

FRASER VALLEY REGIONAL DISTRICT



BOARD OF DIRECTORS

MERGED OPEN MEETING AGENDA AND ADDENDA

Tuesday, July 24, 2018

7:00 pm

FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

Pages

1. CALL TO ORDER
2. MEMORIAM : LORRAINE MARTENS
3. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

All/Unweighted

MOTION FOR CONSIDERATION

THAT the Agenda, Addenda and Late Items for the Fraser Valley Regional District Board Open Meeting of July 24, 2018 be approved;

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

4. DELEGATIONS AND PRESENTATIONS

None

5. BOARD MINUTES & MATTERS ARISING

- 5.1 Board Meeting - June 26, 2018

14 - 34

All/Unweighted

MOTION FOR CONSIDERATION

THAT the Minutes of the Fraser Valley Regional District Board Open Meeting of June 26, 2018 be adopted.

- 5.2 Special Minute - FVRD Security Issuing Bylaw No. 1486, 2018

35 - 36

All/Unweighted

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board adopt Special Minute dated July 16, 2018 with respect to *Fraser Valley Regional Security Issuing Bylaw No. 1486, 2018*.

6. COMMITTEE AND COMMISSION MINUTES FOR INFORMATION AND MATTERS ARISING

6.1	<u>Draft Regional and Corporate Services Committee - July 10, 2018</u>	37 - 42
6.2	<u>Draft Electoral Area Services Committee - July 10, 2018</u>	43 - 55
6.3	<u>Draft Fraser Valley Aboriginal Relations Committee - June 19, 2018</u>	56 - 61
6.4	<u>Draft Internal Affairs Committee - June 26, 2018</u>	62 - 64

7. CORPORATE ADMINISTRATION

7.1	<u>Section 57 Show Cause Hearing – Building Contraventions at 48977 Riverbend Drive; EA E, Lot 7 District Lot 500 Group 2 New Westminster District Plan LMP18665 pid 002-428-971</u>	65 - 101
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All/Unweighted

- Corporate report dated July 10, 2018 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated March 15, 2018 to Serge Lavoie and Christin Marcotte, Property Owners
- Letter dated April 6, 2018 to Serge Lavoie and Christin Marcotte, Property Owners
- Letter dated to April 27, 2018 to Christin Marcotte and Dale Pedersen
- Letter dated June 13 to Christin Marcotte and Dale Pederson
- Title Search
- Property Information Map

MOTION FOR CONSIDERATION

[EASC-JULY 2018] THAT the Fraser Valley Regional District Board direct staff to defer filing a Notice in the Land Title Office with respect to the property located at 48977 Riverbend Drive, Electoral Area E in order to provide the property owner additional time to bring the property into compliance;

AND THAT should the property owner not start to substantially address the situation by September, 2018, that 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 LMP 18665; Parcel Identifier 018-925-332 be filed on September 26, 2018.

- 7.2 **Building Bylaw & BC Building Code Contraventions at 42935 Athey Rd, EA G, in part legally desc. as the whole of the Island in the east half of Section 4 Twp. 24, 1893 New Westminster District, PID 002-428-971** 102 - 112

All/Unweighted

- Corporate report dated July 10, 2018 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated June 1, 2018 to Edward Forber, Property Owner
- Title Search
- Property Location Map

MOTION FOR CONSIDERATION

[EASC-JULY 2018] 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 42935 Athey Road Electoral Area G, Fraser Valley Regional District, British Columbia; legally described as the whole of the Island in the east half of section 4 township 24 which is situated in Zait Scullachan Slough containing 6.25 acres more or less as shown on the plan of said Township dated the 18th day of September, 1893 New Westminster District; Parcel Identifier: 002-428-971.

- 7.3 **Building Bylaw & BC Building Code Contraventions at 4164 Slesse Rd, EA E, legally desc. as Lot 25 Except: Part within Heavy outline taken by Hwy Stat. ROW Plan 64013, Sect.33 Twp.1 Range 29 West of the Sixth Meridian NW Dist.Plan 24078, PID 009-301-780** 113 - 160

All/Unweighted

- Corporate report dated July 10, 2018 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated January 24, 2018 to Marcel and Bernice Champigny, Property Owners
- Letter dated June 1, 2018 to Marcel and Bernice Champigny
- Title Search
- Property Information Map

MOTION FOR CONSIDERATION

[EASC-JULY 2018] THAT the Fraser Valley Regional District Board direct staff

to defer filing a Notice in the Land Title Office with respect to the property located at 4164 Slesse Road, Electoral Area E in order to provide the existing or new property owners additional time to bring their property into compliance;

AND THAT should the existing or new property owners not start to substantially address the situation by September 2018, that 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 4164 Slesse Road Electoral Area E, Fraser Valley Regional District, British Columbia (as Lot 25 Except: Part within Heavy outline taken by Highway Statutory Right of Way Plan 64013, Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 24078; Parcel Identifier: 009-301-780 be filed on September 26, 2018.

7.4 Building Bylaw & BC Building Code Contraventions at 4150 Slesse Rd, EA E, legally desc. as Lot 23 Except: Part within Heavy Outline taken by Hwy SRW Plan 64013; Section 33 Township 1 Range 29 West of the Sixth Meridian NW Dist. Plan PID 002-053-578

161 - 189

All/Unweighted

- Corporate report dated July 10, 2018 from Louise Hinton, Bylaw Compliance and Enforcement Officer
- Letter dated March 16, 2018 to Karl and Wendy Herrington, Property Owners
- Letter dated June 1, 2018 to Karl and Wendy Herrington, Property Owners
- Title Search
- Property Information Map

MOTION FOR CONSIDERATION

[EASC-JULY 2018] 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 4150 Slesse Road Electoral Area E, Fraser Valley Regional District, British Columbia; legally described as (Lot 23 Except: Part within Heavy Outline taken by Highway SRW Plan 64013; Section 33 Township 1 Range 29 West of the sixth Meridian New Westminster District Plan 24078; Parcel Identifier: 002-053-578.

8. FINANCE

No Items.

9. BYLAWS

9.1 Electoral Area Commercial Gravel Operations Service Area Establishment

190 - 193

Bylaw No. 1409, 2018

Motion No. 1: First Reading/All Unweighted

Motion No. 2: Second & Third Reading - All/Unweighted

- Corporate report dated July 24, 2018 from Jaime Schween, Manager of Corporate Administration
- Draft Bylaw No. 1409, 2018

MOTION FOR CONSIDERATION

MOTION NO. 1: THAT the Fraser Valley Regional District Board consider giving first reading to the bylaw cited as *Fraser Valley Regional District Electoral Area Commercial Gravel Operations Service Area Administration Bylaw No. 1409, 2018*.

MOTION FOR CONSIDERATION

MOTION NO. 2: THAT the Fraser Valley Regional District Board consider giving second and third reading to the bylaw cited as *Fraser Valley Regional District Electoral Area Commercial Gravel Operations Service Area Administration Bylaw No. 1409, 2018*.

9.2	<u>Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018, Electoral Area C</u>	194 - 199
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Adoption - All/Unweighted

- Corporate report dated June 26, 2018 from Sterling Chan, Manager of Engineering and Infrastructure - background information
- Draft Bylaw No. 1471, 2018

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board consider adopting the bylaw cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018*.

9.3	<u>Lake Errock Water System Capital Construction Service Area Amendment Bylaw No. 1472, 2018, Electoral Area C</u>	200 - 203
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Adoption - All/Unweighted

- Refer to corporate report in item 9.2
- Draft Bylaw No. 1472, 2018

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board consider adopting the bylaw cited as *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Amendment Bylaw No. 1472, 2018*.

9.4	<u>Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw 1482, 2018, Electoral Area C</u>	204 - 209
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Motion No. 1: First Reading - All/Unweighted

Motion No. 2: Second & Third Reading - All/Unweighted

- Corporate report dated July 24, 2018 from Sterling Chan, Manager of Engineering and Infrastructure

MOTION FOR CONSIDERATION

MOTION NO. 1: THAT the Fraser Valley Regional District Board consider giving first reading to the bylaw cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1482, 2018*.

MOTION FOR CONSIDERATION

MOTION NO. 2: THAT the Fraser Valley Regional District Board consider giving second and third reading to the bylaw cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1482, 2018*.

9.5	<u>Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018, Electoral Area F</u>	210 - 215
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Adoption - All/Unweighted

- Corporate report dated June 26, 2018 from Sterling Chan, Manager of Engineering and Infrastructure
- Draft Bylaw No. 1481, 2018 - background information

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board consider adopting the bylaw cited as *Fraser Valley Regional District Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018*.

10. PERMITS

[OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO BE HEARD]

10.1	<u>Application for Development Variance Permit 2018-24 to reduce the parcel size and increase the gross floor area for an Accessory Cottage Industry Use at 35406 Durieu Road, Electoral Area F</u>	216 - 231
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EAs/Unweighted

- Corporate report dated July 10, 2018 from Andrea Antifaeff, Planning Technician
- DVP Application

- Draft DVP 2018-24

MOTION FOR CONSIDERATION

[EASC-JULY 2018] THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-24 to reduce the parcel size required for an accessory cottage industry use from 2.0 hectares (4.94 acres) to 1.9 hectares (4.69 acres) and to increase the gross floor area for an Accessory Cottage Industry Use from 80m² (861 ft²) to 140m² (1500 ft²) at 35406 Durieu Road, Area "F", subject to consideration of any comments or concerns raised by the public.

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|------|---|-----------|
| 10.2 | <u>Application for Development Variance Permit 2018-25 to reduce the interior side lot line setback to permit the construction of a dairy barn at 9518 Catherwood Road, Electoral Area G</u> | 232 - 245 |
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Motion No. 1: EAs/Unweighted

Motion No. 2: All/Weighted

- Corporate report dated July 10, 2018 from Andrea Antifaeff, Planning Technician
- DVP Application
- Draft DVP 2018-25

MOTION FOR CONSIDERATION

MOTION NO. 1: [EASC-JULY 2018] THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-25 for the property located at 9518 Catherwood Road, Electoral Area G, to reduce the interior side lot line setback from 30.0 metres (98.4 feet) to 15 metres (49.2 feet), clear to sky, to facilitate the construction of a cattle barn, subject to consideration of any comments or concerns raised by the public.

MOTION FOR CONSIDERATION

MOTION NO. 2: THAT the Fraser Valley Regional District Board authorize its signatories to execute all legal instruments associated with the application for DVP 2018-25, including a Section 219 restrictive covenant tying the sale of either of the two properties to the other to address existing construction built across the interior lot line.

11. CONTRACTS, COVENANTS AND OTHER AGREEMENTS

No Items.

12. OTHER MATTERS

- | | | |
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| 12.1 | <u>BC Transit Board of Directors</u> | 246 - 257 |
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All/Unweighted

- Corporate report dated July 10, 2018 from Barclay Pitkethly, Director of Regional Programs
- BC Transit Corporation Job Opportunity Listing
- BC Transit Outlined Skills Matrix
- BC Transit Board of Directors Best Practices Assessment Form
- Excerpt from British Columbia Transit Act

MOTION FOR CONSIDERATION

[RACS-JULY 2018] THAT the Fraser Valley Regional District Board direct staff to request the Hon. Claire Trevena, Minister of Transportation and Infrastructure that the Fraser Valley be represented on the BC Transit Board of Directors;

AND THAT the Fraser Valley Regional District Board consider selecting a political representative, either the FVRD Chair or a Mayor, to apply to the BC Transit Board of Directors for the Lieutenant Governor in Council's consideration.

12.2 Trans-Canada Highway Expansion

All/Unweighted

- Verbal report from Paul Gipps, CAO

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board direct staff to schedule a meeting with Hon. Claire Trevena, Minister of Transportation and Infrastructure and Premier Horgan indicating the need for Provincial support of funding for Highway 1 widening.

12.3 Elizabeth's Wildlife Centre

258 - 260

All/Unweighted

- Corporate report dated July 24, 2018 from Paul Gipps, Chief Administrative Officer

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board consider authorizing a regional grant-in-aid to Elizabeth's Wildlife Centre in the amount of \$5,000 to support the ongoing efforts of the foundation for 2018;

AND FURTHER THAT staff be directed to bring forward an option for ongoing financial support during 2019 budget discussions.

12.4 Tashme Museum Letter of Support

261 - 261

All/Unweighted

- Corporate report dated July 24, 2018 from Paul Gipps, Chief Administrative Officer

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District provide a letter of support to the Tashme Historical Society's efforts to preserve this important historical area and secure financial and in-kind support from the other funding agencies as well as any potential grant opportunities that may arise.

12.5 Fraser Basin Fraser Valley Update - July 2018

262 - 262

FOR INFORMATION ONLY

- FBC Fraser Valley Update - July 2018

13. CONSENT AGENDA

13.1 CONSENT AGENDA - FULL BOARD

All/Unweighted

All staff reports respecting these items are available in the Directors' Office and on the FVRD corporate website.

