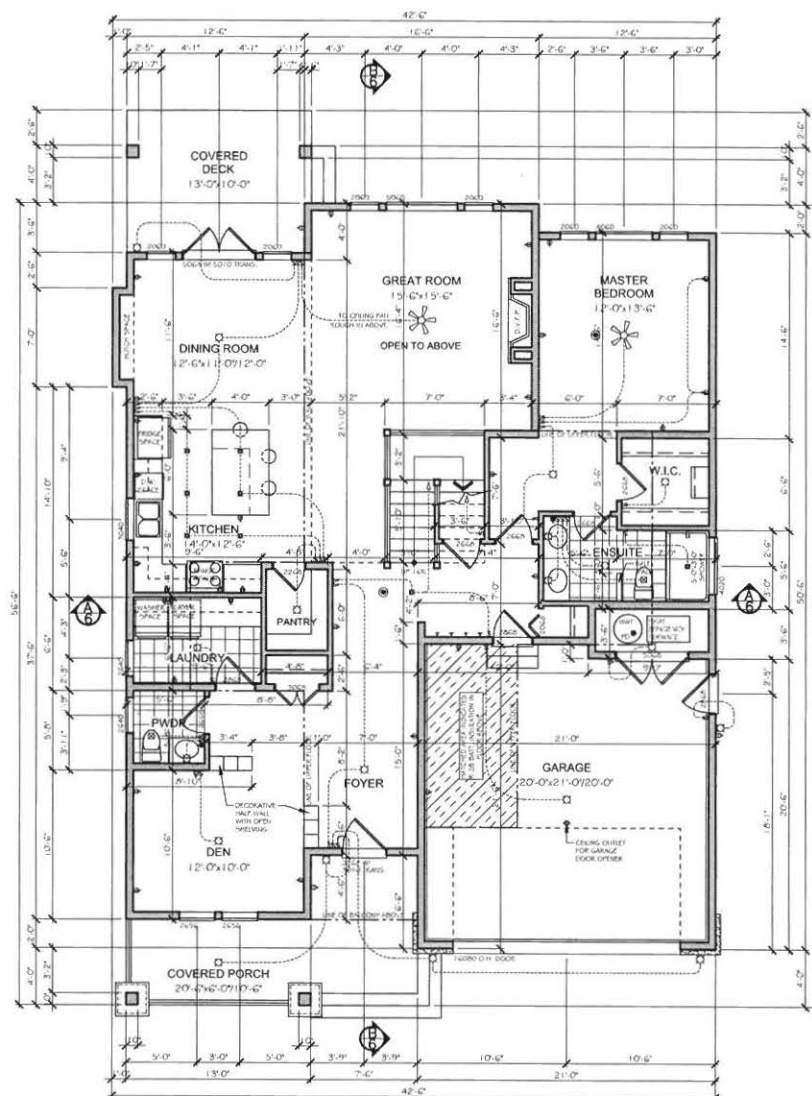
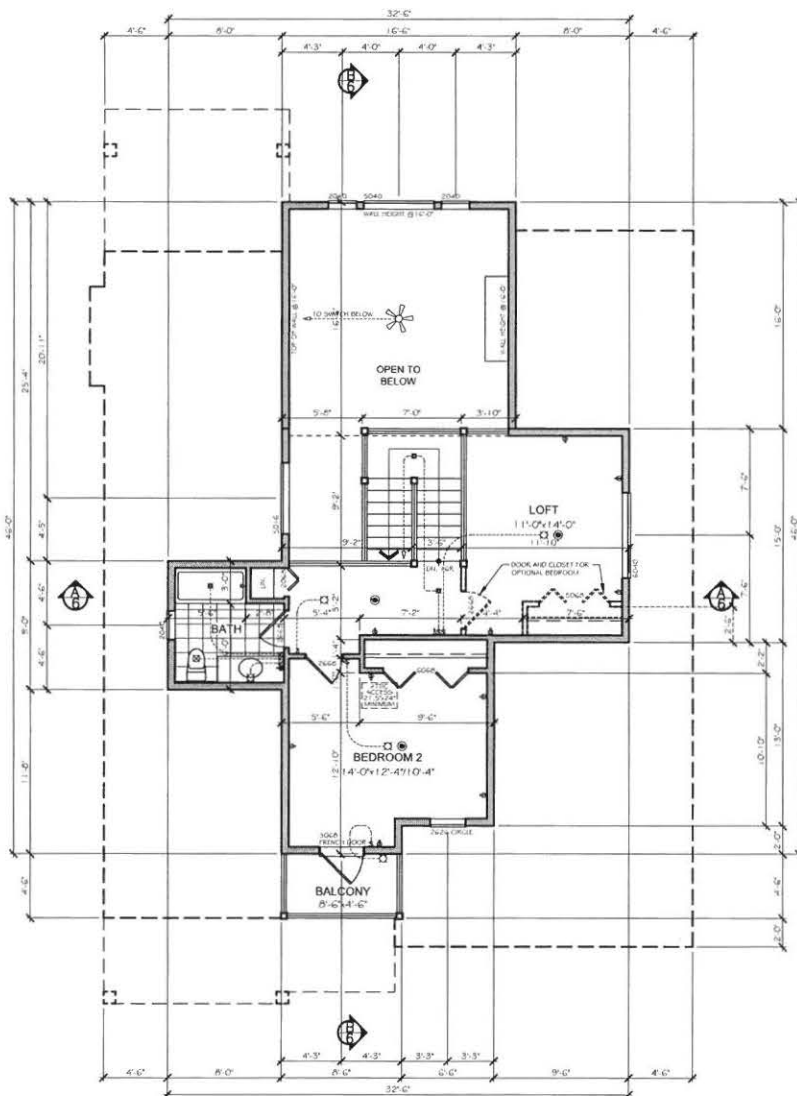
Designed/Drawn By: i3 design

Checked: GLE

Date: January 16, 2017

Scale: 1/4" = 1' 0"

Sheet Number: A2.0



Key Plan

Project North

Revisions	Description	Date
1	Place Revisions	03/20/17
2	Second Revision Applied	03/20/17
3	Foundation Added Under Match	03/20/17
4	Foundation Added Under Match	03/20/17
5	Foundation Added Under Match	03/20/17
6	Foundation Added Under Match	03/20/17
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97	Foundation Added Under Match	03/20/17
98	Foundation Added Under Match	03/20/17
99	Foundation Added Under Match	03/20/17
100	Foundation Added Under Match	03/20/17

Client: Genica Developments

ELECTRICAL SCHEDULE

QTY	DESCRIPTION
1	SWITCHES
1	SWITCH
1	3 WAY SWITCH
1	4 WAY SWITCH
1	DIMMER SWITCH
1	LIGHTS
1	PULL CHAIN LIGHT
1	POST LIGHT
1	TRACK LIGHT
1	FLUORESCENT
1	RECEPTACLES
1	OUTLET
1	SWITCHED
1	SPLIT
1	GROUND FAULT
1	WATERPROOF
1	220
1	CEILING
1	FLOOR
1	MISCELLANEOUS
1	PHONE JACK
1	TV CABLE
1	SATA/IDE/USB
1	SMOKE ALARM
1	CEILING FAN
1	CEILING FAN LIGHT
1	EXHAUST FAN
1	MECHANICAL
1	FORCED AIR FLOOR
1	FORCED AIR CEILING
1	THERMOSTAT
1	SOLAR HW CONDUIT
1	HOSE BIBB
1	4" DRAIN

Project: Aquadel Crossing Plan C2R Lot 21

Drawing Title: Main Floor Plan Upper Floor Plan

Drawn By: 4737 Hastings Street
Burnaby, B.C.
Y5C 2B8

Tel: 464 442 8008
Fax: 464 442 8008
www.idesign.ca

i3 design

Designed/Drawn By: GJM
Checked: GJM

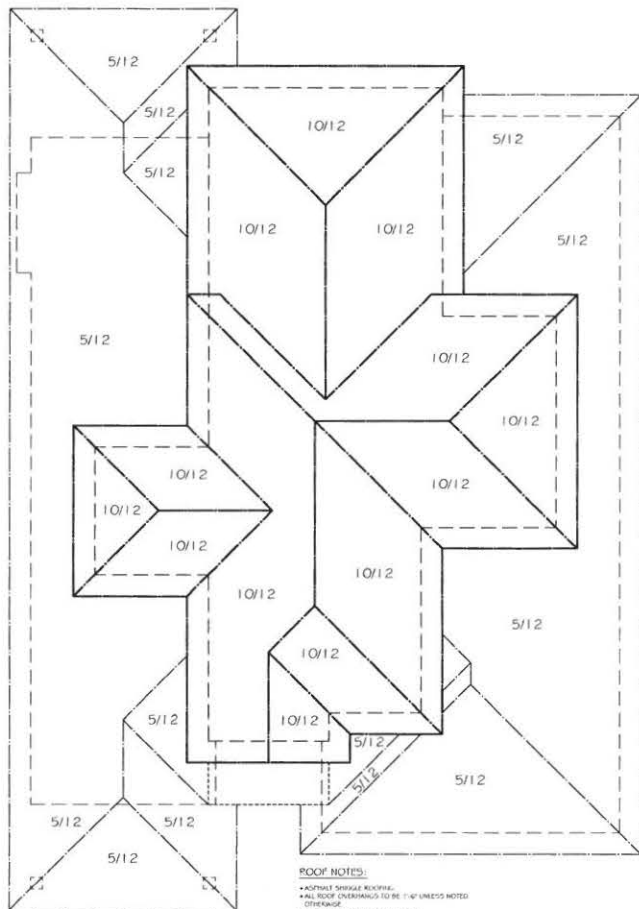
Date: January 26, 2017
Scale: 1/4" = 1'-0"

Sheet Number: A3.0

NOTE: ELECTRICAL LAYOUT FOR REFERENCE ONLY. ALL ELECTRICAL, PANEL AND RECEPTACLES LOCATIONS TO BE DETERMINED BY ELECTRICAL ENGINEER.

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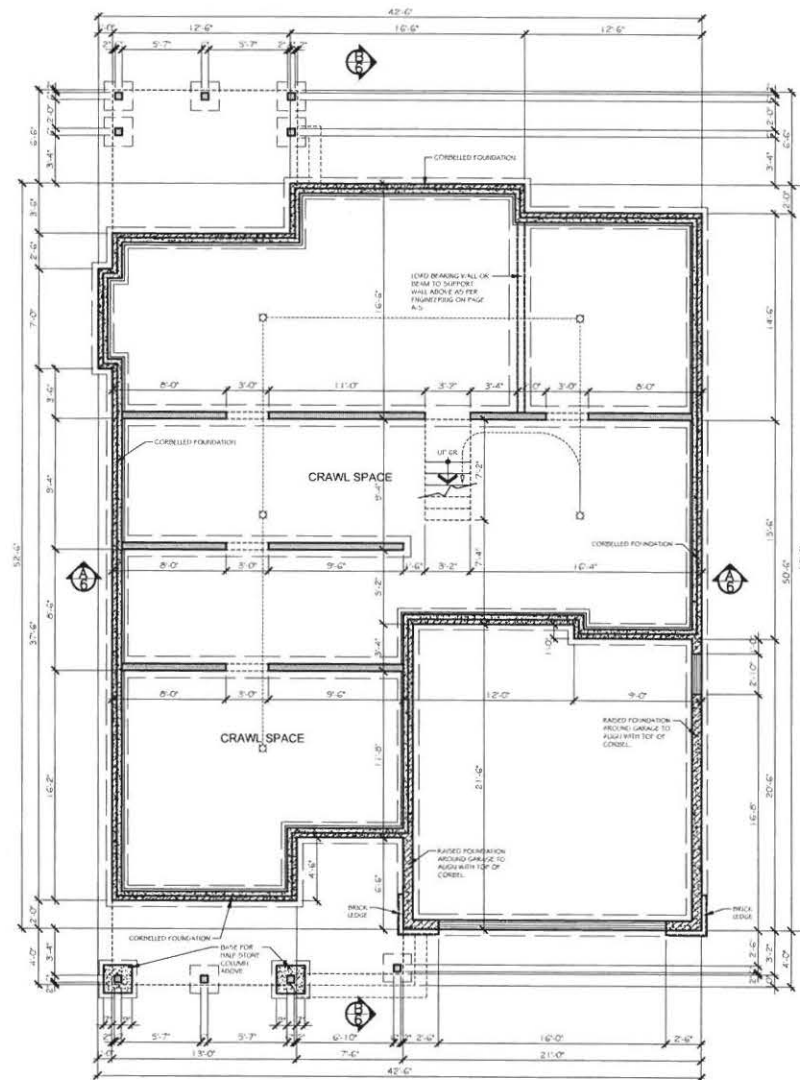
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ROOF NOTES:

- ASPH/FLT SHINGLE ROOFING
- ALL ROOF OVERHANGS TO BE 1'-0" UNLESS NOTED OTHERWISE
- 2" OVERHANG OVER GABLE FACTS
- 4" PRE-FINISHED METAL GUTTER OR 2-1/2" PAINTED ALUM. GUTTER
- SEE OVERHANG "SPECIFICATIONS"
- DOWN SPOUTS TO BE USED AND INSTALLED AS PER IBC B.C. 2.2.6.5 WHERE ROOF PITCH IS LESS THAN 4:12

ROOF PLAN



FOUNDATION PLAN

FLOOR AREA = 1610 SQ.FT.

Key Plan

Project Name

Revisions

#	Description	Date
1	Plan issued	02/26/17
2	Second Revision Applied	02/28/17
3	Foundation Added Under Rump	03/15/17
4	Correlled Foundation Added	03/16/17
5	House Rump 12'	03/16/17
6	Correlled Foundation Removed, Wind Deck Added	03/16/17
7	Roof Added with Rump Patio	03/17/17
8	Issued for Review	03/18/17

As Noted: All dimensions are in feet and inches. All dimensions are to the center of the wall unless otherwise noted. All dimensions are to the center of the footing unless otherwise noted. All dimensions are to the center of the column unless otherwise noted. All dimensions are to the center of the beam unless otherwise noted. All dimensions are to the center of the slab unless otherwise noted. All dimensions are to the center of the wall unless otherwise noted. All dimensions are to the center of the footing unless otherwise noted. All dimensions are to the center of the column unless otherwise noted. All dimensions are to the center of the beam unless otherwise noted. All dimensions are to the center of the slab unless otherwise noted.

Client

Genica Developments

QTY	DESCRIPTION
SWITCHES	
1	3-WAY SWITCH
1	4-WAY SWITCH
1	SWITCH
LIGHTS	
1	PULL CHAIN LIGHT
1	TRUCK LIGHT
1	FLUORESCENT
RECEPTACLES	
1	OUTLET
1	SWITCHED
1	GROUND FAULT
1	WATERPROOF
1	CEILING
1	FLOOR
MISCELLANEOUS	
1	PHONE JACK
1	TV CABLE
1	DATA/TEL./CABLE
1	SIGNAL ALARM
1	CEILING FAN
1	CEILING FANLIGHT
1	EXHAUST FAN
MECHANICAL	
1	FORCED AIR FLOOR
1	FORCED AIR CEILING
1	THERMOSTAT
1	SOLAR HEV CONDUIT
1	WIRE BBS
1	4" DRAIN

Project

Aquadel Crossing
Plan C2R
Lot 21

Drawing Title

Basement Plan
Roof Plan

Drawn By:

4723 Hastings Street
Burnaby, B.C.
V5C 2K5

Tel: 604.662.8808
Fax: 604.662.8878
www.i3design.ca

i3 design

Designed/Drawn By

Calvin

Checked By

Calvin

Date

January 24, 2017

Scale

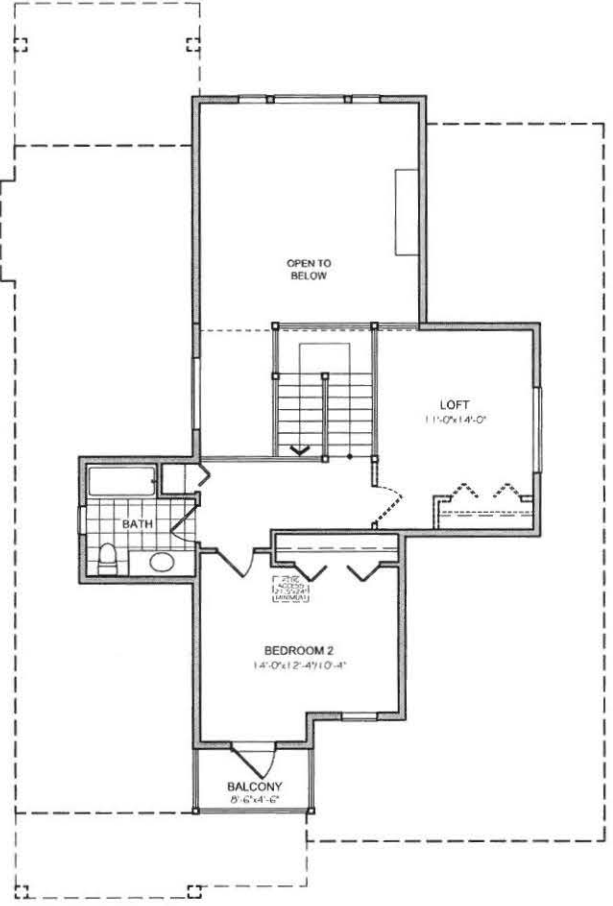
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Sheet Number

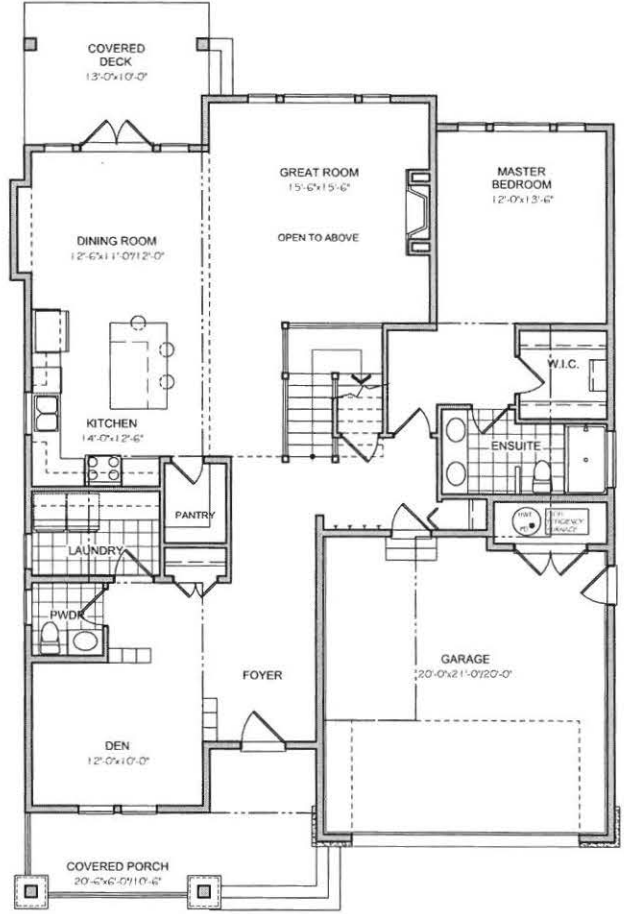
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UPPER STRUCTURAL PLAN



MAIN STRUCTURAL PLAN

Key Plan

Project: **Genica Developments**

#	Description	Date
1	Issue for Review	01/26/17
2	Issue for Review	01/26/17
3	Issue for Review	01/26/17
4	Issue for Review	01/26/17
5	Issue for Review	01/26/17
6	Issue for Review	01/26/17
7	Issue for Review	01/26/17
8	Issue for Review	01/26/17
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14	Issue for Review	01/26/17
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97	Issue for Review	01/26/17
98	Issue for Review	01/26/17
99	Issue for Review	01/26/17
100	Issue for Review	01/26/17

Project: **Aquadel Crossing Plan C2R Lot 21**

Structural Plans

Drawn By: **i3 design**

Designed/Drawn By: **Genica**

Check: **Genica**

Date: **January 26, 2017**

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

Sheet Number: **A5.0**

ASSEMBLY SPECIFICATIONS:

1. ROOF ASSEMBLY

- ROOF ASSEMBLY:**
- AIRSPAC SHINGLES
 - 3/4" PLYWOOD SHEATHING
 - INSULATION STEP
 - 2" CLEARANCE
 - 2x12 ROOF RAFTERS @ 24" O.C. w/ 2x4 CROSS BRACING @ 24" O.C. OR ENGINEERED ROOF TRUSSES (SEE PLAN)

2. CEILING ASSEMBLY:

- CEILING ASSEMBLY:**
- MINIMUM R-40 BATT INSULATION
 - 6 mil POLY VAPOR BARRIER
 - 5/8" GYPSUM WALL BOARD

3. EXTERIOR RAINSCREEN WALL ASSEMBLY:

- * EXTERIOR FINISH
- * PRECOURSE TREATED STRAPPING OR APPROVED EQUIVALENT
- * GLASSING PAPER
- * 3/8" SWEATING
- * 2x6 WALL STUDS @ 16" O.C. 45 PER PLAN
- * R-20 F.G. BATT INSULATION
- * 6 MIL. POLY. VAPOR BARRIER
- * 1/2" GYPSUM WALL BOARD

4. INTERIOR WALL ASSEMBLY:

- 1/2" GYPSUM WALL BOARD ON EACH FACE OF
- 2x4 WALL STUDS @ 16" O.C.

5. FLOOR ASSEMBLY:

- 5/8" 14G FLYWOOD GALV 4" W/FEET
- 2x10 FLOOR JOISTS @ 16" O.C.
- 2x2 CROSS BRACING @ 8' FOR MAJOR AX

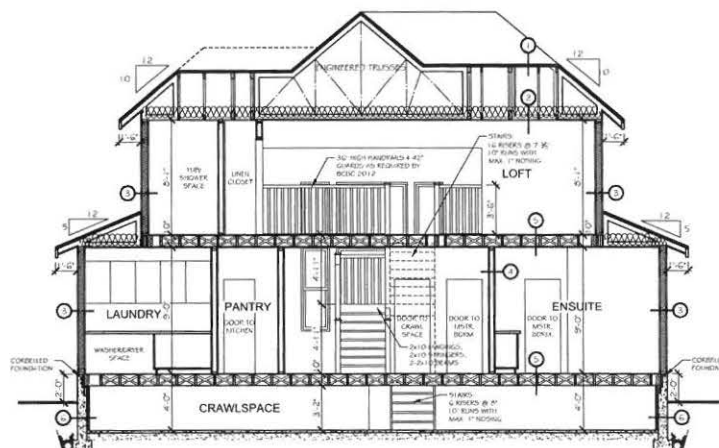
5. FOUNDATION ASSEMBLY:

- FOUNDATION ASSEMBLY**
FOUNDATION WALL
- 5/8" ANCHOR BOLTS @ 4'-0" O.C.
 - 2 COATS ASPHALT EMULSION (BELOW GRADE)
 - 4" CONCRETE WALL
 - 2" RIGID INSULATION
 - 1.5" CONCRETE FOOTING
 - 2-1/2" S&B BARS
 - 4" DIAMETER DRAIN TILE
 - 6" NEW DRAIN GRAVEL COVER

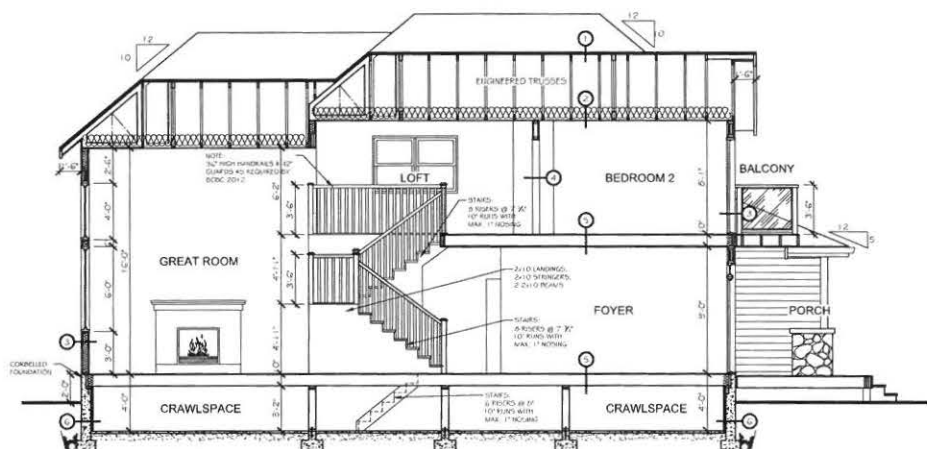
INTERIOR SCARPA WALL

- 2x6 WALL STUDS @ 16" O.C.
- 4" CONCRETE CURB
- 10" x 8" CONCRETE FOOTING
- ALL FOOTINGS TO BE ON UNDISTURBED NATIVE SOIL BELOW MAXIMUM FROST PENETRATION DEPTH

- ORIGINAL SPACE FLOOR
- 2" CONCRETE SLAB CONT.
 - 4 MIL. POLY VINYLIF. FLOORING



SECTION A



SECTION B

Key Plan

Project North

Revisions		
#	Description	Date
7	Plan Revised	03/20/13
8	Second Revision Applied	04/20/13
9	Foundation Added Under Hatch	03/25/13
4	Corbelled Foundation Added	03/16/13
	House Raised 18"	03/10/13
	Corbelled Foundation Removed, second Decks Added	
2	Roof Added over Rear Patio	02/23/13
1	Second Floor Windows	02/26/13

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Client
**Genica
Developments**

Project
Aquadel Crossing
Plan C2R
Lot 21

Drawing Title

Building Sections Assembly Specs

Drawn By:
4723 Hastings Street Tel: 604.662.8068
Burnaby, B.C. Fax: 604.662.8078
V5C 2K8 www.i3design.ca

●●● i3 design

Designed/Drawn By	Checked
GAH/DB	GA

Date	Scale
January 26, 2017	1/4" = 1'-0"

Street Number

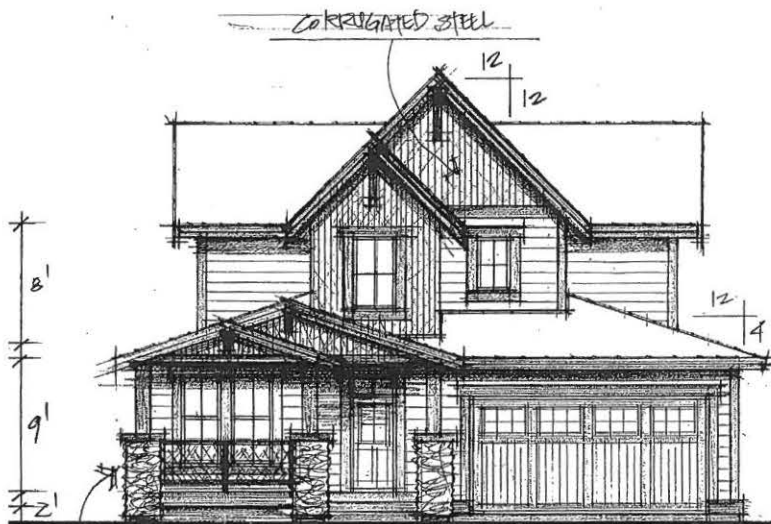
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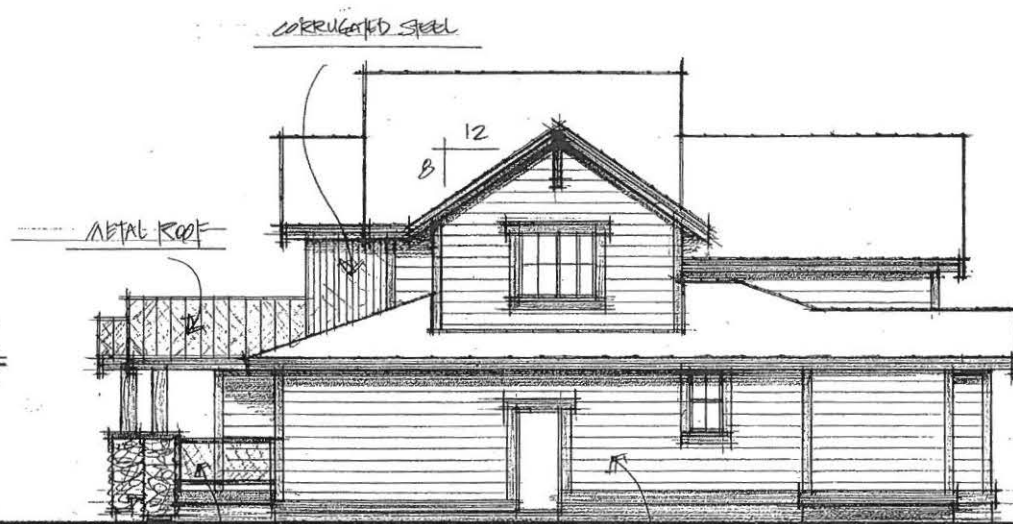
MAY 10 / 2018

AQUADEL - PHASE 2 - PLAN F1

total: 1900 sq. ft.



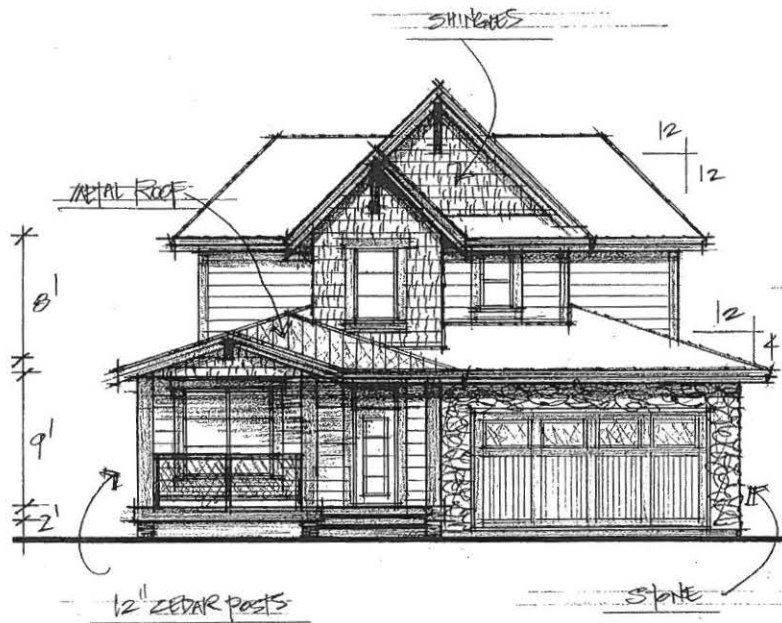
FRONT ELEVATION



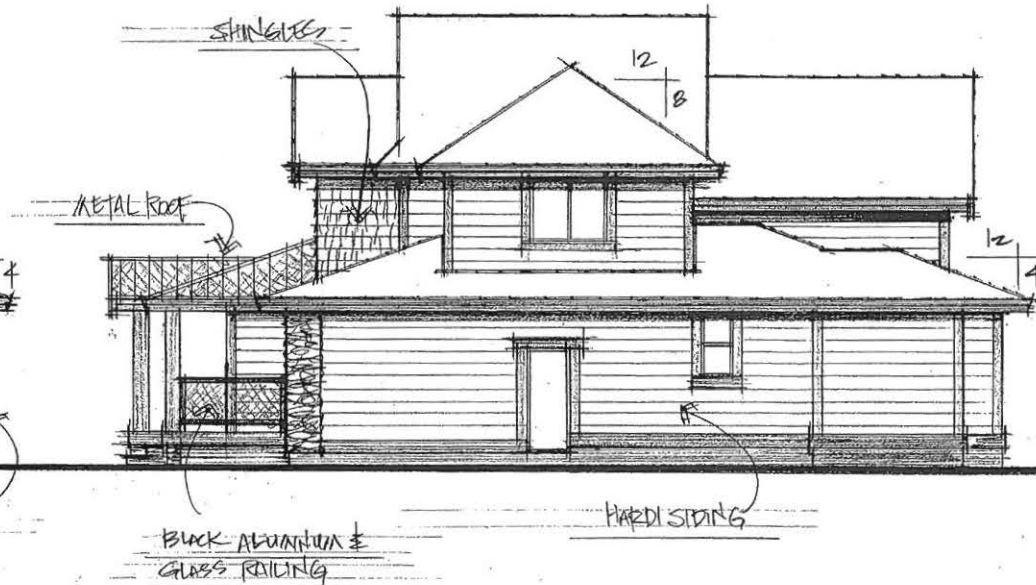
RIGHT ELEVATION

AQUADEL - PHASE 2 - PLAN F2

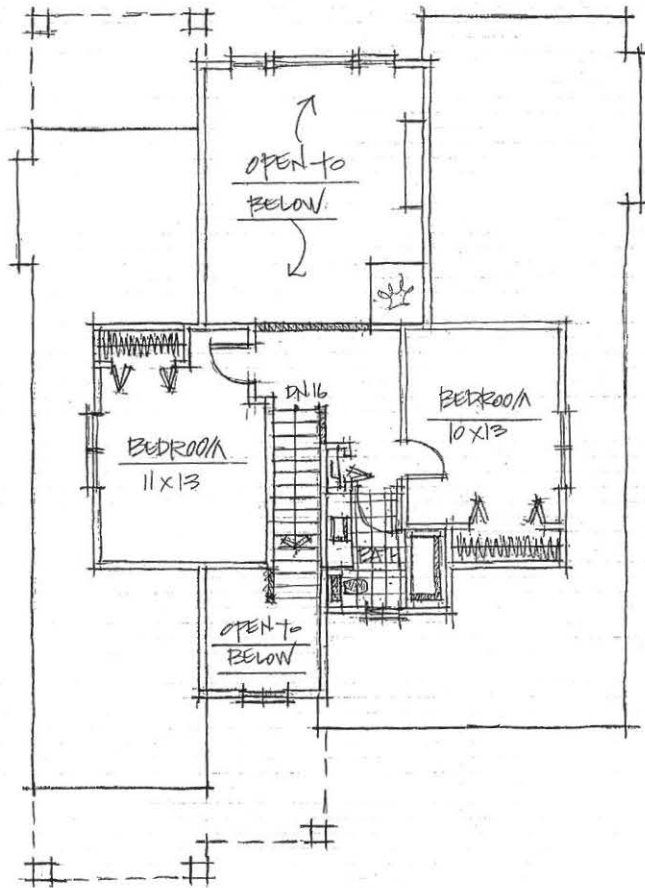
TOTAL: 1900 SQ. FT.



FRONT ELEVATION



RIGHT ELEVATION

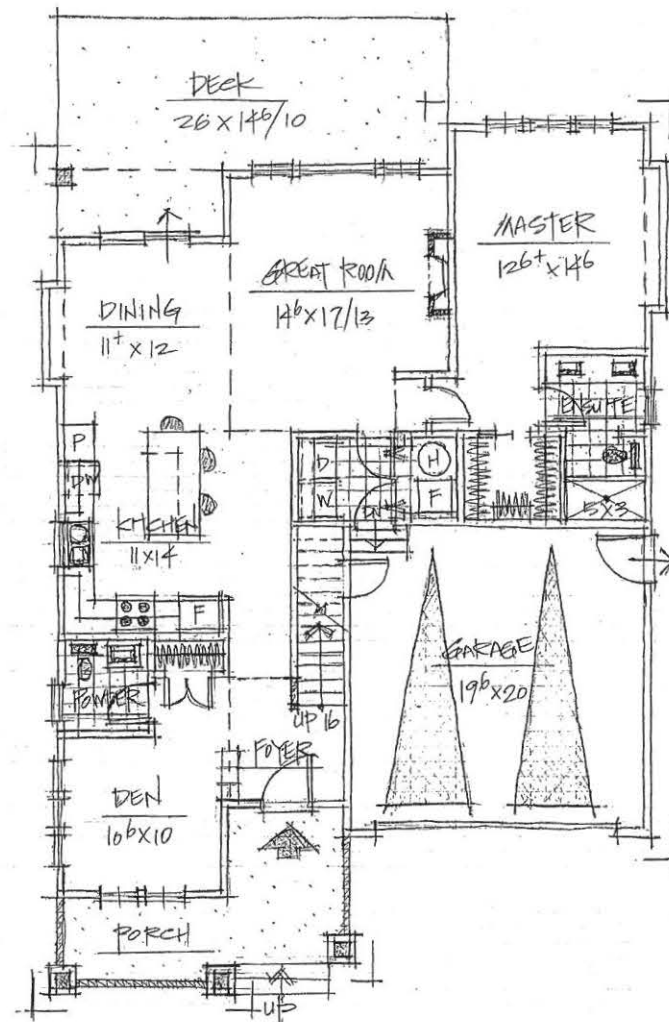


UPPER FLOOR - 515 SQ. FT.