MOTION FOR CONSIDERATION

THAT the following Consent Agenda items 13.1.1 to 13.1.11 be endorsed:

13.1.1 EASC-JULY 2018

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,000 to the Fraser Valley Bald Eagle Festival Society, funded from Electoral Area "C", to assist in the funding of their annual Fraser Valley Bald Eagle Festival.

Reference item 7.1 of July 10, 2018 EASC Agenda.

13.1.2 EASC-JULY 2018

THAT the Fraser Valley Regional District Board approve a grant-in-aid to the Hemlock Valley Homeowners Association (HVHA) in the amount of \$3,000, to be funded from the 2018 Electoral Area "C" grant-in-aid budget to help offset the costs associated with purchasing a storage locker for their equipment along with the hosting of several community events used to encourage family participation to increase community awareness.

Reference item 7.2 of July 10, 2018 EASC Agenda.

13.1.3 EASC-JULY 2018

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,000 to the Sts'ailes Community School, funded from the Electoral Area "C" grant-in-aid budget to help offset the costs of operating the secondary athletics program run through the Community School.

Reference item 7.3 of July 10, 2018 EASC Agenda.

13.1.4 EASC-JULY 2018

THAT the Fraser Valley Regional District Board approve a Grant-in-Aid to the McConnell Creek Farmers Institute (community hall) in the amount of \$5,000 to be funded from the 2018 Electoral Area "F" grant-in-aid budget to assist with the costs of completing building improvements that will provide for an expanded covered area for community hall events.

Reference item 7.4 of July 10, 2018 EASC Agenda.

13.1.5 EASC-JULY 2018

THAT the Fraser Valley Regional District Board approve a grant-in-aid to the Lake Errock Community Association in the amount of \$2,500 to be funded from the 2018 Electoral Area "C" grant-in-aid budget to help offset the costs associated with the hosting of several events that encourage community inclusiveness.

Reference item 7.5 of July 10, 2018 EASC Agenda.

13.1.6 EASC-JULY 2018

THAT the Fraser Valley Regional District Board authorizes a grant-in-aid in the amount of \$2,000 to the Deroche & District Community Association, funded from the 2018 Electoral Area "C" grant-in-aid budget, to provide funds for cement picnic tables adjacent to their community tennis courts.

Reference item 7.6 of July 10, 2018 EASC Agenda.

13.1.7 EASC-JULY 2018

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to Deroche Elementary School, funded from the Electoral Area "C" grant-in-aid budget, to help offset the costs of constructing a shelter structure for year round enjoyment.

Reference item 7.7 of July 10, 2018 EASC Agenda.

13.1.8 EASC-JULY 2018

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$5,000 to the Deroche Elementary School PAC, funded from the 2018 Electoral Area “C” grant-in-aid budget in the amount of \$2,000 and from the 2018 Electoral Area “G” grant-in-aid budget in the amount of \$3,000, to help offset the costs of field trips, hot lunches, Christmas hampers, tables, emergency items and outdoor education programs.

Reference item 7.8 of July 10, 2018 EASC Agenda.

13.1.9 EASC-JULY 2018

THAT the Fraser Valley Regional District Board authorize a grant-in-aid to the Columbia Valley Ratepayers Association in the amount of \$4,000 to be funded from the 2018 Electoral Area “H” grant-in-aid budget to help offset the costs of community hall improvements.

Reference item 7.9 of July 10, 2018 EASC Agenda.

13.1.10 EASC-JULY 2018

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$3,000 to the Dewdney Elementary School PAC, funded from the 2018 Electoral Area “G” grant-in-aid budget to help offset the costs of accessibility additions to the playground and a community sign.

Reference item 7.10 of July 10, 2018 EASC Agenda.

13.1.11 EASC-JULY 2018

THAT the Fraser Valley Regional District Board direct staff to submit grant applications under the Investing in Canada Infrastructure Program - Green Infrastructure - Environmental Quality Sub-Stream intake for the following projects:

Electoral Area A: Canyon-Alpine Water System Upgrade

Electoral Area B: Dogwood Valley Water System Upgrades

Electoral Area C: Electoral Area C Transfer Station Upgrades

Electoral Area D: Electoral Area D Integrated Water System Upgrades

Electoral Area F: Hatzic Prairie Water System Stream Flow Monitoring Gauges

Electoral Area G: Hatzic East Water System

14. ADDENDA ITEMS/LATE ITEMS

14.1 Letter of Endorsement for Canada BC Infrastructure Grant 263 - 263

All/Unweighted

- Corporate report dated July 24, 2018 from Paul Gipps, Chief Administrative Officer

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board provide a letter of endorsement for the joint application by the City of Abbotsford and District of Mission for their Collective Well Project.

15. REPORTS FROM COMMITTEE MEETINGS - FOR INFORMATION (Items 15.1 - 15.3)

15.1 Corporate report dated July 10, 2018 from Deputy Director of Regional Programs regarding 'Animal Control - Dog Licencing Update' [RACS-July 2018] 264 - 266

15.2 Corporate report dated July 10, 2018 from Manager of Corporate Administration regarding 'Elections Update' [RACS-July 2018] 267 - 268

15.3 Corporate report dated July 10, 2018 from Planner I regarding 'FVRD Regional Transit Service Update' [RACS-July 2018] 269 - 285

16. ITEMS FOR INFORMATION AND CORRESPONDENCE (Items 16.1-16.2)

16.1 Letter from Regional District of Bulkley Nechako to Ministry of Environment regarding 'Support of the Province of B.C.'s Caribou Recovery Program'. 286 - 287

16.2 Letter dated July 17, 2018 from City of Williams Lake to Hon. Carole James, Minister of Finance and Deputy Premier regarding 'Employer Health Tax Impact on Local Government'. 288 - 288

17. REPORTS BY STAFF

18. REPORTS BY BOARD DIRECTORS

19. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

20. RESOLUTION TO CLOSE MEETING

All/Unweighted

MOTION FOR CONSIDERATION

THAT the Meeting be closed to the public, except for Senior Staff and the Executive Assistant, for the purpose of receiving and adopting Closed Meeting Minutes convened in accordance to Section 90 of the *Community Charter* and to consider matters pursuant to:

- Section 90(1)(c) of the *Community Charter* - labour relations or other employee relations;
- Section 90(1)(i) of the *Community Charter* - the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- Section 90(1)(k) of the *Community Charter* - negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the regional district if they were held in public; and
- Section 90(2)(b) of the *Community Charter* - the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or a federal government or both, or between a provincial government or the federal government or both and a third party.

R E C E S S

21. **RECONVENE OPEN MEETING**
22. **RISE AND REPORT OUT OF CLOSED MEETING**
23. **ADJOURNMENT**

All/Unweighted

MOTION FOR CONSIDERATION

THAT the Fraser Valley Regional District Board Open Meeting of July 24, 2018 be adjourned.

FRASER VALLEY REGIONAL DISTRICT

BOARD OF DIRECTORS MEETING

OPEN MEETING MINUTES

Tuesday, June 26, 2018
(Immediately following the FVRHD Board Meeting)

Members Present:

Director Jason Lum, City of Chilliwack, Chair
Director Dennis Adamson, Electoral Area B
Director Pam Alexis, District of Mission
Director Henry Braun, City of Abbotsford
Director Ray Boucher, Electoral Area F
Director Kelly Chahal, City of Abbotsford
Director Bill Dickey, Electoral Area D
Director Taryn Dixon, Electoral Area H
Director Orion Engar, Electoral Area E
Director Leo Facio, Village of Harrison Hot Springs
Director Sharon Gaetz, City of Chilliwack
Director Moe Gill, City of Abbotsford
Director Jim Hinds, District of Mission
Director Dave Loewen, City of Abbotsford
Director Alec Niemi, Electoral Area C
Director Terry Raymond, Electoral Area A
Director Patricia Ross, City of Abbotsford
Director Ross Siemens, City of Abbotsford
Director Chuck Stam, City of Chilliwack
Director Al Stobbart, Electoral Area G
Director John Van Laerhoven, District of Kent
Director Wilfried Vicktor, District of Hope
Director Sam Waddington, City of Chilliwack

Staff Present:

Paul Gipps, Chief Administrator Officer
Mike Veenbaas, Director of Financial Services
Barclay Pitkethly, Director of Regional Programs
Margaret-Ann Thornton, Director of Planning & Development
Stacey Barker, Deputy Director of Regional Programs
Maggie Mazurkewich, Communications Assistant
Jaime Schween, Manager of Corporate Administration
Jody Castle, Manager of Recreation Services
Matthew Fang, Network Analyst I

Amanda Molloy, Recording Secretary
Chris Lee, Executive Assistant
Tine Mooney, Executive Assistant

There were three members of the public present, as well as Paul Stock of the Hope & District Chamber of Commerce.

1. CALL TO ORDER

The open meeting was called to order at 7:02pm.

Chair Lum presented Tina Mooney with her Certificate in Local Government Administration, awarded by Capilano University. The Board acknowledged the hard work and dedication Ms. Mooney put forward to complete the required university courses to obtain her certificate.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By FACIO

Seconded By BOUCHER

THAT the Agenda, Addenda and Late Items for the Fraser Valley Regional District Board Open Meeting of June 26, 2018 be approved;

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

CARRIED

All/Unweighted

3. DELEGATIONS AND PRESENTATIONS

3.1 Paul Stock, Hope & District Chamber of Commerce

Paul Stock of the Hope & District Chamber of Commerce presented the Board with an award recognizing the outstanding support the Chamber of Commerce received from the District towards the success of the inaugural 5km and 10km organized running event held in the District of Hope on March 18, 2018. Mr. Stock also presented the Board with a commemorative medal from the event.

4. BOARD MINUTES & MATTERS ARISING

4.1 Board Meeting - May 23, 2018

Moved By STOBART

Seconded By HINDS

THAT the Minutes of the Fraser Valley Regional District Board Open Meeting of May 23, 2018 be adopted.

CARRIED

All/Unweighted

5. COMMITTEE AND COMMISSION MINUTES FOR INFORMATION AND MATTERS ARISING

The following items were received for information:

5.1 Draft Regional and Corporate Services Committee - June 12, 2018

5.2 Draft Electoral Area Services Committee - June 12, 2018

6. CORPORATE ADMINISTRATION

6.1 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.

Moved By CHAHAL

Seconded By DICKEY

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).

CARRIED

All/Unweighted

6.2 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

Moved By STOBART
Seconded By LOEWEN

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.

CARRIED

All/Unweighted

6.3 UBCM Resolution

Moved By GAETZ
Seconded By RAYMOND

THAT the Fraser Valley Regional District Board consider and support the following resolution to be put forward at UBCM:

WHEREAS the Province of BC has adopted the Freedom of Information and Protection of Privacy Act (FIPPA) to make public bodies more accountable to the public and to protect personal privacy;

AND WHEREAS Local Government has been informed by FIPPA that we are not in compliance with privacy information by regularly recording, broadcasting, and publishing personal information including the names and addresses of those public members participating in these meetings;

THEREFORE be it resolved that UBCM request the Province review the regulations and interpretations of the FIPPA in partnership with Local Government as to how Local Government can maintain their democratic processes engaging members of public and remain compliant with FIPPA.

Discussion ensued raising concerns of the wording in the proposed motion, resulting in the following amendment:

Moved By ENGAR
Seconded By GAETZ

THAT the motion be amended by removing the words “Local Government has been informed by FIPPA that we are not in compliance”, and adding the words “Local Government has been informed by FIPPA that they believe we are not in compliance” in the second paragraph;

AND THAT the words “in partnership with Local Government” be removed and replaced with the words “in partnership with UBCM” in the third paragraph.

CARRIED
All/Unweighted
Director Braun Opposed

The question was then called on the main motion as amended:

Moved By ENGAR
Seconded By GAETZ

THAT the Fraser Valley Regional District Board consider and support the following resolution to be put forward at UBCM:

WHEREAS the Province of BC has adopted the Freedom of Information and Protection of Privacy Act (FIPPA) to make public bodies more accountable to the public and to protect personal privacy;

AND WHEREAS Local Government has been informed by FIPPA that they believe that we are not in compliance with privacy information by regularly recording, broadcasting, and publishing personal information including the names and addresses of those public members participating in these meetings;

THEREFORE be it resolved that UBCM request the Province review the regulations and interpretations of the FIPPA in partnership with UBCM as to how Local Government can maintain their democratic processes engaging members of public and remain compliant with FIPPA.

CARRIED
All/Unweighted
Directors Adamson, Braun, Chahal and Vicktor Opposed

6.4 FCM Special Advocacy Fund

Moved By RAYMOND
Seconded By CHAHAL

THAT the Fraser Valley Regional District Board not contribute to the FCM Special Advocacy Fund.

CARRIED
All/Unweighted

6.5 FVRD Volunteer Recognition Awards Program Policy and Procedure

Moved By ADAMSON
Seconded By NIEMI

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

CARRIED
All/Unweighted

6.6 Remuneration Rates for 2018 General Local Election Staff

Moved By FACIO
Seconded By GILL

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

CARRIED
All/Unweighted

6.7 Appointment of Building Official, Building Inspector and Bylaw Enforcement Officer

Moved By HINDS

Seconded By ROSS

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.

CARRIED

All/Unweighted

6.8 INDIGENOUS RELATIONS (FOR INFORMATION ONLY)

The following items were received for information:

6.8.1 Report from Jessica Morrison, Policy Analyst - First Nations regarding 'Engagement for FVARC Visioning' (FVARC Meeting - June 19, 2018)

6.8.2 Report from Jessica Morrison, Policy Analyst - First Nations regarding 'FVRD Projects Review' (FVARC Meeting - June 19, 2018)

6.8.3 Report from Alison Stewart, Manager of Strategic Planning regarding 'FVRD Transit Services - First Nations Participation' (FVARC Meeting - June 19, 2018)

6.8.4 Community to Community Forum between Sema:th First Nation, the City of Abbotsford and the Fraser Valley Regional District - October 17, 2017 - Report Form (FVARC Meeting - June 19, 2018)

7. FINANCE

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

Mike Veenbaas, Director of Finance, noted that the original grant-in-aid request by the Coquihalla Elementary School Parent Advisory Committee was in the amount of \$2,500. After review of available funds with Director Adamson, the amount has been amended to award \$1,670.00 to the Coquihalla Elementary

School PAC, in order to ensure the success of other grant-in-aid considerations from the community.

Moved By ADAMSON
Seconded By BOUCHER

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$1,670 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.

CARRIED

All/Unweighted

7.2 Grant-In-Aid Request – Yale & District Historical Society, Electoral Area “B”

Director Raymond declared a conflict of interest regarding this item as he is a member of the Yale & District Historical society. Director Raymond left the meeting for the discussion and vote on this matter.

Moved By ADAMSON
Seconded By NIEMI

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$500 to the Yale & District Historical Society, funded from the Electoral Area “B” grant-in-aid budget, to provide funds to help offset the costs of a Canada Day event.

CARRIED

All/Unweighted

Director Raymond returned to the meeting.

7.3 Grant-In-Aid Request – Hope River Monsters Swim Club, Electoral Area “B”

Moved By ADAMSON
Seconded By VICKTOR

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,400 to the Hope River Monsters Swim Club, funded from the 2018

Electoral Area “B” grant-in-aid budget to help offset the costs of lane fees, and to purchase storage containers, lane indicators and touch pad equipment.

CARRIED

All/Unweighted

7.4 2017 Fraser Valley Regional District Statement of Financial Information

The report by Mike Veenbaas dated June 26, 2018 was provided to the Board for information.

8. BYLAWS

8.1 Security Issuing Bylaw No. 1483, 2018 – FVRD Loan Authorizations

Moved By RAYMOND
Seconded By STOBART

THAT the Fraser Valley Regional District Board give first reading to the bylaw cited as *Fraser Valley Regional District Security Issuing Bylaw No. 1483, 2018*.

CARRIED

All/Weighted

Moved By ADAMSON
Seconded By DIXON

THAT the Fraser Valley Regional District Board give second and third reading to the bylaw cited as *Fraser Valley Regional District Security Issuing Bylaw No. 1483, 2018*.

CARRIED

All/Weighted

Moved By STAM
Seconded By BOUCHER

THAT the Fraser Valley Regional District Board adopt the bylaw cited as *Fraser Valley Regional District Security Issuing Bylaw No. 1483, 2018*.

CARRIED

All/Weighted (2/3 Majority)

8.2 FVRD Cultus Lake Integrated Water Supply and Distribution System Service Area Amendment Bylaw No. 1456, 2017, Electoral Area H

Moved By DIXON
Seconded By HINDS

THAT the Fraser Valley Regional District Board adopt the bylaw cited as *Fraser Valley Regional District Cultus Lake Integrated Water Supply and Distribution System Service Area Amendment Bylaw No. 1456, 2017*.

CARRIED

All/Unweighted

8.3 FVRD Cultus Lake Integrated Water Supply and Distribution System Capital Construction Service Area Amendment Bylaw No. 1457, 2017, Electoral Area H

Moved By DIXON
Seconded By BOUCHER

THAT the Fraser Valley Regional District Board adopt the bylaw cited as *Fraser Valley Regional District Cultus Lake Integrated Water Supply and Distribution System Capital Construction Service Area Amendment Bylaw No. 1457, 2017*.

CARRIED

All/Unweighted

8.4 FVRD Popkum West Storm Drainage Service Area Amendment Bylaw No. 1469, 2018, Electoral Area D

Moved By DICKEY
Seconded By ENGAR

THAT the Fraser Valley Regional District Board adopt the bylaw cited as *Fraser Valley Regional District Popkum West Storm Drainage Service Area Amendment Bylaw No. 1469, 2018*.

CARRIED

All/Unweighted

8.5 FVRD Popkum Street Lighting Service Area Amendment Bylaw No. 1470, 2018, Electoral Area D

Moved By DICKY
Seconded By GAETZ

THAT the Fraser Valley Regional District Board adopt the bylaw cited as *Fraser Valley Regional District Popkum Street Lighting Service Area Amendment Bylaw No. 1470, 2018*.

CARRIED

All/Unweighted

8.6 FVRD Popkum Sewer Service Area Amendment Bylaw No. 1475, 2018, Electoral Area D

Moved By DICKY
Seconded By ADAMSON

THAT the Fraser Valley Regional District Board adopt the bylaw cited as *Fraser Valley Regional District Popkum Sewer Service Area Amendment Bylaw No. 1475, 2018*.

CARRIED

All/Unweighted

8.7 FVRD North Bend Sewer System Service Area Amendment Bylaw No. 1477, 2018, Electoral Area A

Moved By STOBART
Seconded By SIEMENS

THAT the Fraser Valley Regional District Board adopt the bylaw cited as *Fraser Valley Regional District North Bend Sewer System Service Area Amendment Bylaw No. 1477, 2018*.

CARRIED

All/Unweighted

**8.8 FVRD Lake Errock Water Supply and Distribution System Service Area
Amendment Bylaw No. 1471, 2018, Electoral Area C**

Moved By STAM
Seconded By NIEMI

THAT the Fraser Valley Regional District Board give first reading to the bylaw cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018*.

CARRIED
All/Unweighted

Moved By RAYMOND
Seconded By SIEMENS

THAT the Fraser Valley Regional District Board give second and third reading to the bylaw cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018*.

CARRIED
All/Unweighted

**8.9 FVRD Lake Errock Water System Capital Construction Service Area
Amendment Bylaw No. 1472, 2018, Electoral Area C**

Moved By NIEMI
Seconded By ADAMSON

THAT the Fraser Valley Regional District Board give first reading to the bylaw cited *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Amendment Bylaw No. 1472, 2018*.

CARRIED
All/Unweighted

Moved By NIEMI
Seconded By STOBART

THAT the Fraser Valley Regional District Board give second and third reading to the bylaw cited *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Amendment Bylaw No. 1472, 2018*.

CARRIED

All/Unweighted

8.10 FVRD Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018

Moved By LOEWEN
Seconded By RAYMOND

THAT the Fraser Valley Regional District Board give first reading to the bylaw cited as *Fraser Valley Regional District Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018*.

CARRIED

All/Unweighted

Moved By SIEMENS
Seconded By DICKEY

THAT the Fraser Valley Regional District Board give second and third reading to the bylaw cited as *Fraser Valley Regional District Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018*.

CARRIED

All/Unweighted

8.11 FVRD Bylaw No. 1458, 2017 - Rezoning application for 11223 Stave Lake Road to facilitate a two lot subdivision, Electoral Area F

Moved By BOUCHER
Seconded By ADAMSON

THAT the Fraser Valley Regional District Board give second and third reading to the bylaw cited as *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1458, 2017*.

CARRIED

EAs/Unweighted

8.12 FVRD Official Community Plan amendment Bylaw 1460, 2017 to facilitate a single family residential subdivision at 45900 Sleepy Hollow Road, Electoral Area H.

Moved By DIXON

Seconded By BOUCHER

THAT the Fraser Valley Regional District Board give second and third reading to the bylaw cited as *Fraser Valley Regional District Official Community Plan for Electoral Area E Amendment Bylaw No. 1460, 2017*.

CARRIED

EAs/Unweighted

8.13 FVRD Zoning Amendment Bylaw No. 1461, 2017 to facilitate a single family residential subdivision at 45900 Sleepy Hollow Road, Electoral Area H

Moved By DIXON

Seconded By BOUCHER

THAT the Fraser Valley Regional District Board give second and third reading to the bylaw cited as *Fraser Valley Regional District Electoral Area H Zoning Amendment Bylaw No. 1461, 2017*.

CARRIED

EAs/Unweighted

Three members of the public left the meeting.

9. PERMITS

9.1 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

Chair Lum provided to opportunity for the public to speak to this item. No members of the public were present.

Moved By STOBART
Seconded By NIEMI

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

CARRIED
EAs/Unweighted

9.2 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

Chair Lum provided to opportunity for the public to speak to this item. No members of the public were present.

Moved By STOBART
Seconded By DIXON

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.

CARRIED
EAs/Unweighted

9.3 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

Chair Lum provided to opportunity for the public to speak to this item. No members of the public were present.

Moved By NIEMI
Seconded By STOBART

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.

CARRIED
EAs/Unweighted

Moved By NIEMI
Seconded By STOBART

THAT the Fraser Valley Regional District Board authorize its signatories to execute all legal instruments associated with this application.

CARRIED
All/Weighted

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

Chair Lum provided to opportunity for the public to speak to this item. No members of the public were present.

Moved By DIXON
Seconded By RAYMOND

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.

CARRIED
EAs/Unweighted

Moved By DIXON
Seconded By STOBART

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.

CARRIED

All/Weighted

10. CONTRACTS, COVENANTS AND OTHER AGREEMENTS

No items.

11. OTHER MATTERS

11.1 Climate Action Revenue Incentive Program – 2017 Greenhouse Gas Emissions Report and Corporate Fuel Consumption Tracking Policy

Moved By BRAUN
Seconded By ROSS

THAT the Fraser Valley Regional District Board receive the Fraser Valley Regional District's Climate Action Revenue Incentive (CARIP) Public Report for 2017;

AND THAT the Fraser Valley Regional District Board adopt the *Corporate Fuel Consumption Tracking Policy* for the purpose of monitoring and reporting fuel usage by third party service providers as a progressive step toward meeting its obligations under the Climate Action Charter.

CARRIED

All/Unweighted

11.2 Mobility Pricing Independent Commission: Metro Vancouver Mobility Pricing Report

Discussion ensued regarding the current data the FVRD has showing the percentage of trips generated in the FVRD that leave the region, and the potential impact any further mobility pricing may have on the public. Mr. Gipps noted that there will be a full report brought forward to the July Regional and Corporate Services Committee for further discussion.

Moved By ROSS
Seconded By HINDS

THAT the Fraser Valley Regional District Board communicate to the provincial government, TransLink Board and Mayor's Council that any discussion of the imposition of mobility charges on FVRD residents and businesses must include meaningful consultation with affected local governments, not just those within Metro Vancouver.

CARRIED

All/Unweighted

11.3 Letter to Prime Minister Justin Trudeau

Discussion ensued regarding the topics staff will include in the final letter. It was noted that there should be mention of existing partnerships with local First Nations, as well as highlighting much needed bank protection. Chair Lum stated that Staff will prepare the letter according to the direction from the Board.

12. CONSENT AGENDA

12.1 CONSENT AGENDA - FULL BOARD

Moved By LOEWEN
Seconded By RAYMOND

THAT the following Consent Agenda items 12.1.1 to 12.1.3 be endorsed:

12.1.1 RACS-JUNE 2018

THAT the Fraser Valley Regional District Board write a letter to BC Parks seeking clarification on the operating periods for the Provincial Parks within the

region experiencing high visitation and request that, at a minimum, both Alexandra Bridge Provincial Park and Bridal Falls Provincial Park extend their operating periods.

12.1.2 EASC-JUNE 2018

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.

12.1.3 EASC-JUNE 2018

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.

CARRIED

All/Unweighted

12.2 CONSENT AGENDA - ELECTORAL AREAS

Moved By ADAMSON

Seconded By DICKEY

THAT Consent Agenda item 12.2.1 be endorsed.

12.2.1 EASC-JUNE 2018

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.