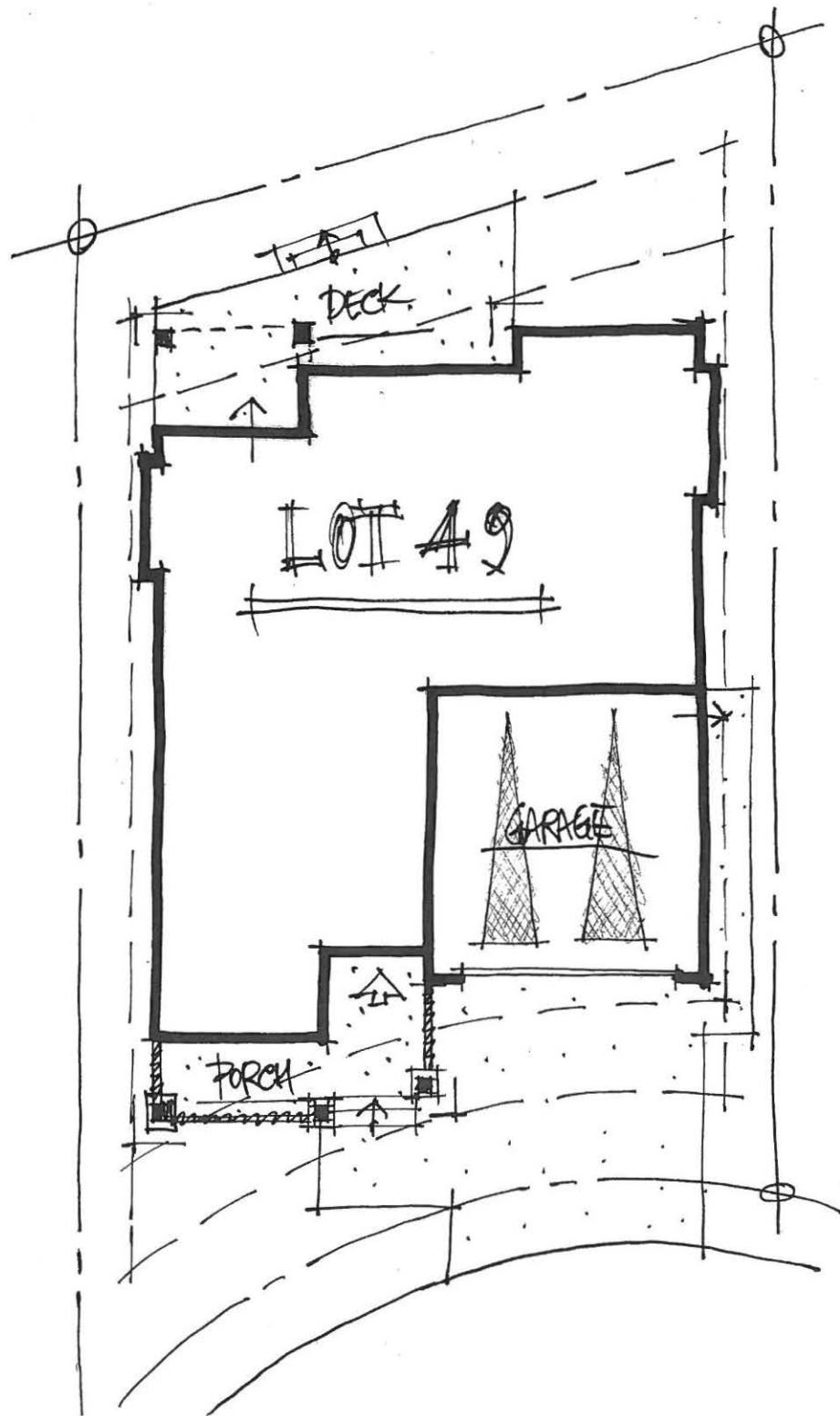
AQUADEL PHASE 2 - PLAN F

29.5' x 51.5' / 64'

TOTAL: 1900 SQ. FT.



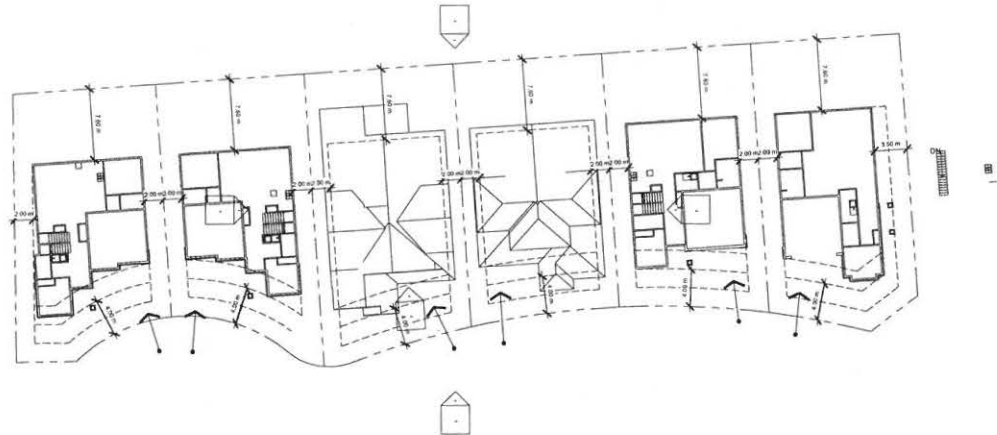
MAIN FLOOR - 1385 SQ. FT.



site cov = 45%

front = 4m
Flank = 3.5m
Side = 2.0m
rear = 7.6m

garage front = 6.0m
porch front = 2.0m
porch flank = 2.0m
porch rear = 3.0m
height = 10.0m



① SITE
1" = 20'-0"



② 3D View 1

ZED STUDIO

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#301 - 3007 GLEN DRIVE
COQUITLAM, BC
V3B 0L8
zane@zedstudio.com
www.zedstudio.com

phone
address
email
web

REVISIONS	
NO.	DATE DESCRIPTION

AQUADELL PHASE 2

Enter address here

title
SITE PLAN

scale 1" = 20'-0"

date 2018-05-15

drawn DS checked ZE

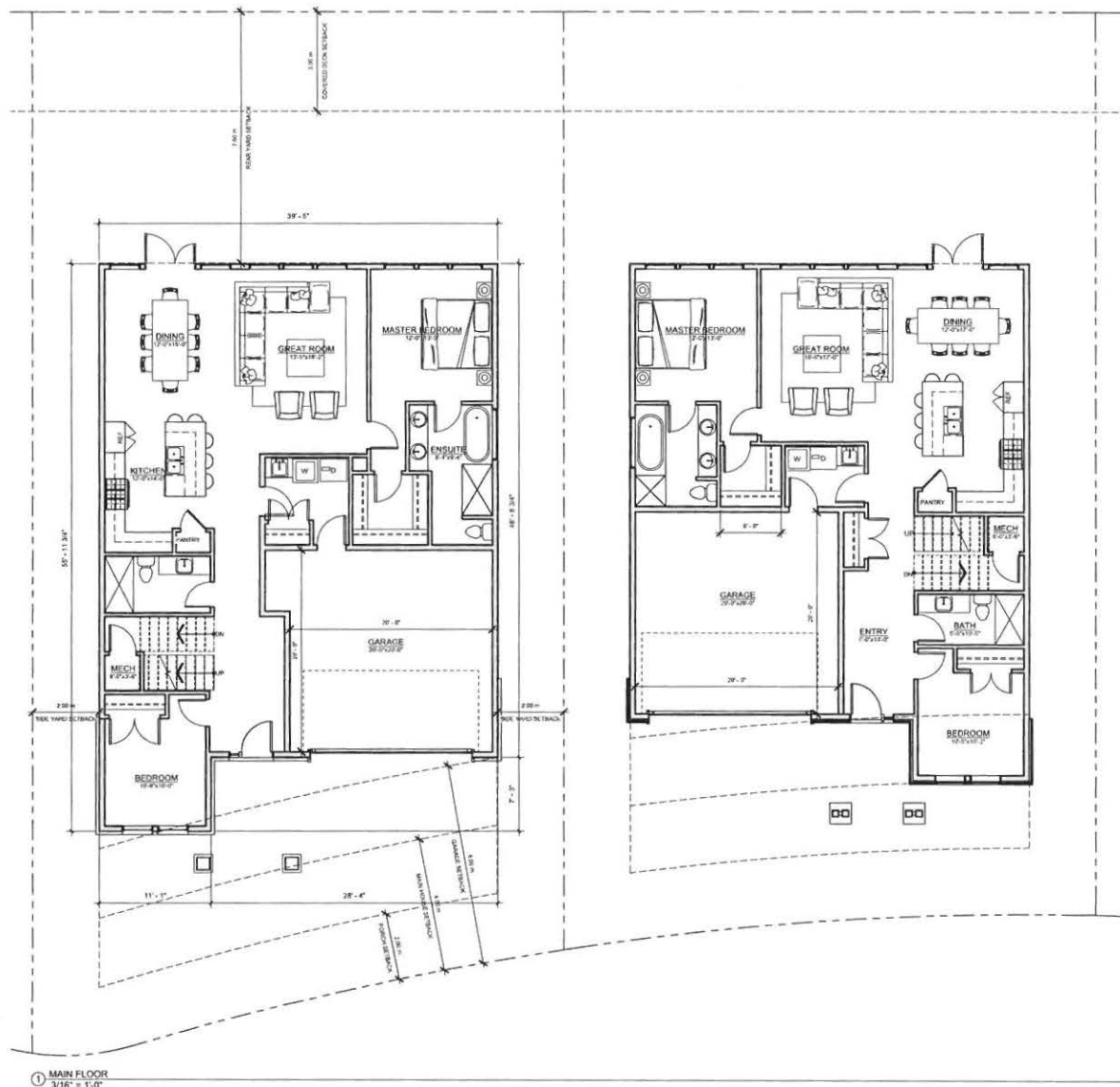
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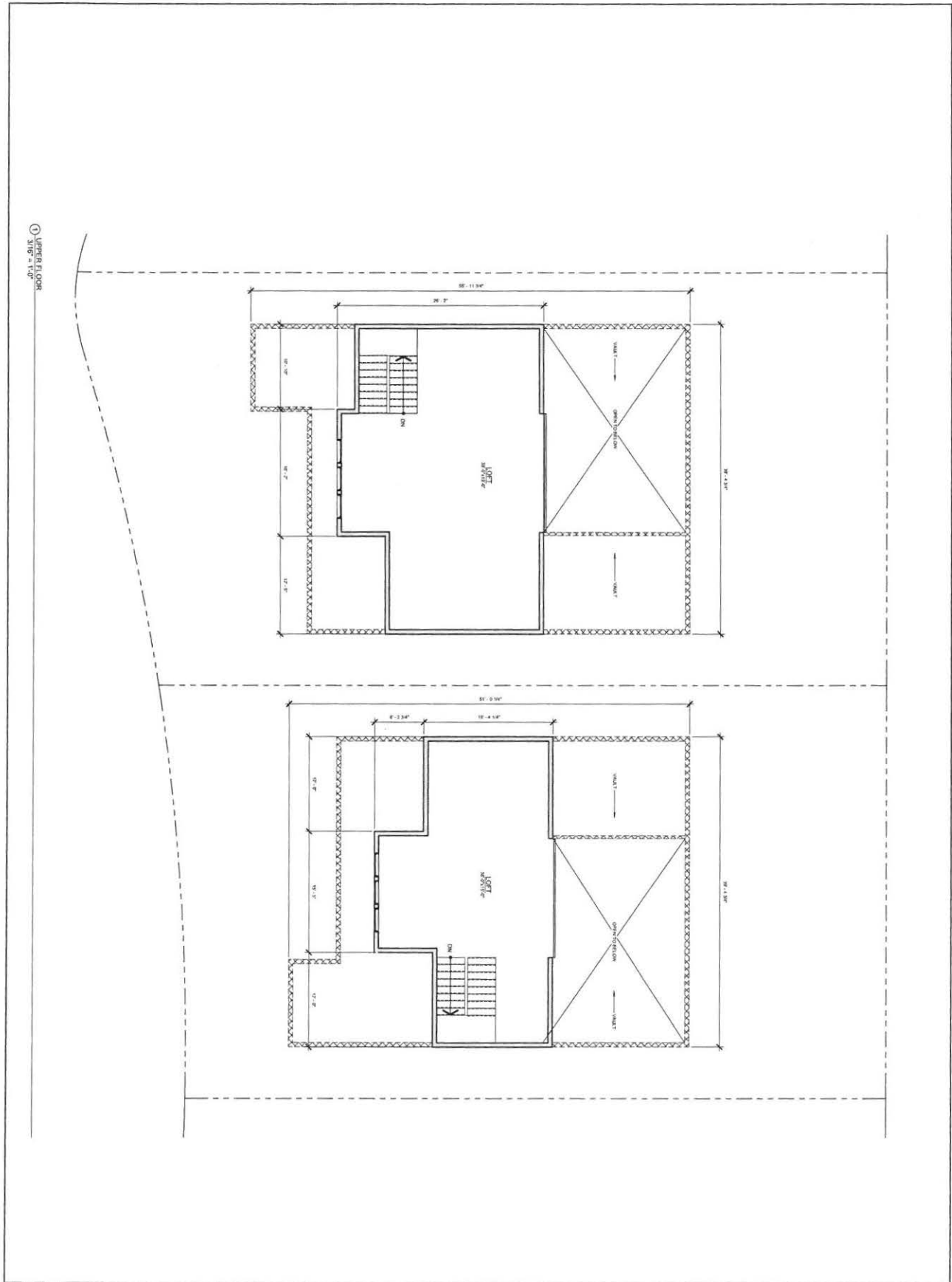
sheet no. A102

consultant

Drawings are to be read in
conjunction with each other; any
discrepancies, noted on any drawings,
are to be reported to the designer
before commencing work.
Contractors are responsible to
ensure that all work is conducted to
the requirements of the latest
edition of the B.C. Building Code.
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2018-05-15 4:23:44 PM





2018-05-15 4:22:45 PM
 (Change any text in this drawing)
 1. All dimensions are in feet and inches.
 2. All dimensions are to the center of the wall unless otherwise noted.
 3. All dimensions are to the center of the window unless otherwise noted.
 4. All dimensions are to the center of the door unless otherwise noted.
 5. All dimensions are to the center of the stair unless otherwise noted.
 6. All dimensions are to the center of the balcony unless otherwise noted.
 7. All dimensions are to the center of the roof unless otherwise noted.
 8. All dimensions are to the center of the foundation unless otherwise noted.
 9. All dimensions are to the center of the structure unless otherwise noted.
 10. All dimensions are to the center of the site unless otherwise noted.

job no. 1826
 sheet no. A104
 consultant

title
 LOFT FLOOR PLAN
 scale 3/16" = 1'-0"
 date 2018-05-15
 drawn DS checked ZE

AQUADELL PHASE 2
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NO	DATE	REVISIONS
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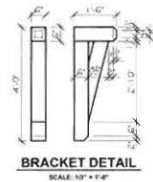
ZED STUDIO
 phone 778 242 1160
 address #301 - 3007 GLEN DRIVE
 COQUITLAM, BC
 V3B 0L8
 email zane@zedstudio.com
 web www.zedstudio.com

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UNPROTECTED OPENINGS:	
WALL AREA:	373.3 SQ. FT.
CEILING AREA:	47.0
PERMITTED OPENINGS:	5.5 SQ. FT. 7.0%
UNPERMITTED OPENINGS:	5.5 SQ. FT. 7.0%

LEFT ELEVATION



BRACKET DETAIL
SCALE: 1/8" = 1'-0"



UNPROTECTED OPENINGS:	
WALL AREA:	303.3 SQ. FT.
CEILING AREA:	47.0
PERMITTED OPENINGS:	14.2 SQ. FT. 7.0%
UNPERMITTED OPENINGS:	47.0 SQ. FT. 7.0%

RIGHT ELEVATION



FRONT ELEVATION



REAR ELEVATION

Key Plan

Project North

Revisions		
#	Description	Date
1	Initial Design	04/18/17
2	Second Revision	05/15/17
3	Foundation Added (see P.P.)	05/15/17
4	Foundation Added	05/15/17
5	Foundation Added	05/15/17
6	Foundation Added	05/15/17
7	Foundation Added	05/15/17
8	Foundation Added	05/15/17
9	Foundation Added	05/15/17
10	Foundation Added	05/15/17

Client
Genica Developments

Project
**Aquadel Crossing
Plan B2R**

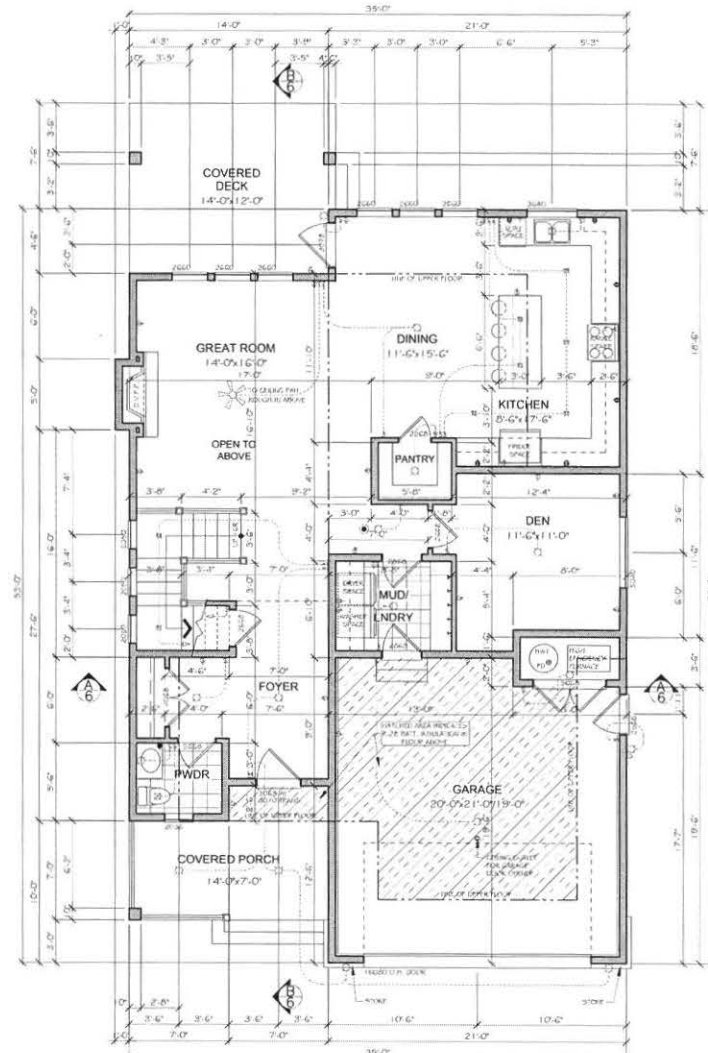
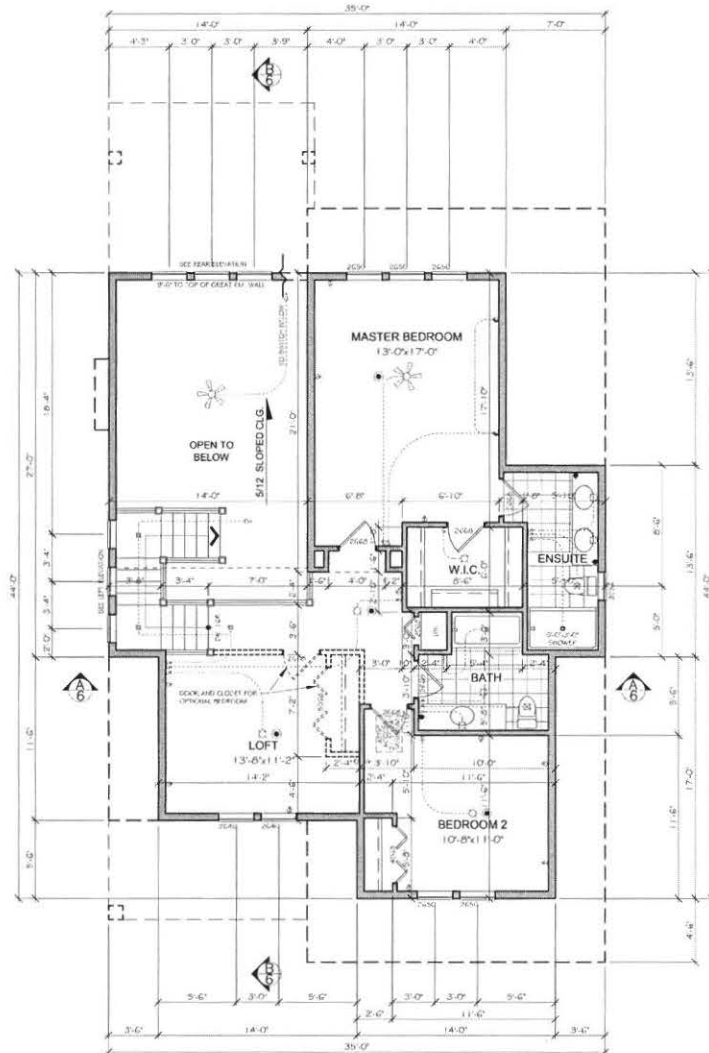
Drawing Title
Elevations

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2A8

Designed/Drawn By:
G.M./M.P.

Date:
January 20, 2017

Sheet Number
A2.0

Key Plan

Project North

Revisions		
#	Description	Date
7	Second Elevation B2	04/10/12
6	Foundation Added Under # 3	03/15/12
5	Confined Foundation Added	03/14/12
	House Raised 16"	
	Confined Foundation Removed, Wood Decks Added	03/14/12
	Roof Added over Rear Deck	
	Fireplace Projection and Overhang Reduced 6"	02/13/12
	2 Gableways / Wall Footings Added	02/06/12
1	Issued for Review	01/20/12

Genica
Developments

ELECTRICAL SCHEMATA

SWITCHES

- 1-WAY
- 2-WAY SWITCH
- 3-WAY SWITCH
- 4-WAY SWITCH

LIGHTS

- 1-WAY
- 2-WAY LIGHTS (2-WAY)
- 3-WAY LIGHTS (3-WAY)
- 4-WAY LIGHTS (4-WAY)

RECEPTACLES

- 150V
- 200V
- 250V
- 300V
- 350V
- 400V
- 450V
- 500V
- 550V
- 600V
- 650V
- 700V
- 750V
- 800V
- 850V
- 900V
- 950V
- 1000V

MISCELLANEOUS

- 1-WAY SWITCH
- 2-WAY SWITCH
- 3-WAY SWITCH
- 4-WAY SWITCH
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- 99-WAY SWITCH
- 100-WAY SWITCH

Aquadel Crossing Plan B2R

Drawing Title
Main Floor Plan
Upper Floor Plan

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2K8

Tel: 604.662.8008
Fax: 604.662.8078
www.i3design.ca

● ● ● i₃ design

Designed/Drawn By GM/HP	Checked GM
Date January 20, 2017	Scale 1/4" = 1'-0"

Sheet Number

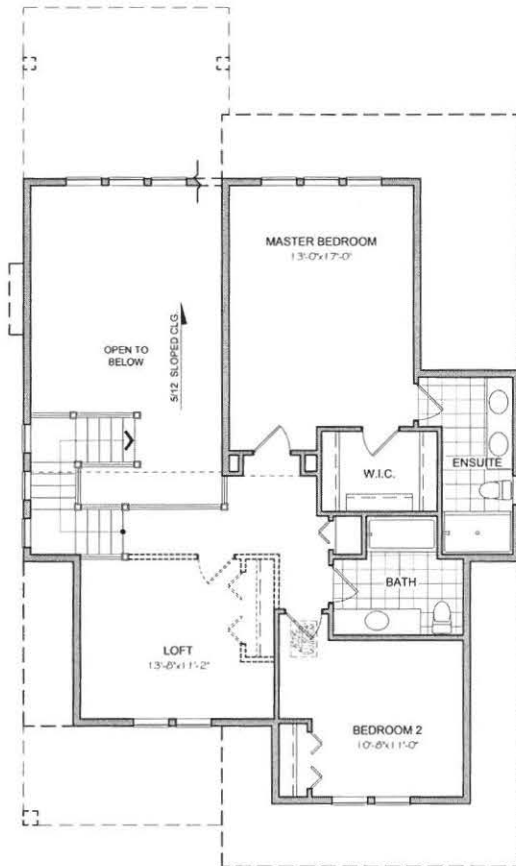
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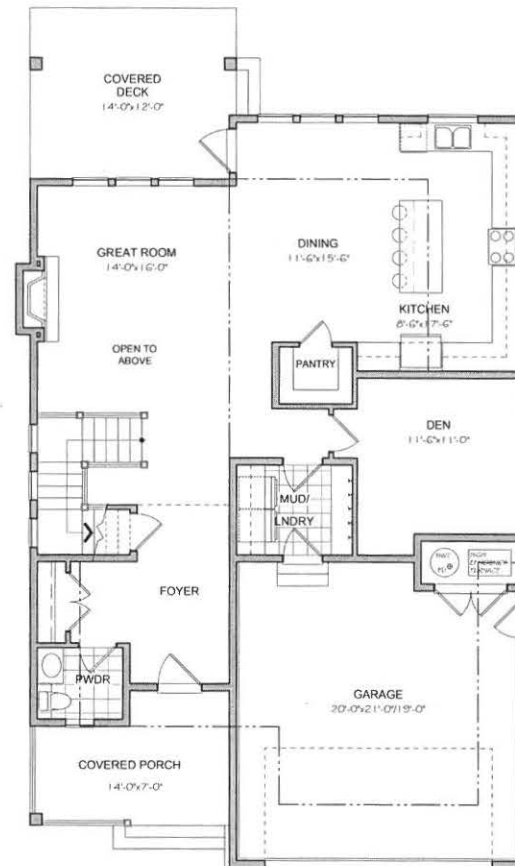
NOTE: ELECTRICAL LAYOUT FOR REFERENCED
ONLY. ALL ELECTRICAL PANELS AND ELECTRICAL
BASEBOARD HEAT EXCHANGERS TO BE
DETERMINED BY ELECTRICAL ENGINEER



A4.0



UPPER STRUCTURAL PLAN



MAIN STRUCTURAL PLAN

Key Plan

Project North

Revisions

#	Description	Date
1	Second Revision E2	04/10/17
2	Foundation Added Under P.P.	03/13/17
3	Carport Foundation Added	03/14/17
4	House Sided 1st	03/14/17
5	Carport Foundation Removed, Head Deck Added, Roof Added over Rear Deck	03/14/17
6	Foundation Protection and Driveway Repaired	03/13/17
7	Complete Wall Footings Added	02/08/17
8	Issued for Review	01/30/17

Client

Genica Developments

Project

Aquadel Crossing Plan B2R

Drawing Title

Structural Plans

Drawn By

4723 Hastings Street
Burnaby, B.C.
V5C 2H8

Tel: 604.662.8008
Fax: 604.662.8079
www.i3design.ca

i3 design

Designed/Drawn By

CHK/MP

Checked

GA

Date

January 20, 2017

Scale

1/4" = 1'-0"

Sheet Number

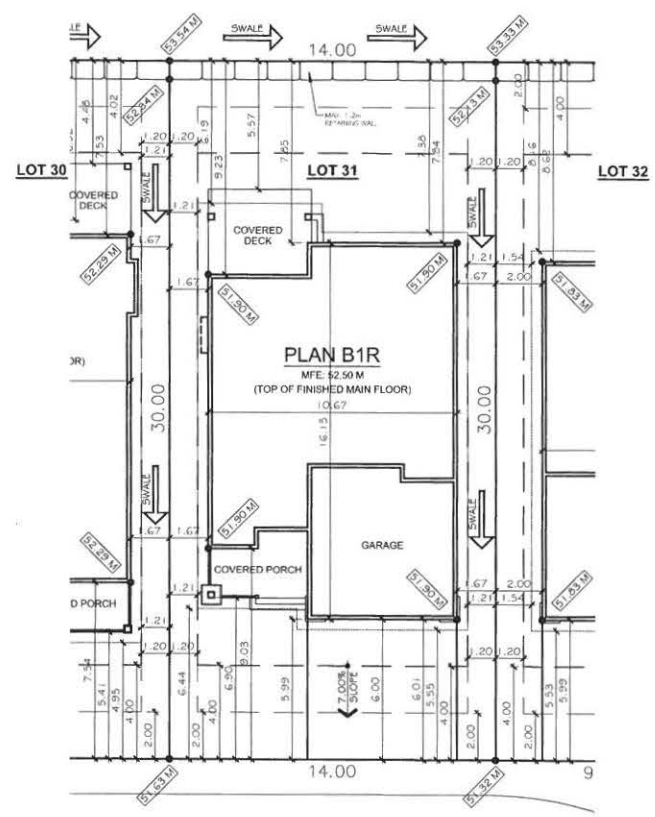
A5.0

THESE PLANS HAVE BEEN REVIEWED BY ACCREDITANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE



AREA SCHEMATICS
SCALE: 1/16" = 1'-0"

PROJECT INFORMATION			
CIVIC ADDRESS			
LOT NUMBER			
LEGAL DESCRIPTION			
ZONING DISTRICT			
SETBACKS (CLEAR TO SKY)			
FRONT (TO BUILDING)	4.00 M	13.12 FT.	
REAR (TO BUILDING)	4.00 M	13.12 FT.	
FRONT (TO DECK)	2.00 M	6.56 FT.	
REAR (TO DECK)	2.00 M	6.56 FT.	
SIDE (ANYWHERE)	1.20 M	3.94 FT.	
SIDE (PLANNING)	2.00 M	6.56 FT.	
SITE AREA			
	470.00 SQ. M.	4530.44 SQ. FT.	
SITE COVERAGE			
EXISTING	231.00 SQ. M.	2456.46 SQ. FT.	55.60 %
PROPOSED	177.02 SQ. M.	1927.00 SQ. FT.	42.62 %
GROSS FLOOR AREA			
MAIN FLOOR	111.26 SQ. M.	1203.90 FT.	
UPPER FLOOR	63.50 SQ. M.	702.90 FT.	
GARAGE FLOOR	40.04 SQ. M.	431.90 FT.	
PROPOSED	235.59 SQ. M.	2536.50 FT.	



SITE PLAN
SCALE: 1/8" = 1'-0"

Key Plan

Project North

Revisions

#	Description	Date
1	Foundation Added Under P.P.	03/15/17
2	Foundation Added Under P.P.	03/15/17
3	Foundation Added Under P.P.	03/15/17
4	Foundation Added Under P.P.	03/15/17
5	Foundation Added Under P.P.	03/15/17
6	Foundation Added Under P.P.	03/15/17
7	Foundation Added Under P.P.	03/15/17
8	Foundation Added Under P.P.	03/15/17
9	Foundation Added Under P.P.	03/15/17
10	Foundation Added Under P.P.	03/15/17
11	Foundation Added Under P.P.	03/15/17
12	Foundation Added Under P.P.	03/15/17
13	Foundation Added Under P.P.	03/15/17
14	Foundation Added Under P.P.	03/15/17
15	Foundation Added Under P.P.	03/15/17
16	Foundation Added Under P.P.	03/15/17
17	Foundation Added Under P.P.	03/15/17
18	Foundation Added Under P.P.	03/15/17
19	Foundation Added Under P.P.	03/15/17
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22	Foundation Added Under P.P.	03/15/17
23	Foundation Added Under P.P.	03/15/17
24	Foundation Added Under P.P.	03/15/17
25	Foundation Added Under P.P.	03/15/17
26	Foundation Added Under P.P.	03/15/17
27	Foundation Added Under P.P.	03/15/17
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29	Foundation Added Under P.P.	03/15/17
30	Foundation Added Under P.P.	03/15/17
31	Foundation Added Under P.P.	03/15/17
32	Foundation Added Under P.P.	03/15/17
33	Foundation Added Under P.P.	03/15/17
34	Foundation Added Under P.P.	03/15/17
35	Foundation Added Under P.P.	03/15/17
36	Foundation Added Under P.P.	03/15/17
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97	Foundation Added Under P.P.	03/15/17
98	Foundation Added Under P.P.	03/15/17
99	Foundation Added Under P.P.	03/15/17
100	Foundation Added Under P.P.	03/15/17

Client: Genica Developments

Project: Aquadel Crossing Plan B1R Lot 31

Drawing Title: Site Plan

Drawn By: 4723 Hastings Street, Burnaby, B.C. V5C 3J8

Tel: 604.662.8008 Fax: 604.662.8018 www.i3design.ca

Designed/Drawn By: GIN (H) Checked: GIN

Date: February 13, 2017 Scale: 1/8" = 1'-0"

Sheet Number: A1.0

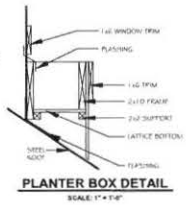
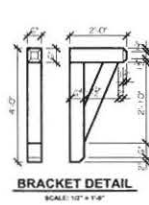
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UNPROTECTED OPENINGS:

WALL AREA	103.50 FT.
LANDING DISTANCE	4'-0"
PERMITTED OPENING	65.25 SQ. FT. 7.00%
PROPOSED OPENING	5.5 SQ. FT. 5.30%

LEFT ELEVATION



FRONT ELEVATION



UNPROTECTED OPENINGS:

WALL AREA	103.50 FT.
LANDING DISTANCE	4'-0"
PERMITTED OPENING	65.25 SQ. FT. 7.00%
PROPOSED OPENING	5.5 SQ. FT. 5.30%

RIGHT ELEVATION



REAR ELEVATION

Any Plan

Project Month

#	Description	Date
1	Foundation Added Under P.F.	03/15/17
2	Unprotected Foundation Added	03/14/17
3	Roof Added to	03/14/17
4	Corroded Foundation Removed, Roof Added	03/14/17
5	Roof Added over Rear Deck	03/14/17
6	Roof Added over Rear Deck	03/14/17
7	Roof Added over Rear Deck	03/14/17

Genica Developments

Project

Aquadel Crossing Plan B1R Lot 31

Elevations

Drawn By:

4723 Hastings Street Tel: 404-662-8008

Burnaby, B.C. Fax: 404-662-8078

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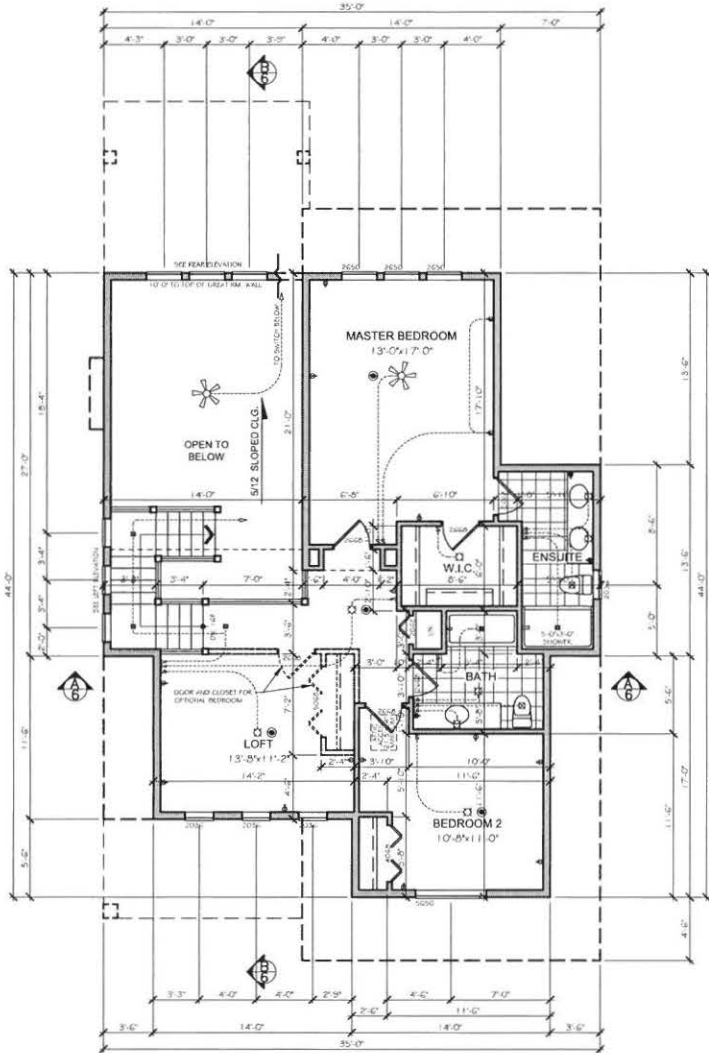
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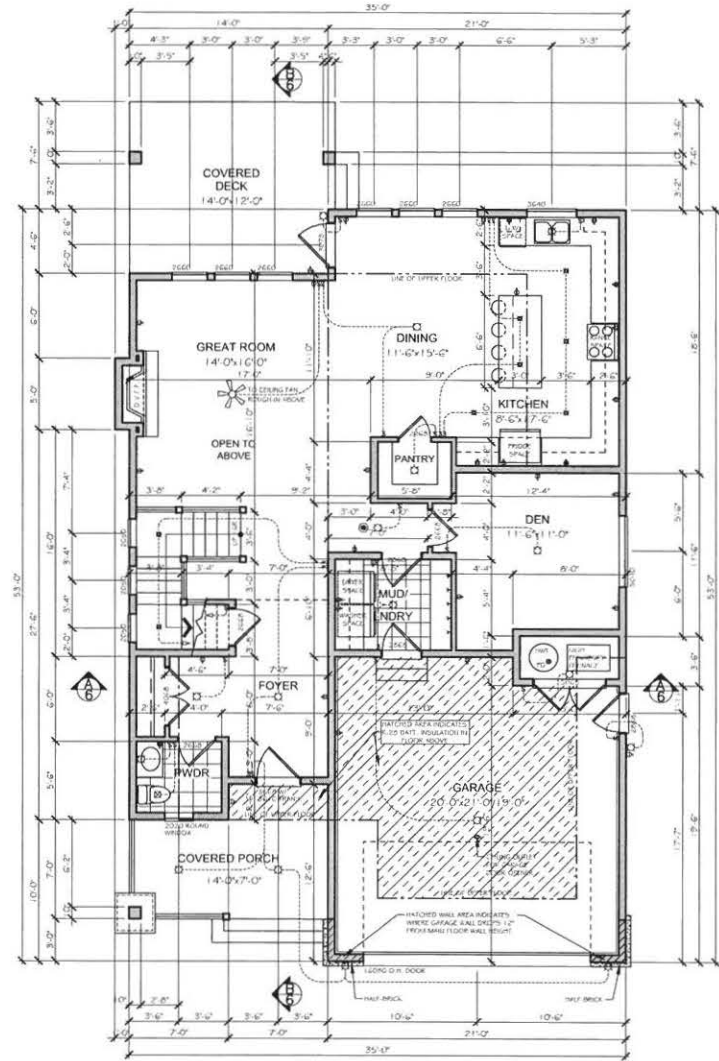
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 Do not scale the drawing.