CARRIED

EAs/Unweighted

13. ADDENDA ITEMS/LATE ITEMS

None.

14. REPORTS FROM COMMITTEE MEETINGS - FOR INFORMATION (Items 14.1 - 14.3)

The following items were received for information:

- 14.1** Local Government Statutes - Housing Needs Reports Amendment Act, 2018 and Residential Rental Tenure Zoning Amendment Act, 2018.
- 14.2** 2017 Annual Development Cost Charge Report.
- 14.3** Municipal Guide to Cannabis Legalization (A Roadmap for Canadian Local Governments) – FCM

15. ITEMS FOR INFORMATION AND CORRESPONDENCE (Items 15.1 to 15.6)

The following items were received for information:

- 15.1** Letter dated May 8, 2018 from The Corporation of the Township of Spallumcheen to Premier of British Columbia, Hon. John Horgan regarding 'Cannabis Production Facilities on Agricultural Land Reserve Lands'.
- 15.2** Letter dated June 7, 2018 from City of New Westminster regarding 'Changes to the Strata Property Act'.
- 15.3** Letter dated June 8, 2018 from The Corporation of the Township of Spallumcheen to the Ministry of Finance regarding 'Employer Health Tax Impact on Local Government'.
- 15.4** Thompson-Nicola Regional District Board Highlights - May 17, 2018
- 15.5** Thompson-Nicola Regional District Board Highlights - June 14, 2018
- 15.6** Squamish-Lillooet Regional District Update - May 2018

16. REPORTS BY STAFF

None.

17. REPORTS BY BOARD DIRECTORS

Director Loewen noted that the Abbotsford Airport now hosts the WestJet Swoop airline, which specializes in discounted flights across Canada.

Director Adamson reported that Elef Christensen, an Electoral Area Director of the Regional District of Okanagan Similkameen, passed away recently.

Director Alexis thanked the Board members who were able to attend the Fraser Basin Council tours and dinner on June 13th.

Director Raymond reported that he attended a recent meeting in Boston Bar and received positive feedback regarding the FVRD staff relations.

Director Facio reported that the official registration for the Inaugural FVRD Board of Directors Golf Tournament has been distributed. The tournament will take place on July 18th at the Harrison Hot Springs Golf Course, followed by dinner at the Resort. The deadline for registration is July 6th.

Director Dixon reported that she attended Cultus Lake Days community event on the weekend, and it was very successful and well attended by the public.

Director Boucher reported that retired Fire Chief William Brown of the North Fraser Fire Hall recently passed away. A service will be held this Friday.

18. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

None.

19. ADJOURNMENT

Moved By GAETZ
Seconded By STAM

THAT the Fraser Valley Regional District Board Open Meeting of June 26, 2018 be adjourned.

CARRIED

All/Unweighted

The open meeting adjourned at 8:16pm.

MINUTES CERTIFIED CORRECT:

Director Jason Lum, Chair

Corporate Officer/Deputy

**FRASER VALLEY REGIONAL DISTRICT
BOARD OF DIRECTORS**

SPECIAL MINUTE

by special vote pursuant to B.C. Reg. 41/91
as amended by B.C. Reg. 17/98

MOTION NO. 1

THAT the Fraser Valley Regional District Board give first reading to the bylaw cited as *Fraser Valley Regional District Security Issuing Bylaw No. 1486, 2018*.

**CARRIED
ALL/WEIGHTED**

MOTION NO. 2

THAT the Fraser Valley Regional District Board give second and third reading to the bylaw cited as *Fraser Valley Regional District Security Issuing Bylaw No. 1486, 2018*.

**CARRIED
ALL/WEIGHTED**

MOTION NO. 3

THAT the Fraser Valley Regional District Board adopt the bylaw cited as *Fraser Valley Regional District Security Issuing Bylaw No. 1486, 2018*.

**CARRIED
ALL/WEIGHTED (2/3 Majority)**

I, Paul Gipps, Chief Administrative Officer, declare as follows:

1. Chair Lum and Director Dixon have informed me they consider giving three readings and adoption to *Fraser Valley Regional District Security Issuing Bylaw No. 1486, 2018* to be urgent, and that calling a regular or special meeting to conduct the voting is impractical.
2. I have made all reasonable attempts to communicate the matter to be voted on, by telephone, email or in person, to each Director entitled to vote and have recorded each Director's vote.
3. I have informed the Chair of the results of the voting.

Dated: July 16, 2018

Paul Gipps, Chief Administrative Officer

I, Jason Lum, Chair, declare that the vote has passed.

Dated: July 16, 2018

Jason Lum, Chair

FVRD Security Issuing Bylaw No. 1486, 2018**Weighted Voting [S.783 LGA]**

Director's Name	Jurisdiction	No. of Votes Assigned	For	Against
Director Terry Raymond	Electoral Area A	1	Yes	
Director Dennis Adamson	Electoral Area B	1	Yes	
Director Alec Niemi	Electoral Area C	1	Yes	
Director Bill Dickey	Electoral Area D	1	Yes	
Director Orion Engar	Electoral Area E	1	Yes	
Director Ray Boucher	Electoral Area F	1	Yes	
Director Al Stobbart	Electoral Area G	1	Yes	
Director Taryn Dixon	Electoral Area H	1	Yes	
Director Henry Braun	City of Abbotsford	5		
Director Patricia Ross	City of Abbotsford	5	Yes	
Director Moe Gill	City of Abbotsford	5	Yes	
Director Dave Loewen	City of Abbotsford	5	Yes	
Director Kelly Chahal	City of Abbotsford	5	Yes	
Director Ross Siemens	City of Abbotsford	4	Yes	
Director Jason Lum	City of Chilliwack	5	Yes	
Director Sharon Gaetz	City of Chilliwack	5	Yes	
Director Sam Waddington	City of Chilliwack	4	Yes	
Director Chuck Stam	City of Chilliwack	4	Yes	
Director Pam Alexis	District of Mission	4	Yes	
Director Jim Hinds	District of Mission	4	Yes	
Director John Van Laerhoven	District of Kent	2		
Director Wilfried Vicktor	District of Hope	2		
Director Leo Facio	Village of Harrison Hot Springs	1	Yes	

Total votes possible	68
Total number of votes recorded	59
Total votes required to carry resolution (weighted)	35
Total votes recorded in affirmative	59
Opposed	-

FRASER VALLEY REGIONAL DISTRICT

REGIONAL AND CORPORATE SERVICES COMMITTEE

OPEN MEETING MINUTES

Tuesday, July 10, 2018
9:00 am
FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

Members Present: Director Jason Lum, City of Chilliwack, Chair
Director Pam Alexis, District of Mission
Director Ray Boucher, Electoral Area F
Director Henry Braun, City of Abbotsford
Director Bill Dickey, Electoral Area D
Director Leo Facio, Village of Harrison Hot Springs
Director Alec Niemi, Electoral Area C
Director Terry Raymond, Electoral Area A
Director Patricia Ross, City of Abbotsford
Director John Van Laerhoven, District of Kent
Director Wilfried Vicktor, District of Hope

Regrets: Director Sharon Gaetz, City of Chilliwack

Staff Present: Paul Gipps, Chief Administrative Officer
Mike Veenbaas, Director of Financial Services
Suzanne Gresham, Director of Corporate Initiatives
Barclay Pitkethly, Director of Regional Programs
Stacey Barker, Deputy Director of Regional Programs
Jennifer Kinneman, Manager of Corporate Affairs
Jaime Schween, Manager of Corporate Administration
Christina Vugteveen, Manager of Parks
Johannes Bendle, Planner I
Adam Swartz, GIS Technician III
Trina Douglas, Animal Control Supervisor
Amanda Molloy, Executive Assistant to CAO and Board
Matthew Fang, Network Analyst I
Chris Lee, Recording Secretary

Also Present: Deneen McArthur, Corporate Services and Legislative Assistant,
Regional District of Central Okanagan

1. CALL TO ORDER

Chair Lum called the meeting to order at 9:00 a.m.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By FACIO
Seconded By BOUCHER

THAT the Agenda, Addenda and Late Items for the Regional and Corporate Services Committee Open Meeting of July 10, 2018 be approved;

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

CARRIED

3. DELEGATIONS AND PRESENTATIONS

3.1 Presentation on the "My Dog Matters" Rewards Program

Deneen McArthur, Corporate Services and Legislative Assistant of Regional District of Central Okanagan provided a presentation on 'My Dog Matters' Rewards Program. She noted that the Program began in 2013 in the District of Central Okanagan and was created to reward dog owners who license their dog(s) and provide them with the benefits of licensing. She reported that the District partnered with local businesses to provide licensed dog owners with store discounts. With these discounts, dog owners could easily recoup their annual licence fees.

Ms. McArthur provided information on the Rewards App which is easy and convenient for dog owners to use for paying dog licence, register new dog or remove a pet. Information on rules for dog parks is also available on the App.

Ms. McArthur noted that this Program has been very successful at the District of Central Okanagan and that sale of dog licences has more than doubled and continues to increase.

3.1.1 Animal Control - Dog Licencing Update

The report dated July 10, 2018 from the Deputy Director of Regional Programs pertaining to the sale of dog licences within the FVRD's animal control program was provided for information.

4. MINUTES/MATTERS ARISING

4.1 Minutes of the Regional and Corporate Services Committee Open Meeting - June 12, 2018

Moved By FACIO
Seconded By RAYMOND

THAT the Minutes of the Regional and Corporate Services Committee Open Meeting of June 12, 2018 be adopted.

CARRIED

5. CORPORATE ADMINISTRATION

5.1 Elections Update

The report dated July 10, 2018 from the Manager of Corporate Administration pertaining to the upcoming General Local Elections was provided for information.

6. FINANCE

No items.

7. REGIONAL PROGRAMS AND SERVICES

7.1 ENVIRONMENTAL SERVICES

No items.

7.2 REGIONAL PARKS

No items.

7.3 STRATEGIC PLANNING AND INITIATIVES

7.3.1 FVRD Regional Transit Service Update – Bus Routes #66 Fraser Valley Express, #11 Agassiz-Harrison, and #22 Hope

The report dated July 10, 2018 from Planner I with respect to transit service updates for bus routes #66 Fraser Valley Express, #11 Agassiz-Harrison and #22 Hope was provided for information.

In response to a question regarding the impact of the discontinuation of Greyhound services, staff noted that there will be more impact to the smaller communities and it is expected to see higher ridership in our regional transit services. It was also noted that we can play a role in terms of increasing frequency of existing services and developing more regional connections north side of the Fraser. The ability to regulate frequency of trips was also raised.

7.3.2 BC Transit Board of Directors

Moved By ROSS
Seconded By VICKTOR

THAT the Fraser Valley Regional District Board direct staff to request the Hon. Claire Trevena, Minister of Transportation and Infrastructure that the Fraser Valley be represented on the BC Transit Board of Directors.

AND THAT the Fraser Valley Regional District Board consider selecting a political representative, either the FVRD Chair or a Mayor, to apply to the BC Transit Board of Directors for the Lieutenant Governor in Council's consideration.

CARRIED

7.4 OUTDOOR RECREATION PLANNING

No items.

8. OTHERS MATTERS

No items.

9. ADDENDA ITEMS/LATE ITEMS

None

10. REPORTS BY STAFF

None

11. REPORTS BY DIRECTORS

Director Facio reported that the Golf Tournament scheduled for July 18, 2018 at Harrison Hot Springs has been cancelled due to lack of participants.

12. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

None

13. RESOLUTION TO CLOSE MEETING

Moved By FACIO
Seconded By NIEMI

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

- Section 90(1)(c) of the *Community Charter* - labour relations or other employee relations;
- Section 90(1)(i) of the *Community Charter* - the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- Section 90(1)(k) of the *Community Charter* - negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the Committee, could reasonably be expected to harm the interests of the regional district if they were held in public.

CARRIED

The Open Meeting recessed at 9:31 a.m.

14. RECONVENE OPEN MEETING

The Open Meeting reconvened at 10:15 a.m.

Following discussion, a motion with respect to the TransCanada Highway expansion was brought forward.

VICKTOR/FACIO

THAT the Fraser Valley Regional District Board direct staff to schedule a meeting with Hon. Claire Trevena, Minister of Transportation and Infrastructure and Premier Horgan indicating the need for Provincial support of funding for Highway 1 widening.

CARRIED

15. RISE AND REPORT OUT OF CLOSED MEETING

None

16. ADJOURNMENT

Moved By FACIO
Seconded By DICKEY

THAT the Regional and Corporate Services Committee Open Meeting of July 10, 2018 be adjourned.

CARRIED

The Regional and Corporate Services Committee Open Meeting adjourned at 10:16 a.m.