UPPER FLOOR PLAN
FLOOR AREA = 902 SQ.FT.



MAIN FLOOR PLAN
FLOOR AREA = 1203 SQ.FT.
TOTAL FLOOR AREA = 2105 SQ.FT.

Key Plan

Project North

Revisions

#	Description	Date
1	Foundation Added Under F.P.	03/25/17
2	Carved Foundation Added	03/24/17
3	House Railed W.I.C.	03/24/17
4	Carved Foundation Removed, Small Den's Added	03/16/17
5	Carved Foundation Removed, Roof added over Rear Deck	03/16/17
6	Carved Foundation and Drawing Added	03/16/17
7	Carved Foundation and Drawing Added	03/16/17
8	Carved Foundation and Drawing Added	03/16/17

Client:

Genica Developments

ELECTRICAL SCHEDULE

QTY	DESCRIPTION
SWITCHES	
1	1-WAY SWITCH
1	3-WAY SWITCH
1	4-WAY SWITCH
1	SWITCH
LIGHTS	
1	1-WAY LIGHT
1	3-WAY LIGHT
1	4-WAY LIGHT
1	SWITCH
RECEPTACLES	
1	15A
1	20A
1	30A
1	40A
1	50A
1	60A
1	70A
1	80A
1	90A
1	100A
MISCELLANEOUS	
1	PHONE JACK
1	TV CABLE
1	DATA/TEL. CABLE
1	WIRE ALARM
1	CEILING FAN
1	CEILING FAN LIGHT
1	EXHAUST FAN
MECHANICAL	
1	FORCED AIR FLOOR
1	FORCED AIR CEILING
1	THERMOSTAT
1	SOLAR HW CONDUT
1	HOSE BIBB
1	4" DRAIN

Project:

Aquadel Crossing Plan B1R Lot 31

Drawing Title:

Main Floor Plan Upper Floor Plan

Drawn By:

4723 Hastings Street
Burnaby, B.C.
V5C 2K2

Tel: 604.662.8008
Fax: 604.662.8078
www.i3design.ca

Designed/Drawn By:

Gal DH

Checked:

Gal

Date:

January 20, 2017

Scale:

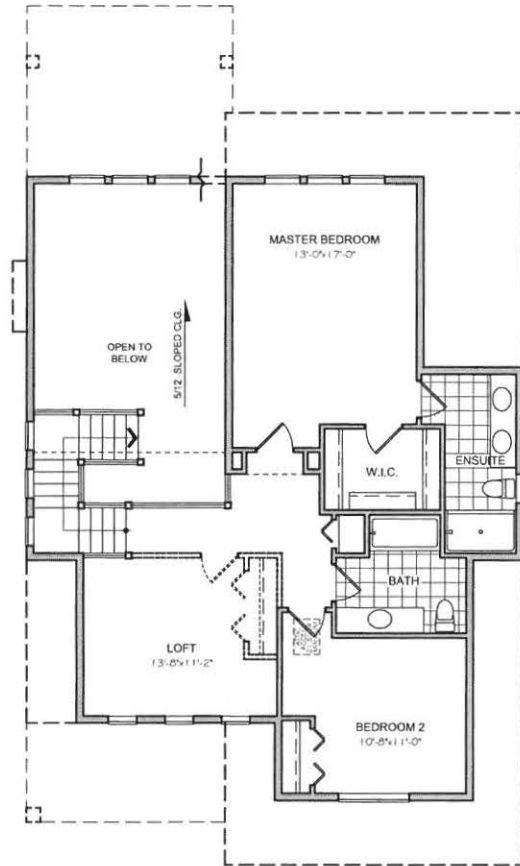
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Sheet Number:

A3.0

NOTE: ELECTRICAL SYMBOLS FOR REFERENCE ONLY. ALL ELECTRICAL PANELS AND ELECTRICAL BACKUP/GENERATORS TO BE DETERMINED BY ELECTRICAL ENGINEER.

THIS FLOOR PLAN WAS DETECTED BY ACCORDANCE WITH THE 2015 EDITION OF THE B.C. BUILDING CODE



Key Plan

Project North

#	Description	Date
1	Foundation Added Under F.P.	03/15/17
2	Foundation Added Under F.P.	03/15/17
3	Foundation Added Under F.P.	03/15/17
4	Foundation Added Under F.P.	03/15/17
5	Foundation Added Under F.P.	03/15/17
6	Foundation Added Under F.P.	03/15/17
7	Foundation Added Under F.P.	03/15/17
8	Foundation Added Under F.P.	03/15/17
9	Foundation Added Under F.P.	03/15/17
10	Foundation Added Under F.P.	03/15/17

Client:

Genica Developments

Project
Aquadel Crossing
Plan B1R
Lot 31

Drawing Title
Structural Plans

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2K3

Tel: 604.662.8058
Fax: 604.662.8058
www.i3design.ca

i3 design

Designed/Drawn By:
GAM-DW

Checked:
GAM

Date:
January 26, 2017

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

Sheet Number

A5.0

THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE.

ASSEMBLY SPECIFICATIONS:

1. ROOF ASSEMBLY:

- 1/2" R-19 INSULATION
- 7/16" PLYWOOD SHEATHING
- INSULATION Drip
- 2" CLEARANCE
- 2x12 ROOF TRUSSES @ 24" O.C. (w/ 2x4 CROSS MEMBERS @ 24" O.C. OR ENGINEERED ROOF TRUSSES SEE PLAN)
- 1/2" R-19 INSULATION

2. CEILING ASSEMBLY:

- 1/2" R-19 INSULATION
- 5/8" R-19 INSULATION
- 5/8" R-19 INSULATION

3. EXTERIOR RAINSCREEN WALL ASSEMBLY:

- EXTERIOR FINISH
- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION
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- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION

4. INTERIOR WALL ASSEMBLY:

- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION

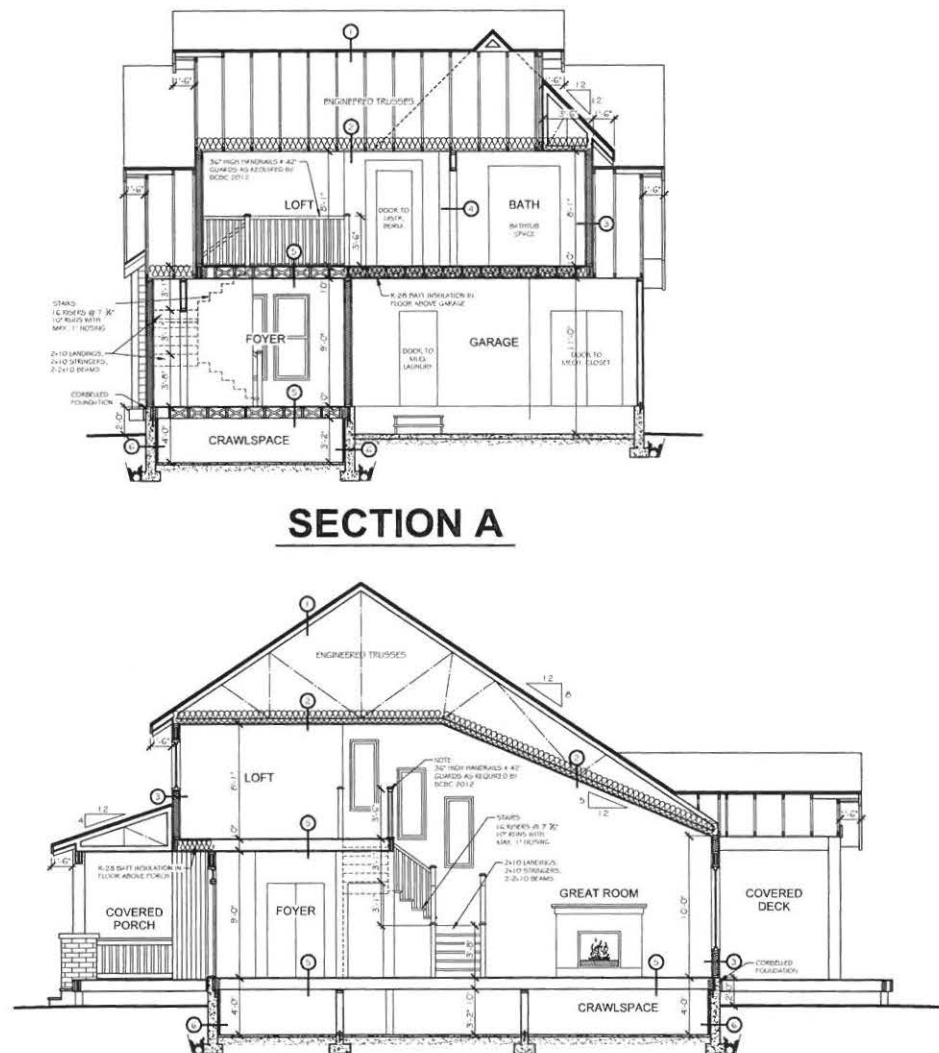
5. FLOOR ASSEMBLY:

- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION

6. FOUNDATION ASSEMBLY:

- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION
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- 1/2" R-19 INSULATION
- 1/2" R-19 INSULATION



SECTION A

SECTION B

Key Plan

Project North

Revisions

#	Description	Date
1	Foundation Added Under P.P.	03/15/17
2	Cancelled Foundation Added	03/16/17
3	House Reworked	03/16/17
4	Cancelled Foundation Added	03/16/17
5	House Reworked	03/16/17
6	Cancelled Foundation Added	03/16/17
7	House Reworked	03/16/17
8	Cancelled Foundation Added	03/16/17
9	House Reworked	03/16/17
10	Cancelled Foundation Added	03/16/17

1. Foundation Added Under P.P.
2. Cancelled Foundation Added
3. House Reworked
4. Cancelled Foundation Added
5. House Reworked
6. Cancelled Foundation Added
7. House Reworked
8. Cancelled Foundation Added
9. House Reworked
10. Cancelled Foundation Added

Client

Genica
Developments

Project
Aquadel Crossing
Plan B1R
Lot 31

Building Sections
Assembly Specs

Drawn By:
4723 Hastings Street
Burnaby, B.C.
V5C 2A2
Tel: 604.662.8008
Fax: 604.662.8078
www.i3design.ca

Designed/Drawn By: i3 design
Checked: Gm
Date: January 20, 2017
Scale: 1/4" = 1'-0"

Sheet Number
A6.0

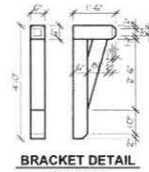
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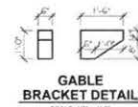


LEFT ELEVATION

UNPROTECTED OPENINGS	
WALL AREA	462.0 SQ. FT.
CEILING AREA	41.0
FOOTPRINT OPENINGS	40.42 SQ. FT. 7.00%
UNPROTECTED OPENINGS	10.02 SQ. FT. 4.40%



BRACKET DETAIL
SCALE: 1/2" = 1'-0"



GABLE BRACKET DETAIL
SCALE: 1/2" = 1'-0"



RIGHT ELEVATION

UNPROTECTED OPENINGS	
WALL AREA	354.24 SQ. FT.
CEILING AREA	21.0
FOOTPRINT OPENINGS	45.24 SQ. FT. 7.00%
UNPROTECTED OPENINGS	87.78 SQ. FT. 4.10%



FRONT ELEVATION



REAR ELEVATION

Key Plan

Project North

Revisions

#	Description	Date
7	Second Elevation A2	04/08/17
6	Plan Revised	03/27/17
5	Revised Elevation A2: Most On As Added, Brick Under Added Cultural Stone changed to Stone	03/27/17
4	Complete Wall Layout Modified	03/24/17
3	Plan Revised	02/13/17
2	Complete Wall Layout Revised: Revised Elevation A2: Revised Brick Added into Brick Plan	02/08/17
1	Revised for Review	01/17/17

Client:

Genica Developments

Project:

Aquadel Crossing Plan A2R

Drawing Title:

Elevations

Drawn By:

4722 Hastings Street
Burnaby, B.C.
V5C 2A8

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Fax: 604.662.8079
www.i3design.ca

Designed/Drawn By: **i3 design**

Checked: **CM**

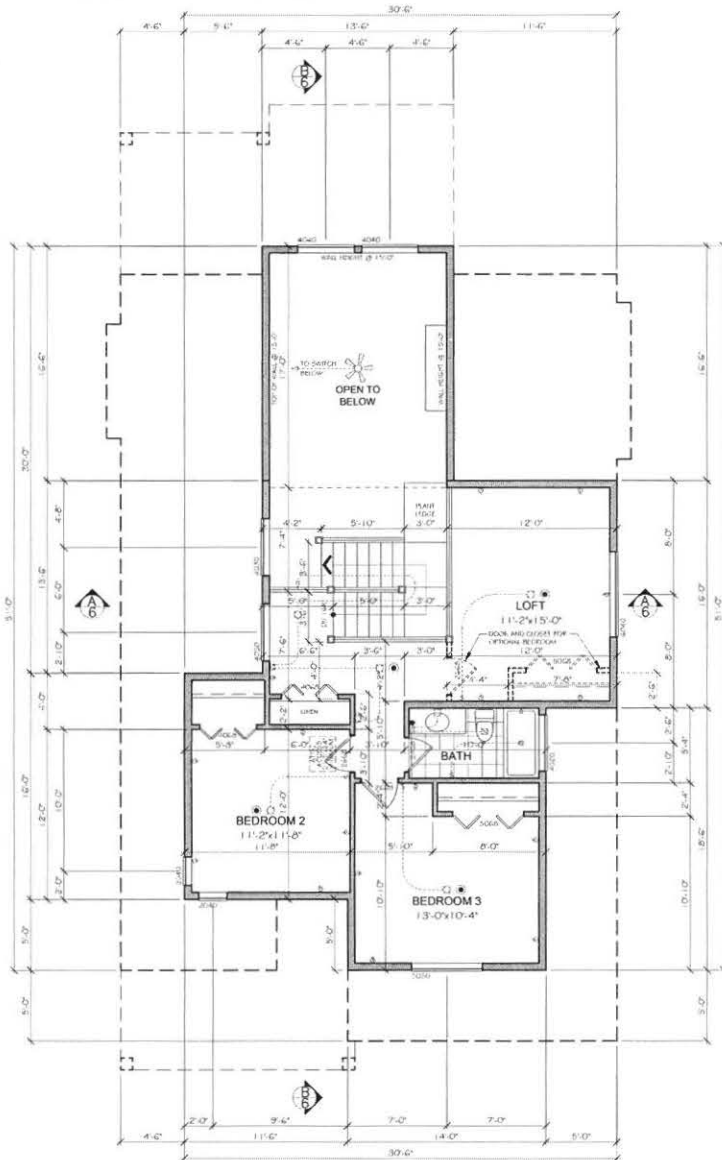
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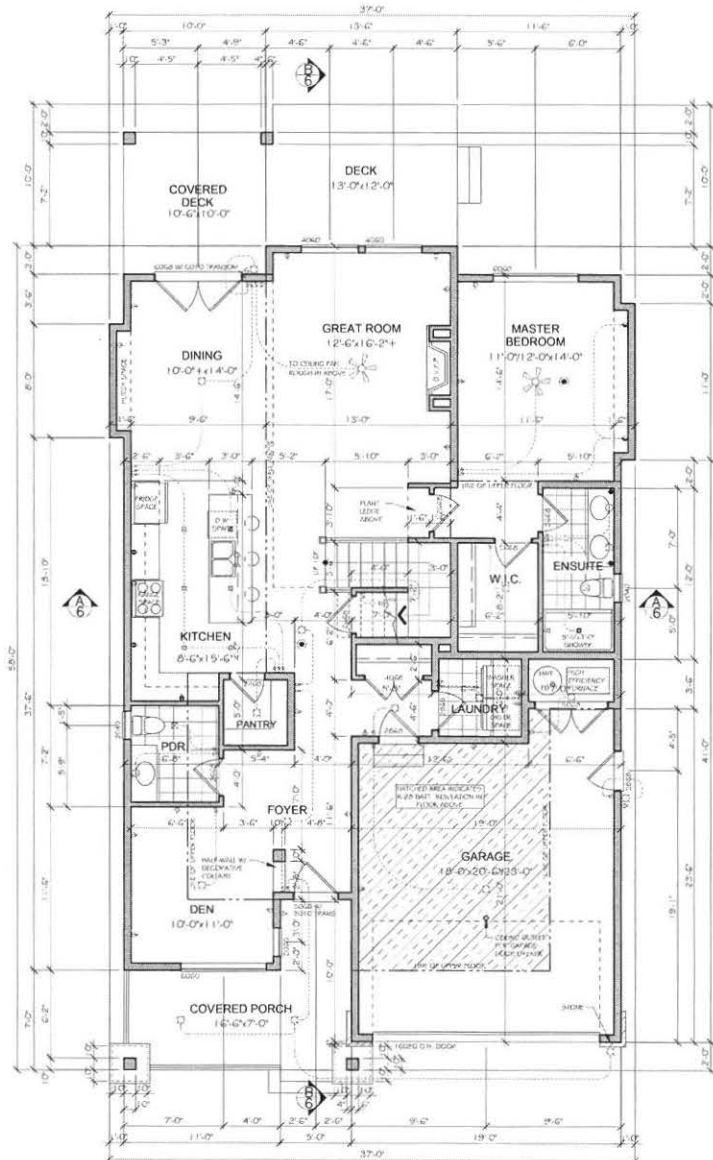
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THESE PLANS HAVE BEEN REVIEWED IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE



UPPER FLOOR PLAN

FLOOR AREA = 703 SQ.FT.



MAIN FLOOR PLAN

FLOOR AREA = 1422 SQ.FT.
TOTAL FLOOR AREA = 2125 SQ.FT.

Key Plan

Project North

Revisions

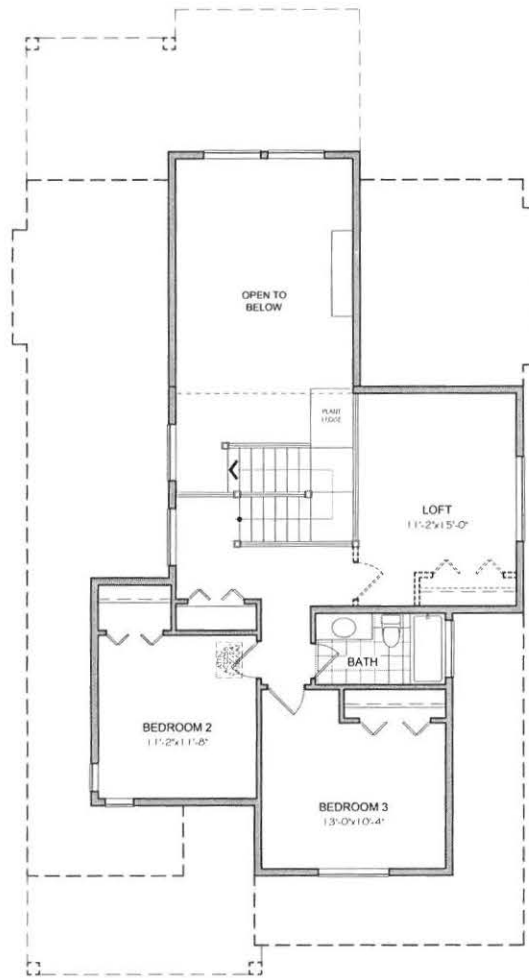
#	Description	Date
1	Initial Design	04/08/17
2	Revised Elevation A2	03/27/17
3	Revised Elevation B2	03/27/17
4	Revised Elevation C2	03/27/17
5	Revised Elevation D2	03/27/17
6	Revised Elevation E2	03/27/17
7	Revised Elevation F2	03/27/17
8	Revised Elevation G2	03/27/17
9	Revised Elevation H2	03/27/17
10	Revised Elevation I2	03/27/17
11	Revised Elevation J2	03/27/17
12	Revised Elevation K2	03/27/17
13	Revised Elevation L2	03/27/17
14	Revised Elevation M2	03/27/17
15	Revised Elevation N2	03/27/17
16	Revised Elevation O2	03/27/17
17	Revised Elevation P2	03/27/17
18	Revised Elevation Q2	03/27/17
19	Revised Elevation R2	03/27/17
20	Revised Elevation S2	03/27/17
21	Revised Elevation T2	03/27/17
22	Revised Elevation U2	03/27/17
23	Revised Elevation V2	03/27/17
24	Revised Elevation W2	03/27/17
25	Revised Elevation X2	03/27/17
26	Revised Elevation Y2	03/27/17
27	Revised Elevation Z2	03/27/17

Client

Genica Developments

ELECTRICAL SCHEDULE

SYMBOL	DESCRIPTION
SW	SWITCHES
1	1-20A 1P 1W
2	2-20A 2P 1W
3	3-20A 3P 1W
4	4-20A 4P 1W
5	5-20A 5P 1W
6	6-20A 6P 1W
7	7-20A 7P 1W
8	8-20A 8P 1W
9	9-20A 9P 1W
10	10-20A 10P 1W
11	11-20A 11P 1W
12	12-20A 12P 1W
13	13-20A 13P 1W
14	14-20A 14P 1W
15	15-20A 15P 1W
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19	19-20A 19P 1W
20	20-20A 20P 1W
21	21-20A 21P 1W
22	22-20A 22P 1W
23	23-20A 23P 1W
24	24-20A 24P 1W
25	25-20A 25P 1W
26	26-20A 26P 1W
27	27-20A 27P 1W
28	28-20A 28P 1W
29	29-20A 29P 1W
30	30-20A 30P 1W
31	31-20A 31P 1W
32	32-20A 32P 1W
33	33-20A 33P 1W
34	34-20A 34P 1W
35	35-20A 35P 1W
36	36-20A 36P 1W
37	37-20A 37P 1W
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317	317-20A 317P 1W
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319	319-20A 319P 1W
320	320-20



UPPER STRUCTURAL PLAN



MAIN STRUCTURAL PLAN

Key Plan

Project North

Revisions

#	Description	Date
7	Second Revision A2	04/06/17
6	Plan Revised	03/27/17
5	House Revised 15'	
4	Wood Deck Added	
3	Brick Large Added Cultural	03/27/17
2	Some changed to Sides	
1	Complete Wall Layout marked	03/24/17
0	Plan Revised	02/13/17
0	Complete Walls Added	02/08/17
0	Revised Box 1 Layout marked	
0	Revised Added from New Plan	
0	Issued for Review	01/19/17

Client

**Genica
Developments**

Project

**Aquadel Crossing
Plan A2R**

Drawing Title

Structural Plans

Drawn By:

4723 Hastings Street
Burnaby, B.C.
V5C 2H9

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www.i3design.ca

i3 design

Designed/Drawn By:

Calvin

Checked:

Cal

Date:

January 17, 2017

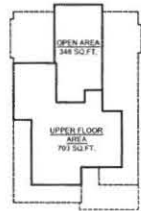
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1/4" = 1' - 0"

Sheet Number

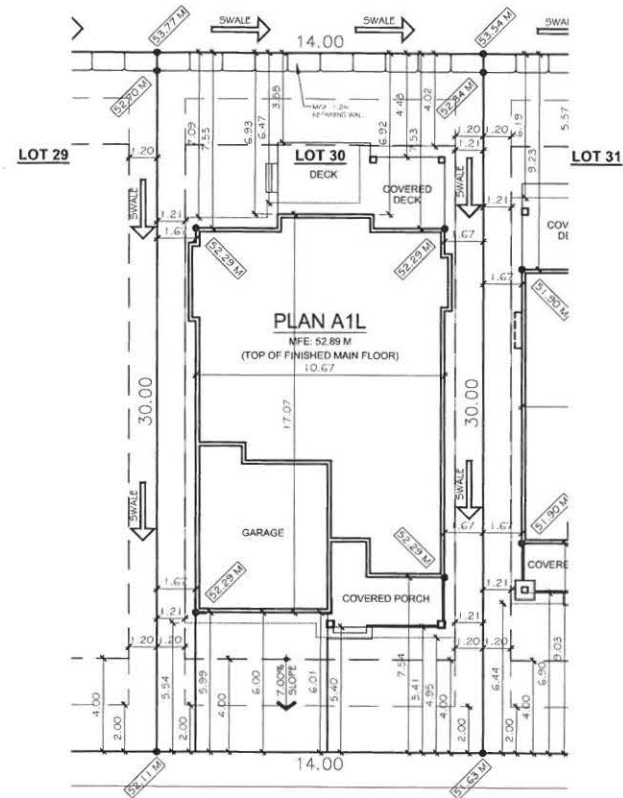
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AREA SCHEMATICS
SCALE: 1/16" = 1'-0"

PROJECT INFORMATION			
CIVIC ADDRESS			
LOT NUMBER			
LEGAL DESCRIPTION			
ZONING DISTRICT			
SETBACKS (CLEAR TO SKY)			
FRONT (TO BUILDING)	4.00 M	13.12 FT	
REAR (TO BUILDING)	4.00 M	13.12 FT	
FRONT (TO DECK)	2.00 M	6.56 FT	
REAR (TO DECK)	2.00 M	6.56 FT	
SIDE (INTERIOR)	1.20 M	3.94 FT	
SIDE (EXTERIOR)	2.00 M	6.56 FT	
SITE AREA			
PERMITTED	432,000 SQ. M	450,000 SQ. FT.	
SITE COVERAGE			
PERMITTED	231,000 SQ. M	240,000 SQ. FT.	55.00 %
PROPOSED	204,775 SQ. M	215,000 SQ. FT.	48.75 %
GROSS FLOOR AREA			
MAIN FLOOR	132,107 SQ. M	1422 SQ. FT.	
UPPER FLOOR	63,311 SQ. M	793 SQ. FT.	
GARAGE FLOOR	30,639 SQ. M	483 SQ. FT.	
PROPOSED	235,500 SQ. M	2535 SQ. FT.	



SITE PLAN
SCALE: 1/8" = 1'-0"

Key Plan

Project North

Revisions

#	Description	Date
1	Issue Release 101	03/27/17
2	Issue Release 102	03/27/17
3	Issue Release 103	03/27/17
4	Issue Release 104	03/27/17
5	Issue Release 105	03/27/17
6	Issue Release 106	03/27/17
7	Issue Release 107	03/27/17
8	Issue Release 108	03/27/17
9	Issue Release 109	03/27/17
10	Issue Release 110	03/27/17

Client

Genica Developments

Project

Aquadel Crossing
Plan A1L
Lot 30

Drawing Title

Site Plan

Drawn By:

4223 Hastings Street
Burnaby, B.C.
V5C 3A8

Tel: 604.662.8008
Fax: 604.662.8078
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i3 design

Designed/Drawn By:

GA: GH

Checked:

GA

Date:

February 13, 2017

Scale:

1/8" = 1'-0"

Sheet Number

A1.0

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LEFT ELEVATION

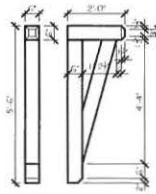
UNPROTECTED OPENINGS:

WALL AREA: 104 SQ. FT.

BURNING SURFACE: 4' 0"

PERMITTED OPENINGS: 65.56 SQ. FT. 7.60%

REQUIRED OPENINGS: 37.74 SQ. FT. 4.15%



BRACKET DETAIL

SCALE: 1/2" = 1'-0"



RIGHT ELEVATION

UNPROTECTED OPENINGS:

WALL AREA: 80.5 SQ. FT.

BURNING SURFACE: 4' 0"

PERMITTED OPENINGS: 60.40 SQ. FT. 7.50%

REQUIRED OPENINGS: 18.00 SQ. FT. 4.45%



FRONT ELEVATION



REAR ELEVATION

Key Plan

Project North

Revisions		
#	Description	Date
1	Issue Revised	03/27/17
2	Issue Revised	03/27/17
3	Issue Revised	03/27/17
4	Issue Revised	03/27/17
5	Issue Revised	03/27/17
6	Issue Revised	03/27/17
7	Issue Revised	03/27/17
8	Issue Revised	03/27/17
9	Issue Revised	03/27/17
10	Issue Revised	03/27/17

Client
Genica Developments

Project
**Aqueduct Crossing
Plan A1L
Lot 30**

Drawing Title
Elevations

Drawn By:
4732 Hastings Street
Burnaby, B.C.
V5C 7K8

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Designed/Drawn By: i3 design

Checked: GJR

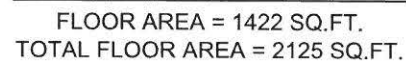
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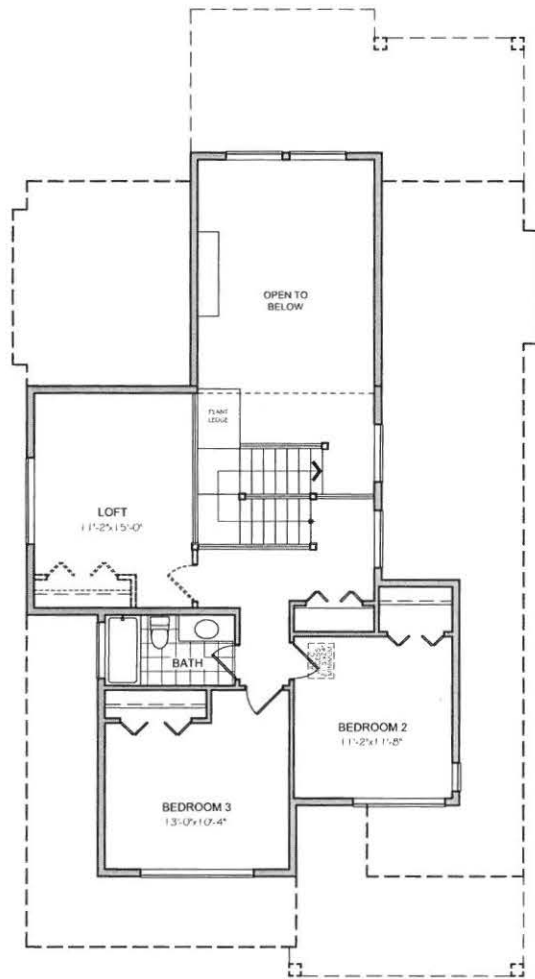
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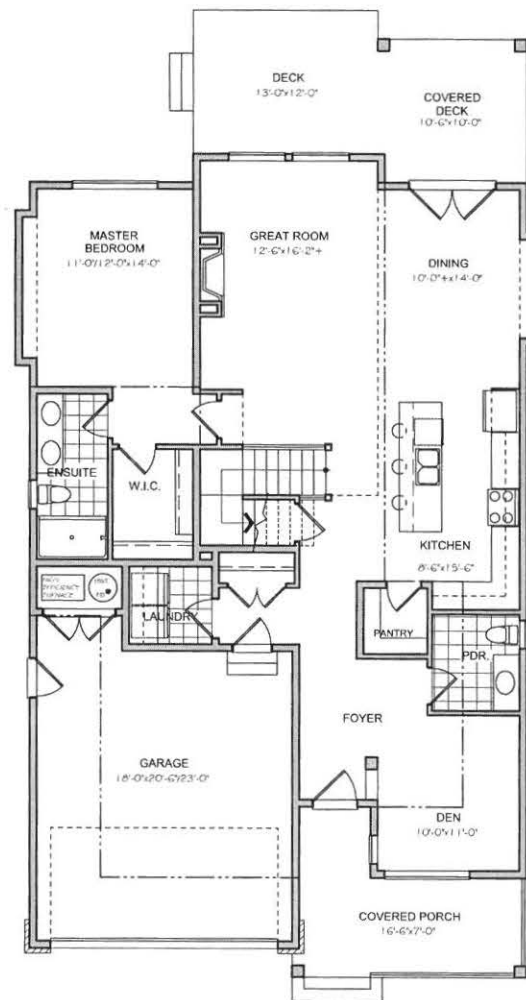
NOTE: ELECTRICAL LAYOUT FOR REFERENCE ONLY. ALL ELECTRICAL PANEL AND ELECTRICAL BASEBOARD HEATER LOCATIONS TO BE DETERMINED BY ELECTRICAL ENGINEER.

THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE
WITH THE 2012 EDITION OF THE B.C. BUILDING CODE

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UPPER STRUCTURAL PLAN



MAIN STRUCTURAL PLAN

Key Plan

Project North

Revisions

#	Description	Date
1	Initial Review	03/17/17
2	Initial Review	03/17/17
3	Initial Review	03/17/17
4	Initial Review	03/17/17
5	Initial Review	03/17/17
6	Initial Review	03/17/17
7	Initial Review	03/17/17
8	Initial Review	03/17/17
9	Initial Review	03/17/17
10	Initial Review	03/17/17

Client

Genica
Developments

Project

Aquadel Crossing
Plan A1L
Lot 30

Drawing Title
Structural Plans

Drawn By:

4723 Hastings Street

Burnaby, B.C.

V5C 3K8

Tel: 604.642.8008

Fax: 604.642.8078

www.i3design.ca

i3 design

Designed/Drawn By:

Gal DH

Gal

Date:

January 17, 2017

Sheet Number

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THESE PLANS HAVE BEEN REVISED IN ACCORDANCE
WITH THE 2012 EDITION OF THE B.C. BUILDING CODE

ASSEMBLY SPECIFICATIONS:

1. ROOF ASSEMBLY:

- 1/2" OSB SHEATHING
- 7/16" PLYWOOD SHEATHING
- INSULATION
- 2" CLEARANCE
- 2x12 RAFTERS @ 24" O.C. w/ 2x4 BRACES STRAPPED w/ 2x4 O.C. OR ENGINEERED RAY TRUSSES (SEE PLAN)
- WIND SCOFF

2. CEILING ASSEMBLY:

- 1/2" OSB SHEATHING
- 4" POLY-ISO INSULATION
- 3/8" GYPHUM WALL BOARD

3. EXTERIOR RAINSCREEN WALL ASSEMBLY:

- 1/2" OSB SHEATHING
- PRESSURE TREATED STRAPPING OR APPROVED EQUIVALENT
- BRICKWORK
- 3/8" SHEATHING
- 2x6 BRILL TRUSS @ 16" O.C. w/ 2x4 BRACES
- 4" DOF 1/2" BATT INSULATION
- 4" POLY-ISO INSULATION
- 1/2" GYPHUM WALL BOARD

4. INTERIOR WALL ASSEMBLY:

- 1/2" OSB SHEATHING
- 2x4 BRILL TRUSS @ 16" O.C.

5. FLOOR ASSEMBLY:

- FINISH FLOOR
- 3/4" 2x12 RAFTERS @ 16" O.C. w/ 2x4 BRACES
- 2x10 FLOOR JOISTS @ 16" O.C.
- 2x12 GYPHUM TRUSS @ 16" O.C.

6. FOUNDATION ASSEMBLY:

- 1/2" OSB SHEATHING
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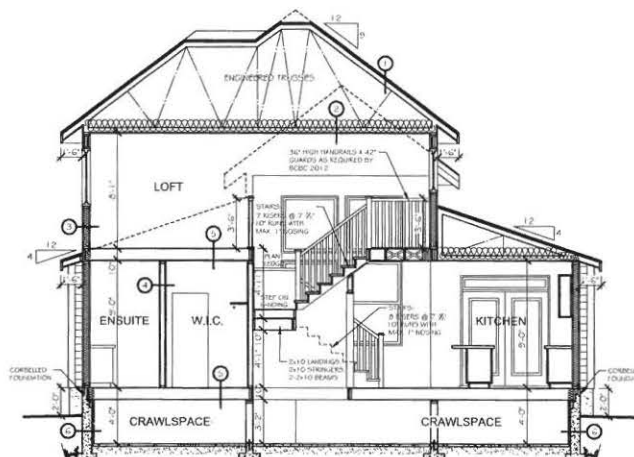
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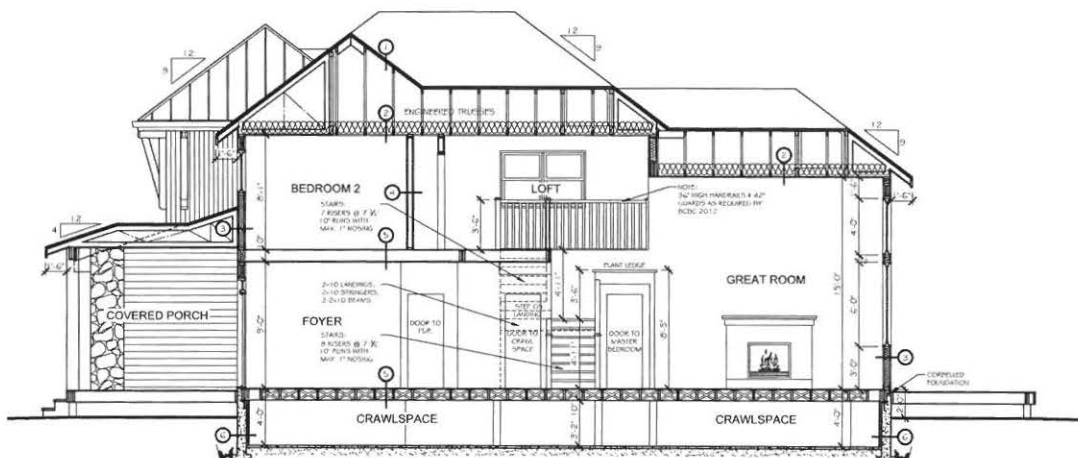
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SECTION A



SECTION B

Any Plan

Project North

Revisions

#	Description	Date
1	Issue Revised 1st	03/23/17
2	Issue Revised 2nd	03/23/17
3	Issue Revised 3rd	03/23/17
4	Issue Revised 4th	03/23/17
5	Issue Revised 5th	03/23/17
6	Issue Revised 6th	03/23/17
7	Issue Revised 7th	03/23/17
8	Issue Revised 8th	03/23/17
9	Issue Revised 9th	03/23/17
10	Issue Revised 10th	03/23/17

Client

Genica Developments

Project

Aquadel Crossing
Plan A1L
Lot 30

Drawing Title
Building Sections
Assembly Specs

Drawn By:

4023 Hastings Street
Burnaby, B.C.
V5C 2K8

Tel: 604.662.8008

Fax: 604.662.8078

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i3 design

Designed/Drawn By

Checked

GA: DM

GA

Date

Scale

January 17, 2017

1/4" = 1' - 0"

Sheet Number

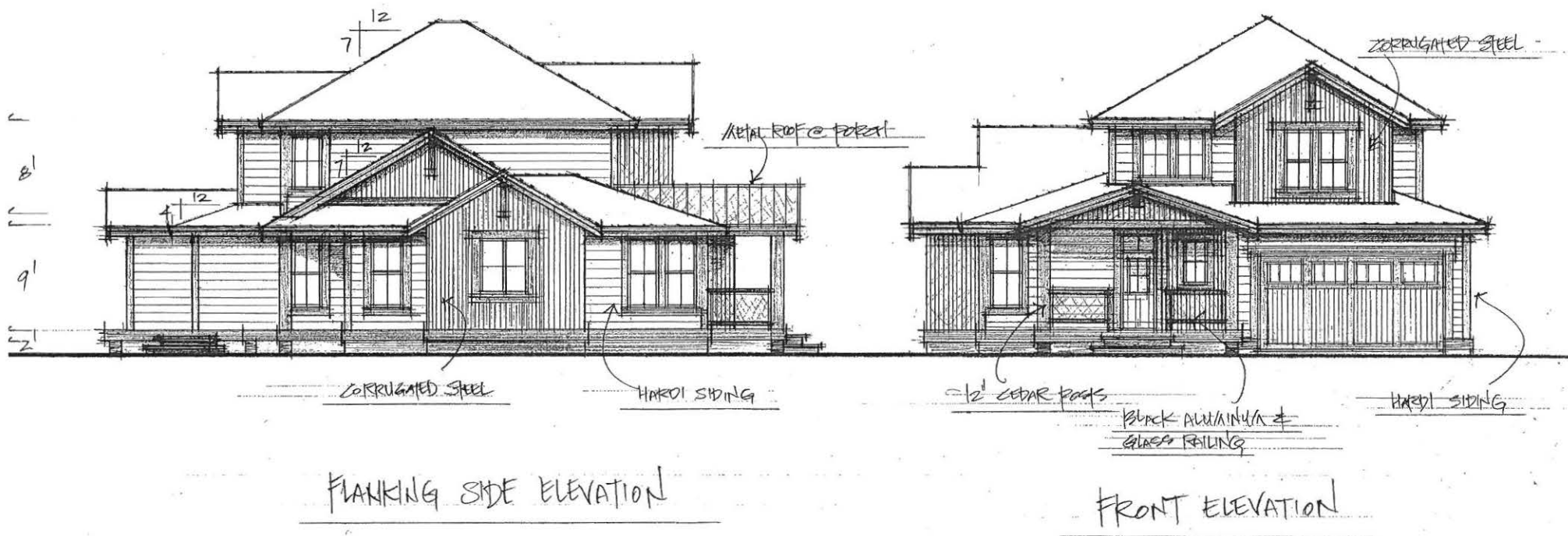
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THESE PLANS HAVE BEEN DESIGNED BY A LICENSED ARCHITECT IN ACCORDANCE WITH THE 2012 EDITION OF THE B.C. BUILDING CODE

MAY 2 / 2010

AQUADEL II - LOT # 46 (PLAN D)

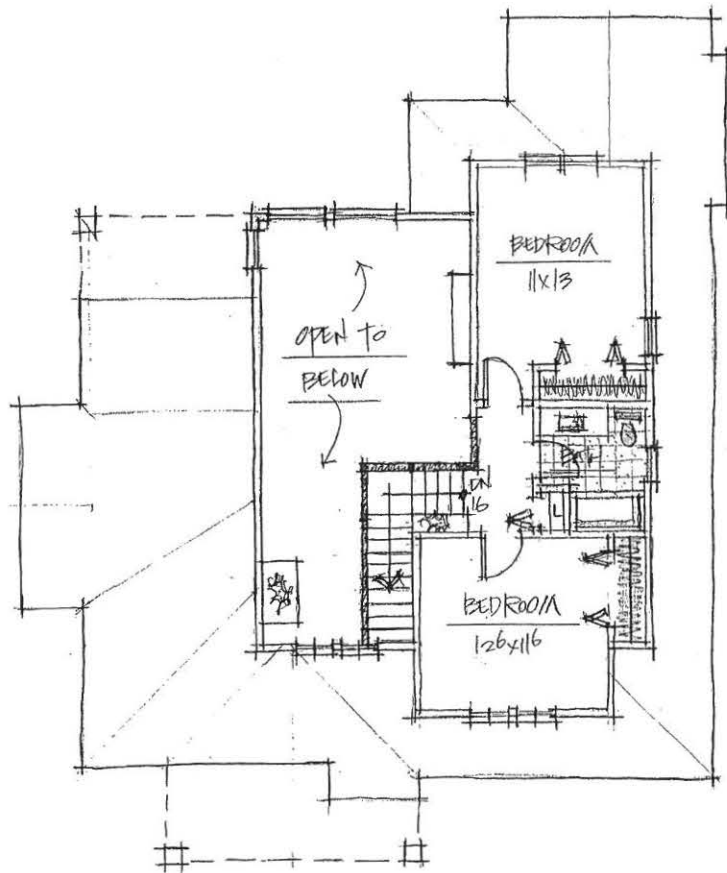
TOTAL: 1875 SQ. FT.



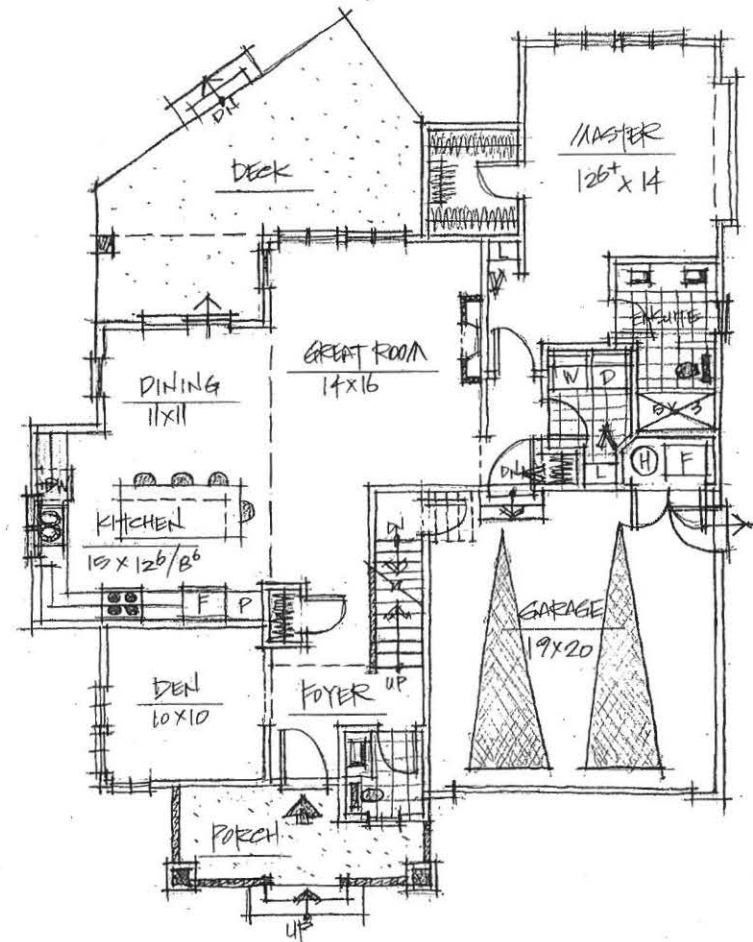
AQUADEL LOT #46 - PLAN D

TOTAL: 1875 SQ. FT.

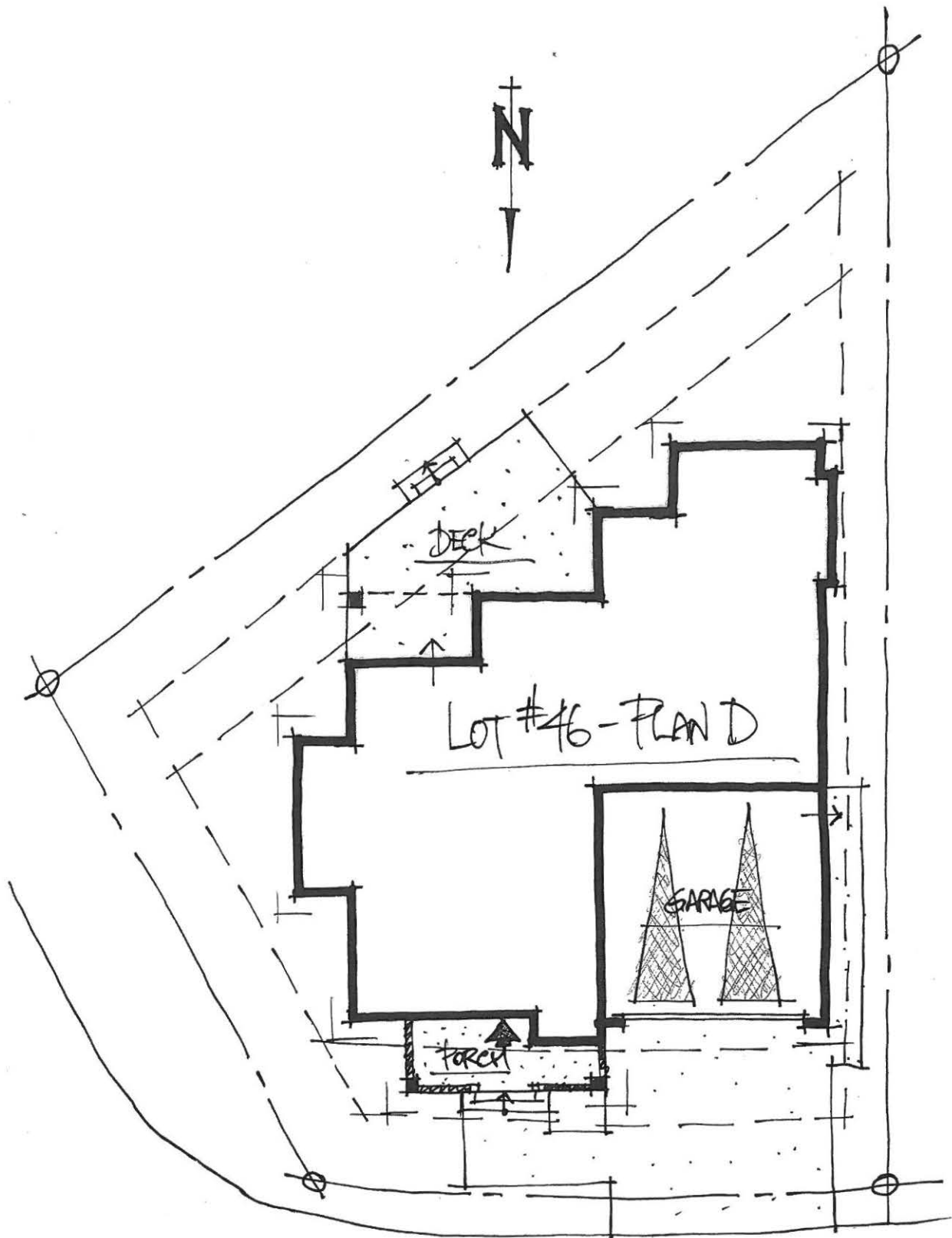
46' x 52' / 56'



UPPER FLOOR - 490 SQ. FT.



MAIN FLOOR - 1385 SQ. FT.





Dear Lot Owners,

We would first like to say congratulations on purchasing lots in our second phase of Aquadel Crossing! We look forward to continuing to work with you to achieve the best possible design for your lot and the development.

The information in this document outlines the steps and required procedure for the Design Approval Process for all Single Family Dwellings. Please review the document thoroughly and don't hesitate to contact our office if you require any clarification.

Thank you in advance for your cooperation, and we look forward to seeing your drawings!

Sincerely,

Aquadel Crossing

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HOUSE DESIGN APPROVAL PROCESS

It is our mandate to review each Building Scheme so that the overall quality and standard of Aquadel Crossing is maintained. As a result we elected Kevin Jones, i3 Design and Laurel Kellington as our “approving agents” for all building designs at Aquadel Crossing.

Our objective is to work with the lot owner towards the common goal of achieving an optimum home design, best suited to reinforcing the overall character of Aquadel Crossing.

The following outlines the steps of our Design Approval process. These steps in sequence facilitate an efficient and stream-lined approval process.

STEP 1: Design Review and Approval (approx. 1 week turnaround)

After your lot purchase with Aquadel Crossing Ltd, you can begin the process to receive approval of your design from the approving agent. Please submit your preliminary design along with your **Payment of Fee for Design Review to Kevin Jones** (please refer to the following section "Fees" for details). Please note that **no** drawings will be released for Final Design Approval without payment of these fees.

Your design submission can be emailed, couriered or dropped-off to the approving agent for review and approval.

The following information is required to perform our review:

- **SITE PLAN** - Based on the most current Lot Grading Information; drawing must be at an appropriate scale to review siting and relation to adjacent improvements and Golder's Geotechnical Report.

Drawing to include: North arrow, property line dimensions, minimum & proposed setbacks, proposed and existing grades at the four corners of your lot & home, various spot elevations on the site sufficient to determine the relationship of the proposed structures relative to the existing & proposed lot grading, and driveway & walkway locations including surface materials & slope percentage. Also required are locations of any detached or accessory buildings and their Minimum Building Elevation (MBE) in relation to streets as determined by Wedler Engineering. If applicable please indicate locations of any existing trees with appropriate root protection zones, swales, easements, restrictive covenants or right-of-ways.

Consideration given to: individual relationship of house with the lot, retention of overall drainage pattern and overall compatibility with neighboring homes (streetscape).

- **FRONT RONT ELEVATION**

Drawing to include: roof pitch(es), finish materials, trims and top of foundation wall, main floor & ridge elevation, proposed and existing grades at the corners of the home.

Consideration given to: compatibility of design elements and style, massing (proportion and scale), breaking up of two story massing, entry definition, rhythm of openings (i.e. window patterning), compatibility to overall streetscape and design repetition within the subdivision.

- **FLANKING ELEVATION** - required for all Corner Lots. Design to reflect the Front Elevation in terms of style and treatments.
- **FLOOR PLANS** - Basement, Main and Upper Floor Plans are requested, for a better understanding of your house and siting design.

- **Colour Schemes/Material Samples:** To be completed and submitted with samples for approval.
Submission to include: All colours proposed for the exterior of the home and any fencing (if applicable), as described in the section "Exterior Specification Sheet." The submission (with colour swatches or samples) must be on standard 8.5x11" page(s). A coloured front elevation may be requested by the approving agent if the proposed scheme requires further clarification.

- **LANDSCAPE PLAN**

Drawings to include: Plan view of proposed hard and soft landscape design for the site indicating layout and materials to be submitted at this time. In particular, information on walks, retaining walls, steps, patios, fences, screens, gates, special features, lawns, retained trees and planting is required as well as a plant list indicating proposed plant species, quantities and sizes. All Landscaping requirements will receive final approval during the scheduled Site Inspection.

Please note that we cannot grant approval without submission of ALL of the above mentioned items.

The approving officer will review and comment on your submission. If your submission requires further attention, a re-submission will be required. If Preliminary Approval *Noting Changes* is given, the changes must be incorporated and resubmitted. If no changes are required by the approving agent, you may proceed with Building Permit Application. Compliance deposits must be made with the approving agent prior to building permit application as per the contractual obligations noted in the lot purchase agreements.

STEP 2: SITE REVIEW FOR COMPLIANCE TO DESIGN GUIDELINES

Final Approval of Home & Landscaping and Subsequent Release of Compliance Deposit

After you have received Building Permit and your home and landscaping are complete, please contact the approving agent to request a Site Review for Design Compliance. Successful completion of this review will be required prior to obtaining Final Building Approval.

The following describes our Site Review for Design Compliance:

- Site Reviews are scheduled once a week, and are most effectively and efficiently performed without the presence of other parties.
- Our review is of the exterior of your home including landscaping.
- A letter summarizing the results of the review will be emailed to you. Nonconforming items listed in the letter will require an additional Site Review and/or photographic evidence of compliance.
- Once our office finds that your house and landscaping conform to the approved design and meet the intent of the Building Scheme, **we will call the FVRD to schedule your Final Occupancy Inspection, and will release the compliance deposit.**

STEP 3: CHANGES & ADDITIONAL SERVICES (if applicable)

- **Changes & Additional Services:** ANY changes made to the approved plans including landscaping shall be approved by the Approving Agent prior to installing such changes. Any service beyond what is allocated in the contract (described herein **Step 1**) including additional site inspection and work done after receiving our Design Approval, will be charged out at the applicable hourly rates noted in the following '**FEE for changes...**' section.

- **Changes to Working Drawings:**

Review the change(s) to ensure continued conformance to Building Scheme. Fax or email your proposal identifying the requested change(s) to our office.

Depending on the nature of the change(s), we will advise you how to best prepare your Working Drawings for additional approvals.

- **FEES for changes to Working Drawings & Additional Services:** Minimum \$100.00 flat rate fee plus \$100.00 per hour after the first hour + GST; these fees are due and payable prior to issuance of approved drawings.
- **Printing:** Charges will apply for any required printing; an additional administration fee may also apply.

This document has been written to inform you of our Design Approval process and hereby clarify our services. We aim to process your submissions as efficiently as possible; however, our approximated turnaround time may vary due to our workload.

FEES

The following Design Consulting Fees will be the responsibility of the builder or lot purchaser as part of the review and approval of building plans through Aquadel Crossing Ltd and are due and payable with the submission of the preliminary plans. We accept cash or cheque (made payable Laurel Kellington Interiors) **GST is in addition** to the fees quoted below.

DESIGN CONSULTING FEES:

Single Family Residential Lot \$250.00/unit

SITE REVIEW FEES:

Single Family Residential Lot \$150.00 + GST

ADDITIONAL DESIGN OR SITE REVIEW FEES:

Please note that **additional preliminary reviews, reviews for changes during construction, or deficiency reviews after the completion of construction** will be billed at the hourly rate of \$100.00 + GST:

All disbursements (including but not limited to photocopies and courier services) will be in addition to the fees noted above and include a handling charge of 10% for such expenditures.

BUILDING SCHEME

Single Family Homes at AQUADEL CROSSING

Developer: Aquadel Crossing Ltd
Contact: Kristen Kelm
Tel: (604) 824-2842

Approving Agent: Kevin Jones
Tel: 604 799 1772

NEW SINGLE FAMILY HOMES DESIGN GUIDELINES

SECTION 1 — DEFINITIONS AND TERM

1.1 Definitions

In this Schedule:

- a) **"Accessory Dwelling Unit"** means a Secondary Suite or a Coach House;
- b) **"Basement Entry Dwelling"** means a residential building which has two floors with the majority of sleeping areas and all living areas such as the kitchen, dining room, living room and family room located on the upper floor and the foyer and optional bedrooms and/or a bathroom located on the lower floor. Unlike a Two-Storey Dwelling, a Basement-Entry Dwelling is completely self-contained on the upper floor;
- c) **"Bungalow Dwelling"** means a residential building which may have a basement as long as only one floor is visible from the road and provided that the majority of sleeping areas and all living areas such as the kitchen, dining room, living room and family room are on that floor visible from the road;
- d) **"Aquadel Crossing" or "Aquadel"** means Aquadel Crossing Ltd.
- e) **"FVRD"** means the Fraser Valley Regional District;
- f) **[intentionally deleted]**
- g) **"Construct"**, and any variation of that term, means to Construct, improve, install, affix, place, or alter, or permit construction, Improvements, installation, affixation, placement or alteration;
- h) **"Consultant"** means approving agent, Laurel Kellington Design or an architect in good standing with the Architectural Institute of British Columbia or an individual or firm appointed by Aquadel to administer this schedule in the event Laurel Kellington fails, refuses or is unable to act, or if the Developer / homeowner's association fails to appoint a replacement within 30 days of notification in writing of any such even, then Consultant means an architect in good standing with the Architectural Institute of British Columbia who is appointed by the registered owner for the applicable Lot;
- i) **"Developer"** means the registered Owner(s) of the Fee Simple Lots as of the date this Schedule is registered in the Land Title Office;
- j) **"Final plans and specification"** mean the plans, specifications and other information stamped by the *consultant* as specified in Section 2.4 of this *schedule*;
- k) **"Improvements"** means any building, accessory building in excess of 10 square metres [105 square feet], fence or retaining wall constructed or to be constructed on a Lot;
- l) **"Lot"** means each Lot identified in either the Form 35 or the Form C to which this Schedule is attached and any portions or portion of such Lot which may be

subdivided or consolidated whether by subdivision plan, strata plan or otherwise and "Lots" means the aggregate of them;

- m) **"Owner"** means the registered Owner of the Fee Simple Lot or leasehold estate of a Lot;
- n) **"Person"** means any individual corporation, society, association, co-operative, joint venture, partnership, trust, unincorporated organization, government, or other legal entity, and includes the Owner of a Lot and the Developer;
- o) **"Schedule"** means this Schedule of restrictions and any appendices attached (if any);
- p) **"Split Level Dwelling"** means a residential building where the upper floor does not completely cover the lower floor and where the upper floor is limited to bedroom use only. Living areas such as the kitchen, dining room, and living room are generally confined to a floor at a lower level, offset from the upper floor (this is the "split" portion). Directly below the upper floor is a floor which often contains the family room, the utility room, the mechanical room and may contain some unfinished basement area;
- q) **"Street Furniture"** includes but is not limited to: benches, garbage and/or recycling receptacles, mailboxes, streetlights, service boxes, and any other permanent landscape features; and
- r) **"Two-Storey Dwelling"** means a residential building with a minimum of two floors where bedrooms are limited to the upper floor and living areas such as the kitchen, dining room, living room and only one bedroom (if any) are exclusive to the lower floor.

1.2 Interpretation

The following provisions apply to this *schedule*:

- (a) the sections, headings, and table of contents are for convenience only, and are not for use in interpreting, defining, or limiting the scope, extent, or intent of this *schedule*;
- (b) unless otherwise specified, words importing the singular include the plural and vice versa, and words importing gender include all genders;
- (c) this *schedule* will be governed by, and is to be enforced, construed, and interpreted in accordance with the laws of British Columbia;
- (d) each provision of this *schedule* is several, and if the whole or part of any provision is invalid, illegal, or unenforceable, it will be deemed severed from this *schedule*, and this *schedule* will otherwise continue to be enforceable to the fullest extent permitted at law or at equity;
- (e) in the event of a conflict between a statute, by-law, order, regulation or agreement such as a restrictive covenant and this *schedule*, the statute, by-law, order, regulation or agreement such as a restrictive covenant supersedes this *schedule*; for any term not defined herein, it has the same definition as in the *FVRD Zoning By-law*, and in particular amended subsequent to the date of registration of this *schedule* in the Land Title Office;
- (g) in the event of any conflict between the *FVRD* and the initial *consultant*, the *FVRD* position shall supersede the *consultant's* position in order to comply with the *Local Government Act*;
- (h) in the event the initial *consultant* fails, refuses or is unable to act, or the *developer* fails to appoint a replacement, then *consultant* means an architect in good standing with the Architectural Institute of British Columbia or any successor body, or a registered design *consultant* in good standing with the National Home

Designers Association or any successor body, or a registered building designer and/or a certified residential building designer in good standing with the Applied Science Technologists and Technicians of British Columbia or any successor body, who is appointed by the registered owner for that *lot* and is approved by the FVRD in writing;

- (I) this *Schedule* shall have no further force and effect after twenty (20) years from the date of registration of this *schedule* in the Land Title Office, and shall be discharged from all of the *lots* by the effluxion of this time; and this *Schedule* shall be adopted by the Homeowner's Association for the Aquadel Crossing community, when the Developer completes sale of the lots.

1.3 Purpose of this *Schedule* of Restrictions

The purpose of this *schedule* is to restrict the construction of *improvements* on the *lots* so as to enhance and maintain design quality to ensure that *improvements* on the *lots* are compatible with the existing or emerging residential character. Nothing in this *schedule* diminishes an *owner's* right to enforce these restrictions as against any other *owner*.

1.4 Main Design Objectives and Elements

The restrictions contained in this *schedule* are based on The Aquadel Crossing master plan. A *person* will not *construct improvements* except in adherence to the design objective and main design elements to fulfill these objectives. The design objective and main design elements are as follows:

Objective:

- to create a distinctive, high quality community showcasing significant architectural and landscape design;
- to create a diverse choice of housing opportunities to encourage a broad range of age groups and income levels;
- to encourage a high standard of built and natural environment;
- to promote sustainable designs that respect and complement the natural characteristics and grading of the site;
- to create an identifiable neighbourhood theme which responds to the site's location

Elements:

- Country Style Contemporary Architecture dwellings and details (including Shingle Style, Cape Cod, Craftsman, and other neo-traditional styles with cottage detailing);
- balanced massing and proportion and clean lines/details;
- To introduce streetscapes that reflect the importance of the pedestrian through front porches and well identifies entries which do not dominate the front elevation in scale;
- lowered massing through design elements on the front elevation;
- well articulated and complete landscaping which reinforces the theme and character of the development;
- well articulated elevations on all sides of the dwelling, with design elements that reflect those incorporated on the front elevation; and
- An country style contemporary theme and character throughout the development.

The consultant, notwithstanding has the right to approve or reject submissions and approve or reject any clause stated here in this *Schedule of Restrictions*.

SECTION 2 — GENERAL RESTRICTIONS

For all of the subsections in Section 2, a *person* must not *construct improvements*, or develop the *lot* before, during or after construction of the *improvements*, unless:

2.1 By-law Compliance

That *person* complies with all statutes, by-laws, orders or regulations as amended from time to time and in particular amended subsequent to the date of registration of this *schedule* against the *lots* in the Land Title Office, of the *FVRD* or other government body having jurisdiction with respect to the construction of *improvements*.

2.2 Preliminary Design Approval

- (a) that *person* delivers to the *consultant*, a submission for preliminary design approval in the form of an elevation concept/character sketch and floor plan(s) and on which that *person* has indicated the subdivision, the *lot* number, their name, address, and telephone numbers; and
- (b) the *consultant* will accept the submission provided it substantially complies with this *schedule*.

2.3 Preliminary Site Plan Approval

- (a) that *person* delivers to the *consultant* a preliminary site plan, at a scale of 1:100 (metric), or 1/8"=1'-0" (imperial) that indicates the location and exact shape of the proposed foundation and driveway for *improvements*, taking into consideration the slope of the driveway, retaining walls (if any), existing trees (if any), easements and swales (if any), *street furniture* (if any); and
- (b) the *consultant* will accept the preliminary site plan provided it substantially complies with the *schedule*.

2.4 Final Plans and Specifications

- (a) that *person* delivers to the *consultant* *final plans and specifications* including, without limitation:
 - (i) a **site plan**, at a scale of 1:100 (metric) or 1/8"=1'0" (imperial), indicating the exact location of the *improvements* on the *lot*, all grading, front, rear, and side yard setbacks, north arrow, driveway, sidewalks, fences, retaining walls (if any), *street furniture* (if any) concrete steps, swales, easements, rights-of-way, all trees to be retained, replaced and removed, and other information reasonably required by the *consultant* and/or the *City*;
 - (ii) **exterior elevations** at a scale of 1:50 (metric) or 1/4":1'0" (imperial), indicating overhangs, trim, window styles, finishing materials, the proposed and existing grades at each corner of the *improvements*, main floor elevation, the top of foundation elevation, and the ridge elevation;
 - (iii) **floor plans** at a scale of 1:50 (metric) or 1/4":1'0" (imperial) which must match the exterior elevations and minimum basement elevations (where applicable);
 - (iv) a **landscape plan**, at a scale of 1:100 (metric) or 1/8"=1'0" (imperial), illustrating proposed hard and soft landscape design including walks, retaining walls, steps, patios, fences, screens, gates, special features, lawns, retained trees and planting, and including a plant list indicating species, quantities and sizes and any replacement trees required by the *consultant*, and
 - (v) **colour scheme & samples of exterior finishing materials** required by the *consultant*.
- (b) the *consultant* accepts the *final plans and specifications* by stamping them with the following text "Reviewed for Conformance with Design Guidelines", and by signing the *final plans and specifications* with the following information in clear print:

Consultant

Signature:

Address:

Phone:

Date:

and

(c) the *consultant* has completed a checklist, as included in the Design Guidelines, to ensure the *final plans and specifications* comply with this *schedule*, which checklist must be submitted to the *FVRD* with the *consultant's* written approval of the *final plans and specifications* together with the building permit application for review and acceptance by the *FVRD*.

2.5 Changes to Final Plans and Specifications

The *consultant's* written approval regarding proposed substantial changes to the *final plans and specifications* must be submitted to the *FVRD* for the approval pursuant to their Building By-law, as amended, with the request for the approval of such changes.

SECTION 3 — SINGLE FAMILY LOT RESTRICTIONS

For all of the subsections in Section 3, **a person must not construct improvements, or develop the lot before, during or after construction of the improvements, unless:**

3.1 Drainage Easements, Rights-of-Way

(a) established overland flows and/or underground storm sub-surface systems are maintained in accordance with completed swales and the grading of the site prior to construction of *improvements*.