MINUTES CERTIFIED CORRECT:

.....
Director Jason Lum, Chair

DRAFT

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

Tuesday, July 10, 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 Dennis Adamson, Electoral Area B
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

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
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
Dave Roblin, Manager of Operations
Reg Dyck, Manager of Electoral Area Emergency Services
Kristy Hodson, Manager of Financial Operations
Greg Price, Building Inspector (part)
Andrea Antifaeff, Planning Technician
Julie Mundy, Planning Assistant
Cody Bator, Summer Student, Planning
Matthew Fang, Network Analyst I
Amanda Molloy, Executive Assistant to CAO and Board
Chris Lee, Recording Secretary

Also Present: Helen and Neil Shilladay (*as per item 3.3*)

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By STOBART
Seconded By BOUCHER

THAT the Agenda, Addenda and Late Items for the Electoral Area Services Committee Open Meeting of July 10, 2018 with the addition of item 11.3 'Bus Services on the North Shore', and that the agenda, as amended, be approved;

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

CARRIED

3. SHOW CAUSE HEARING(S)

Item 3.1 was considered after item 3.4.

3.1 Section 57 Show Cause Hearing – Building Contraventions at 48977 Riverbend Drive; EA E, Lot 7 District Lot 500 Group 2 New Westminster District Plan LMP18665 pid 002-428-971

Greg Price, Building Inspector/Bylaw Compliance Coordinator provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 48977 Riverbend Drive, 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.

Christine Marcotte, property owner reported that her husband has passed away and she would like to request deferring the filing of the Notice on Title on her property and would like the opportunity to resolve the outstanding issues in order to bring the property into compliance.

Discussion ensued and based on compassionate grounds, it was decided to defer the filing of the Notice on Title.

Moved By ENGAR
Seconded By RAYMOND

THAT the Fraser Valley Regional District Board direct staff to defer filing a Notice in the Land Title Office with respect to the property located at 48977 Riverbend Drive, Electoral Area E in order to provide the property owner additional time to bring the property into compliance;

AND THAT should the property owner not start to substantially address the situation by September 2018, that a Notice of Title 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 LMP 18665; Parcel Identifier 018-925-332 be filed on September 26, 2018.

CARRIED

3.2 Building Bylaw & BC Building Code Contraventions at 42935 Athey Rd, EA G, in part legally desc. as the whole of the Island in the east half of Section 4 Twp. 24, 1893 New Westminster District, PID 002-428-971

Greg Price, Building Inspector/Bylaw Compliance Coordinator provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 42935 Athey Road, Electoral Area G, 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. No comments were offered.

Moved By STOBART
Seconded By ADAMSON

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 42935 Athey Road Electoral Area G, Fraser Valley Regional District, British Columbia; legally described as the whole of the Island in the east half of section 4 township 24 which is situated in Zait Scullachan Slough containing 6.25 acres more or less as shown on the plan of said Township dated the 18th day of September, 1893 New Westminster District; Parcel Identifier: 002-428-971.

CARRIED

3.3 Building Bylaw & BC Building Code Contraventions at 4164 Slesse Rd, EA E, legally desc. as Lot 25 Except: Part within Heavy outline taken by Hwy Stat. ROW Plan 64013, Sect.33 Twp.1 Range 29 West of the Sixth Meridian NW Dist.Plan 24078, PID 009-301-780

Greg Price, Building Inspector/Bylaw Compliance Coordinator provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 4164 Slesse Road, Electoral Area E, and the efforts of staff to encourage voluntary compliance by the property owner. Mr. Price noted that the property is currently listed for sale.

Chair Dickey asked if any members of the public wished to speak on this matter.

Helen Shilladay reported that she and her husband are interested in purchasing the property at 4164 Slesse Road. She noted that they currently live in the area and are quite familiar with the concerns of this property. Ms. Shilladay stated that putting a Notice on Title on the property would affect their financing and that they would like the opportunity to be given some time to resolve the outstanding issues in order to bring the property into compliance.

Discussion ensued and it was decided to defer the filing of the Notice on Title to allow the new property owners to rectify the unresolved issues. It was noted that an update will be provided to the Committee at the September EASC meeting.

Moved By ENGAR
Seconded By BOUCHER

THAT the Fraser Valley Regional District Board direct staff to defer filing a Notice in the Land Title Office with respect to the property located at 4164 Slesse Road, Electoral Area E in order to provide the existing or new property owners additional time to bring their property into compliance;

AND THAT should the existing or new property owners not start to substantially address the situation by September 2018, that 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 4164 Slesse Road Electoral Area E, Fraser Valley Regional District, British Columbia (as Lot 25 Except: Part within Heavy outline taken by Highway Statutory Right of Way Plan 64013, Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 24078; Parcel Identifier: 009-301-780) be filed on September 26, 2018.

CARRIED

3.4 Building Bylaw & BC Building Code Contraventions at 4150 Slesse Rd, EA E, legally desc. as Lot 23 Except: Part within Heavy Outline taken by Hwy SRW Plan 64013; Section 33 Township 1 Range 29 West of the sixth Meridian NW Dist. Plan PID 002-053-578

Greg Price, Building Inspector/Bylaw Compliance Coordinator provided a PowerPoint presentation outlining the historic and current property bylaw infractions with respect to the property located at 4150 Slesse, 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. No comments were offered.

Moved By ENGAR
Seconded By STOBART

THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013*, at 4150 Slesse Road Electoral Area E, Fraser Valley Regional District, British Columbia; legally described as (Lot 23 Except: Part within Heavy Outline taken by Highway SRW Plan 64013; Section 33 Township 1 Range 29 West of the sixth Meridian New Westminster District Plan 24078; Parcel Identifier: 002-053-578.

CARRIED

Questions were raised regarding the risks of the retaining wall. Staff responded that if there is an immediate hazard, staff will take the necessary steps to attend to this risk.

4. DELEGATIONS AND PRESENTATIONS

None

5. MINUTES/MATTERS ARISING

5.1 Minutes of the Electoral Area Services Committee Meeting - June 12, 2018

Moved By DIXON
Seconded By ADAMSON

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

CARRIED

6. CORPORATE ADMINISTRATION

6.1 Elections Update

Jaime Schween, Manager of Corporate Administration highlighted the timeline for the upcoming elections, noting that the nominations open on September 4, 2018 at 9:00 a.m. and the nomination period closes on September 14, 2018 at 4:00 p.m.

7. FINANCE

7.1 Grant-In-Aid Request – Fraser Valley Bald Eagle Festival Society, Electoral Area “C”

Moved By NIEMI
Seconded By ADAMSON

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,000 to the Fraser Valley Bald Eagle Festival Society, funded from Electoral Area “C”, to assist in the funding of their annual Fraser Valley Bald Eagle Festival.

CARRIED

7.2 Grant-In-Aid Request – Hemlock Valley Homeowners Association, Electoral Area “C”

Mike Veenbaas, Director of Financial Services noted that although the grant-in-aid was for Hemlock Valley Homeowners Association, it was distributed to two other smaller organizations in Hemlock Valley. Since the Grant-in-Aid policy does not speak to redistribution of grant-in-aid funds, he wanted to let the Committee be informed of this. Committee members were of the opinion that they had no concerns as long as the reporting process is followed.

Moved By NIEMI
Seconded By ADAMSON

THAT the Fraser Valley Regional District Board approve a grant-in-aid to the Hemlock Valley Homeowners Association (HVHA) in the amount of \$3,000, to be funded from the 2018 Electoral Area “C” grant-in-aid budget to help offset the costs associated with purchasing a storage locker for their equipment along with the hosting of several community events used to encourage family participation to increase community awareness.

CARRIED

7.3 Grant-In-Aid Request – Sts’ailes Community School, Electoral Area “C”

Moved By NIEMI

Seconded By ADAMSON

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,000 to the Sts’ailes Community School, funded from the Electoral Area “C” grant-in-aid budget to help offset the costs of operating the secondary athletics program run through the Community School.

CARRIED

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

Moved By BOUCHER

Seconded By STOBART

THAT the Fraser Valley Regional District Board approve a Grant-in-Aid to the McConnell Creek Farmers Institute (community hall) in the amount of \$5,000 to be funded from the 2018 Electoral Area “F” grant-in-aid budget to assist with the costs of completing building improvements that will provide for an expanded covered area for community hall events.

CARRIED

7.5 Grant-In-Aid Request - Lake Errock Community Association, Electoral Area C

Mr. Veenbaas brought to the Committee’s attention that the Lake Errock Community Association was issued a grant-in-aid in November 2017 and that they have not yet utilized all of these funds. He noted that the current grant-in-aid request will be used for events occurring in 2018/2019.

Moved By NIEMI

Seconded By ADAMSON

THAT the Fraser Valley Regional District Board approve a grant-in-aid to the Lake Errock Community Association in the amount of \$2,500 to be funded from the 2018 Electoral Area “C” grant-in-aid budget to help offset the costs associated with the hosting of several events that encourage community inclusiveness.

CARRIED

7.6 Grant-In-Aid Request - Deroche and District Community Association, Electoral Area C

Moved By NIEMI

Seconded By BOUCHER

THAT the Fraser Valley Regional District Board authorizes a grant-in-aid in the amount of \$2,000 to the Deroche & District Community Association, funded from the 2018 Electoral Area “C” grant-in-aid budget, to provide funds for cement picnic tables adjacent to their community tennis courts.

CARRIED

7.7 Grant-In-Aid Request - Deroche Elementary School PAC, Electoral Area C

Moved By NIEMI

Seconded By STOBART

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$2,500 to Deroche Elementary School, funded from the Electoral Area “C” grant-in-aid budget, to help offset the costs of constructing a shelter structure for year round enjoyment.

CARRIED

7.8 Grant-In-Aid Request - Deroche Elementary School PAC, Electoral Areas C and G

Moved By STOBART

Seconded By NIEMI

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$5,000 to the Deroche Elementary School PAC, funded from the 2018 Electoral Area “C” grant-in-aid budget in the amount of \$2,000 and from the 2018 Electoral Area “G” grant-in-aid budget in the amount of \$3,000, to help offset the costs of field trips, hot lunches, Christmas hampers, tables, emergency items and outdoor education programs.

CARRIED

7.9 Grant-In-Aid Request - Columbia Valley Ratepayers Association, Electoral Area H

Moved By DIXON
Seconded By ADAMSON

THAT the Fraser Valley Regional District Board authorize a grant-in-aid to the Columbia Valley Ratepayers Association in the amount of \$4,000 to be funded from the 2018 Electoral Area “H” grant-in-aid budget to help offset the costs of community hall improvements.

CARRIED

7.10 Grant-In-Aid Request – Dewdney Elementary School PAC, Electoral Area “G”

Mr. Veenbaas reported that staff had they have now received information on how funds received in 2017 were utilized from the Dewdney Elementary School PAC.

Moved By STOBART
Seconded By BOUCHER

THAT the Fraser Valley Regional District Board authorize a grant-in-aid in the amount of \$3,000 to the Dewdney Elementary School PAC, funded from the 2018 Electoral Area “G” grant-in-aid budget to help offset the costs of accessibility additions to the playground and a community sign.

CARRIED

8. ENGINEERING & UTILITIES

8.1 2018 Investing in Canada Infrastructure Program

Moved By ADAMSON
Seconded By RAYMOND

THAT the Fraser Valley Regional District Board direct staff to submit grant applications under the Investing in Canada Infrastructure Program – Green Infrastructure – Environmental Quality Sub-Stream intake for the following projects:

Electoral Area A: Canyon Alpine Water System Upgrades

Electoral Area B: Dogwood Valley Water System Upgrades

Electoral Area C: Electoral Area C Transfer Station Upgrades

Electoral Area D: Electoral Area D Integrated Water System Upgrades

Electoral Area F: Hatzic Prairie Water System Stream Flow Monitoring Gauges

Electoral Area G: Hatzic East Water System

Electoral Area H: Cultus Lake Sewer System Upgrades

CARRIED

Chair Dickey commended staff on the numerous projects undertaken.

9. PLANNING, BUILDING INSPECTION AND BYLAW ENFORCEMENT

9.1 Application for Development Variance Permit 2018-24 to reduce the parcel size and increase the gross floor area for an Accessory Cottage Industry Use at 35406 Durieu Road, Electoral Area F

Moved By BOUCHER

Seconded By RAYMOND

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-24 to reduce the parcel size required for an accessory cottage industry use from 2.0 hectares (4.94 acres) to 1.9 hectares (4.69 acres) and to increase the gross floor area for an Accessory Cottage Industry Use from 80m² (861 ft²) to 140m² (1500 ft²) at 35406 Durieu Road, Area "F", subject to consideration of any comments or concerns raised by the public.

CARRIED

9.2 Application for Development Variance Permit 2018-25 to reduce the interior side lot line setback to permit the construction of a dairy barn at 9518 Catherwood Road, Area G

Moved By STOBART

Seconded By BOUCHER

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-25 for the property located at 9518 Catherwood Road, Electoral Area G, to reduce the interior side lot line setback from 30.0 metres (98.4 feet) to 15 metres (49.2 feet), clear to sky, to facilitate the construction of a cattle barn, subject to consideration of any comments or concerns raised by the public.

CARRIED

10. ELECTORAL AREA EMERGENCY SERVICES

No items.

11. ADDENDA ITEMS/LATE ITEMS

11.3 Bus Services on the North Shore

Director Niemi reported that he and Directors Stobbart and Boucher met with Jati Sidhu, MP for Mission-Matsqui-Fraser Canyon last week to discuss bus services on the North Shore. He proposed that a letter of thanks signed by the three Directors be sent to MP Jati Sidhu and also to request his assistance with regard to funding for infrastructure.

Paul Gipps, CAO reported that discussions have been held with BC Transit and we now have commitment from them for funding from the Province whenever we put on a service. He noted that BC Transit is now undertaking a study on what it would cost to run bus service that links to Kent-Harrison-Hope and the north side of Mission.

12. REPORTS BY STAFF

None

13. REPORTS BY ELECTORAL AREA DIRECTORS

Director Niemi requested staff for information on tree protection in Lake Errock. Staff responded that a service area will have to be created to support this. He reported on an illegal dumping on Malcolm Road. He also reported on the successful Canada Day celebrations in Lake Errock and that there was a good turnout.

Director Dixon reported on the Cultus Lake community events in late June. She noted that the Farmers Market is open 9-3 every Saturday. She also reported on the Canada Day celebrations and the Lindell Beach AGM.

Director Adamson reported that the Canada Day celebrations in Sunshine Valley was well attended although it was a cold day. He noted that Hope Recreation staff put on an excellent show for the Canada Day celebrations and commended the Hope Recreation staff for the great job. He also noted that Yale & District will be hosting the 5th Annual Pig Roast taking place this weekend.

Director Adamson also reported on the long wait time for citizens to take a driver's test. Staff suggested that this may be an item to discuss with Ministry staff at UBCM.

Director Stobbart reported that the Dewdney Elementary School and Deroche Elementary school would like to thank the FVRD for the support given to them over the years. He also reported on the Farmers Market and Kids Day taking place on July 22.

Director Boucher reported on a local resident's 100th birthday celebration taking place at McConnell Creek Community Hall on July 29th.

Director Engar reported on the homeless population in his area. He also reported on the successful turnout at the firehall with regard to wildfire protection and expressed his thanks to the Fire Chief.

14. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

None

15. RESOLUTION TO CLOSE MEETING

Moved By BOUCHER

Seconded By STOBART

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

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

CARRIED

The Open Meeting adjourned at 2:56 p.m.

16. RECONVENE OPEN MEETING

The Open Meeting reconvened at 3:41 p.m.

17. RISE AND REPORT OUT OF CLOSED MEETING

None

18. ADJOURNMENT

Moved By STOBART
Seconded By ADAMSON

THAT the Electoral Area Services Committee Open Meeting of July 10, 2018 be adjourned.

CARRIED

The Electoral Area Services Committee Open Meeting adjourned at 3:42 p.m.

MINUTES CERTIFIED CORRECT:

.....

Director Bill Dickey, Chair

FRASER VALLEY ABORIGINAL RELATIONS COMMITTEE

OPEN MEETING MINUTES

Tuesday, June 19, 2018
10:00 am
FVRD Boardroom, 45950 Cheam Avenue, Chilliwack, BC

- Members Present: Councillor Brenda Falk, City of Abbotsford, Vice Chair
Director Sam Waddington, City of Chilliwack
Director Alec Niemi, Electoral Area C
Director Wilfried Vicktor, District of Hope
Director Jim Hinds, District of Mission
Councillor Sylvia Pranger, District of Kent
Madeline McDonald, CAO, Village of Harrison Hot Springs
Commissioner David Renwick, Cultus Lake Park Board
- Regrets: Director Al Stobbert, Electoral Area G, Chair
Councillor Samantha Piper, Village of Harrison Hot Springs
Councillor Bonita Zarrillo, City of Coquitlam, Metro Vancouver
Aboriginal Relations Committee Observer Member
Chris Crosman, Deputy CAO, City of Chilliwack
Katherine Treloar, General Manager ISIR, City of Abbotsford
John Fortolozky, CAO, District of Hope
Wallace Mah, CAO, District of Kent
Bonny Bryant, CAO, Cultus Lake Park Board
Ron Poole, CAO, District of Mission
Marino Piombini, Metro Vancouver Aboriginal Relations Committee
- Staff Present: Barclay Pitkethly, Director of Regional Programs/FVARC Administrator
Alison Stewart, Manager of Strategic Planning
Jaime Schween, Manager of Corporate Administration
Jessica Morrison, Policy Analyst – First Nations Relations
Graham Daneluz, Deputy Director of Planning & Development
Christina Vugteveen, Manager of Parks (*part*)
Jamie Benton, Environmental Services Coordinator (*part*)
Amanda Molloy, Executive Assistant to CAO and Board
Tina Mooney, Executive Assistant
Chris Lee, Recording Secretary

1. CALL TO ORDER

Vice Chair Falk called the meeting to order at 10:02 a.m.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

Moved By WADDINGTON

Seconded By NIEMI

THAT the Agenda, Addenda and Late Items for the Fraser Valley Aboriginal Relations Committee Open Meeting of June 19, 2018 be amended to include a Halq'eméylem/Sxwōxwiyam lesson by Albert 'Sonny' McHalsie, Historian/Cultural Advisor, Stó:lō Management Centre Narrator/Tour Guide, Bad Rock Tours (SRRMC/Stó:lō Tourism) and that the Agenda, as amended, be approved;

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

CARRIED

3. MINUTES/MATTERS ARISING

3.1 Minutes of the Fraser Valley Aboriginal Relations Committee Open Meeting - February 20, 2018

Moved By WADDINGTON

Seconded By HINDS

THAT the Minutes of the Fraser Valley Aboriginal Relations Committee Open Meeting of February 20, 2018 be adopted.

CARRIED

4. NEW BUSINESS

4.1 Albert 'Sonny' McHalsie, Historian/Cultural Advisor, Stó:lō Management Centre Narrator/Tour Guide, Bad Rock Tours (SRRMC/Stó:lō Tourism)

Albert 'Sonny' McHalsie, Historian/Cultural Advisor, Stó:lō Management Centre Narrator/Tour Guide, Bad Rock Tours (SRRMC/Stó:lō Tourism) provided a Halq'eméylem/Sxwōxwiyam lesson on Sxwōxwiyam (Mythical Account) of the origin of the Sts'iyak (Siyak) taken from *The Salish People: Volume III: The Mainland Halkomelem* by Charles Hill-Tout.

4.2 First Nations Engagement for FVARC Visioning

Jessica Morrison, Policy Analyst – First Nations Relations reported that as part of the next stage of the visioning process, the FVRD is now prepared to reach out to First Nations organizations in the region to begin the engagement process to see if they would like to be represented and how they would like to be represented. The FVRD will reach out to organizations to include bands, tribes, tribal councils and treaty associations in the region. She advised that a staff-level

discussion with interested parties is proposed for the late summer or early fall of 2018.

Committee members provided suggestions for discussion with interested parties. It was also noted that recent attendance at the FVARC meeting was low and that it was necessary to get the whole Committee involved as we may be missing out on valuable input.

Barclay Pitkethly, FVARC Administrator reported that the staff report on *'First Nations Engagement for FVARC Visioning'* will be brought forward to the June Board agenda to keep Board members apprised of the direction that the FVARC is taking. It was noted that as the visioning process evolves and issues arise, substantial changes will be made in the near future and engagement will be very important at all levels. He envisaged that workshops will be carried out in the fall.

4.3 FVRD Projects Review

Mr. Pitkethly reported that staff have engaged with First Nations communities and organizations within the region on FVRD projects and initiatives. He noted that this Committee may become the forum for member municipalities to report out on their projects with First Nations.

Ms. Morrison provided an organizational snapshot of the projects that the Environmental, Parks, Planning and Engineering Departments in the FVRD had with First Nations involvement. Positive feedback was received from Committee members on these initiatives.

It was noted that in the Harrison area staff meets quarterly with their surrounding First Nations communities and this has been very effective and valuable in relationship building. It was noted that an overview of proactive steps taken by other communities to foster First Nations relationships would be beneficial to all communities and staff was directed to provide such a report at the next meeting.

It was highlighted that for the first time the Sts'ailes First Nation flag was raised for Sasquatch Day in the Village of Harrison Hot Springs during the recent Sasquatch Days event, June 16-17, 2018.

4.4 FVRD Transit Services - First Nations Participation

Alison Stewart provided a PowerPoint presentation pertaining to FVRD regional transit and the participation of First Nations in these services. She noted that the FVRD's regional service is primarily one of connecting communities within the FVRD.

The following key points were noted in the presentation:

- Transit is a growing service;
- Prior to 2012 we had no direct involvement in Transit;
- In 2012 the FVRD assumed responsibility for the Agassiz-Harrison (AGH) transit route 11 from the District of Kent;
- In 2015 expansion of the Fraser Valley Express (FVX) route 66 connecting the Cities of Chilliwack and Abbotsford to TransLink services at the Carvolth Exchange in Langley;
- In 2017 the introduction of route 22 Hope transit service between the District of Hope and Agassiz;
- Route 22 provides limited local service within the District of Hope's boundaries;
- FVRD has service agreements in place to serve Cheam First Nation and Seabird Island Band;
- FVRD are currently in discussion with Chawathil First Nation;
- Introduction of the Hope service provided an opportunity to engage First Nations participation in the new service;
- Challenge in providing transit in rural areas due to the long distances between communities and sparse populations in between;
- Future proposed route is to connect Agassiz to the District of Mission on the north side of the Fraser River;
- Currently transit facilities in both Chilliwack and Abbotsford are at capacity.

In response to a question on projected timeline for future transit services, it was noted that the timing issue would be dependent on transit facilities expansion.

Staff was commended on the work done on transit.

4.5 Community to Community Forum between Sema:th First Nation, the City of Abbotsford and the Fraser Valley Regional District - October 17, 2017 - Report Form

The Community to Community Forum between Sema:th First Nation, the City of Abbotsford and the Fraser Valley Regional District, October 17, 2017 - Report Form was provided for information. It was noted that the Forum was well attended and it was a positive experience for those who attended.

5. ADDENDA ITEMS/LATE ITEMS

No items.

6. REPORTS BY STAFF

None

7. REPORT BY DIRECTORS

Director Hinds reported that the District of Mission and the Kwantlen First Nation signed a Memorandum of Understanding for the operation of the Stave West camp sites and also that staff are in the process of discussion with Leq'ema:mal First Nation regarding the St. Mary's residential school location.

Director Niemi requested that staff provide a summary of what local First Nations communities in the region are doing if they are not in treaty. Staff reported that a report on this will be provided at the next FVARC meeting. Director Niemi also reported that the Sts'ailes First Nation and Scowlitz First Nation are now working together on mutual issues.

8. PUBLIC QUESTION PERIOD FOR ITEMS RELEVANT TO AGENDA

None

9. RESOLUTION TO CLOSE MEETING

Moved By PRANGER
Seconded By HINDS

THAT the FVARC meeting be closed to the public except for senior staff and Executive Assistant, for the purpose of receiving and adopting Closed Meeting Minutes convened in accordance with Section 90 of the *Community Charter* and to consider matters pursuant to:

- Section 90(2)(b) of the *Community Charter* - the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED

The Open Meeting recessed at 10:58 a.m.

10. RECONVENE OPEN MEETING

The Open Meeting reconvened at 11:15 a.m.

Discussion ensued and comments were made with respect to the recent freshet, noting that there were inadequate flood protection measures in place. It was noted that it is imperative that First Nations be included when advocating the provincial and federal governments for funding to address mitigation of flood risks. Mr. Pitkethly reported that

the FVRD will be writing a letter to Prime Minister Trudeau regarding funding for flood protection. He also advised that during the recent freshet the FVRD EOC also engaged with First Nations communities. It was noted that an overall flood management plan for the entire region is of paramount importance. The significance of dike protection was highlighted. The ramification to the economy caused by flooding was also emphasized. It was pointed out that the Fraser Valley is the corridor for all hydro transmission lines, rail roads, pipelines and that we are one of the largest agriculture producer in Canada. It was reported that disaster mitigation planning was a topic on the recent BC Caucus agenda, with emphasis on floods. It was noted that this subject will also be discussed at FCM.

Staff was also requested to provide a report on what local First Nations plans are with respect to marijuana sales on reserves.