3.2 Siting and Setbacks

- (a) that *person* sites the *improvements* in accordance with the *lot's* natural characteristics and neighbouring *improvements*, as determined by the *consultant* in relation to the over-view or over shadowing of neighbouring *lots* and *improvements*;
- (b) that *person* orients the *improvements* in accordance with the *lot's* natural characteristics as determined by the *consultant*;
- (c) the siting and setbacks of the *improvements* comply with the *consultant's* requirements, which may be based on the creation of interesting streetscapes, maximization of privacy, or may be in response to conditions imposed by adjacent *improvements*;
- (d) that *person* considers all requirements of restrictive covenants, existing trees, easements, and rights-of-way;
- (e) that *person* identifies the locations of any right-of-ways, existing trees, restrictive covenants, easements;
- (f) that *person* complies with setbacks and zoning requirements of the *FVRD*;
- (g) that *person* has verified that the physical location of driveway and curb let downs, cable service boxes, electrical boxes, mailboxes and streetlights does not conflict with the design or location of the *improvements*; and
- (h) to reduce the emphasis on and massing of the garage in front-loaded *improvements*, garage faces are to be a minimum of 6.0m from the front lot line with porch or entry elements pulled closer to said front lot line.

3.3 Lot Grading

- (a) the design of the *improvements* is in substantial compliance with the *lot* grading plan for the *lot(s)* which has been reviewed by the *consultant* and accepted by the *FVRD*, and the said plan specifies all finished grade elevations as derived from the *lot* grading plan for the *lots* accepted by the *FVRD* and grade elevations in respect of that *lot*;
- (b) the proposed *lot* grading is in accordance with the *lot* grading plan for the *lots* accepted by the *FVRD*, which *lot* grading plan will be available from the *FVRD*; and
- (c) that *person* provides that any changes made to the *lot* do not affect the drainage pattern for the area.

3.4 Retaining Walls

- (a) there are no retaining walls, unless natural site conditions necessitate their use as determined by the *consultant*; a retaining wall in the front/flanking yard is no more than 0.6m [2.0 feet] in height; the maximum height of a retaining wall in the side or rear yard is no more than 1.2m [4.0 feet] except for retaining walls below existing grade such as concrete stairwells or covered patios under sun decks, which will be approved at the discretion of the *consultant*
- (b) retaining walls are constructed, or faced with, indigenous rock or river rock; or constructed of cast concrete, residential-scale concrete modular units, or treated timber;
- (c) a retaining wall that faces the street, if permitted, is screened with landscaping;
- (d) details of retaining walls are to be submitted prior to construction for the approval of the *consultant* in terms of materials, treatment, location, height and overall coordination with the landscaping and *improvements* and is to be approved by the *FVRD*; and
- (e) retaining walls are in the colour range of natural earth and grey tones with optional muted accents.

3.5 Tree Preservation

- (a) the building footprint and design must meet tree protection setbacks as shown on the Tree Management Plan except if that person complies with guidelines for tree protection and root pruning and obtains prior approval from the consultant;
- (b) fence standards: temporary tree protection must be implemented and maintained throughout the construction period. A fence must be erected as per the requirements of the consulting arborist, as located on the Tree Management Plan. The area inside the protection fence is not to be accessed by equipment, vehicles or personnel, and no storage of construction materials, soil or waste is allowed;
- (c) that person does not cut down or remove from the lot any existing trees, including those identified as trees to be preserved on the Tree Management Plan (included as Appendix I), and those planted on the lot by the Builder and Aquadel Crossing Ltd as designated as replacement trees, except if that person:
 - (i) obtains a written permission from the consultant;
 - (ii) in respect of any tree identified on the Tree Management Plan, obtains a written recommendation by an International Society of Arborist, Certified Arborist, or other tree specialist approved by the consultant, stating that the tree is diseased and/or hazardous and should be removed and provides such certification to the consultant; and
 - (iii) replaces any removed tree with a replacement tree which is a minimum of 3 metres [10.0 feet] tall if coniferous, or 5 centimeters [2.0 inches] caliper if deciduous, and meets all the requirements of the latest edition of the "British Columbia Landscape Standard" published jointly by the British Columbia Society of Landscape Architects, and the British Columbia Nursery Trades Associates.

3.6 Driveways and Sidewalks

- (a) only the following construction materials for the driveway and sidewalks are used: permeable pavers, brick/concrete unit pavers, broom finish concrete, exposed aggregate concrete or stamped concrete. Gravel is not a permitted construction material for driveways or sidewalks;
- (b) front entry pathways must be precast stepping stones, brick/concrete unit pavers, broom finish concrete, flagstone or other materials approved at the discretion of the *consultant*; s;
- (c) the location of the driveway maintains open space and avoids significant trees, streetlights, or service boxes, and does not conflict with drainage swales;
- (d) the width of the driveway is a maximum of 6m (20') wide at the street to the front setback line, unless approved by the *consultant*; and
- (e) if the driveway and front entry sidewalk are located in the same yard, the front entry sidewalk material must be the same as or complementary to that used for the driveway, at the discretion of the design consultant; the secondary sidewalk material must not differ from that used for the driveway until the point at which it is not visible from the street.

3.7 Landscaping on the Lot

- (a) that *person* installs the landscaping in accordance with the requirements of the latest edition of the "British Columbia Landscape Standard" published jointly by the British Columbia Society of Landscape Architects and the British Columbia Landscape and Nursery Association, and complies with the other requirements in this section;
- (b) that *person* submits a landscape layout as specified in Section 2.4 (a)(iv), including all landscaping requirements outlined in this section, approved at the discretion of the *consultant*;
- (c) that *person* considers the theme and character of the overall development (river, seaside cottage) when composing a complementary landscape layout;
- (d) that *person* composes a layered landscape which features plant materials that contrast and complement in size, texture and colour;
- (e) that *person* considers each plant species cultural requirements including drought tolerance, shade tolerance and hardiness when composing a landscape layout;
- (f) that *person* incorporates low water requirement landscaping; any installed automatic irrigation system includes a rain sensor and high efficiency irrigation heads;
- (g) that *person* installs one tree in the front yard and one tree in the backyard with a 5cm (2.0 inches) minimum caliper if deciduous with a single trunk, or 2.4 metres (8.0 feet) minimum height if coniferous or multi-trunked deciduous; lots over 450 square metres [4844 square feet] require a total of three (3) trees per lot; ultimate size, form and planting location of trees to be the selection criteria;
- (h) that *person* installs deciduous trees in south facing backyards in a location to allow for shading of the *improvement* in the summer and passive solar heat gain in the winter;
- (i) that *person* landscapes all street fronting yard areas, with a minimum of 20% planting beds;
- (j) that *person* installs a minimum of 10 shrubs (2 gallon pot size minimum) and 5 shrubs (5 gallon pot size minimum) in the front yard; native plants are encouraged; additional groundcovers are acceptable; ultimate size and form of species to be selection criteria;
- (k) that *person* incorporates a portion of the required shrubs as broadleaf evergreen shrubs to create year-round structure in the landscape;

- (l) that *person* incorporates a portion of the required shrubs as flowering deciduous shrubs that provide seasonal change and/or winter interest; additional planting of perennials is encouraged;
- (m) that *person* installs adequate growing medium (topsoil) prior to planting to depths suitable for each type of plant material in accordance with the "British Columbia Landscape Standard";
- (m) that *person* installs a minimum depth of 50mm (2 inches) of composted black mulch on all planting beds subsequent to planting; coarse un-composted bark mulches are not permitted;
- (n) that *person* does not create a solid boundary separation in the form of hedging or other plant material in the front yard between neighbouring properties;
- (o) that *person* completes the front/flanking yard landscaping within 60 days of the completion of the *improvements*, except if weather conditions make it impossible to do so, in which case that *person* will complete that landscaping as expeditiously as possible, and prior to final inspection;
- (p) that *person* cleans and grades side and rear yards within 60 days of the completion of the *improvements*, and prior to final inspection; and
- (q) fence design, location, height, and materials are to be approved by the *consultant*.

3.8 Fences, Screens + Gates

- (a) fence, gate, or screen design and detail shall respond to the architectural style and theme of the neighbourhood;
- (b) fences, screens and gates shall be constructed of wood;
- (c) fence, screen & gate design, must conform to the following height, location, and material restrictions:
 - (i) the maximum height of an interior side yard or rear yard fence is no more than 6 feet;
 - (ii) the maximum height of a front or exterior side yard fence is 1.0 metres (3.3 feet);
 - (iii) front and exterior side yard fences are required to be set back 1.0 metre (3.3 feet) from the front face of the building unless otherwise approved by the *consultant*. Front yard & exterior side yard fences shall be of picket type construction (i.e. not solid); Front yard fencing is not permitted
 - (iv) colours: front yard or exterior side yard (picket type) fences, screens or gates shall be solid stain, of the same palette utilized in the architectural trim or body of the residential buildings or amenity/accessory building, or coated with natural transparent stain. Rear and interior side yard fences shall be the same as above, left to weather or coated with natural transparent stain, approved at the discretion of the *consultant*; and

3.9 Address Requirements

- (a) All are required to be addressed on the front of homes in a location and size that is visible for emergency vehicles to identify the homes in the event of an emergency.

3.10 Final Building Approval

- (a) the *consultant* will perform a final site inspection to review/approve guideline conformance after the house and front/flanking yard landscaping are completed;
- (b) At the discretion of the *consultant*, the Developer shall not receive a Final Building Approval from the FVRD until all the requirements of the Design Guidelines are met.

SECTION 4 - DWELLING DESIGN RESTRICTION

For all of the subsections in Section 4, a person will not *construct improvements*, or develop a *lot* before, during or after construction of the *improvements*, unless:

4.1 Design Repetition

The exterior design of the single family dwelling to be erected on a *lot* shall not be identical or similar to that of an existing or proposed dwelling on a *lot* in the proposed development within four *lots* measured from the closest *lot* lines (XABXCX). It is deemed to have similar exterior design to an existing dwelling when:

- (a) the front/flanking elevation(s) designs are identical or have insignificant variations in the disposition and articulation of design features; or
- (b) the front/flanking elevation designs are a mirror image to each other, with or without any variation in architectural details.

4.2 Dwelling Size and Types

The size and type of the dwelling must meet all of the requirements pertinent to the bylaws of the FVRD

4.3 Building Height and Massing

- (a) the building height and massing of the *improvements* does not create a canyon effect as determined by the *consultant* in relation to the open space between the *improvements* above the first-storey;
- (b) the building height and massing for *improvements* on the subject *lot* are to be compatible with the *lot* grading plan;
- (c) the building height and massing for *improvements* on the subject *lot* are to be compatible with the building height and massing of the *improvements* on adjacent *lots*, as determined by the *consultant* in relation to roof design and transition in building height;
- (d) two-storey massing is reduced on the front/flanking elevation(s), if applicable, by recessing the upper floor wall line from the lower and/or by the use of roof skirts at the floor line of the upper floor level and/or the introduction of a porch or veranda, as determined by the *consultant*;
- (e) two-storey massing is broken up with horizontal baseboards, trim boards and/or roof skirts, as determined by the *consultant*;
- (f) one-storey single family dwellings ('ranchers' or 'bungalows') have massing that is proportional and appropriately articulated, as compared to two-storey improvements, as determined by the consultant;
- (g) overall balance and massing is in character with the dwelling style, and suits the scale and proportion of the elevation(s) of the dwelling, approved at the *consultant's* discretion; and
- (h) the incorporation of living spaces within the roof form ("half-storey") is encouraged. Efforts should be made to bring the main roof eave to one-storey on the front/flanking elevation(s).
- (i) Second storey walls must be shouldered or recessed back from the first-floor exterior walls for maximum articulation of the exterior

- (j) Habitable square footage of the second floor cannot exceed 60% of the main floor space
OR Habitable square footage of the second floor cannot exceed 50% of the main floor space plus attic trusses over the garage

4.4 Dwelling Design

- (a) in accordance with the section on design repetition, the design of the single family dwelling is substantially as follows unless approved at the discretion of the *consultant*
 - (i) in a two-storey *improvement*, the majority of front elevation is setback at the upper level, broken by a lower eave line (roof skirt, porch, etc.), and for wood detail. Covered porches are highly encouraged;
 - (ii) rooflines/elements are a mix of hips and gables; style specific rooflines which fit the character of the adjacent *improvements* will be considered for acceptance;
 - (iii) garages will be a maximum of two cars attached or detached, unless the site allows for an accessory dwelling unit-in such a case, the detached garage can be a maximum of three cars to accommodate a coach house above; and
 - (iv) exterior finishes will be as specified in Section 5.

4.5 Corner Lot Design

- (a) one-storey elements comprise a minimum of 20 percent of the width of the front/flanking street elevations of the single family dwelling, or a proportion approved by the *consultant*
- (b) the design achieves the objective of creating corner *lot* open sky views and does not create an abrupt end to the streetscape, as determined by the *consultant*;
- (c) the front entrance faces one street and the garage faces the other street, design provides significant detailing on both the front and flanking elevations of the dwelling as determined by the *consultant*; and
- (d) feature element(s) of the single family dwelling encourage a gentle transition of the streetscape, as determined by the *consultant*.

4.6 Roof Design

- (a) General
 - (i) the *improvements* have a varied roof form and design as determined by the *consultant* in relation to adjacent *improvements*;
 - (ii) the roof design reduces upper floor massing as determined by the *consultant*
 - (iii) the roof design is consistent with the intended style and suits the character of the *improvement* and each roof element complements the overall design, approved at the discretion of the *consultant*;
 - (iv) roof elements as features on the front/flanking elevation(s) are approved by the *consultant*; and
 - (v) gable roofs have sufficient detailing approved by the *consultant*.
- (b) Pitch
 - (i) one-storey single family dwellings ('ranchers' or 'bungalows'), must have a minimum 8:12 roof pitch, unless otherwise requested or approved by the *consultant*,

SECTION 5 - CONSTRUCTION MATERIAL RESTRICTIONS

For all of the subsections in Section 5, *a person must not construct improvements, or develop the lot before, during or after construction of the improvements, unless:*

5.1 Roofing Materials

- (a) General:
 - (i) only the following roof materials are used: high profile duroid shingles, cedar shakes/shingles and metal roofing;
- (b) Colour:
 - (i) roof colour must complement body colour, as approved by *consultant*;
- (c) Skylights:
 - (i) skylights which are bubble style are not permitted on street facing elevations;
- (d) Soffits:
 - (i) wood or vinyl (invisivent) only, painted in a colour which complements the body colour, as determined by the *consultant*.

5.2 Fascia Boards

- (a) wood fascia boards are required;
- (b) fascia boards and barge boards are fully finished on all exposed sides; and
- (c) fascia boards and barge boards are a minimum dimension of 2"x10" nominal.

5.3 Exterior Wall Finish

- (a) General:
 - (i) the primary material used on other faces of the *improvement* is used on the front/flanking elevation(s) of the *improvement*, as approved by the *consultant*;
 - (ii) an accent material is to be used on the front/flanking elevation(s);
 - (iii) the use of materials is consistent with the intended style and suits the character of the *improvement*, approved at the discretion of the *consultant* and
 - (iv) false front treatment and over-embellishment of the front facade is avoided.
- (b) Materials
 - (i) only the following cladding/accent materials are used: cedar wall shingles and siding, and cementitious wall shingles and siding (Hardi) and stone/cultured stone in a river rock profile; corrugated metal and other accent materials may be approved at discretion of the *consultant*.
- (c) Colours
 - (i) All colours will be approved at the discretion of the consultant; Colours for cedar siding/shingles, and cementitious siding/shingles should harmonize with the surrounding landscape; natural transparent stain with neutral trims and bold and bright accents, or bold and bright colours with complementary accents and trims are encouraged but not exclusively approved; trim, fascia, entry and garage doors and roof colour shall complement the siding colour, approved at the discretion of the consultant; gutters, soffits and downspouts shall complement trim and body colour, approved at the discretion of the consultant; if cedar siding is used it must

- (ii) dwellings more than one-storey must have a minimum roof pitch of 6:12 and maximum roof pitch is 14:12, and the roof pitch is constant on any one elevation, unless otherwise requested or approved by the *consultant*, and
- (iii) different roof pitches on the same elevation are considered for specific styles at the discretion of the *consultant*.

4.7 Roof Overhangs

- (a) roof overhangs shall be determined based on the architectural style of the *improvements*, as determined by the *consultant*.

4.8 On Site Parking

- (a) the parking structure is limited to a maximum two vehicle attached garage or as per Section 4.4 (a) (iii), unless otherwise approved by the *consultant*;
- (b) detached parking structures will be considered on a site-specific basis and must be approved by the *consultant* prior to construction;
- (c) the parking structure is equipped with vehicular entrance doors that close, and are constructed of wood or a material with a wood-grain textured finish;
- (d) the design of the garage door(s) shall have raised panels, details or decorative features with glazing, and shall be painted or stained to match the body or trim colour of the *improvements* or the front entry doors, as approved by the *consultant*;
- (e) the distance between the top of the garage door and the soffit line does not exceed 0.6 metre [2.0 feet] in height for hip rooflines, or to a horizontal trim band for gable rooflines, unless approved by the *consultant*, or has detailing approved by the *consultant*;
- (f) garage doors do not exceed 8'-0" in height;
- (g) covered parking does not accommodate oversize vehicles unless approved by the *consultant*; and
- (h) the parking structure is constructed in the similar style, roof pitch, finish material(s) and colour scheme, as the single family dwelling, unless approved by the *consultant*.

4.9 Balconies, Patios & Decks

- (a) rear balconies on the second floor of the dwelling unit do not exceed 3.6 metres [12.0 feet] in depth, measured parallel to the rear of the dwelling unit;
- (b) projections of rear balconies on the second floor of the dwelling unit into the required rear yard setback do not exceed 0.6 metres [2.0 feet]; and
- (c) on the fronts and exterior side yards of *improvements*, covered porches and second floor balconies are encouraged.

4.10 Foundation Exposure

- (a) exposed concrete foundations do not exceed 0.3 metre [1.0 foot] in height measured from the finished grade to the underside of the siding, except for stepped foundations to accommodate the finished grades of the *lot* or is architecturally treated or painted to match the adjacent body or trim colour as approved at the discretion of the *consultant*.

be coated in a solid, semi-transparent or transparent stain; only the following range of colours for stone or brick accents are used: earth and grey tones with muted accents unless approved by the consultant; and adjacent homes (in any direction) do not use the same colour scheme unless approved by the *consultant*.

5.4 Accent Materials and Trims

- (a) accents such as stone or wall shingles on the front/flanking elevation(s) shall turn the corner and extend to a vertical break in the return wall such as a chimney or wall projection, except where a return is designed to simulate a column, in which case the return shall be at least equal to the width of the column face, approved at the discretion of the *consultant*
- (b) stone, if used as accent, shall preferably be located at the base of the wall face, as approved by the *consultant*;
- (c) stone on the street face(s) is used only if the colour, pattern, and texture are compatible with the siding as determined by the *consultant*;
- (d) there is no use of concrete blocks or jumbo blocks which are exposed to the exterior;
- (e) doors and windows on the front/flanking elevation(s) have a min. 6" wood trim, with additional detailing to compliment the overall style of the *improvements*;
- (f) a continuous horizontal wood/cementitious base trim at the main floor elevation is used on all elevations unless approved at the discretion of the *consultant*;
- (g) all trim and corner trim to be wood/cementitious material;
- (h) all trim elements indicated on the *final drawings and specifications* are applied to the *improvement*, unless approved at the discretion of the *consultant*; and
- (i) mortar, where exposed, shall be grey or an earth tone as determined by the *consultant*

5.5 Windows

- (a) large windows should be made up of individual glazing units surrounded by 6" trim;
- (b) window openings on the front/flanking elevation(s) are of a consistent geometrical shape with the exception that a main feature window on the lower floor may be of a different shape providing, in the opinion of the *consultant*, that the feature window shape contributes to both the interest and consistency of the overall theme;
- (c) there are no basement windows on the front/flanking elevation(s) except to complement unique site grading as determined by the *consultant* or unless required by the B.C. Building Code;
- (d) where basement windows are unavoidable on the front/flanking elevation(s), they must be screened with substantial landscaping; and
- (e) window frames are constructed of vinyl, fiberglass or wood, unless otherwise approved by the *consultant*.

5.6 Front Entry Treatment

- (a) the front entry or entry element is in scale and proportion with all other elements on the front façade;
- (b) the front entry door includes a double or single door(s) painted or stained to complement or contrast the dwelling and shall have raised panels, details or decorative features with glazing, sidelight, and/or clerestory;
- (c) the front entry doors shall be constructed of insulated metal, fiberglass, or wood; and

- (d) the entry faces the street directly in front of the dwelling, unless specifically approved by the *consultant*.

5.7 Chimneys + Roof Vents

- (a) all exterior chimneys visible from the street adjacent to the *lot* are *constructed* only if they are continuous to grade, with a foundation;
- (b) the single family dwelling does not include cantilevered chimney chases (including direct vent fireplace with framed chases) if such chases are visible from the street or otherwise, except if determined otherwise by the *consultant*;
- (c) interior chimneys are enclosed in a chase to match the body of the house and capped if placed on the front roof slope and is more than 0.46 metres [1.5 feet], unless approved by the *consultant*;
- (d) chimneys have detailing, such as corbelling, recessing, and a distinctive cap; and
- (e) roof vents are to be placed on rear roof slopes or another location with limited visibility, or are painted to match the roof colour if visible from the street.

5.8 Corner *Lot* Treatment

- (a) the exterior treatment of the flanking street side of the single family dwelling is the same as the front street side; and
- (b) the exterior treatment of the flanking street side of the dwelling creates a gentle transition to the end of the streetscape.

SECTION 6 - SECONDARY SUITE RESTRICTIONS

6.1 General

- (a) Any proposed Accessory Dwelling Unit (ADU):
 - (i) must conform to the FVRD Zoning Bylaw restrictions and,
 - (ii) be approved by the *consultant*.
- (b) Application for ADU must be made at the time of Building Permit submission; and
- (c) ADU's shall be permitted only on lots with a minimum rear lot width of 13.4 metres [44 feet].

6.2 Grading

The approved Grading/Drainage Plan must be maintained. Phase 1 and 2 lots will not allow for daylighting basement suites and, therefore, will not be approved.

6.3 Access to Basement Suites

Stairs to the basement (Phase 3 only) shall not be approved unless improvements are located on a lot which permits secondary suites. If lot permits secondary suite, stairs and doors must be located in the side yards. No rear yard access will be approved.

SECTION 7 - CONSTRUCTION PROTOCOL RESTRICTIONS

For all of the subsections in the preceding Sections, *a person* must not *construct improvements*, or develop the *lot* before, during or after construction of the *improvements*, unless:

7.1 Appearance During Construction

- (a) at all times during the course of construction and the subdivision marketing process, that Person does not permit the Lot and all adjacent sidewalks, curbs and streets, to be other than clean, orderly and free of debris;
- (b) all efforts must be made to recycle applicable materials during construction;
- (c) within 30 days after substantial completion of the exterior of the Improvements, that Person does not allow any debris to remain on or about the Lot;
- (d) there is no burning of garbage on the Lot; and
- (e) there is no washing of concrete residue into the storm sewer.

SECTION 8 — CONCLUSION

8.1 Severability

If any provisions herein are determined to be void or unenforceable in whole or in part, it shall not be deemed to affect or impair the enforceability or validity of any other provision or any part thereof.

8.2 Liability

The *consultant* reviews the home plans for general streetscape aesthetics, and general conformance with this schedule, but does not review the plans for conformance with the British Columbia Building Code, or Zoning Bylaws, and therefore assumes no responsibility for compliance of same.

The *developer* and *consultant* rely on the information provided by the Home Designers, Builders, Surveyors, and Engineers, and therefore assume no responsibility for damages arising as a result of the provision of inaccurate information.

Nothing contained within these guidelines shall impose any liability on the *developer* or *consultant* for damages resulting from structural defects in any structure erected on any lot with approval, nor any responsibility in connection with the site selected for any structure by any subsequent owner or for the determination of lot boundaries.

Laurel Kellington Interiors

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T: 604.798-3331 E: designlk@shaw.ca

INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 1

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 7655 STAMPED CONCRETE	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 6208 PEWTER GREEN	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS REGENT GRAY	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

SIGN OFF:	LAUREL KELLINGTON	BUILDER:	
INITIAL:		INITIAL:	

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INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 2

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 7018 DOVETAIL	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 6089 GROUNDED	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS GALVALUME	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 3

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 0038 LIBRARY PEWTER	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 7625 MOUNT ETNA	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS BUCKSKIN	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 4

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 6173 COCOON	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 7639 ETHEREAL MOOD	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS GALVALUME	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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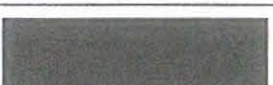

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INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 5

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 9171 FELTED WOOL	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 7674 PEPPERCORN	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS STONE GRAY	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 6

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 7622 HOMBURG GRAY	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 2826 GREEN STONE	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS GALVALUME	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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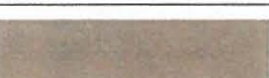
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EXTERIOR SPECIFICATION SHEET - SCHEME 7

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 9114 FALLEN LEAVES	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 7652 MINERAL DEPOSIT	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS GALVALUME	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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EXTERIOR SPECIFICATION SHEET - SCHEME 8

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 2849 WESTCHESTER GRAY	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 7048 URBANE BRONZE	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS GALVALUME	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 9

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 6149 RELAXED KHAKI	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 6005 FOLKSTONE	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS GALVALUME	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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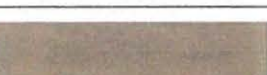
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INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 10

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 7549 STUDIO TAUPE	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS TAN	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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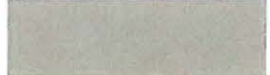







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INTERIOR STYLIST



EXTERIOR SPECIFICATION SHEET - SCHEME 11

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 9126 HONED SOAPSTONE	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 7060 ATTITUDE GRAY	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS GALVALUME	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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EXTERIOR SPECIFICATION SHEET - SCHEME 12

AQUADEL CROSSING - LOT NO. _____

MANUFACTURER / NAME	ITEM	SAMPLE	REVISIONS
SHERWIN WILLIAMS SW 7505 MANOR HOUSE	PRIMARY EXTERIOR COLOUR		
SHERWIN WILLIAMS SW 6385 DOVER WHITE	GENERAL TRIM COLOUR		
SHERWIN WILLIAMS SW 7546 PRAIRIE GRASS	FRONT DOOR COLOUR ADDRESS WALL PLAQUE		
KETTLE VALLEY GRANITE RUSTIC LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
KETTLE VALLEY GRANITE URBAN LEDGESTONE K2 STONE	ROCK (SIZE DEPENDING ON PLAN CHOSEN)		
BP - YUKON SP COLOUR - TWILIGHT GRAY	ASPHALT SHINGLES		
INTERLOCK INDUSTRIES DEEP CHARCOAL	METAL ROOF (IF REQUIRED)		
WESTFORM METALS GALVALUME	METAL SIDING (IF REQUIRED)		
STARLINE VINYL WINDOWS BLACK CHARCOAL	WINDOW COLOUR		
SHERWIN WILLIAMS SW-3518 HAWTHORNE	STAIN		
STONE CONCEPTS	BRICK (DEPENDING ON PLAN CHOSEN)	TBD BY LAUREL	

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EXTERIOR FRONT DOOR LIGHTING & NUMBERS

PROJECT: _____

LOT NO: _____

MANUFACTURER / NAME	ITEM	SAMPLE
GALAXY LIGHTING CAST ALUMINUM MARINE LIGHT WITH GUARD - SATIN ALUMINUM WITH FROSTED GLASS CP ITEM #305014SA	OUTDOOR LANTERN MARINE LIGHT	
HUBBARDTON FORGE ERLENMEYER LARGE OUTDOOR SCONCE BASE ITEM #307715 CONFIGURED ITEM #307715-08-ZM349 FINISH BURNISHED STEEL - 08 CLEAR GLASS (ZM) INCANDESCENT LAMPING	LARGE OUTDOOR SCONCE	
TAYMOR 4" MODERN STYLE SOLID BRASS HOUSE NUMBERS SKU: 27-PMSN40 SATIN NICKEL FINISH	EXTERIOR HOUSE NUMBERS	
	HOUSE NUMBER LOCATION ON EXTERIOR WALL CORNER	



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT PERMIT

Permit No.	3060-20-2017-01	Folio No.	733-02970.000
Issued to:	AQUADEL CROSSING LTD		
Address:	301-32625 S FRASER WAY ABBOTSFORD BC V2T 1X8		
Applicant:	Same		
Site Address:	1885 Columbia Valley Road, Area "H"		

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

LOT A SECTION 10 TOWNSHIP 22 NEW WESTMINSTER DISTRICT PLAN EPP70527
030-179-122

LIST OF ATTACHMENTS:

- Schedule "A": Location Map
- Schedule "B": Site Plan/Subdivision Layout
- Schedule "C": Design Rationale Narrative Aquadel Crossing Phase II, 1859 Columbia Valley Road, prepared by Keystone Architecture, signed May 18, 2018.
- Schedule "D": Single Family Dwelling Elevation Drawings
- Schedule "E": Single Family Dwelling Design Guide, Lighting Specifications, Exterior Specifications.

AUTHORITY TO ISSUE

This Development Permit is issued pursuant to Part 14 – Division 7 of the Local Government Act. The above-noted property lies within DEVELOPMENT PERMIT AREA 4-E in Electoral “H” of the Fraser Valley Regional District. Pursuant to Section 488 of the Local Government Act, R.S.B.C., this area has been designated under the Official Community Plan for Electoral "H", Bylaw No. 1115, 2011 for the:

- (a) protection of the natural environment, its ecosystems and biological diversity
- (b) protection of development from hazardous conditions
- (c) protection of farming
- (d) revitalization of an area in which a commercial use is permitted
- X (e) establishment of objectives for form and character of intensive residential development
- (f) establishment of objectives for form and character of commercial, industrial or multi-family residential development

BYLAWS SUPPLEMENTED OR VARIED BY THIS PERMIT:

None

SPECIAL TERMS AND CONDITIONS OF THIS PERMIT

1. This permit pertains specifically to the form and character of PHASE II ONLY of development at 1885 Columbia Valley Road (Aquadel Crossing) of a single family dwelling bare land strata resort residential subdivision.
2. No approval of any further Development Permits, Zoning Amendments, Development Variance Permits, Building Permits, or FVRD Bylaw Amendments on the subject property are implied, or construed by issuance of this Development Permit.
3. If the holder of this permit is issued any Development Permits, Zoning Amendments, Development Variance Permits, Building Permits or any other FVRD Regulatory Bylaw approvals, for the subject property, that require any change to the form and character of the proposed development described in this permit, this permit shall become null and void and the applicant shall obtain a new or amended permit.
4. Development of the site shall be undertaken strictly in accordance with the Site Plan attached hereto as Schedule B.
5. No alteration to the natural drainage, construction or excavation shall be undertaken which might cause or contribute to hazardous conditions on the site or on adjacent lands.

6. No alteration to the natural drainage, construction or excavation shall be undertaken on any portion of the subject property except areas identified on the Site Plan attached hereto as Schedule "B".

Surfacing

1. External Surfacing materials shall be constructed substantially in accordance with Schedules "C", "D" and "E" attached hereto.

Signs and Lighting

1. Site lighting shall be constructed substantially in accordance with Schedule "E" attached hereto and shall be designed to minimize "light spill" onto adjacent lands and 'light pollution' in the night sky. Site lighting shall be designed to emit no light above horizontal through the use of shielding, 'full-cutoff' lights, or other means to direct light towards the ground or surface requiring illumination.

Siting, Design and Finishing of Buildings

1. All buildings shall be constructed substantially in accordance with Schedules "C", "D", and "E" attached hereto.

Future Building Construction including Single Family Dwellings

1. No additional development permits will be required for the construction of structures within resort, provided that such construction is in accordance with the requirements of this permit, and provided that the conditions present at the time of development do not change from the time of issuance of this permit. However, notwithstanding the foregoing, the Regional District reserves the right to require an updated reports and a development permit for any construction subject to its applicable bylaws.

GENERAL TERMS AND CONDITIONS

1. This Development Permit is issued Pursuant to Part 14 – Division 7 of the *Local Government Act*.
2. A development permit shall not vary the permitted uses or densities of land use in the applicable zoning bylaw, except that permitted uses or densities may be varied where the land has been designated under the Official Community Plan for the protection of development from hazardous conditions pursuant to Section 488 of the *Local Government Act*.
3. Nothing in this permit shall waive the owner'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 owner'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 owner of the subject property shall provide the general contractor and all professionals associated with this project with copies of this permit as issued by the Regional Board.
6. The owner of the subject property shall notify the Fraser Valley Regional District in writing of any intention to excavate, construct or alter the subject property or building site thereon.
7. If the holder of the permit does not commence the construction with respect to which the permit was issued within two (2) years of the date of the permit, this permit shall lapse.

SECURITY DEPOSIT

1. 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.
2. 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;
3. 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 any excess to be returned to the holder of the permit.
4. 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 Permit Number 2018-10. The notice shall take the form of Appendix I attached hereto.

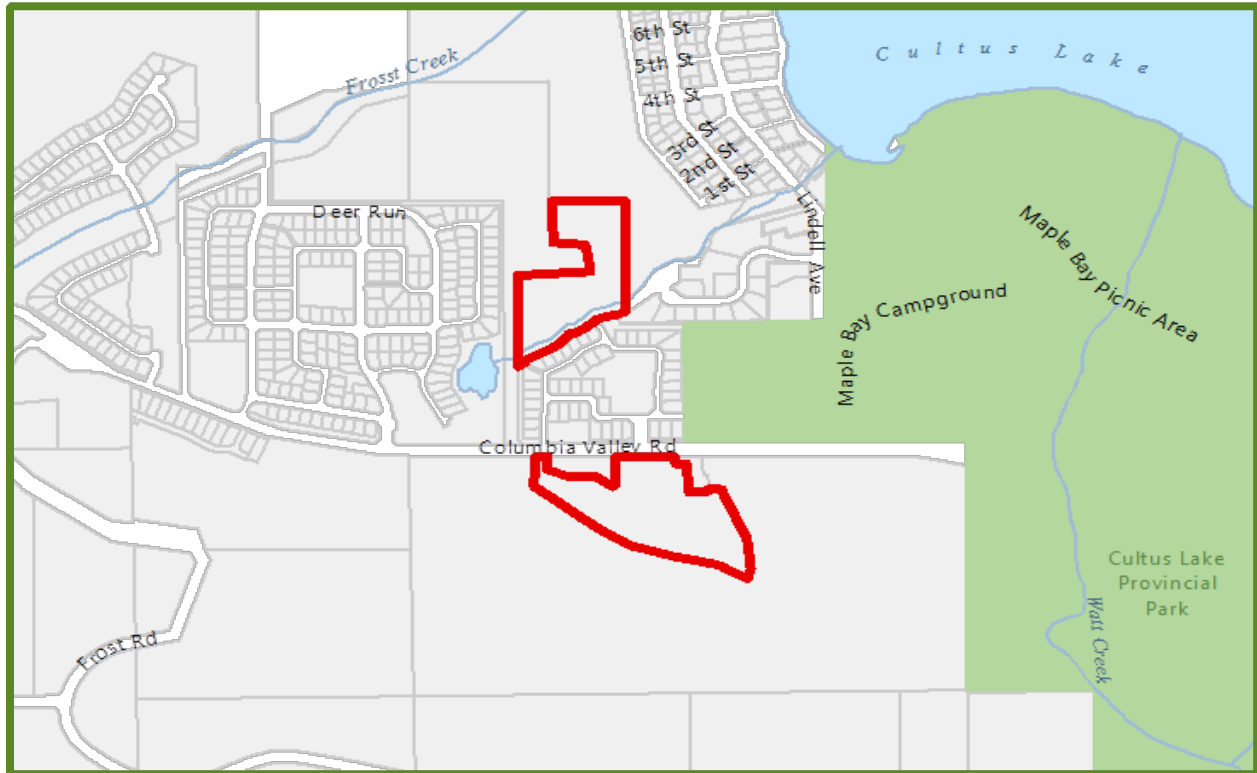
AUTHORIZING RESOLUTION PASSED BY THE BOARD OF THE FRASER VALLEY REGIONAL DISTRICT ON THE 26TH DAY OF JUNE, 2018

Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

SCHEDULE A

LOCATION MAP



To: Electoral Area Services Committee

Date: 2018-06-12

From: Dawn Smith, Planner II

File No: 6480-20-427

Subject: Popkum-Bridal Falls Official Community Plan - Draft release and Approval Process, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District Board endorse the proposed Popkum-Bridal Falls Official Community Plan draft release and approval steps as outlined in the corporate report dated June 12, 2018.

STRATEGIC AREA(S) OF FOCUS

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

PRIORITIES

Priority #5 Outdoor Recreation
Priority #3 Flood Protection & Management
Priority #4 Tourism

BACKGROUND

The OCP is an important document which outlines the long-term vision for the future of Popkum-Bridal Falls and a course of action to achieve it. The course of action is described in objectives and policies to guide land use, servicing, and physical, social and economic changes in the community over the long term. An OCP has legal status which requires that all bylaws enacted and works undertaken by the Board be consistent with the Plan. Implementing the vision of the OCP occurs through zoning and other detailed development related tools.

The current Electoral Area "D" OCP has served the community for over 20 years. The OCP was first adopted in 1998, with several amendments to facilitate suburban residential and commercial developments. Overall, the OCP has been an effective tool and development has occurred generally as set out in the Plan policies. Plan policies have guided an average annual population growth of 2.2% from 1,065 persons in 1996 to 1,529 persons in 2016 (Statistics Canada).

Looking ahead, Popkum-Bridal Falls is expected to continue growing, with a projected population of 1,967 residents by 2031¹. An updated Official Community Plan ensures future growth reflects community values, best practices and legislative requirements. The OCP update is an identified Electoral Area Planning Department project.

¹ Urban Futures, Demographic, Housing, Employment Profile and Outlook in the Electoral Areas of the Fraser Valley Regional District, May 2015

This memo outlines steps to complete the plan. Key milestones include First Reading in November 2018 and the subsequent release of the draft OCP to the public for intensive review.

DISCUSSION

Many of the current OCP objectives and policies are still relevant. Rather than build a new OCP from a blank slate, the update has been structured around a list of topic areas that needed a 'refresh', including:

- Servicing and development
- Suburban residential – infill neighbourhood policies
- Parks and trails
- Agri-tourism uses
- Agricultural Land Reserve (ALR) boundary review
- Geohazard policies – Bridal Falls

In addition to policy updates, ensuring the OCP document is accessible to all users is an important overall objective. The OCP Update includes revisions to the format/layout, and utilizes straightforward language and illustrations where possible. In accordance with the OCP consultation strategy, the new OCP reflects a broad audience of input. Direct in-person consultation to-date has included:

- School District #33
- City of Chilliwack
- Ministry of Transportation and Infrastructure
- Agricultural Land Commission
- First Nations, including Stó:lō, Peters Band, Popkum and Cheam First Nation
- BC Parks
- Community events – three public events and online survey
- Industry and developer focussed workshops
- Popkum Ratepayers – seven meetings
- Individual landowners – multiple meetings
- Stakeholders of interest – twenty five groups

A comprehensive report detailing the new policies will accompany the draft OCP release for 1st reading consideration in November 2018.

Regional District staff is finalizing the geohazard policies to implement the recently completed Bridal Falls Landslide Hazard Assessment – Timber Camp Linears prepared by BGC Engineering Ltd. This final piece of policy will be completed in the coming months and a draft Plan will be ready for the November 2018 Electoral Area Services Committee and Regional Board meetings.

The Fall season is an optimal time for the draft Plan release as it provides an public engagement window between the summer and Christmas holiday break and will result in increased exposure of the draft Plan. The annual Popkum Ratepayers Annual General Meeting (AGM) in January will also be an important opportunity to present the draft Plan. It is a well-attended community event with 90 – 100 attendees. Following release of the Plan, the community will have several additional opportunities to provide input, including participation via:

- Citizens Review Committee;
- direct input with FVRD staff;
- open house events; and

- public hearing.

This table outlines milestones and target dates for the OCP approval.

Official Community Plan Release and Approval Steps

The Plan for the Plan

Milestone	Target Date
Report - Draft Release and Steps to Approval Electoral Area Services Committee and Regional Board	June 2018
First Reading of OCP - draft Electoral Area Services Committee and Regional Board	November 2018
Popkum Ratepayers Annual General Meeting (AGM) Presentation of Draft OCP	January 2019
Feedback to Draft OCP <ul style="list-style-type: none"> - Citizens Review Committee - <i>Solicit membership after 1st reading</i> - Referrals to stakeholders - Newsletter - Open House(s) event 	January thru March 2019
Revisions From feedback opportunities	April 2019
2nd Reading of OCP Electoral Area Services Committee and Regional Board	May 2019
Open House & Public Hearing	June 2019
3 rd reading and adoption* Electoral Area Services Committee and Regional Board <i>*subject to consideration of public hearing feedback</i>	July 2019

COST

The Popkum-Bridal Falls Official Community Plan Update is a scheduled Electoral Area Planning Department work program priority. Costs are addressed in the EA Planning (603) budget.

CONCLUSION

The draft Popkum-Bridal Falls OCP update will be released for 1st reading in November 2018, and numerous opportunities for public and stakeholder feedback will be provided, including a citizen's review committee and public open house events. The projected approval of the draft OCP is July 2019.

COMMENTS BY:

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

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

FVRD Planning staff have worked diligently with the Popkum-Bridal Falls community and stakeholders to develop an OCP reflective of the community values and vision. This report summarizes the next steps and work plan to complete the OCP process.

Mike Veenbaas, Director of Financial Services Not available for comment

Paul Gipps, Chief Administrative Officer Reviewed and supported

A close-up photograph of vibrant green cannabis leaves with serrated edges, filling the background. A semi-transparent dark green rectangular box is positioned in the lower half of the image, containing the title and subtitle. A small maroon triangle is visible on the left edge of the box.

Municipal Guide to Cannabis Legalization

A roadmap for Canadian
local governments



FEDERATION
OF CANADIAN
MUNICIPALITIES

FÉDÉRATION
CANADIENNE DES
MUNICIPALITÉS

Spring 2018



Disclaimer

This guide provides general information only. It is not meant to be used as legal advice for specific legal problems. This guide should not be used as a substitute for obtaining legal advice from a lawyer licensed or authorized to practice in your jurisdiction.

Information about the law in this guide has been checked for legal accuracy at the time of its publication, but may become outdated as laws or policies change. Links to non-FCM resources are provided for the convenience of readers of this guide. FCM does not create or maintain these non-FCM resources, and is not responsible for their accuracy.

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Ottawa, ON, K1N 5P3

www.fcm.ca

Rising to the local challenge of cannabis legalization



To municipal leaders and staff across Canada,

The nationwide legalization of non-medical cannabis by the summer of 2018 presents major challenges for all orders of government.

And of course, municipalities form the order of government closest to daily life and commerce—building more livable communities, handling crises, and doing what it takes to keep residents safe and well-served. We are also very much on the front lines of implementing this new federal commitment. Our cities and communities, after all, are the places where non-medical cannabis will be legally sold and consumed.

Getting this right is a big job.

Local governments will face significant new enforcement and operational challenges in the months and years ahead. And those challenges don't end with policing. There is a world of bylaws to develop and business licensing rules to review. There are processes to adopt across as many as 17 municipal departments. And that's where this guide comes in.

FCM worked with legal, land-use planning and policy experts to develop a roadmap for how municipalities might choose to adapt and develop bylaws in domains ranging from land use management to business regulation to public consumption.

Building on last summer's [Cannabis Legalization Primer](#), this guide offers policy options and practical suggestions for local rules and by-laws. And this roadmap was strengthened by technical and financial contributions from your provincial and territorial municipal associations across the country.

As you forge ahead locally, FCM continues to advocate at the federal level for deeper engagement with municipalities. Municipalities also need new financial tools—and we're making progress on accessing a fair share of cannabis excise tax revenues. While local policing is largely outside the scope of this guide, its costs are inside the scope of many municipal budgets. Those costs, layered onto the new administrative costs you will face, need to be sustainable.

This work and this guide are designed to help you do what you do best: protect and strengthen your communities as sustainably and durably as possible. Legalizing non-medical cannabis across this country requires a strong partnership among orders of government. And your tireless efforts, in communities of all sizes, from coast to coast to coast, are central to getting the job done.

A handwritten signature in black ink that reads "J Gerbasi".

Jenny Gerbasi

Deputy Mayor of Winnipeg
President, FCM

Acknowledgements

This guide was made possible by the financial and technical contributions of FCM's provincial and territorial municipal association partners:

Alberta Urban Municipalities Association
Association francophone des municipalités du Nouveau-Brunswick
Association of Manitoba Municipalities
Association of Municipalities of Ontario
Association of Yukon Communities
Cities of New Brunswick Association
Federation of Prince Edward Island Municipalities
Fédération Québécoise des Municipalités
Municipalities Newfoundland and Labrador
Northwest Territories Association of Communities
Nunavut Association of Municipalities
Rural Municipalities of Alberta
Saskatchewan Association of Rural Municipalities
Saskatchewan Urban Municipalities Association
Union des Municipalités du Québec
Union of British Columbia Municipalities
Union of Municipalities of New Brunswick
Union of Nova Scotia Municipalities

This project's Technical Advisory Group has worked tirelessly to keep it grounded in the realities of communities addressing all aspects of legalization:

Ashley Wedderburn, Strategist, Intergovernmental & Corporate Strategy, City of Calgary
Ben Sivak, Principal Planner, Halifax Regional Municipality / Union of Nova Scotia Municipalities
Bhar Sihota, Policy Analyst, Community Safety, Union of BC Municipalities
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Craig Reid, Senior Advisor, Association of Municipalities Ontario
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Jerrod Riley, By-law Review Specialist, City of Ottawa
John Dewey, Executive Director, Federation of PEI Municipalities
Judy Harwood, Reeve of RM Corman Park/Director, Saskatchewan Association of Rural Municipalities
Katherine Pihooja, Planner with the Zoning Bylaw Team, Development Services Branch, City of Edmonton
Kathryn Holm, Director, Licensing, Property Use Inspections and Animal Services, City of Vancouver
Kaye Krishna, General Manager of Development, Buildings, and Licensing, City of Vancouver
Kelly Santarossa, Senior Policy Analyst, Alberta Urban Municipal Association
Kerry Penny, Director of Policy, Communications & Economic Development, City of Yellowknife / NWT Association of Communities
Leanne Fitch, Chief of Police, Fredericton Police Force/Cities of New Brunswick Association
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Wyatt Skovron, Policy Analyst, Rural Municipalities of Alberta

FCM acknowledges the expertise and professionalism provided by the legal team at Young Anderson Barristers and Solicitors who spearheaded the drafting of this guide. We specifically want to thank Stefanie Ratjen, Bill Buholzer and Alyssa Bradley for tackling this challenging assignment head-on with sharp research and analysis on a topic with little precedence to draw on.

Finally, FCM thanks its nearly 2,000 members—Canadian municipalities of all sizes and regions, from coast to coast to coast. These are the local governments on the front lines of implementing the federal commitment to legalize non-medical cannabis. They are the fuel that powers FCM's policy and advocacy work.

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1 Federal framework

On April 13, 2017, the federal government tabled two bills to legalize and regulate cannabis in Canada:

- [Bill C-45](#), *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts* (**the “Cannabis Act”**).
- [Bill C-46](#), *An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts*.

With a planned Summer 2018 adoption date, the *Cannabis Act* creates a regulatory framework for the production, distribution, sale, cultivation, and possession of cannabis across Canada. Bill C-46 addresses offences relating to cannabis trafficking, and focuses on strengthening impaired-driving measures.



1.1 Bill C-45, the proposed *Cannabis Act*

As outlined by the federal government, the *Cannabis Act* seeks to achieve the following objectives:

- ▶ Restrict youth access to cannabis.
- ▶ Regulate promotion or enticements to use cannabis.
- ▶ Enhance public awareness of the health risks associated with cannabis.
- ▶ Impose serious criminal penalties for those breaking the law, especially those who provide cannabis to young people.
- ▶ Establish strict product safety and quality requirements.
- ▶ Provide for the legal production of cannabis.
- ▶ Allow adults to possess and access regulated, quality-controlled, legal cannabis.
- ▶ Reduce the burden on the criminal justice system.

For local governments, the *Cannabis Act* has significant implications for local land use regulation, business regulation and licensing, and the regulation of public consumption and personal cultivation of cannabis. There will also be, to a certain extent, variations across provincial and territorial jurisdictions. The most significant variance will be whether these jurisdictions choose to distribute non-medical cannabis through a government or a privately run system.

When implementing a strategy to regulate cannabis locally, municipal governments should first consider and work within any existing or anticipated provincial/territorial and federal initiatives that affect the public consumption of cannabis. Under the *Cannabis Act*, the federal government proposed significant restrictions on the marketing

and promotion of cannabis products. We address this in [CHAPTER 2: LAND USE MANAGEMENT](#) and [CHAPTER 4: PUBLIC CONSUMPTION](#).

Public smoking and alcohol consumption legislation varies greatly across provinces and territories. We anticipate that many will extend existing legislation to public cannabis consumption.

Local governments should be attuned to where consumption of cannabis is, or is not, permitted in their province or territory. Local governments should also be aware of what cannabis consumption regulations the federal and provincial/territorial governments introduce. This will help them determine whether or how the local government wishes to contribute to and work within those regulations in their community.

1.2 Bill C-46, on impaired driving

While the *Cannabis Act* and Bill C-46 were proposed at the same time and relate to the regulation of cannabis, they have distinct focuses. Bill C-46 addresses offences relating to cannabis conveyancing and trafficking, as well as enhancing impaired-driving investigation and enforcement measures.

Bill C-46 has significant implications for law enforcement as well as individual rights protected by the Charter. A brief summary of the proposed legislation follows, but Bill C-46 is otherwise outside the scope of this guide.

- ▶ **Part 1 creates three new offences** for having specified levels of a drug in the blood within two hours of driving. The penalties would depend on the drug type and the levels of drug or the combination of alcohol and drugs, with the drug levels to be set by regulation.



For THC, the main psychoactive compound in cannabis, a person found driving with a blood content of 2 or more nanograms of THC would be subject to a summary conviction criminal offence. A person found driving with higher THC blood content levels, or a combined alcohol and THC blood content level, would be subject to even more severe criminal penalties.

- **Part 2 replaces the current Criminal Code** regime dealing with transportation offences. It would allow for mandatory alcohol and drug screening by police at roadside stops, as well as increased minimum fines for impaired driving.

Under the proposed mandatory alcohol and drug screening provisions, law enforcement officers would

be able to demand an oral fluid sample at roadside if they suspect a driver has a drug, including THC, in their body. For alcohol, if law enforcement officers have an “approved screening device” at hand, they will be permitted to demand breath samples of any drivers they lawfully stop without first suspecting that the driver has alcohol in their body.

The proposed legislation would also allow for police officers to provide opinion evidence in court, as to whether they believe a driver was impaired by a drug at the time of testing. This is without the need for an expert witness in each trial.

► **Law enforcement practices by local police forces and the RCMP will be affected if Bill C-46 is enacted.**

Many of the legislative changes in Bill C-46 relate to amending the Criminal Code or involve policing and law enforcement practices. The focus of this Guide is to assist local governments in the regulation of cannabis under the *Cannabis Act*. If a local government is concerned about the impact of Bill C-46, consultation with local police forces and the RCMP is recommended.

1.3 Medical vs. non-medical cannabis regimes

The laws regarding cannabis do not change until the *Cannabis Act* has passed. Until such time, the [Access to Cannabis for Medical Purposes Regulations](#) (ACMPR), released August 2016, remain the authority for lawful cannabis production and possession. Currently, cannabis may be grown by registered persons and licensed producers for medical purposes only, unlicensed possession of any cannabis is illegal, and the retail distribution of cannabis in “dispensaries” and other storefront operations is also illegal.

Although the federal government has indicated it may revisit the ACMPR regime if the *Cannabis Act* becomes law, the current ACMPR regime continues under the Act. Medical practitioners will continue to be able to prescribe cannabis for medical purposes. Individuals with a prescription, including those under 18, will continue to

be able to access medical cannabis. The *Cannabis Act* also provides that those licensed under the ACMPR for commercial medical cannabis production will continue to be authorized to produce medical cannabis under the *Cannabis Act*, and be deemed to hold licenses for the production of non-medical cannabis.

Definitions: Cannabis vs marihuana

Cannabis is commonly used as a broad term to describe the products derived from the leaves, flowers and resins of the *Cannabis sativa* and *Cannabis indica* plants, or hybrids of the two. These products exist in various forms, such as dried leaves or oils. They are used for different purposes, including medical, non-medical, and industrial purposes. Under the *Cannabis Act*, cannabis is broadly defined and includes:

- Any part of the cannabis plant, other than mature stalks that do not contain leaves, flowers or seeds, the cannabis plant fibre, or the plant root.
- Any substance or mixture of substances that contains or has on it any part of a cannabis plant.
- Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

Marihuana (marijuana) is commonly used to refer to parts of a cannabis plant, such as the leaves or flowers. It is not a defined term under the *Cannabis Act*. Under the *Controlled Drugs and Substances Act*, marihuana is referred to as a form of cannabis.

“Cannabis” is preferable to “marihuana” for the regulatory context. Furthermore, “marihuana” is often seen spelled two different ways: the “h” is common in federal communications, while the “j” is associated with a phonetic Mexican Spanish usage—which has also drawn critique for a xenophobic association. Although cannabis and marihuana have historically been used interchangeably, the definition for cannabis is broader, and better able to include cannabis products and other substances than marihuana.

1.4 Jurisdictional issues

Federal responsibilities

Under the *Cannabis Act*, the federal government is responsible for establishing and maintaining a comprehensive and consistent national framework for regulating production of cannabis. This also includes setting standards for health and safety and establishing criminal prohibitions. Under the *Cannabis Act*, the federal government is specifically responsible for:

- Individual adult possession of cannabis, including determining the maximum allowable cannabis possession and home cultivation quantities.
- Promotions and advertising, including regulating how cannabis or cannabis accessories can be promoted, packaged, labelled and displayed.
- Licensing commercial cannabis production.
- Industry-wide regulations on the quantities, potency, and ingredients in the types of products that will be allowed for sale.
- Registration and tracking of cannabis from seed to sale.
- Minimum conditions for provincial/territorial distribution and retail sale; and allowing for the federal government to license distribution and sale in any province/territory that does not enact such legislation.
- Law enforcement at the border.
- Criminal penalties for those operating outside the legal system.

Provincial and territorial responsibilities

Under the proposed federal legislation, the provinces and territories are authorized to license and oversee the distribution and sale of cannabis, subject to minimum federal conditions. Some of these minimum conditions are that cannabis, including cannabis accessories and other products, may only be sold if it:

- qualifies as fresh cannabis, cannabis oil, cannabis plants or seeds;
- does not have an appearance, shape or attribute that could be appealing to a young person;
- does not contain ingredients such as caffeine, alcohol, or nicotine; and
- has not been recalled.

Edibles, or foods such as candy and baked goods that have been infused with cannabis, are not currently authorized under the proposed federal regime. Although these additional forms of cannabis may be authorized and regulated in the future.

All retailers must be authorized to sell cannabis under the proposed federal Act, or by provincial legislation that meets the minimum federal conditions on retail sale. These minimum conditions are that an authorized retailer can only sell cannabis produced by a federally authorized producer that is sold:

- to a person older than 18;
- with appropriate record-keeping measures in place;
- under conditions to prevent diversion to an illegal market or activity; and
- not through a self-service display or vending machine.

Delegation of authority

Many of the activities involved in cannabis legalization fall within the exclusive jurisdiction of provinces. Federal enabling legislation may grant similar legislative powers to the territorial governments. In some circumstances, provincial or territorial governments have further delegated or recognized local government authority to address certain matters. As a general principle, a federal role does not necessarily oust provincial/territorial or local government jurisdiction. Throughout this guide, we examine how jurisdictional authority is applied in the context of non-medical cannabis.

Municipal governments should examine their enabling legislation, as well as federal legislation and regulations, to understand the full extent of their potential scope of action.

Summary of possible roles and responsibilities

Federal	Provincial/Territorial	Municipal
Cannabis production Cannabis possession limits Trafficking Advertising Minimum age limits (18) Oversight of medical cannabis regime, including personal cultivation registration	Wholesale and retail distribution of cannabis Selection of retail distribution model Workplace safety Discretion to set more restrictive limits for: <ul style="list-style-type: none"> • minimum age for consumption • possession amount 	Zoning (density, location) Retail locations Home cultivation Business Licensing Building Codes Nuisance Smoking restrictions Odours Municipal workplace safety Enforcement Regulations around public consumption Personal possession Municipal cost considerations related to local policing

Charter issues

Over the past few years, the *Controlled Drugs and Substances Act* provisions dealing with the possession of medical cannabis have been held to be contrary to the *Canadian Charter of Rights and Freedoms*. But there currently does not appear to be a basis in the Charter for a challenge on local government restrictions applying to the production, distribution, retail sale or consumption of cannabis for non-medical purposes. Neither the right to life, liberty and security of the person, nor any other right guaranteed by the Charter, would be infringed by such restrictions.

As an example, the Charter should not prevent local governments from enforcing building construction and safety standards in relation to home cultivation of cannabis. These would likely qualify as “reasonable limits” on any Charter right to access a supply of non-medical cannabis. We note other specific Charter considerations in subsequent sections of this guide.

2 Land use management

The location, scale and density of cannabis cultivation and retail facilities will have real impacts for local communities. Commercial cultivation presents challenges ranging from odours to use of public water and energy utilities. Retail facilities influence the social and economic character of neighbourhoods, and residents have concerns about proximity to parks and schools.

Local governments' ability to manage land use with tools like zoning will depend on the authority that provinces and territories delegate, as will as the retail models they choose to adopt. Personal cultivation of cannabis is an issue that will require extensive public consultation—and municipalities will face difficult decisions about whether to develop a regulatory response.



2.1 Jurisdictional issues

Planning and zoning regulations fall within the scope of matters for which the *Constitution Act*, 1867 assigns exclusive jurisdiction to the provinces. This includes matters of a merely local and private nature, and property and civil rights. Federal enabling legislation grants similar legislative powers to the territorial governments.

In most circumstances, local government regulations addressing land use activities related to the cultivation, processing, retail sale and consumption of non-medical cannabis would fall within the scope of these provincial/territorial matters. They could fall to local governments, depending on the extent to which the relevant provincial or territorial government delegates appropriate powers.

If a business obtains a federal licence under the *Cannabis Act*, it will not mean that the company will not be subject to provincial/territorial or local government regulations dealing with land use management. Locally, this constitutional arrangement can provide municipalities with the authority to prohibit particular land uses. We recommend that municipalities consult their individual provincial/territorial enabling land use laws for specific direction. But generally, there is no obligation for municipalities to permit cannabis cultivation in specific areas.

Delegation of land use regulation

The provinces and territories have largely delegated their authority over planning and land use management to local and, in some cases, regional governments. The wording of the enabling legislation defines the precise scope of planning and land use management authority. This can be done through stand-alone legislation like Prince Edward Island's

Planning Act, or through a more general statute like Alberta's *Municipal Government Act*.

Local governments are entitled to interpret enabling legislation broadly enough to address emerging issues and respond effectively to community objectives. However, they cannot extend its scope beyond what the wording of the legislation can reasonably bear. Some enabling legislation across Canada may allow local governments to deal with particular uses on a "conditional use" or "direct control" basis, which might be particularly appropriate in the case of new land use activities (such as those associated with cannabis) whose impacts are not well-understood at the outset.

Note that a provincial or territorial government might choose to exercise its jurisdiction over planning and land use management to control cannabis-related activities directly. For example, as a matter of general policy, the government might not wish to allow the use of residential premises for the cultivation of cannabis plants for non-medical use, as is the case in Quebec. This is despite the federal government's willingness to allow that type of private production under the *Cannabis Act*. Municipal governments should monitor the development of the relevant provincial or territorial regime before initiating their own regulations.

What does this mean for municipalities?

None of the land use activities that are expected to result from the legalization of cannabis are likely to diverge from the existing enabling legislation and interpretations noted above. The land use activities contemplated relative to the *Cannabis Act* are similar to activities associated with other consumable commodities such as food, beverages and tobacco.

Given the existing regulatory framework and role of municipal governments, there are several issues related to land use management that local governments may have to address.

2.2 Location and scale of commercial cultivation and processing

This section addresses commercial-scale cannabis production. For information on personal cultivation of cannabis for non-medical consumption, see [SECTION 2.4: PERSONAL CULTIVATION](#).

Typical land use impacts: agriculture and production

Producing cannabis for non-medical use at a commercial scale is an activity that has some similarities to certain agricultural uses carried out in greenhouses, usually but not necessarily in agricultural zones. Greenhouse agriculture is sometimes carried out in industrial zones and business parks as well.

Federal authorization for commercial cannabis cultivation under the *Cannabis Act* will address two scales of cultivation: standard cultivation and micro-cultivation. It will authorize activities typically associated with this type of land use, including research and development, product storage and transportation—but not packaging, labelling or retail sale to the public.

Whether local government regulations should distinguish between standard and micro-cultivation will depend, in part, on whether the distinction the federal licensing regime is making would be practical as a local government distinction. It might be if it is based on cultivation area, but might not be if it is based on product weight or volume. This issue is addressed in greater detail below.

Municipally-operated utilities

As a type of intensive agriculture, cannabis production needs a supply of water for irrigation, of electricity for lighting, and of energy for heating. The availability of adequate utilities is a basic land use management consideration.

As a result, zoning regulations whether for agricultural or industrial zones should always be in step with the capacity of utility systems to support the permitted land uses.

Cannabis production has some special impacts in relation to odour emissions and a need for heightened security that can be associated with high-value crops. All of these factors can reasonably inform locational criteria for land use management purposes.

There are currently around 90 commercial-scale facilities in Canada licensed by Health Canada for medical cannabis production, and many more worldwide. Municipalities may wish to examine these existing facilities to identify and evaluate likely land use impacts and assess the need for a local regulatory framework. Locations of licensed Canadian facilities can be found on the [Health Canada website](#).

Other considerations

Commercial-scale processing of cannabis may give rise to additional considerations. Extraction of cannabis oil, for example, can involve the use of butane, which is explosive at ordinary temperatures. This is an industrial-type activity, which may be appropriate only in industrial zones, or in buildings with particular design and construction characteristics.

The federal government is proposing to license cannabis processing separately from cultivation and retail sales. These authorizations will include research and development activities, product storage and transportation, and the sale of product to licensed retail distributors. Again, both standard-scale and micro-scale processing facilities might be authorized. This suggests that land use regulations should address cannabis production and cannabis processing as separate activities. In addition, local regulations could distinguish between different scales of processing reflecting the federal licensing regime, if such a distinction is practical to enforce.

Typical land use restrictions

As noted earlier, commercial-scale cannabis production is a form of agriculture. Most zoning bylaw definitions of agriculture would include it, unless the cultivation of this particular crop has been carved out of the permitted use category.

A carve-out for cannabis would have been rare prior to the enactment of federal legislation permitting the cultivation of

cannabis for medical use. In general, most zoning bylaws are designed to prohibit land uses in particular zones unless the regulations expressly permit the use.

For clarity, some bylaws also contain a list of expressly prohibited uses, to avoid any doubt. Explicitly forbidding a specific land use would provide more certainty than relying on an omission in the list of permitted activities.

The Land Use Bylaw of Grande Prairie, AB, is typical and defines an “agricultural operation” as *“An agricultural activity conducted for gain or reward or in the hope of expectation of gain or reward, and includes, but is not limited to ... the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops.”*

Municipalities can write land use regulations to make very fine distinctions, for example between manufacturing plants for furniture and manufacturing plants for automobiles, if the uses have different land use impacts and there is accordingly a policy reason for making the distinction. Likewise, a local government could distinguish between the cultivation of cannabis and the cultivation of other types of crops—prohibiting one but not others.

Similarly, regulations can reflect distinctions that the federal government may be making between standard-scale cannabis production and micro-production facilities run by small-scale growers. Enforcing such a distinction could be difficult, though, if the federal distinction is based on a revenue or production criterion rather than plant numbers or growing area. It is a good practice to establish a basis for such distinctions by documenting and analyzing a comparison between potential impacts.

Proximity and clustering restrictions

Once Health Canada began licensing commercial production facilities for medical cannabis, some local governments amended their land use regulations to address community concerns. This included clustering cannabis businesses in certain districts by imposing minimum distances between the facilities. In some cases, cities established minimum distances between the production facilities and land uses involving children, such as parks and schools. In

these cases, municipalities did not feel that the equivalent federal licensing criteria were sufficient.

To this extent, the facilities were being dealt with in the same manner as pawnshops and adult entertainment venues. Applying similar criteria should be considered carefully in the context of local considerations, including health, safety, and economic development. This is an example of an instance where the federal role does not necessarily oust provincial/territorial or local government’s jurisdiction.



What can municipalities do?

Policy options

- ▶ Simply allow the activities to occur within the rubric of existing land use regulations, as agricultural or industrial activities in the case of production and industrial or manufacturing activities in the case of processing.
- ▶ Carve the activities out from existing permitted use categories, to be permitted only at locations specified in the regulations or under the authority of a special use permit.
- ▶ Carve the activities out from existing permitted use categories, with an exception for existing cannabis production operations that were established under the medical cannabis regime.
- ▶ Prohibit the activities entirely, as activities that the local government simply does not wish to permit within its jurisdiction, if the enabling legislation permits prohibition of uses.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to make it clear that activities related to the commercial production or processing of cannabis are included in permitted or permissible use categories.
- ▶ Amend existing permitted or permissible use categories to exclude commercial cannabis production or processing activities, except at specific locations or under the authority of a special permit.
- ▶ As immediately above, but limit production to the scale that is appropriate to supply cannabis for medical uses.

- Add these activities to a list of prohibited uses, or amend all permitted or permissible use categories that could conceivably include them, to specifically exclude the activities.

Possible regulatory language

A land use bylaw definition of “agriculture” usually refers to the cultivation of crops. A definition could be modified to reflect a local regulatory choice about cannabis cultivation, adding wording that excludes “the cultivation of cannabis, other than cultivation authorized under either Part 1 or Part 2 of the Access to Cannabis for Medical Purposes Regulations under the *Controlled Drugs and Substances Act* (Canada).”

The reference to the ACMPR would reflect a policy choice to allow this use only to the extent that it serves a medicinal market. The exclusion could be narrowed to refer to specific locations where cannabis cultivation or processing is allowed, or to a local conditional use permit or other discretionary authorization being obtained.

Under the *Cannabis Act*, Part 1, authorizations are for commercial-scale operations. Part 2 deals with personal use and designated person production as originally authorized under the [Medical Marihuana Access Regulations](#). Excluding cannabis production from permitted “agricultural” uses could either permit or forbid both types of production—or allow one of them but not the other.

2.3 Location and density of retail facilities

Anticipated land use impacts

One of the key variations in provincial/territorial frameworks is the type of retail model that will be implemented. There are exclusively public models where the province or territory takes control of the entire retail system. There are hybrid models where a mix of private retailers and government

run stores will be present. There is also the option of an exclusively private model where the province controls distribution but private businesses are responsible for retail sale.

Diverse retail sales models

At the time of writing, six provinces/territories are moving toward a Crown corporation (public) distribution model for cannabis retail sales. Four other jurisdictions signalled they will develop a private retail system. One territory will run a public retail system but with no bricks and mortar storefronts—online sales only. Another two provinces/territories will have a hybrid system with both private and public retail distribution.

Municipalities should consult their specific provincial/territorial cannabis legislation as well as general enabling land use planning legislation to better understand where their own municipal roles and responsibilities will originate on the issue of non-medical cannabis.

The storefront sale of cannabis for non-medical use is essentially a type of retail trade with similarities to the sale of other consumable commodities such as food and beverages. Cannabis is already being sold in Canada, in illegal storefront dispensaries that some local governments have tolerated in mixed-use neighbourhoods.

The use does not appear to have any unusual characteristics in relation to functional aspects such as deliveries of product, off-street parking or signage requirements. It has some similarity to pharmacy uses and banks in relation to the need for secure storage. Hours of operation may be different from other types of business, but would usually be addressed via business regulations. See [CHAPTER 3: BUSINESS REGULATION](#) for more information.

Local governments will have to consider what behaviours they wish to incent. And they may be limited in this regard by restrictions set out in a specific province or territory. For example, if a municipality wants to use the availability of non-medical cannabis to promote tourism, they may wish to focus on creating tourist commercial districts.

Local governments would benefit from speaking with municipal staff members from U.S. cities where retail cannabis sale is already permitted. Even some bigger Canadian cities have a good sense of the challenges associated with cannabis clientele, based on their experience with storefront dispensaries. This could help guide Canadian municipalities in deciding whether to enact special land use restrictions to either encourage or control the growth of cannabis-related businesses.

Commercial consumption facilities

Smoking tobacco is illegal in most enclosed public places in Canada. The legalization of cannabis use for non-medical purposes will mean that municipalities must clarify whether smoking laws automatically include cannabis. This would mean examining both provincial/territorial and municipal laws.

In Vancouver, for example, the Public Health Bylaw is drafted in such a way that cannabis is likely covered.

Vancouver's Health Bylaw No. 9535 defines “smoking” as including *“burning a cigarette or cigar, or burning any substance using a pipe, hookah pipe, lighted smoking device or electronic smoking device.”*

Municipalities may have to amend smoking bylaws that contain narrower definitions restricting their scope to tobacco use. The same policy concerns that gave rise to this type of public health bylaw, including second-hand tobacco smoke, would presumably extend equally to cannabis.

Assuming that provincial/territorial health laws allow local governments the flexibility to consume publicly, local governments wishing to allow smoking in particular types of premises such as “cannabis cafés” may need to make an exception in their own smoking bylaws. This is in addition to addressing this land use category in zoning and business regulations.

Provincial and territorial occupational health and safety regulations that require employers to protect workers from second-hand smoke in the workplace may complicate the operation of such premises, or even make it impossible.

Alberta's proposed Act to Control and Regulate

Cannabis provides that: *“No person may smoke or vape cannabis ... in any area or place where that person is prohibited from smoking under the Tobacco and Smoking Reduction Act or any other Act or the bylaws of a municipality.”*

Proximity and clustering restrictions

Municipalities can use local land use regulations to prevent the clustering of too many of one kind of business. They can also keep similar types of businesses or activities in one place, and/or away from other land uses. Common candidates for such treatment are so-called “adult” businesses, arcades, pawnshops and thrift stores.

In terms of restrictions on cannabis consumption and sales or production, regulations about minimum distance from other facilities like schools should be specific. Does the distance requirement refer to a school site on which a school might be built? Or is a school scheduled to be built there? Does the regulation refer to an unused school building, or only a school that is actually in operation? Also, regulations should address what kind of school needs to be a minimum distance away from a cannabis business—public, private, commercial, technical or post-secondary.