11. RISE AND REPORT OUT OF CLOSED MEETING

None

12. ADJOURNMENT

Moved By WADDINGTON
Seconded By NIEMI

THAT the Fraser Valley Aboriginal Relations Committee Open Meeting of June 19, 2018 be adjourned.

CARRIED

The Fraser Valley Aboriginal Relations Committee Open Meeting adjourned at 11:25 a.m.

MINUTES CERTIFIED CORRECT:

.....
Councillor Brenda Falk, Vice Chair



FRASER VALLEY REGIONAL DISTRICT INTERNAL AFFAIRS COMMITTEE

Tuesday, June 26, 2018

Fraser Valley Regional District Kingston Meeting Room
45950 Cheam Avenue, Chilliwack, BC

OPEN MEETING MINUTES

Present:

Director Bill Dickey, Electoral Area D, Chair
Director Jason Lum, City of Chilliwack
Director Kelly Chahal, City of Abbotsford
Director Wilfried Vicktor, District of Hope

Staff Present:

Paul Gipps, Chief Administrative Officer
Suzanne Gresham, Director of Corporate Initiatives
Amanda Molloy, Executive Assistant to the CAO and Board of Directors

1. CALL TO ORDER

The meeting was called to order at 5:42pm.

2. APPROVAL OF AGENDA, ADDENDA AND LATE ITEMS

VICKTOR/CHAHAL

THAT the Agenda, Addenda and Late Items for the Open Internal Affairs Committee Meeting of June 26, 2018 be approved;

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

CARRIED

3. APPROVAL OF MINUTES/MATTERS ARISING

CHAHAL/VICKTOR

THAT the Minutes of the Open Internal Affairs Committee Meeting of February 27, 2018 be adopted.

CARRIED

4. NEW BUSINESS

4.1 Responsible Conduct for Elected Officials – Draft Code of Conduct

Further to previous Board direction, staff presented a draft *FVRD Code of Responsible Conduct* which was modeled after the *Model Code of Conduct* crafted by the tri-partite Working Group on Responsible Conduct [UBCM, LGMA and Ministry]. Sample Codes of Conduct already in place from other municipalities and regional districts, and a comparative analysis of same were also circulated and discussed. It was noted that the Working Group on Responsible Conduct will again be presenting at the 2018 UBCM Conference and that the current draft is iterative and certainly subject to modification on Board direction. It was noted that at present the draft applies to FVRD Elected Officials and Alternates, however, the suggestion is that the Board consider broadening the application of the *FVRD Code of Responsible Conduct* to include all Board appointees [internal and external], in addition to all Committees and advisory bodies of the Board.

Discussion ensued on how best to characterize and categorize behaviours and conduct that might be subject to sanctions and penalties under the draft *FVRD Code of Responsible Conduct*, and what those sanctions and penalties might entail. It was noted that issues with respect to enforcement are still being worked through by the Working Group on Responsible Conduct. Staff were asked to enquire about the Board's authority to impose sanctions where a Criminal Code conviction was handed down during an Elected Official's term of office.

As a next step, it was agreed that the draft *FVRD Code of Responsible Conduct* should be "work-shopped" by the Board sitting in Committee of the Whole on July 24, 2018. This would provide an opportunity for the IAC to report out to the Board in anticipation of more fulsome discussions at the upcoming 2018 UBCM Convention around responsible conduct; and to seek the Board's further direction regarding the timing of putting a Code of Responsible Conduct in place [noting that the original suggestion was to consider putting a Code of Responsible Conduct in place after the 2018 UBCM Convention and prior to the 2018 general local election].

The following motion was brought forward at the end of discussion on the matter:

VICKTOR/CHAHAL

THAT the Internal Affairs Committee forward the draft *FVRD Code of Responsible Conduct* to the Committee of the Whole Meeting on July 24, 2018 meeting for discussion and further direction in anticipation of the 2018 UBCM Convention and possible reconsideration by the Board at its September 25, 2018 Board Meeting.

CARRIED

4.2 2018 Workplan Update

Staff presented a proposed updated 2018 IAC Work Plan which was endorsed. It was agreed that the IAC will meet again in early September as a follow up to the July 24, 2018 Committee of the Whole Meeting with respect to Responsible Conduct and in anticipation of bringing some further policy work to the Board at its September 25, 2018 Board meeting.

5. LATE ITEMS

None.

6. NEXT MEETING

The next meeting of the IAC will be on Wednesday, September 5th, 2018 at 12:00 pm at the FVRD Corporate Offices.

7. ADJOURNMENT

VICKTOR/CHAHAL

THAT the Internal Affairs Committee Meeting of June 26, 2018 be adjourned.

CARRIED

The meeting adjourned at 6:29pm.

MINUTES CERTIFIED CORRECT:

.....
Director Bill Dickey, Chair

To: Electoral Area Services Committee

Date: 2018-07-10

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 and PID 018-925-332

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 Environmental Stewardship

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 was 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 included copies of the correspondence from both the Bylaw Enforcement and the 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 a reviewed the package, but stated that 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.

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. Dale 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 Mr. 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 subsequently 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. FVRD 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 and the Property Owner Ms. Christin Marcotte offering condolences and providing legal notification that the show cause hearing would be re-scheduled to the next EASC meeting on June 12, 2018 at 1:30pm.

June 12, 2018 – Regional District Management Staff met Property Owner Ms. Christin Marcotte at the Chilliwack Regional District Office before and unrelated to the scheduled Show of Cause Hearing. Ms. Marcotte requested another adjournment to re-schedule the date of the show cause hearing on compassionate grounds.

June 14, 2018 - Regional District Staff sent a letter by both email and regular mail to Mr. Dale Pederson and the Property Owner Ms. Christin Marcotte. The letter offered condolences and provided legal notification that the show cause hearing would be re-scheduled to the next EASC meeting on July 10, 2018 at 1:30pm.

June 14, 2018 – Regional District Bylaw Staff received contact from the Property Owner's legal counsel, Mr. Dale Pederson's Office by telephone. A voicemail was left for staff providing information that the Property Owner Ms. Christin Marcotte was no longer a client of Mr. Pederson's Office.

June 2018 - The property is currently listed for sale (MLS #R2275681) by Nick Van, HomeLife Glenayre Realty Chilliwack Ltd.

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 comment.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

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>

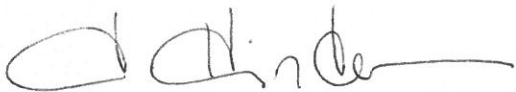
The Regional District wishes to continue to work with you to achieve compliance in this matter, however if you fail to meet the above stated deadline of **April 6, 2018** we will move forward to begin the process of registering a notice on the title of your property with the Land Titles Office as outlined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

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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 E01271.221/2⁷⁸



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

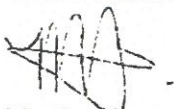
confirm that the existing system is operating correctly and the grow op has had no affect on the designed performance. For a list of authorized persons please call 604-585-2788 or go online to owrp.asttbc.org

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.

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

April 27, 2018

Via Email: info@dalepederson.com

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

Mr. Dale Pederson
7105 Vedder Road
Chilliwack BC V2R 4G3

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 Ms. Marcotte and Mr. Pederson:

**Re: SHOW CAUSE HEARING DEFERRED – 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**

In response to the letter from your legal counsel Mr. Dale Pederson dated April 26, 2018; I extend condolences on the recent passing of Mr. Serge Lavoie. On compassionate grounds the Fraser Valley Regional District will accommodate your counsel's request to have the date of the Show Cause Hearing for 48977 Riverbend Drive differed to a later date.

The show cause hearing is re-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 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*.

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,



Margaret-Ann Thornton
Director of Planning & Development

Attach: Copy of Legal Notification Letter dated April 6, 2018

cc: Orion Engar, Director of Electoral Area E
Paul Gipps, Chief Administrative Officer
Greg Price, Bylaw & Compliance Coordinator
Louise Hinton, Bylaw, Compliance & Enforcement Officer
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

April 6, 2018

COPY

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 Title
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

June 13, 2018

Via Email: [REDACTED]

Via Email: info@dalepederson.com

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

Mr. Dale Pederson
7105 Vedder Road
Chilliwack BC V2R 4G3

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 Ms. Marcotte and Mr. Pederson:

**Re: SHOW CAUSE HEARING DEFERRED – 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**

In response to your appearance at the Regional District Office on June 12, 2018; once again we extend our condolences on the recent passing of Mr. Serge Lavoie. On compassionate grounds the Fraser Valley Regional District will accommodate your request to have the date of the Show Cause Hearing for 48977 Riverbend Drive differed for a second time to a later date.

The show cause hearing is now re-scheduled for Tuesday **July 10, 2018 at 1:30pm**, in the Boardroom on the fourth floor of the Regional District Office at 45950 Cheam Avenue, Chilliwack, British Columbia.

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*.

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,



Margaret-Ann Thornton
Director of Planning & Development

Attach: Copy of re-scheduled Legal Notification Letter dated April 27, 2018

cc: Orion Engar, Director of Electoral Area E
Paul Gipps, Chief Administrative Officer
Greg Price, Bylaw & Compliance Coordinator
Louise Hinton, Bylaw, Compliance & Enforcement Officer
Review of Registered Property Title – Organizations with interest in property
The Toronto-Dominion Bank – Mortgage #BB788807, Judgements #CA4212657
#CA5788451, #CA5788455, #CA4365560, and #CA5953741.
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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

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

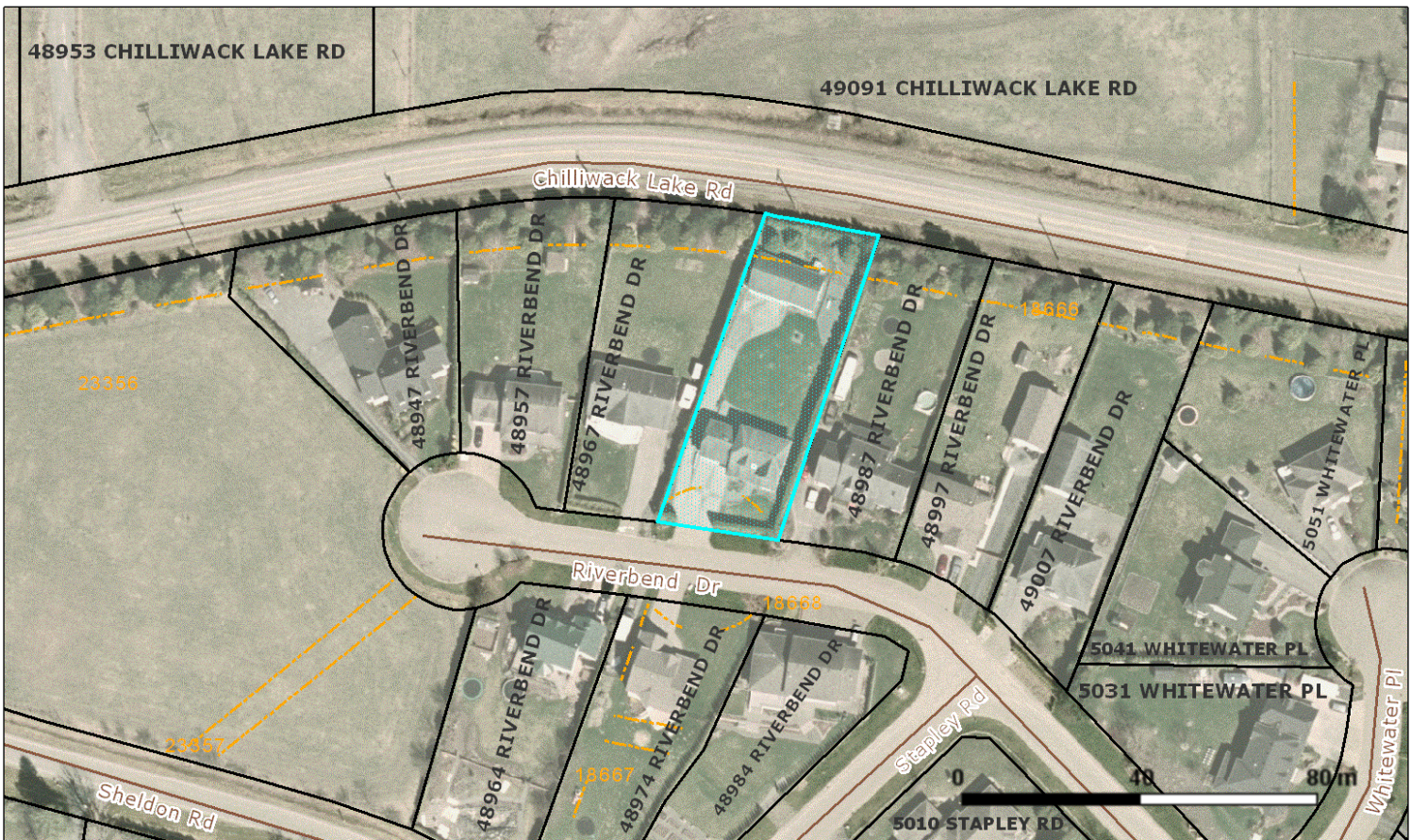
Duplicate Indefeasible Title	NONE OUTSTANDING
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Transfers	NONE
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Pending Applications	NONE
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Property Information Report