In the case of spacing between retail cannabis sales outlets, local governments should consider several questions as they develop regulations:

- ▶ When exactly does a “cannabis sales use” start, and therefore become subject to proximity or clustering considerations?
- ▶ Is a building permit or business licence sufficient, or must the use actually be in operation?
- ▶ Is an application for a building permit or business licence sufficient?

In all cases, details on how the requisite distance is to be measured need to be defined and could include how the distance is calculated, and how variances will be approached.

Some local governments will be permitted by their land use management enabling legislation to deal with retail cannabis sales as a conditional use. This would allow them to use direct control as well as or in the place of zoning, taking clustering and spacing considerations into account when issuing site-specific land use approvals. In these cases, they will not need to address those matters in generally applicable regulations. The one-off nature of such approvals does not eliminate the need, though, for conditions to be grounded in an evidence-based land use impact analysis and for the clustering and spacing requirements to be communicated clearly to stakeholders.

Considerations for medical cannabis

Prohibitions and regulations regarding retail sales of cannabis will have to acknowledge that sales of cannabis for medical purposes will continue. For example, some pharmacy chains have been entering into supply contracts with producers of medicinal cannabis. Local governments should therefore be careful not to restrict this type of cannabis sales with overly broad regulations.

Retail signs

Retail trade facilities require signage. Under the *Canadian Charter of Rights and Freedoms*, there is a right to freedom of commercial expression. Local government regulations that limit the types and sizes of signs that can be used in commercial areas are generally acceptable. Examples include prohibitions on large window signs and other types of signage that detract from the visual attractiveness of an area, or restrictions on temporary signage associated with the opening of a new business.

Sign regulations that attempt to directly control the message conveyed by a commercial sign could, however, potentially risk interfering with the right to freedom of commercial expression under the Charter.

The federal government intends to address the packaging and labelling of cannabis products with regulations under the *Cannabis Act*. These regulations will have to respect provincial and territorial jurisdiction over land use management, and are therefore unlikely to touch on retail signage.

For their part, provincial and territorial governments may choose to address advertising issues as they create their own cannabis distribution regimes. Neither of these regimes is likely to deprive local governments of their entire jurisdiction over the use of commercial signage.

Typically, local government signage regulations address the types of signs that are permitted on particular premises—whether freestanding or mounted on a building, for example. These regulations can also specify the extent of sign area permitted in relation to the size of the business premises. Business operators are often subject to landlord controls as well, such as those requiring a consistent signage format or theme in a retail mall.

Quebec's proposed ***Cannabis Regulation Act*** contains the following: *"All direct or indirect advertising for the promotion of cannabis, a brand of cannabis, the Société québécoise du cannabis or a cannabis producer is prohibited where the advertising ... is disseminated otherwise than ... in printed newspapers and magazines that have an adult readership of not less than 85%; or ... by means of signage visible only from the inside of a cannabis retail outlet."*

Another aspect of signage relates to public health and the desire to reduce public consumption through marketing and advertising. We address this in [CHAPTER 4: PUBLIC CONSUMPTION](#).



What can municipalities do?

Policy options

- ▶ Allow and issue authorization for cannabis shops. Permit this as you would any other business in a commercial district.
- ▶ Carve this type of retail sales out of existing permitted use categories. Only permit cannabis businesses at particular locations or under the authority of a special permit.
- ▶ Prohibit cannabis retail stores completely if the enabling legislation permits prohibition of uses.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to make it clear that retail cannabis sales are included in permitted retail trade land use categories.
- ▶ Amend existing permitted use categories to exclude retail cannabis sales activities, except at specific locations or under the authority of a special permit, from all land use categories that could conceivably include the use.
- ▶ Add these activities to a list of prohibited uses.

Possible regulatory language

- ▶ “Retail trade” means the sale of consumer goods at retail, including retail trade in bakeries, but excludes the retail sale of cannabis other than in licensed pharmacies.

2.4 Personal cultivation

Personal use and designated personal cultivation

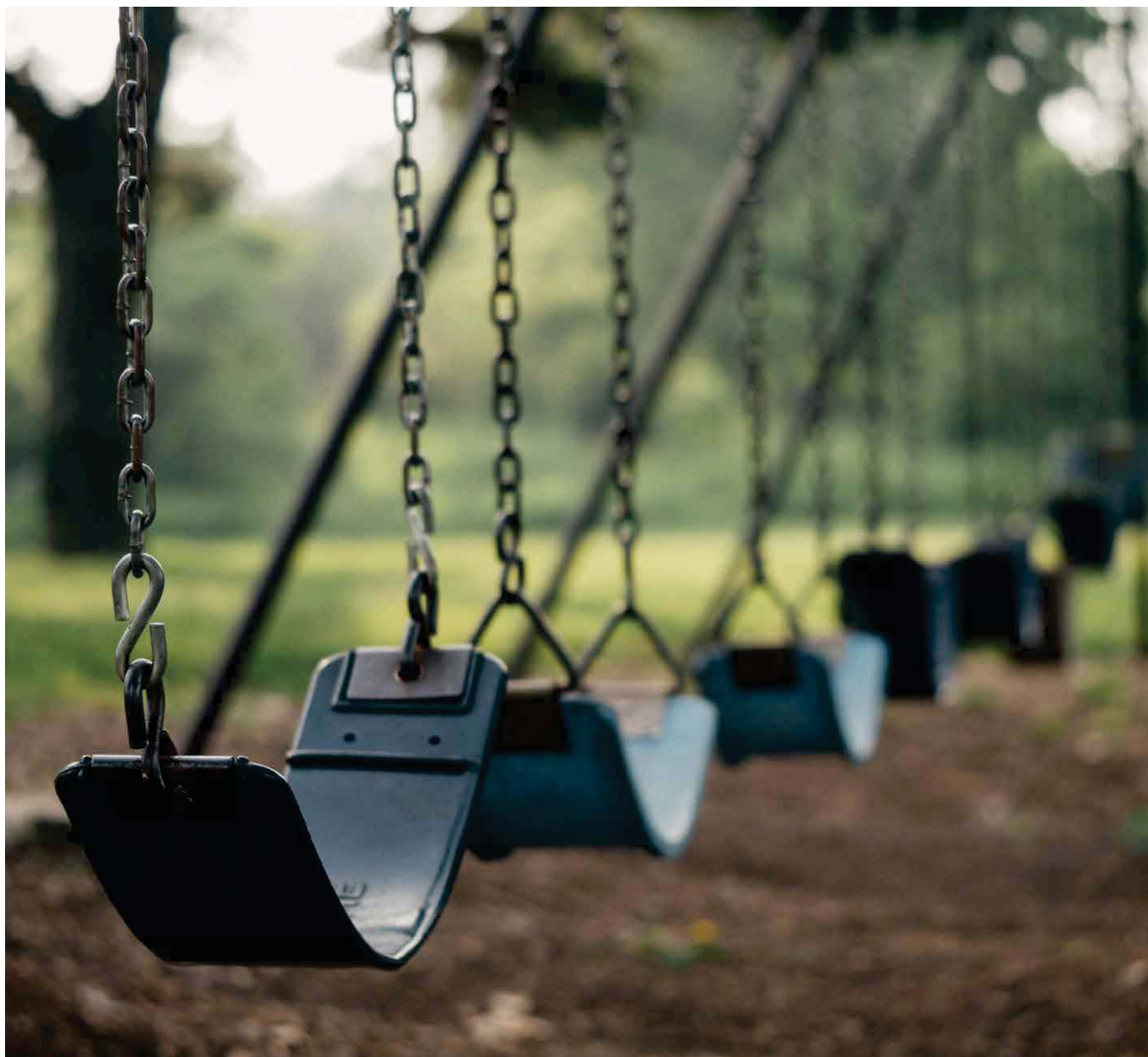
The use of residential premises for the cultivation of medical cannabis plants has caused major problems for Canadian municipalities over the past several decades. It has meant a significantly compromised housing stock, heavy demands on policing resources, local nuisance complaints, and erosion of the culture of compliance on which the effectiveness of local bylaws largely depends.

These problems were exacerbated because people holding Health Canada production licenses failed to adhere to the terms of their licence regarding plant quantities. Health Canada also failed to enforce those terms. And many of these licences actually authorized cannabis production at a scale (hundreds of plants) that is simply inappropriate for a typical residential dwelling.

Residential buildings are usually not designed or constructed to accommodate cannabis production. The mechanical systems in non-industrial buildings are usually not appropriate to support this kind of use without modifications (that are often carried out by unqualified persons and without permits). The location of dwellings where cannabis is being grown exposes neighbours to odours and other impacts. The federal government’s initiatives in commercial production of medical cannabis were, in part, an attempt to alleviate these problems by shifting cannabis production from residential premises to properly designed and constructed facilities.

Personal use under the *Cannabis Act*

The *Cannabis Act* permits people over 18 to grow up to four cannabis plants within a “dwelling-house.” Provincial and territorial governments will be able to exercise their own jurisdiction to prohibit or regulate this scale of production, although only Manitoba and Quebec have announced the intention to do so.



The relevant definition of “dwelling-house” makes no distinction between a detached dwelling and a dwelling in a multiple-unit building. It also includes any adjacent yard or garden where the plants could be grown outdoors. No federal permit or licence would be required.

The *Cannabis Act* prohibits the use of residential premises for the production of cannabis for non-medical use at a larger scale. Health Canada will continue to authorize,

however, the production of medical cannabis under Part 2 of the ACMPR, including production under up to four registrations per production site.

Local regulation of medical cannabis production in residential premises will continue to engage Charter issues. We suggest that you carefully consider these issues before attempting to further regulate medical cannabis production.

The courts have found that commercial-scale cannabis production facilities were not a complete answer, constitutionally, to patients' needs for medical cannabis, and assumed that cannabis production, distribution and possession were otherwise illegal. Legalization profoundly undermines that assumption, and will likely result in broad availability of the drug across the country.

Ordinary land use regulations prohibiting cannabis production in residential premises may, over time, become a reasonable limit on access to medical cannabis, and therefore wholly constitutional, if there are plentiful alternative sources of supply.

Manitoba's proposed *Safe and Responsible Retailing of Cannabis Act* provides that *"a person must not cultivate cannabis at his or her residence."* The Act does not apply to the *"cultivation of cannabis for medical purposes that occurs in accordance with the requirements of the applicable federal law."*

Land use impacts

Local governments in provinces and territories that have not prohibited this activity will need to consider whether personal use cannabis production in a dwelling, at the minor scale permitted by the *Cannabis Act*, will raise land use management issues.

Residence-based cannabis production under the federal medical cannabis regime did cause certain challenges from a municipal health and safety perspective. But this regime is likely not an accurate predictor of how non-medical personal cultivation will be taken up by the public at large.

Regardless, municipalities may be skeptical about whether or not people will comply with the four-plant limit and if federal government will enforce the rule. Personal-use cannabis production at the scale permitted by the *Cannabis Act* would seem to engage no different land use management issues than the cultivation of other types of domestic plants. Possible exceptions could be odour issues and those associated with the risks of outdoor cultivation to children and domestic pets.

This all assumes an adequate commercial supply of cannabis that will eliminate the black market. In an ideal world, an adequate legal supply would eliminate the security issues associated with cannabis production in residential premises. The incentive to obtain a licence to produce medical cannabis and then violate the terms of that licence, may significantly reduce after legalization.

Local governments might consider whether any of this could be addressed by requiring licences for personal home cultivation. A registration system could help identify where cannabis production is actually occurring—though it is worth evaluating whether citizens would be likely to comply with such a requirement.

In the land use management context, growing four cannabis plants either indoors or outdoors in residential premises would probably be like growing other types of domestic plants. It would constitute an ordinary incidental, accessory or ancillary use of the premises not requiring express authorization in the relevant land use regulations.

Local governments contemplating a regulatory response to this aspect of the *Cannabis Act* should examine their accessory or ancillary use regulations. If the regulations already address in detail the types of plant cultivation that is permitted and cannabis is not mentioned, the regulations might be interpreted, by implication, to prohibit the cultivation of this particular plant species.

The *Land Use Bylaw of the Town of Truro, NS* defines an *"accessory use"* as *"the use or uses which take place on the same site as the principal use, and of a nature customarily and clearly secondary and incidental to the principal use."*

Nuisance regulation

An alternative approach to the issue would be to address the actual impacts of cannabis cultivation in residential areas. This would mean enacting regulations that deal directly with the physical impacts of the activity. A local government may have nuisance regulation and abatement powers that have already been, or could be, exercised in

relation to odour-producing activities. In that case, cannabis production would not need to be addressed at all via land use regulations. We examine nuisance regulations in greater detail in the [CHAPTER 6: ENFORCEMENT ISSUES](#).

B.C.'s Community Charter authorizes local governments, under their authority to deal with nuisances, to regulate, prohibit and impose requirements in relation to *“the emission of smoke.”*

Proprietary jurisdiction of other entities

Cultivation of cannabis in residential premises, while potentially subject to local government regulation, is also subject to supervision by other interested parties including landlords, condominium corporations and co-operative boards. They deal more directly with complaints from neighbours and may therefore seek to regulate its cultivation or use to some degree.

Saskatchewan's Condominium Property Act, Section 47(1)(e), gives a condominium corporation the authority to pass bylaws *“governing the management, control, administration, use and enjoyment of the units, common property and common facilities.”*

Landlords, including local governments that manage their own rental housing portfolio, have an interest in ensuring that their premises are not used in a manner that is inherently damaging or unsafe. Boards composed of owners

have a similar interest in ensuring that multi-unit buildings are not used in such a way as to create nuisances or unsafe conditions. Local governments with concerns about this use in multiple-unit buildings might reasonably conclude that they can manage the four-plant scenario in their own rental housing portfolio via tenancy agreements. They may also choose to leave the management of home cannabis cultivation in other buildings for owners to deal with as they see fit.

Choosing to regulate

The issue of home cultivation of cannabis—even with a four-plant limit in place—is one that will require public consultation. It is also the issue that will be the most challenging for municipalities to decide on whether to develop a regulatory response. The impacts of cannabis cultivation at this scale are perhaps minor, and other actors may be likely to address them via separate mechanisms such as tenancy agreements and strata association bylaws.

Citizens expect governments to enforce regulations. The issue of how to regulate home cultivation of cannabis will apply to the greatest number of properties. Of all the regulations that might be considered in relation to the legalization of cannabis, this one has the potential to generate the greatest number of enforcement complaints.



What can municipalities do?

Policy options

- ▶ Accept minimum-scale plant cultivation (four plants) in residential premises without a local regulatory response.
- ▶ Require some type of permit for this scale of cannabis cultivation in residential premises. Clarify that this is not a commercial activity that would require a business licence. Local government permit records would be public.
- ▶ Regulate the activity by permitting indoor production only, or by permitting it only in certain areas such as detached-dwelling zones.
- ▶ Prohibit the activity in all residences. (Accepting that such a prohibition could be unenforceable in relation to individuals who hold a personal use production licence for medical cannabis.)

Regulatory options

- ▶ Do nothing.
- ▶ Amend the zoning regulations to require a land use permit for the cultivation of cannabis in residential premises, and establishing a permit application procedure.
- ▶ Amend the zoning regulations to specify that accessory cultivation of cannabis is permitted only in certain zones, or is only permitted indoors.
- ▶ Amend the zoning regulations by adding a prohibition on cannabis cultivation in residential premises generally, or by excluding cannabis cultivation from the “accessory use” category that is permitted in residential zones.

Possible regulatory language

This suggested language could support the options above. A definition of the term “cannabis” could be included, referring to its definition in the *Cannabis Act*, or it could be left undefined. Consider these options for amending the land use regulations:

- ▶ Add a regulation along these lines: “No person, other than a person who is authorized to do so under Part 2 of the Access to Cannabis for Medical Purposes Regulation under the *Controlled Drugs and Substances Act* (Canada), shall use any residential premises for the growing of a cannabis plant, unless the person has registered the premises with the [municipality] as a residential cannabis production site.”
- ▶ Establish a registration process that includes a registration fee sufficient to cover the costs of administering the process.
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is permitted only if the premises are [a detached dwelling] [located in a single-family residential (RS1) or two-family residential (RS2) zone].
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is permitted only if the plant is located within a dwelling unit.
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is prohibited, except in the case of premises in respect of which a registration has been issued by Health Canada under Part 2 of the Access to Cannabis for Medical Purposes Regulation under the *Controlled Drugs and Substances Act* (Canada).

3

Business regulation

Local governments expect to have some scope to regulate cannabis cultivation, processing and retail businesses in their communities. Once again, that scope will depend on the specific regulatory authority that individual provinces and territories choose to delegate to municipalities in their enabling legislation.

Local governments may use tools like business licensing to protect public health and safety, to protect youth and restrict their access to cannabis, to deter illicit activities, to mitigate public nuisances, and more. In doing so, it will be essential to strike an effective balance between empowering legal cannabis businesses to operate and addressing legitimate community concerns.



3.1 Jurisdictional issues

Constitution Act

Business regulations are exclusively the domain of provinces. According to the [*Constitution Act, 1867*](#), provinces have 1) the power to regulate particular trades or callings under “property and civil rights”; and 2) the power to make laws in relation to “shop, saloon, tavern, auctioneer and other licences in order to the raising of a revenue for provincial, local, or municipal purposes.”

Federal enabling legislation grants similar legislative powers to territorial governments. In many cases, provinces or territories have delegated this authority to local governments. In these cases, municipalities are free to regulate business activities related to the cultivation, processing, retail sale and consumption of non-medical cannabis.

Provincial/territorial delegation of regulation

The extent to which provinces and territories delegate their authority over business regulation to local governments will depend on the wording of the enabling legislation. For example, in British Columbia, local governments but not regional governments have been delegated the authority to regulate businesses. The authority does not include the authority to prohibit businesses. It also requires that before council adopts a business regulation bylaw, it give notice and provide an opportunity for people who say they are affected to make representations to council.

In New Brunswick, local governments do not have the broad general powers to make business licensing bylaws but do have the power to regulate and license only certain businesses. In Winnipeg, the municipal charter states that a bylaw passed under the general authority to regulate businesses must not require a licence to be obtained for “selling agricultural produce grown in Manitoba if the sale is made by the individual who produced it, a member of the immediate family of the individual or another individual employed by the individual.”

Conflicts with legislation

Business regulations would only be rendered inoperative if there is a conflict with federal or provincial/territorial legislation regulating the same subject matter. In this regard, a conflict may arise where one enactment says “yes” and the other says “no.” In these cases, citizens are being told to do inconsistent things. The exception is in cases in where the relevant provincial/territorial legislation specifies a different legal test.

This is another example where the mere existence of federal or provincial/territorial legislation does not oust local government jurisdiction to regulate the same subject matter. Thus, as discussed in [CHAPTER 2: LAND USE MANAGEMENT](#), a federal licence does not automatically mean a business is immune from local business regulations.

Local government business regulations may, for example, enhance the statutory scheme by complementing or filling in certain gaps in the federal or provincial/territorial legislation. They may also impose higher standards of control than those in related federal or provincial/territorial legislation.

Federal and provincial lands and cannabis businesses

One restriction on a local government's delegated authority in relation to business regulation is in relation to any cannabis businesses operated by the federal government or on land owned by the federal government. The *Constitution Act* gives exclusive jurisdiction over the use of federal lands to the federal government. As a result, neither the provincial/territorial governments nor local governments may regulate in relation to the use of federal lands.

A further restriction in some provinces/territories is in relation to cannabis businesses operated by the provincial/territorial government or on land owned by the provincial/territorial government. As noted in [CHAPTER 2: LAND USE MANAGEMENT](#), at least six provinces/territories will run public retail distribution models, meaning there is likely to be legislation that grants provincial/territorial governments immunity from some or all local government regulations. In most cases this will mean a limited role on the land management and business licensing aspects of retail cannabis sales in jurisdictions with government run stores as the exclusive retail distributor.

In Ontario, the *Legislation Act* is broadly worded such that no Act or regulation binds or affects the provincial Crown unless it expressly states an intention to do so. This would include local government business regulations. In contrast, in British Columbia, the *Interpretation Act* only makes local government regulations inapplicable to the provincial Crown in its use and development of land.

3.2 Business regulation power

Scope and municipal purpose

To the extent that a province or territory has delegated business regulation powers to local governments, local governments may place restrictions on businesses. This is true even if those restrictions may adversely affect the

profitability of the business in some circumstances. Local governments should ensure, however, that such regulations are enacted for a proper municipal purpose.

There are several “municipal purposes” that support regulating cannabis businesses. For example, a local government may wish to regulate such businesses to protect public health and safety, to protect youth and restrict their access to cannabis, to deter illicit activities, and to mitigate nuisances.

Types of business regulations

One of the most common business regulations is a requirement that people obtain a licence from the local government in order to run a business. The local government may establish in the bylaw terms and conditions that must be met for obtaining, continuing to hold or renewing a business licence. It can also designate someone to impose these terms and conditions. The bylaw may suspend or cancel a business licence for failing to comply with the terms and conditions.

The local government may set out in the bylaw specific regulations for certain types of businesses. Types of regulations may include, for example: the days and hours of operation of the business, the age of individuals on the premises, the keeping of records, or the display and advertising of products at the premises.

The City of Whitehorse's Business Licence Bylaw

requires every person who offers adult books, adult magazines or adult videos for sale where such items are on display to the public to place such items:

- at a distance not less than 1.5 meters above the floor;
- in display cases in such a manner that only the title is displayed; and
- in display cases that are within clear view of the area
- where payment is made for purchased items.

Another common type of business regulation is a requirement in the bylaw that the business comply with all applicable federal and provincial laws. In British Columbia,

local governments have been successful in enforcing such a provision in their business licence bylaws against storefront medical cannabis retailers. The business licence applications were rejected on the basis that the retail sale of cannabis was unlawful under the federal law.

In this regard, the business bylaw may be a helpful tool to address any ongoing issues with cannabis retail businesses that are operating without a business licence.

Business bylaws may also require that the business comply with all applicable municipal bylaws such as zoning and building bylaws. Local governments should be careful, however, not to use their business regulation powers to prevent, for land use management reasons, a particular type of business that is permitted by the applicable zoning regulations.

It is usually also a general requirement in the bylaw for people to pay a fee to obtain a business licence. Such a fee should be calculated to correspond with the cost of administering and enforcing the regulatory scheme, to preserve its constitutionality as a regulatory charge.

3.3 Cannabis retail businesses

Typical business regulations

As noted in [CHAPTER 2: LAND USE MANAGEMENT](#), storefront cannabis retailers have been lawful in some U.S. states for several years now. Despite their illegal status in Canada, these storefront operations have proliferated under many local governments. To manage these businesses, some jurisdictions have enacted specific regulations. Others may choose to do so before cannabis becomes legal in 2018.

Many of these regulations parallel alcohol and tobacco related regulations. For example, Alberta, Manitoba and Newfoundland and Labrador are proposing to amend their

liquor legislation to impose a licensing regime for the sale of cannabis with some similarities to liquor sales. These provinces are considering allowing private retailers to sell cannabis administered through the applicable liquor commission or corporation.

The manner and extent to which the applicable provincial/territorial government intends to regulate such businesses may prevent or influence a local government's decision whether to implement its own regulations. An example is how the LCBO in Ontario will have the exclusive right to sell cannabis.

Typical business regulations for cannabis retail businesses might include:

- ▶ Requiring the applicant to submit certain documents such as a security plan, proof of a security alarm contract, 24/7 contact information, a list of employees and a police information check.
- ▶ Prohibiting minors on the premises, limiting the hours of operation and requiring security measures.
- ▶ Prohibiting consumption on the premises.
- ▶ Restricting the sale of other products on the premises.
- ▶ Prohibiting the display and advertising to minors.
- ▶ Prohibiting online sales and home delivery.
- ▶ Requiring business owners to keep records of all business activities.
- ▶ Restricting the number of licences that may be issued to each person and the total number of licences that may be issued in the jurisdiction.
- ▶ Requiring that a minimum number of employees with specific qualifications be on the premises when open.
- ▶ Restricting the advertising and signs visible from the outside of the premises.
- ▶ Requiring a transparent storefront.
- ▶ Requiring measures to prevent nuisances.

The City of Vancouver's Licence Bylaw requires the following security measures to be installed and maintained on the business premises of a medical marijuana-related retail business:

- Video surveillance cameras that monitor all entrances and exits and the interior of the business premises at all times.
- Video camera data must be retained for at least 21 days after it is gathered.
- A security and fire alarm system must be monitored at all times.
- Valuables must be removed from the business premises or locked in a safe on the business premises at all times when the business is not in operation.

Local governments should monitor the development of the relevant provincial or territorial regime and may wish to seek legal advice before initiating their own business regulations.



What can municipalities do?

Policy options

- Simply allow the activities to occur within existing business regulations as business activities, which may or may not require a business licence under the applicable regime and which are not subject to any particular regulations.
- Specifically regulate cannabis retail businesses to address issues related with these types of businesses, if the provincial/territorial enabling legislation permits this.

Regulatory options

- Make no regulatory change, or amend existing regulations to specify the applicable business licence fee for this category of business, if the enabling legislation permits this.
- Amend existing regulations to set out specific business regulations for cannabis retail businesses, if the enabling legislation permits this.

3.4 Commercial cultivation and processing facilities

Typical business regulations

Most municipal governments have yet to enact specific regulations for cannabis-related businesses. It could be because the [Access to Cannabis for Medical Purposes Regulations](#) (ACMPR) already addresses the commercial cultivation and processing of cannabis for medical purposes. Regulations under ACMPR include:

- Requiring a criminal record check.
- Security features such as video surveillance cameras and an intrusion detection system.
- Detailed record-keeping.
- Air filter equipment to prevent the escape of odours.

At the time of writing, the proposed Health Canada *Cannabis Act* regulations have established similar licensing requirements related to location, physical and personal security, record keeping and good production practices.

This does not mean local governments cannot also manage such businesses. Some of the types of business regulations for cannabis retailers noted above may be equally

applicable to cannabis cultivation and processing businesses. In the U.S., some states and local governments have enacted specific regulations to manage these businesses, including:

- ▶ Prohibiting minors on the premises.
- ▶ Prohibiting consumption on the premises.
- ▶ Restricting the advertising and signs on the premises.

Local governments may also wish to enact specific regulations in relation to cannabis cultivation and processing businesses to:

- ▶ Prevent nuisances by requiring the annual maintenance and documentation of odour control equipment.
- ▶ Support community aesthetics by prohibiting the outdoor storage of production or processing equipment.



What can municipalities do?

Policy options

- ▶ Allow the activities to occur within the existing regulations as business activities, which may or may not require a business licence under the applicable regime and which are not subject to any particular regulations.
- ▶ Specifically regulate cannabis cultivation and processing businesses to address any related issues.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to specify the applicable business licence fee for this category of business.
- ▶ Amend existing regulations to set out specific business regulations for cannabis cultivation and processing businesses.



4

Public consumption

The public consumption of cannabis is associated with a range of potential public harms, from health impacts of second-hand smoke to behavioural modelling effects for children and youth. The tools and options available to municipalities to mitigate potential harms will depend on the space of authority that provinces and territories choose to delegate.

Established practices in regulating tobacco and alcohol consumption offer a foundation for developing a strategy that reflects local priorities. Many factors other than the law influence how and when people consume cannabis—from social customs to product availability—and no single regulatory approach eliminate all harmful public impacts.



4.1 Jurisdictional issues

As with most local governance matters, municipalities must consider the extent to which they are authorized to regulate cannabis consumption. This chapter addresses how local governments can regulate public consumption through bylaws and policies. As the factors influencing public consumption of cannabis are diverse, we recommend that municipalities consider a combination of these approaches, alongside consultation with legal counsel.

Public consumption cannot be regulated by a local government on the moral grounds that cannabis consumption should be considered a criminal activity. Under the constitutional division of powers, the federal government has the exclusive authority to regulate with respect to criminal law matters. Local bylaws or regulations that are based on a moral position, or perceptions and stereotypes about people who consume cannabis, are unlikely to withstand a challenge before the courts.

Many aspects of cannabis consumption, such as possession, advertising and smoking, are regulated by the federal and provincial/territorial orders of government. Most local governments are able to regulate cannabis only as it relates to a power that has been granted to the local government by the provincial or territorial government.

In assessing how to effectively address issues associated with public cannabis consumption, local governments must first consider the aspects of public cannabis consumption it intends to regulate, and determine whether it is authorized, or necessary, to do so.

4.2 Provincial smoking restrictions

Across Canada, provincial and territorial governments have regulated, or indicated they will regulate, aspects of public consumption of cannabis. They plan to use a combination of cannabis-specific legislation, tobacco smoking legislation, as well as occupational health and safety regulations.

Smoking is the most common form of cannabis consumption, and most provincial/territorial governments have sought to incorporate cannabis into the legislation addressing tobacco smoking. Some provinces have done so through expanding the definition of “smoke” to include cannabis as well as tobacco and other vapour products. This approach results in existing tobacco smoke restrictions also applying to cannabis.

New Brunswick's *Smoke-Free Places Act* contains a broad definition for smoking that extends to cannabis. Specifically, “smoke” means:

- (a) to smoke, hold or otherwise have control over an ignited tobacco product or another ignited substance that is intended to be smoked, or
- (b) to inhale or exhale vapour from, or to hold or otherwise have control over, (i) an activated electronic cigarette, (ii) an activated water pipe, or (iii) another activated device containing a substance that is intended to be inhaled or exhaled.

In addition to including cannabis in the relevant definitions under the smoking legislation, many provincial/territorial governments have enacted specific legislation or regulations to restrict the places in which cannabis may be consumed.

In some cases, these prohibitions on the public consumption of cannabis are broader than the prohibitions on smoking tobacco. In Ontario's *Cannabis Act*, for example, consuming cannabis for non-medical purposes is specifically prohibited in all public places in the province. This applies in workplaces under the *Occupational Health and Safety Act*, as well as in vehicles or boats. By comparison, the prohibitions under the *Smoke-Free Ontario Act*, establish that tobacco smoking is prohibited in enclosed public places and enclosed workplaces, and that no person shall smoke tobacco in a vehicle while another person who is less than 16 years old is present in the vehicle.

Put simply, someone accustomed to walking through an Ontario town smoking a tobacco cigarette will not be able to do the same with non-medical cannabis. But how local rules will be enforced remains to be clarified (see [CHAPTER 6: ENFORCEMENT ISSUES](#).)

In other regions, occupational health and safety regulations address the public consumption of cannabis by limiting the places in which a person may smoke any substance. In the Northwest Territories, smoking in public is primarily regulated in this way. Under those regulations, smoking is prohibited in almost all enclosed workplaces, within a buffer zone around those workplaces, as well as in outdoor bus shelters.

Ontario's *Cannabis Act*, 2017, Section 11, prohibits the non-medical consumption of cannabis in public places, workplaces, vehicles or boats, or any other place prescribed by the regulations. A “public place” is defined as “any place to which the public has access as of right or by invitation, whether express or implied, and whether or not a fee is charged.” These prohibitions are broader than those in the provincial tobacco smoking legislation.

New Brunswick's *Cannabis Control Act* (Bill 16)

proposes restrictions on the places in which cannabis may be consumed in addition to those in the provincial smoking legislation:

- 17 (1) No person who is 19 years of age or older shall consume cannabis unless the person is in lawful possession of the cannabis and
- a) is in a private dwelling and has obtained the consent of the occupant,
 - b) is on vacant land and has obtained the consent of the owner or occupant, or
 - c) is in a place prescribed by regulation and in the circumstances prescribed by regulation, if any
- (2) For greater certainty, no person who is 19 years of age or older shall consume cannabis in a place to which the public has access as of right or by express or implied invitation, or any other place prescribed by regulation.

[...]

19 Despite any other provision of this Act or the regulations, no person shall smoke cannabis or medical use cannabis in a place where smoking is prohibited under the *Smoke-free Places Act*.

4.3 Public health and welfare

Where a local government has been empowered to regulate the public health or welfare of its community, it may be able to further regulate the public areas in which cannabis may be consumed.

In British Columbia and Ontario, many of the municipal bylaws regulating the areas in which smoking is permitted

have been enacted through such authority. Generally, the understanding that tobacco consumption can be harmful to respiratory health and contribute to cancers, and that second-hand smoke can have similar negative health impacts, has qualified as health-related reasons for municipal restrictions on tobacco consumption. Local governments are likely to be able to draw on a similar approach for cannabis consumption where authorized.

In Vancouver, the Parks Board was delegated authority to enact bylaws to regulate smoking in parks to protect and promote public health—adopting language like the following:

3.1 A person must not smoke:

- (a) in a park;
- (b) on a sea wall or beach in a park;
- (c) in a building in a park, except in a caretaker's residence;
- (d) in a customer service area in a park;
- (e) in a vehicle for hire in a park;
- (f) on public transit in a park; or
- (g) in an enclosed or partially enclosed shelter in a park where people wait to board a vehicle for hire or public transit.

3.2 Except as permitted by Section 3.1, a responsible person must not suffer or allow a person to smoke in:

- (a) a building in a park;
- (b) customer service area in a park; or
- (c) a vehicle for hire in a park.

4.4 Municipally-owned or managed property

Local governments can also regulate the locations in which cannabis may be consumed as owners or operators of property. In the event that provincial/territorial smoking legislation does not already prohibit cannabis consumption in a park, a local government may be able to enact such a prohibition through its authority as the owner of that park. A similar approach can be taken to municipally-operated property, such as community centres or recreational facilities.

Community events and municipal alcohol policies

The approach many municipalities have taken in developing a municipal alcohol policy could be adapted to apply to cannabis. For example, an agreement for the use of municipal property for special events, such as festivals or sporting events, could also be used to manage the public consumption of cannabis. This could also apply to community centre and arena rentals.



The City of Ottawa's **Municipal Alcohol Policy** applies to all City Staff, volunteers, community partners who either manage or have control over City property, rental clients, and organizers of events, on City property, at which alcohol will be sold, served or consumed. This Policy applies to the sale, serving and consumption of alcohol on City property, or at locations or for events under the City's control (collectively "City Property"), whether or not a facility is operating under a liquor licence issued by the Alcohol and Gaming Commission of Ontario (AGCO), a Special Occasion Permit, a liquor licence with a Catering Endorsement, or any other approval that has been issued by the AGCO.

City Property includes the following:

- All City-owned properties,
- All properties leased by the City,
- City Highways (including the travelled portion of the Highway (roadway), boulevards, side-walks or other areas of the Highway),
- Properties controlled by local boards over which City Council may require that general policies be followed,
- Events held by the City at partner or third-party premises, and,
- City Properties under a Public-Private Partnership Agreement, as determined on a case-by-case basis by the General Manager of Recreation, Cultural and Facility Services

Special challenges for municipalities

Regulating cannabis consumption presents multiple challenges and options for local governments. Their authority to regulate smoking cannabis in public depends on provincial or territorial legislation. Their authority, and need, to regulate smoking also varies greatly across the provinces and territories.

Regulating the public consumption of cannabis that is not smoked presents further challenges as identifiable markers of consumption, such as smoke or odours, are not as easy to detect. The health risks associated with smoking are also less present.

In regulating public consumption, local governments should be aware that cannabis may be consumed in many different forms. The *Cannabis Act* allows the production of cannabis as fresh, dried or oil-based products. While smoking remains the most common, consumption methods that do not produce smoke, including herbal vaporizers or e-cigarettes, or other cannabis-oil based products such as skin creams, are also available.

"Edibles," or foods such as candy and baked goods that have been infused with cannabis, are not currently authorized under the proposed federal regime, although such additional forms of cannabis may be authorized and regulated in the future.

Public consumption exceptions for the use of cannabis for medical purposes, or for traditional ceremonial practices, must also be considered.



What can municipalities do?

Policy options

- Allow cannabis smoking within the framework of the existing provincial and federal regulations.
- Regulate the conditions under which the smoking of cannabis may occur in public places.
- Prohibit the locations in which the smoking of cannabis may occur in public places.

Regulatory options

- ▶ Make no regulatory changes to public place policies or bylaws.
- ▶ Amend existing bylaws and policies to clarify that smoking cannabis is only permitted in accordance with the regulations and policies.
- ▶ Specifically regulate conditions under which the smoking of cannabis may occur in public places, or specific public places.
- ▶ Prohibit the smoking of cannabis on specific public places, such as parks, community centres, and sports arenas.
- ▶ For special events, develop policies regarding an event host's responsibility to control and be accountable for the smoking of cannabis.

4.5 Promotions, advertising and signage

Local governments should also be aware of how other orders of government have responded to concerns relating to public consumption of cannabis. Similar to the *Tobacco Act*, the federal government has set standards on how cannabis can be marketed across Canada, as well as minimum standards for the packaging of cannabis products. When a local government is concerned about how promotion and advertising may influence public consumption, an important first step is to be aware of the federal regulations on these matters.

Federal regulation of cannabis promotions

Under the *Cannabis Act*, the federal government has prohibited cannabis products from being promoted in a manner that:

- ▶ Refers to its price or distribution.
- ▶ Is appealing to young people.

- ▶ Uses testimonials or endorsements.
- ▶ Uses depictions of real or fictional characters.
- ▶ Presents cannabis brand elements as glamorous, risky, exciting or daring.
- ▶ Induces the purchase of cannabis through monetary incentives, lotteries, or contests.
- ▶ Is misleading about the characteristics, safety, and health effects of cannabis.

The federal government has also proposed restrictions on the venues in which advertising for cannabis may occur. The *Cannabis Act* prohibits the use of cannabis branding elements in locations where people under the age of 18 are permitted, in sponsorships for people, events and facilities, as well as in foreign media.

Marketing regulation and content

Local governments may have the authority to regulate business and public health regulations and business marketing options when it comes to cannabis. But the rules must be consistent with the federal *Cannabis Act* and any related federal or provincial enactments.

Awareness of the impact of cannabis consumption on human functioning and development can influence and reduce the consumption of cannabis. Some local governments may have the ability to regulate aspects of how cannabis is promoted, which may indirectly affect cannabis consumption levels.

In considering this approach, municipal governments should be aware that regulating expressive content, which includes advertising, has the potential to conflict with the right to freedom of expression under the *Canadian Charter of Rights and Freedoms*.

Any content-related signage regulations must be connected to a proper municipal purpose and should not infringe on this right. This is an area where it is extremely important to consult legal counsel familiar with the applicable municipal regulatory framework and expression rights.

5 Cannabis in the workplace

As employers, municipalities have a duty to ensure safe workplaces—and a cannabis-impaired employee can pose safety risks to co-workers and the public. This duty may sometimes collide with an employer's duty to accommodate people with medical needs or disabilities. Achieving the right balance is vital.

Municipalities will face practical and policy challenges here. Cannabis impairment remains difficult to establish objectively. Banning cannabis use among all employees is problematic because some may be using it as prescribed by a doctor. Fundamentally, human resources policies and interventions need to be based on an employee's ability to do their job, rather than stereotypes or moral judgements about cannabis use.



5.1 Maintaining safe municipal workplaces

Employers are required to ensure a safe workplace, and an impaired employee can pose a safety risk to themselves, their co-workers, or the public. Whether an employee consumes a substance that may cause impairment for medical or non-medical purposes, the basic principles around impairment in the workplace continue to apply.

It is generally acceptable to maintain a policy that all employees arrive at work fit for duty and to conduct themselves in a safe and lawful manner while on duty.

When considering changes to human resource policies with respect to non-medical cannabis, municipal employers should not make any decisions about impairment based on assumptions about cannabis use and its impact on an employee's ability to do their job. Employers must rely on their observations to establish reasonable grounds to determine whether an employee is impaired or not.

5.2 Existing medical cannabis regime

Access to medical cannabis is currently permitted only under the terms and conditions set out in the Access to Cannabis for Medical Purposes Regulations (ACMPR). Although the federal government has indicated it will revisit the ACMPR regime if and once the *Cannabis Act* becomes law, the current ACMPR regime would continue under the *Cannabis Act*.

An employer should treat medically prescribed cannabis similar to other prescription medication. As outlined below, there are additional considerations for cannabis consumption for non-medical purposes.

5.3 Determining impairment

The legalization of non-medical cannabis does not affect an employer's duty to ensure a safe workplace—as well as to accommodate employees with disabilities who are being prescribed medical cannabis or employees with disabilities stemming from an addiction to cannabis. These duties to accommodate are addressed in [SECTION 5.8](#).

If an employer suspects that an employee is impaired, they must observe that the employee's conduct in the workplace and their ability to perform their work-related duties are compromised.

Employers must not make decisions based on assumptions about the use of cannabis and its impact on an employee's ability to do their jobs. On its own, information about the consumption of an impairment-causing substance, or whether it has been consumed for non-medical or medical purposes, will not determine whether an employee is impaired or not.

Accurately assessing whether a person is impaired as a result of consuming cannabis is difficult. There are limited methods to determine impairment from cannabis through testing. The effects of an average dose of cannabis for an average user will vary. And unlike the use of a blood-content level to determine impairment from alcohol, THC levels in bodily fluids cannot reliably indicate the degree of current impairment.

As it stands, blood-content levels for THC (the main psychoactive compound in cannabis) are considered under Bill C-46 in the context of impaired driving offences. Bill C-46 proposes to create three new Criminal Code offences for having specified levels of THC within two hours of driving.

However, there is no universally agreed-upon standard of measurement to determine whether a person is impaired as a result of consuming cannabis. The proposed blood content thresholds under Bill C-46 are of limited relevance

for employers, as a determination of impaired driving requires different considerations than determining that an employee is impaired in the performance of their job duties.

In considering whether an employee is impaired, a supervisor of the employee should be able to respond to the issues outlined in the following table.

Reasonable grounds for impairment: Five factors to consider

1 Impairment	<ul style="list-style-type: none"> • Are there facts to indicate that the employee has shown a form of impairment? • Is there a change in physical appearance, behaviour, actions or work performance? • Observations may include: slurred speech, tardiness, unsteadiness, yelling, odours, admissions of use.
2 Reliable facts	<ul style="list-style-type: none"> • Are the facts reliable? • Did you witness a situation personally, or are you sure that the witness(es) are reliable and have provided first-hand information?
3 Reasonable facts	<ul style="list-style-type: none"> • Can you explain the facts? • Would you be able to describe the observations to another person who does not know the people involved?
4 Documentation	<ul style="list-style-type: none"> • Are the facts capable of documentation? • Can the dates, times, names and locations be documented?
5 Timeliness	<ul style="list-style-type: none"> • Is the impairment situation current, today, while on the job or company property? • Is this a repeated or ongoing situation?

– Adapted from the City of Edmonton ‘Drug and Alcohol Operating Procedures’, March 2016

Once a supervisor can reasonably demonstrate that an employee may be impaired, an employer should consider the following questions:

- ▶ Is there a safety risk, or a risk of injury, illness or incident in the workplace?
- ▶ Is the safety risk based on an employee's change in behaviour or ability?
- ▶ Is the change in the employee's behaviour or ability related to the consumption of cannabis?

As the effects of cannabis will vary among consumers, employers must assess people on a case-by-case basis. The specific performance requirements of a position, as well as the individual's capacity to fulfill those requirements, must be taken into consideration.

In evaluating whether there is a safety risk as a result of an employee's consumption of cannabis, the Canadian Centre for Occupational Health and Safety has recommended employers consider additional questions such as:

- ▶ Does the person have the ability to perform the job or task safely while impaired? For instance, is the employee driving, operating machinery or equipment, or using of sharp objects?
- ▶ Is there an impact on cognitive ability or judgment while impaired?
- ▶ Are there other side effects of the medical condition or the treatment that need to be considered?

5.4 Zero-tolerance policies

A zero-tolerance policy on the use of a substance in the workplace can result in discrimination against employees who are prescribed that substance. A person who has a medical prescription for a substance, including cannabis, is generally entitled to consume that substance in accordance with their prescription.

Whether the prescribed substance is available for non-medical or medical purposes does not affect an employee's entitlement to use it in accordance with their prescription.

Zero tolerance: alcohol vs. cannabis

In most cases, the non-medical use of cannabis and alcohol can be regulated similarly in the workplace. However, the history of cannabis as a medically prescribed substance provides context for why implementing a zero-tolerance policy toward cannabis is not as straightforward as a similar prohibition on alcohol.

In developing a regulatory framework for the non-medical use of alcohol, its treatment as a medical necessity has been given significantly less attention than it has for cannabis. The regulation of alcohol has largely been developed from the perspective that it is a non-medical substance. Alcohol regulation has taken place without comparable judicial commentary on the right to access it for medical purposes, or a comparable legislative regime to enable such access.

When alcohol became regulated for non-medical consumption, the existence of a right to access it for medical purposes was unclear, and there were significantly fewer people who were prescribed alcohol for medical purposes in the first place.

Workplace policies that include a prohibition on alcohol consumption are generally justified on workplace health and safety considerations. As outlined below, a policy that is *prima facie* discriminatory may be justified on the basis of being a bona fide occupational requirement (BFOR).

An actual safety risk as a result of impairment from a substance can justify a prohibition on the use of that substance in the workplace. With alcohol, there are generally accepted methods and standards—such as a blood alcohol content and a *per se* limit—for determining an impairment threshold. As there is an accepted correlation between alcohol consumption and impairment, as well as

established thresholds to determine impairment, a specific prohibition on the use of alcohol in the workplace may be justified with regard to those standards and workplace safety considerations.

Comparable methods or norms to determine impairment do not yet exist for cannabis. It is generally accepted that the effects of cannabis consumption differ from person to person. If two people consume the same amount of cannabis within the same time frame, there is the potential that this would result in one person not being impaired and other being significantly impaired. This environment underlines the need for an observation-based approach to determining impairment.

Bona fide occupational requirements

A zero-tolerance policy may be relevant in a workplace where the employer can demonstrate that sobriety is a bona fide occupational requirement (BFOR). A BFOR is a requirement that is essential to the safe and proper performance of the job.

As a BFOR is an exception to the general prohibition against discrimination, whether a policy meets the standard of a BFOR will be given very close consideration by the courts, human rights tribunals, and labour arbitrators. A BFOR will only be valid where the employer is able to demonstrate that the requirement meets three conditions:

- It was adopted for a purpose rationally connected to the performance of the job.
- It was adopted in an honest and good faith belief that it was necessary to the fulfillment of that legitimate work-related purpose.
- It is reasonably necessary to the accomplishment of the legitimate work-related purpose, in the sense that the employer cannot accommodate the affected employee without incurring undue hardship.

A BFOR must clearly relate to the needs and performance of the job. A requirement to be able to lift a certain amount of weight may discriminate against people who have a physical disability, but may qualify as a BFOR in the context of a care home where staff are required to assist people with mobility issues. Similarly, minimum eyesight

and hearing requirements can discriminate on the basis of physical disability but may qualify as a BFOR in the context of a position as a vehicle driver.

In establishing a job requirement as a BFOR, an employer should be able to demonstrate, with credible evidence, they have considered the specific requirements of the job, and have explored alternatives to fulfill these requirements that did not result in a discriminatory effect.

5.5 Disclosure of cannabis consumption

Non-medical cannabis use

The general rule is that employers have no authority over what employees do outside working hours, unless it can be shown that an employer's legitimate business interests are affected in some way. An employee's decision to frequent a particular pub on a Monday night, for example, should not affect their employment, unless their Monday night activities impaired the employee's ability to do their job when they reported for work on Tuesday morning.

General practice suggests that a workplace standard of requiring employees to show up fit for work is acceptable. A requirement that employees self-disclose to their supervisor, or not attend work, if they believe they are impaired as a result of consuming a substance is also consistent with an employer's duty to maintain a safe workplace.

An employer is generally not entitled to request information about an employee's use of substances while off-duty. An important consideration in dealing with employees who use cannabis is to not make decisions based on assumptions about the use of cannabis and its impact on an employee's ability to do their job. An employer may, however, investigate an employee's off-duty conduct if the employer has reasonable grounds to believe that the employee's off-duty conduct is negatively affecting their ability to fulfil the requirements of their job. An employer's reasonable grounds must be based on observations of the employee in the workplace, and a connection between the alleged off-conduct impairing the employee while on-duty.

Medical cannabis use

Employers may be able to require that employees disclose their use of medical cannabis in the same manner as other prescription drugs that cause impairment. In obtaining this information, an employer's right to medical information does not typically extend to the right to learn about specific illness or conditions for which an employee may have a drug prescription.

The focus of any employer enquiries should be on the impact on the ability of the employee's ability to perform their job duties. Questions about the likelihood of the prescribed medication causing impairment while on duty are more likely to be acceptable than those that ask for information about why the medication was prescribed.

If there are reasonable concerns about impairment, employers may be able to request confirmation from the doctor that the prescribed cannabis usage does not impair an employee's ability to perform their job duties safely. Depending on the requirements of an employee's position, the employer may also be able to request medical information about the amount and type of cannabis that has been prescribed, as well as the frequency of use. The more safety-sensitive the workplace or position is, the more medical information an employer will be able to justify requesting.

If an employer has reasonable concerns that an employee is impaired while at work, even if as a result of consuming cannabis for medical purposes, the employer may be able to require the employee to provide medical information about their consumption of impairment-causing substances. Decisions on any further actions should be based on the nature of the job duties and appropriate medical evidence.

5.6 Substance use policies

Employers should update their substance use policies to address any changes to the legal status of cannabis possession and consumption. Any substance use policy must focus on impairment, and what it means to be fit for duty.

At a minimum, substance use policies should address:

- ▶ Employee conduct standards.
- ▶ Guidelines for the use of substances that may cause impairment.
- ▶ Standards and procedures for supervisors and managers to address impairment.
- ▶ Consequences of violating the policy.

Employee conduct standards

A workplace standard requiring employees to show up fit for work is acceptable. Similar to alcohol or smoking, employers may be able to prohibit the consumption of cannabis for non-medical purposes while in the performance of one's employment duties or on a worksite.

Employer policies prohibiting alcohol consumption in the workplace and during work hours can be amended to include the use of non-medical cannabis once it is legal. Anti-smoking laws will likely apply to cannabis as they do to tobacco, in that smoking in most enclosed workplaces is likely to be prohibited.

Local governments should review such legislation from their province/territory to evaluate the extent to which, if at all, cannabis smoking may be permissible in the workplace.

Guidelines for employee use of substances

A substance use policy should identify the circumstances in which an employee should report the use of substances that may cause impairment. It should also specify any requirements to provide appropriate medical information. A standard that employees self-disclose to their supervisor—or not attend work—if they believe they are impaired as a result of consuming a substance is consistent with an employer's duty to maintain a safe workplace.

Addressing substance-related impairment

Guidelines for supervisors and managers to assist in evaluating whether an employee is impaired in the workplace should be included in a substance use policy ([SEE REASONABLE GROUNDS FOR IMPAIRMENT: FIVE FACTORS](#)). Employers may wish to establish a documentation or

reporting procedure, such as a checklist, to help determine whether indicators of impaired behaviour are present in the workplace.

Where an employer has reasonable grounds to believe that an employee is impaired in the workplace, they may request additional information from that employee. The level of information that can be requested, including medical documents where appropriate, will depend on the circumstances and must be assessed case-by-case. Policies will need to incorporate flexibility and focus on impairment and safety, not the use of cannabis or other substances.

Employers are also required to accommodate employees with disabilities. Substance use policies should provide managers and supervisors with guidelines for situations where an employee may be misusing substances in connection with a substance dependence.

The policy should outline any consequences of a policy violation, including disciplinary action, or assessment and rehabilitation measures. For unionized workplaces, consultation with the union regarding any proposed changes to the current substance use policies is recommended.

5.7 Substance testing

We strongly suggest that municipalities consult with legal counsel if they are considering a workplace substance testing policy.

Workplace safety concerns vs. privacy interests

Privacy and safety are highly sensitive and significant workplace interests that are occasionally in conflict. The right to privacy and the related right to security of the person are fundamental individual rights protected by the *Canadian Charter of Rights and Freedoms*. A workplace substance testing policy will often infringe on some aspect of these individual rights. This is because substance testing typically involves some

form of bodily intrusion and surrender of bodily substances in a coercive environment, and can result in disciplinary consequences or public embarrassment.

Employer substance testing policies tend to be motivated by employer perceptions of workplace safety risks. Any substance testing policy must balance an employee's privacy and human rights with an employer's ability to require personal information to achieve worksite safety.

The courts, arbitrators and tribunals have overwhelmingly rejected employer-imposed substance testing policies, particularly those involving mandatory random testing of employees. The only exception is if there is evidence of enhanced safety risks, including evidence of workplace substance misuse problems.

Employers should also be aware there is a growing body of research questioning the efficacy of drug testing programs for establishing impairment. Drug testing indicates the presence of a substance, not how the body interacts with it. With cannabis, it is recognized that a standard dose will affect individuals differently. Technology to establish a standard mechanism to determine impairment from cannabis consumption is being researched and developed, particularly in the context of tools to assist law enforcement in determining impaired driving in a roadside stop. But at this point, there is no reliable measurement on which employers can rely.

In considering any workplace substance testing policy, the onus is on the employer to establish the reasonableness of its policy. The evidence to demonstrate that the extent of the safety risk justifies the imposition of a substance testing policy will depend on the circumstances of the specific case. The jurisprudence has outlined that, where a substance testing policy is motivated by safety concerns, those concerns must be real and tangible. Uncertain or speculative health and safety risks, including those based on stereotypes or perceptions of substances or disabilities, will not justify such an invasion of employee privacy.

When substance testing policies may be permitted

Substance testing policies have been upheld by the courts in situations where they represent a proportionate response to legitimate safety concerns as well as privacy interests. In those cases, evidence of the following factors has supported the implementation of a substance testing policy:

- ▶ The workplace or industry is safety-sensitive.
- ▶ There are known problems involving impaired employees in the workplace.
- ▶ The procedures for and methods of testing for substance are minimally invasive.
- ▶ Affected employees are given advance notice of the substance testing policy, including prior to the commencement of their employment.

Workplace substance testing for individual employees may be justifiable for individual employees as part of a post-incident response. A post-incident substance test should only be conducted when the employee's actions or lack of actions have contributed to the cause of the incident, a "near-miss" or a potentially dangerous situation.

Prior to any testing, an employer should have a post-incident substance testing protocol in place that identifies the specific circumstances in which testing will take place. Language should not be retaliatory, or discourage the reporting of illnesses or injuries.

Workplace substance testing may also be permissible as part of a return-to-work program, including a last-chance agreement or a contingency behaviour contract. For example, substance testing may be part of return-to-work conditions for an individual employee who is returning to a safety-sensitive job after treatment for a substance addiction.

In safety-sensitive worksites, reasonable cause testing may be permitted. Individual employees may be required to undergo substance testing where the employer believes on reasonable grounds that an employee is impaired while on duty or their actions are in contravention of an established workplace substance use policy.

In all cases, the onus is on the employer to establish the reasonableness of any workplace substance testing policy, and employers must ensure that any substance testing procedures and methods are reasonable, not onerous, and minimally invasive.

The Halifax Regional Municipality's Substance Abuse Prevention Policy specifies that alcohol and drug testing is appropriate for employees working in safety sensitive positions and are subject to testing for alcohol and drugs, as funded by the applicable business unit, under the following situations:

- Post-accident, near miss, or potentially dangerous incidents;
- Reasonable grounds;
- Return to work program after primary treatment;
- Return to work program while in aftercare.

The policy contains checklists to assist in documenting observations about the potential impairment of an employee, as well as procedures for testing based on reasonable grounds or post-incidents.

Whether a particular risk is sufficient to justify an employer's drug-testing policy will depend on a variety of circumstances and considerations, including the employer's evidence to demonstrate these factors. Legal counsel is strongly encouraged if an employer is considering a workplace substance testing policy.

5.8 Duty to accommodate

Employers are required to accommodate employees with disabilities. With cannabis, this duty is likely to arise in two ways in the workplace:

- The employee is addicted to cannabis, which is a disability in and of itself under the *Canadian Human Rights Act*.
- An employee is not addicted to cannabis, but uses cannabis to treat a disability.

The laws in regard to employees who are addicted to cannabis will not necessarily change when it is legalized, as employers already have the duty to accommodate employees addicted to substances like alcohol and prescription drugs. Where an employee has a legal prescription for medical cannabis, there are three requirements to trigger an employer's duty to accommodate:

- the employee has a disability;
- the employee has been legally prescribed cannabis by a medical practitioner in accordance with the relevant regulations to treat the disability; and
- the employee is using cannabis in accordance with the prescription.

Accommodations for the use of medical cannabis will need to be treated in the same manner as when other employees are prescribed medication that could cause impairment. That the prescribed medication is cannabis as opposed to another type of prescription medication does not change the employer's obligations in the consideration of whether an employee can be accommodated. This is the case even for employees in safety-sensitive positions, though the duty to accommodate may be different than for employees who are not in safety-sensitive positions.



6

Enforcement issues

For years, local governments have faced enforcement issues arising from illegal cannabis production and sale. While enforcing federal law on controlled substances falls to local police and the RCMP, municipalities have also developed by-laws to address community impacts. Though the former is beyond this guide's scope, we explore interplays between local police and bylaw services.

With legalization, municipal enforcement roles will include inspection and compliance with provincial building codes and municipal bylaws, including regulating neighbourhood disputes over nuisance issues. Critically, in designing new bylaws and tools, municipalities must carefully weigh how practical they will be to enforce, and how well they can align with the work of police services.



6.1 Cultivation: Building code and bylaw enforcement

Building code compliance issues related to illegal cannabis production are well known to local governments. Cannabis production in residential premises has been associated with shoddy construction, overloaded or bypassed electrical wiring, and private security measures that block required fire exits. Other dangers include unauthorized municipal water connections that risk back-flow into municipal water services, and mould and air quality issues that endure even after cannabis production has ended.

Local governments have had a role to play in inspecting such operations, and enforcing building codes and other construction standards. Some local governments have passed bylaws specifically aimed at addressing these building code, fire, health and safety issues—recovering investigation and enforcement costs from building owners.

Context: medical cannabis

With the advent of the Access to Cannabis for Medical Purposes Regulations (ACMPR) and predecessor federal regulations, some cannabis cultivation for medical purposes within residences became legal under federal law. Under the ACMPR, a registered person is permitted to grow up to five indoor cannabis plants for each daily gram of dried cannabis they have been prescribed for medical purposes.

A registered person may grow cannabis plants themselves, or assign a designated person to do so. A designated person may grow plants for up to two registered persons, and any particular civic address can be used for production under up to four registrations. This can result in a significant number of cannabis plants being cultivated by one or more designated people, including within residential premises. While the ACMPR regime may be amended or replaced at some point, there has been no indication that these arrangements will change once non-medical cannabis is legalized.

As this level of cannabis cultivation is completely legal under federal law, there is no reason (other than avoiding costs) for those engaged in the activity not to comply with applicable building construction and safety standards. They don't need to stay “under the radar” of law enforcement. Nevertheless, building code compliance issues in relation to such matters as electrical safety and air quality may continue to arise in these lawful production sites, as owners and tenants attempt to alter their premises to accommodate activities for which they were not originally designed or constructed.

If the *Cannabis Act* has its desired effect, the commercial availability of an adequate, quality supply of cannabis will reduce the need for people to grow the plants themselves. Local governments may, however, wish to consider how they will inspect for and properly enforce building code requirements in relation to large scale indoor operations that the ACMPR allows in residential premises.

Provincial/territorial or municipal building construction and safety laws could be found to infringe a person's right under

the *Canadian Charter of Rights and Freedoms* to a reasonable supply of medical cannabis. But this infringement would have a good chance of being found to be a justifiable limit of that right under Section 1 of the Charter, given the compelling rationale for building safety requirements. Local governments have little reason to be timid about enforcing these types of standards.

Non-medical cannabis

The non-medical cannabis regime will authorize a maximum of four plants per household for personal cultivation, which may be indoors or outdoors. Provincial and territorial regimes may further restrict or prohibit this type of cannabis production, which may pose risks for young children and domestic pets, particularly if carried on outdoors.

This minor scale of production may not ordinarily create health or safety issues or lead to contraventions of building safety standards. There are no *Charter of Rights and Freedoms* issues with laws restricting or prohibiting the production of cannabis that has no medical purpose.

The extent to which federal officials will police and enforce the four-plant limit is unknown. For the same reasons that federal officials may have little inclination to enforce this limit, local governments should carefully consider whether they have the resources to monitor compliance with any overlapping local limit, whether enacted in a zoning bylaw or some other regulatory bylaw.

Unlawful production operations

One of the goals of the legalization of non-medical cannabis is to undermine its unlawful production. However, local governments may still be called upon to inspect illegal cannabis production facilities operating without federal permits or at a scale that exceeds the federal authorization.

Municipalities should take care both to protect the safety of inspectors and to act within the authority they have to inspect and enforce bylaws, without allowing the inspection to become an unlawful search and seizure for the purposes of enforcing federal law. However, these operations may be unlawful under applicable local government land use and/or business regulations, or may involve contraventions of building construction or fire safety standards. Inspections are wholly appropriate for those purposes.

Many local governments have found it helpful to coordinate inspections of known or suspected unlawful cannabis production operations with police and provincial health inspectors. While police cannot participate in inspections for enforcement of federal law without a warrant, they can accompany other inspectors for the purposes of ensuring their safety. In some cases, a warrant may also be advisable. This is an example of the interplay between local police and municipal bylaw services that will need to drive successful enforcement approaches.

The Coordinated Safety Response Team (CSRT) in

Calgary provides a coordinated approach to identifying potentially unsafe conditions on construction sites or buildings and conducts comprehensive joint reviews, inspections and investigations of these sites. CSRT members include:

- City of Calgary: Safety Response Unit, Calgary Community Standards, Calgary Police Service
- Occupational Health and Safety Alberta
- ALERT: Green Team South and Safer Communities and Neighbourhoods
- Alberta Health Services

The team is designed to quickly respond to incidents and help ensure public safety. It also builds strategies to help the construction industry decrease risk, including through the remediation and demolition of cannabis grow-op sites.

Local government permits and licences

Permit and licence issuance remains an important part of the bylaw enforcement function for many local governments. Its application will vary across provinces and territories depending on the regulations and authorities they

provide to local governments. Broadly speaking, building permit and business licence applications are a significant opportunity for local governments to review bylaw compliance. This includes a review of zoning, provincial and local building and fire safety standards. In the case of business licences, local governments may review any federal and provincial/territorial authorizations that may be required.

6.2 Nuisance bylaws and enforcement issues

Local governments are key regulators when it comes to neighbourhood disputes over nuisance issues. Many local governments have special powers in this regard, and may even be able to make nuisance abatement orders. As a starting point, though, local governments should be cognizant of all nuisance management aspects of regulations from other orders of government.

As noted in [CHAPTER 3: BUSINESS REGULATION](#), federal government authorizations for medical cannabis production facilities have, from the outset, required the installation of odour control equipment. This suggests that local governments might wish to focus efforts on proper use and operation of the equipment—a matter that the federal government may tend to leave unaddressed.

Odours

As local governments anticipate an increase in nuisance complaints with legalized cannabis, odour issues rank among their top concerns—and these are notoriously difficult to regulate and remediate.

Because odours are hard to quantify objectively in terms of strength or character, setting regulatory standards is challenging. While some odour testing labs exist in Canada, their usefulness for regulatory purposes is questionable, and testing can be onerous and expensive. Even if and when the quantification of odour can be satisfactorily addressed, an odour's source can be challenging to prove to the standard needed in court.

Proactive approaches to cannabis-related odour and nuisance abatement are therefore preferable. For example,

odour impact assessments and control plans might be included in requirements for rezoning applications or development approvals in circumstances where these are authorized and warranted.

Zoning setbacks, landscaping, buffer or similar requirements may be considered for certain types of facilities that are anticipated to cause odour or other nuisances. This is in addition to the basic locational criteria that have traditionally restricted problem activities to their own special zones.

Municipalities may also want to set business licence conditions that could reduce nuisance concerns around cannabis production and retail facilities. For more on this, see [CHAPTER 3: BUSINESS REGULATION](#). In addition, public consumption regulations, where authorized, may be used to contain or limit public exposure to odours and smoke. For more on this, see [CHAPTER 4: PUBLIC CONSUMPTION](#).

6.3 Potential liability and non-enforcement

Given the potential nuisance, health and safety issues that might arise, responsibility for cannabis-related regulation and enforcement has led to some concern over potential liability issues for local governments. However, the liability potential in this area is no more significant than any other area of local government regulation.

It is sometimes alleged in lawsuits against local governments that failure to enforce local regulations in relation to a nuisance has depressed the value of adjacent properties. These lawsuits claim that the local government is under a legal duty to enforce its regulations to prevent the nuisance, and that it must therefore compensate property owners for the reduced value. Generally, this legal proposition is not sound. (The property owner may have a good claim in nuisance against their neighbour, however.)

Local governments can decide, for *bona fide* reasons, not to enforce particular regulations in relation to particular factual circumstances, even if non-enforcement might cause financial harm to affected neighbours or owners. *Bona fide* reasons include such factors as the severity, scale or duration of the contravention and the cost to the local government of securing compliance with the regulation.

Further, enforcement is sometimes suspended while a regulation is under review or in the process of being amended or repealed. However, the position of any citizen complainant must also be considered. Good governance suggests that the maker of a valid complaint is entitled to an explanation of any local government decision not to investigate or enforce.

Building inspection is an established area where local governments owe a duty of care to those who may occupy or purchase property. Ensuring a consistent level of care in monitoring building code compliance will be important once non-medical cannabis is legalized. No local government is required to establish any particular type of regime for inspection and enforcement of building standards, except in some jurisdictions in relation to fire safety inspections. However having established a particular regime, such as one based on complaints from tenants or neighbours, local governments should be diligent about following that regime in relation to each individual complaint.

6.4 Enforcement tools and policies

Bylaw drafting

Residents will likely expect enforcement of any regulations that have been adopted with regard to the legalization of cannabis. This expectation should be kept in mind as regulations are drafted and considered for enactment. Enacting regulations that the local government has no realistic intention or ability to enforce is not a good governance practice. It can lead to reduced voluntary compliance with respect to that regulation as well as other enforcement areas.

Having elected to regulate, local governments should keep enforcement practicalities in mind when drafting the regulations, consulting with legal counsel as to the elements of any offence that will have to be proven to obtain a conviction or fine.

Enforcement practices

Enforcement policies are an important tool for managing expectations and resources. Local governments should consider whether to implement proactive enforcement and investigations, or only to investigate where complaints have been made.

Any complaints made under a complaint-based enforcement policy should be documented. Proactive enforcement practices should also be documented so staff, elected officials and the public know what they can expect, and the extent of resources that may be invested.

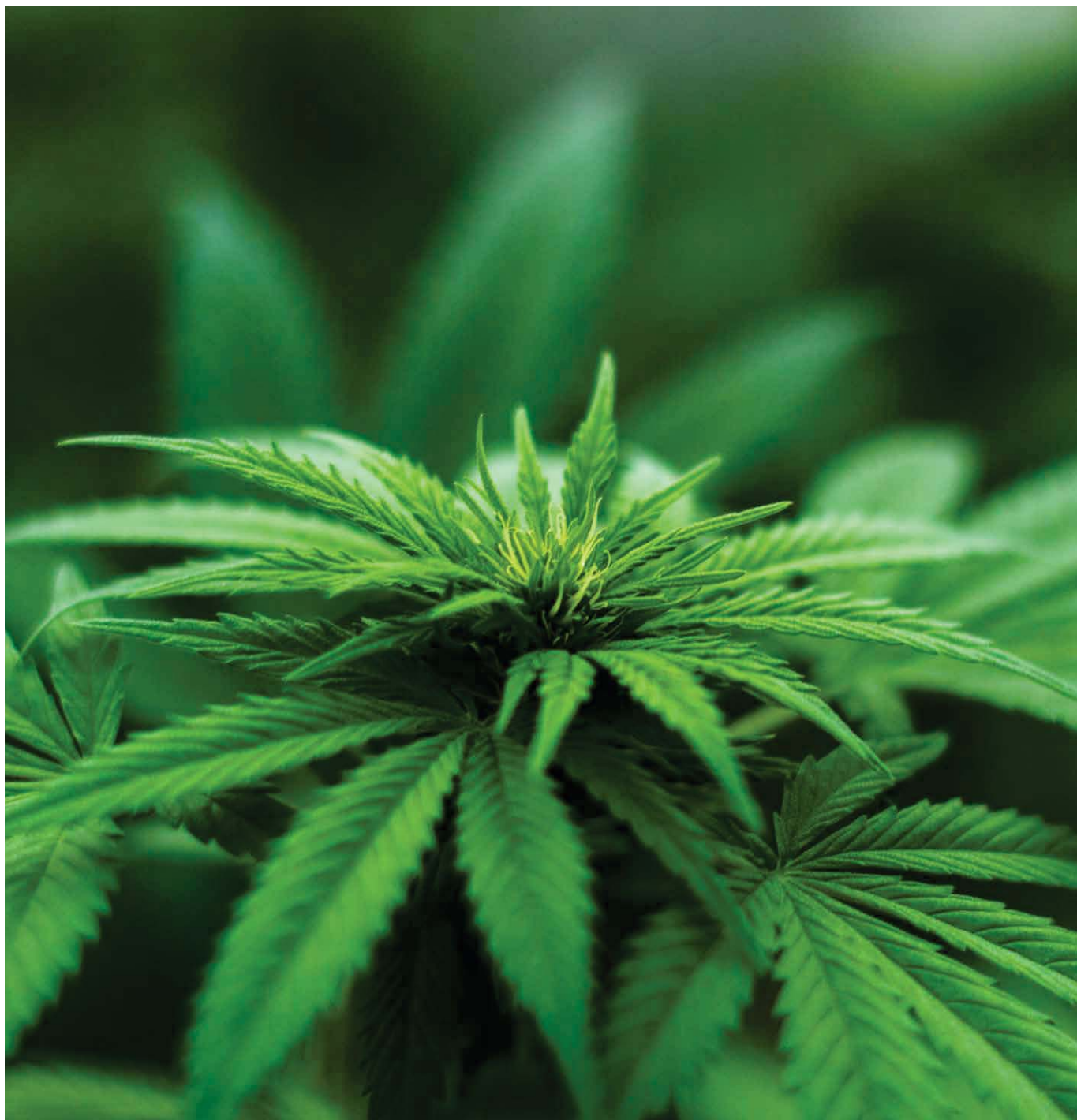
Generally speaking, prompt attention to bylaw contraventions once discovered, whether by complaint or proactive investigation, will result in better compliance rates overall.

Enforcement remedies for cannabis-related complaints and contraventions may vary greatly, depending on the enactment that has been breached. Self-help remedies are often attempted first.

Businesses breaching zoning or business licensing conditions, or even federal or provincial/territorial enactments—depending on how the business licensing regulations have been drafted—may be subject to licence suspension or revocation.

Building permits may be withheld or stop-work orders issued if proposed or actual construction does not respect applicable building codes or bylaw standards—including those pertaining to signage on retail premises. Remedial action orders can be considered for existing buildings in which contraventions are detected, such as bypassed electrical breaker panels or barricaded exit doors.

Municipal ticketing, injunctions and other court proceedings are usually a last resort. These remedies are almost always more expensive, and to some degree take the matter out of the local government's hands, exposing it to procedural delays.





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