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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To: Electoral Area Services Committee

Date: 2018-07-10

From: Louise Hinton, Bylaw Compliance and Enforcement Officer

File No: G03602.000

Subject: Building Bylaw and BC Building Code Contraventions at 42935 Athey Road, Electoral Area G, legally described as the whole of the Island in the east half of Section 4 Township 24 which is situate in Zait Scullachan Slough containing 6.25 acres more or less

RECOMMENDATION

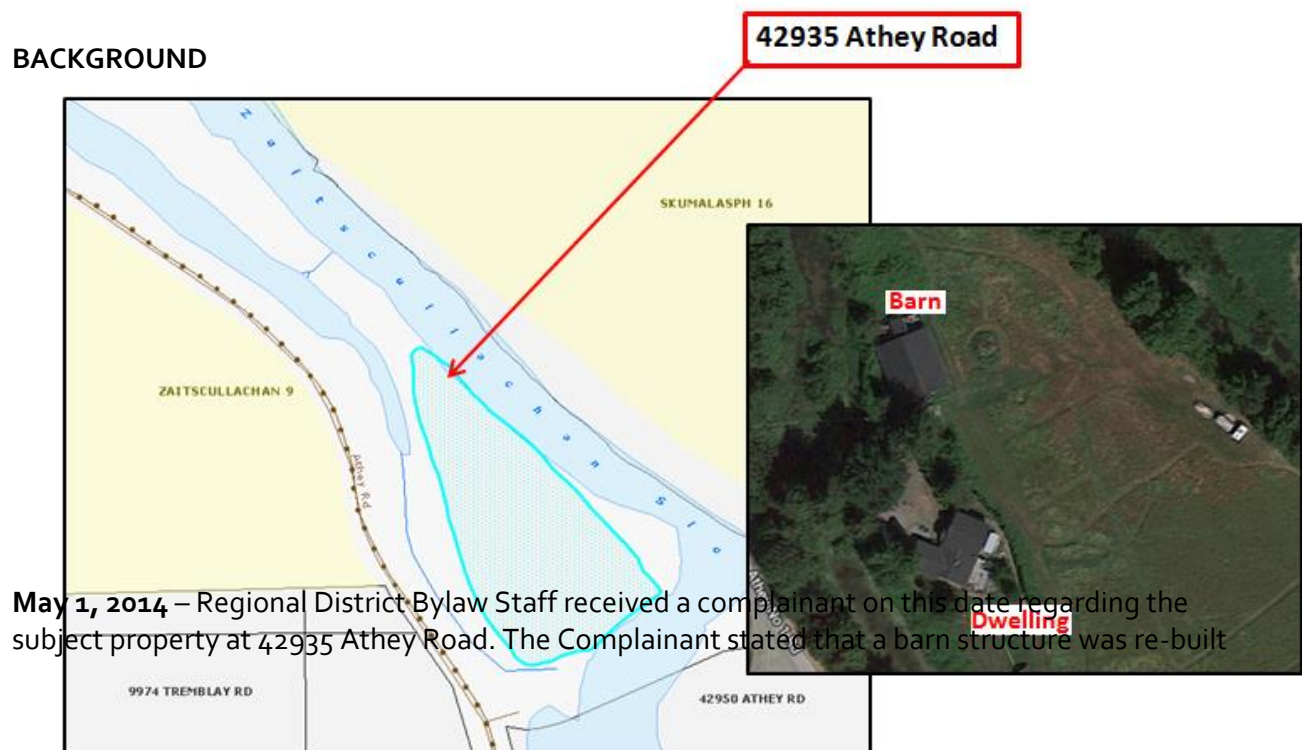
THAT the Fraser Valley Regional District Board direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013*, at 42935 Athey Road Electoral Area G, Fraser Valley Regional District, British Columbia; legally described as the whole of the Island in the east half of section 4 township 24 which is situate in Zait Scullachan Slough containing 6.25 acres more or less as shown on the plan of said Township dated the 18th day of September, 1893 New Westminster District. Parcel Identifier: 002-428-971.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship

Provide Responsive & Effective Public Services

BACKGROUND



right next to the slough approximately one year before on the existing barn foundation. The complainant stated that the barn structure may be used for a Marijuana Grow Operation.

May 16, 2016 – Regional District Bylaw Staff obtained a new title search of the subject property at 42935 Athey Road that confirmed that the property ownership changed February 2, 2016. Mr. Edward Forber is listed as the new property owner of 42935 Athey Road since that date.

FVRD Bylaw Staff sent a letter requesting access to the property for an inspection of 42935 Athey Road to the property owner Mr. Edward Forber by regular mail with a deadline for a response of June 16, 2016.

June 21, 2016 - Regional District Bylaw Staff spoke to the Property Owner Mr. Forber regarding the re-built accessory barn structure. FVRD Bylaw Staff told Mr. Forber that the barn would require a Building Permit for a new structure since the entire structure itself (excluding the foundation) was destroyed by the fire, and the barn is also located outside the dyke. Mr. Forber stated that he did get an electrical permit and has construction drawings, but noted that it would be difficult for him to complete the Permit at this time. FVRD Bylaw Staff spoke to Mr. Forber regarding the possibility of placing a Section 57 Notice on the title of the property. A follow-up email was sent to Mr. Forber with an attached Section 57 Notice on Title Information Package.

June 2016 – February 2018 - There is no further action by FVRD Bylaw Staff during this time period due to reduced staffing levels.

February 19, 2018 – Regional District Building Inspector contacted the Mission Detachment of the Royal Canadian Mounted Police (RCMP) to see if there is a Health Canada Medical Marijuana Grow Licence issued for the subject property at 42935 Athey Road.

March 19, 2018 – FVRD Bylaw Staff sent a letter requesting access to the subject property at 42935 Athey Road for an inspection to the property owner Mr. Edward Forber by regular mail with a deadline for a response of April 9, 2018.

March 21, 2018 - Regional District Bylaw Staff received contact from the Property Owner of the subject property 42935 Athey Road, Mr. Edward Forber, by telephone. FVRD Bylaw Staff discussed the history of the file with Mr. Forber and we agreed to schedule a date for a site inspection for some time in April once he has had a chance to look at the calendar. Mr. Forber agreed to re-contact FVRD to set a date.

March 22, 2018 – Regional District Bylaw Staff received contact from the property owner of the subject property 42935 Athey Road, Mr. Edward Forber, by telephone. It was agreed to schedule the site inspection for May 2, 2018.

May 2, 2018 - Regional District Bylaw, Building Inspection, and Management Staff attended the subject property at 42935 Athey Road for a scheduled site inspection. The Property Owner Mr. Edward Forber was on site and there was a full walk through inspection of the accessory barn structure and surrounding area. FVRD Staff confirmed that the accessory barn structure that sustained a structure fire has been completely re-built and is currently being used as a Marijuana Grow Operation.

There is no Building Permit on file for the existing barn, so a full Building Permit would be required. The details of what would be required for a Building Permit and options for compliance with Regional District Bylaws were discussed with the Property Owner. Mr. Forber explained that the finances required to complete the Building Permit are likely an issue at this time and he won't be able to take care of the Building Permit requirements in a timely manner. He advised that staff should proceed with a Section 57 Notice on Title of the property as the best course of action moving forward at this time. Site Inspection Photos taken.

The following site inspection photos taken on **May 2, 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 would like you to consider the following information:

Building Bylaw

Minimum construction standards are regulated within electoral areas by *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 accessory barn structure on the subject property at 42935 Athey Road was initially constructed without a required Building Permit. On an unknown date, the accessory barn structure sustained a structure fire that destroyed the entire building except for the foundation. The barn structure has been completely re-constructed into an accessory building without a required Building Permit.

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

Zoning Bylaw

This property is in Electoral Area G, and is zoned Flood Plain Agriculture (A-2) under *the Dewdney Alouette 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 accessory barn structure has been completely re-built and is currently being used to operate Marijuana Grow Operation. A Marihuana Grow Operation Use is listed as a permitted use in the Flood Plain Agriculture (A-2) zone provided that it is approved by the appropriate provincial and federal authorities.

The subject Property at 42935 Athey Road is entirely within the Agricultural Land Reserve.

Official Community Plan

1. 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.

Section 15.2.2(b) of the OCP Bylaw No. 0866 provides an exemption for the Riparian Regulations for development that does not involve residential, commercial, institutional or industrial uses. The Agricultural Land Commission has designated the growth of marijuana as a permitted farm or

Agricultural Use. The accessory barn structure on the subject property is being used for the growth of Marijuana, therefore the Riparian Area Regulation in DPA 2-G does not apply.

A Development Permit does not need to be obtained prior to the building of the barn structure on the subject property at 42935 Athey Road.

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 unauthorized construction works on the accessory barn structure 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 construction works to the accessory barn structure is issued by the FVRD and receives a successful final inspection.

CONCLUSION

It is the opinion of the Bylaw Compliance and Enforcement Officer/Appointed Building Inspector that the construction works on the accessory barn structure without a Building Permit violates the Regional District Building Bylaw and the *British Columbia Building Code*. Staff further notes that full compliance will only be achieved with the successful completion of a Building Permit for the construction of the accessory barn structure or a Building Permit for demolition of the accessory barn structure.

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

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

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

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

COMMENTS BY:

Graham Daneluz, Deputy Director of Planning & Development	reviewed and supported
Mike Veenbaas, Director of Financial Services	not available for comment
Paul Gipps, Chief Administrative Officer	Reviewed and supported

June 1, 2018

REGISTERED MAIL

Mr. Edward Forber
20936 44AAve
Langley, BC V3A 8Z1

FILE: 4010-20- G03602.000

CIVIC: 42935 Athey Road

PID: 002-428-971

LEGAL: The Whole of the Island in the East Half of Section 4 Township 24 which is situate in ZaitScullachan Slough containing 6.25 acres more or less as shown on the plan of said Township dated the 18th day of September, 1893 New Westminster District.

Dear Mr. Forber:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Tile
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building
without a Permit, Barn Structure – 42935 Athey Road Electoral Area G.**

Further to our most recent site inspection of May 2, 2018 that was conducted 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 42935 Athey Road 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 **July 10, 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 42935 Athey Road whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

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

Sincerely,



Digitally signed by Paul
Gipps
Date: 2018.05.28
11:27:04 -07'00'

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: July 10, 2018 Staff Report from Bylaw and Appointed Building Inspector
May 16, 2018 Land Title Search Results
May 16, 2018 Property Information Report
May 16, 2018 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

TITLE SEARCH PRINT

File Reference:

Declared Value \$675000

2018-05-16, 10:16:48

Requestor: Louise Hinton

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District Land Title Office	NEW WESTMINSTER NEW WESTMINSTER
Title Number From Title Number	CA4966933 CA1364886
Application Received	2016-02-02
Application Entered	2016-02-15
Registered Owner in Fee Simple Registered Owner/Mailing Address:	EDWARD HARRY FORBER, BUSINESSMAN 20936 - 44A AVENUE LANGLEY, BC V3A 8Z1
Taxation Authority	New Westminster Assessment District Nicomen Island Improvement District
Description of Land Parcel Identifier: Legal Description:	002-428-971 THE WHOLE OF THE ISLAND IN THE EAST HALF OF SECTION 4 TOWNSHIP 24 WHICH IS SITUATE IN ZAITSCULLACHAN SLOUGH CONTAINING 6.25 ACRES MORE OR LESS AS SHOWN ON THE PLAN OF SAID TOWNSHIP DATED THE 18TH DAY OF SEPTEMBER, 1893 NEW WESTMINSTER DISTRICT
Legal Notations	NONE
Charges, Liens and Interests Nature: Registration Number: Registration Date and Time: Registered Owner:	TIMBER AGREEMENT 40923C 1918-05-15 10:22 AMEDE TREMBLAY
Nature: Registration Number: Registration Date and Time: Registered Owner:	LEASE CA2677089 2012-07-25 11:01 EDWARD HARRY FORBER

TITLE SEARCH PRINT

File Reference:

Declared Value \$675000

2018-05-16, 10:16:48

Requestor: Louise Hinton

Nature:

Registration Number:

Registration Date and Time:

Registered Owner:

OPTION TO PURCHASE

CA2677090

2012-07-25 11:01

EDWARD HARRY FORBER

Duplicate Indefeasible Title

NONE OUTSTANDING

Transfers

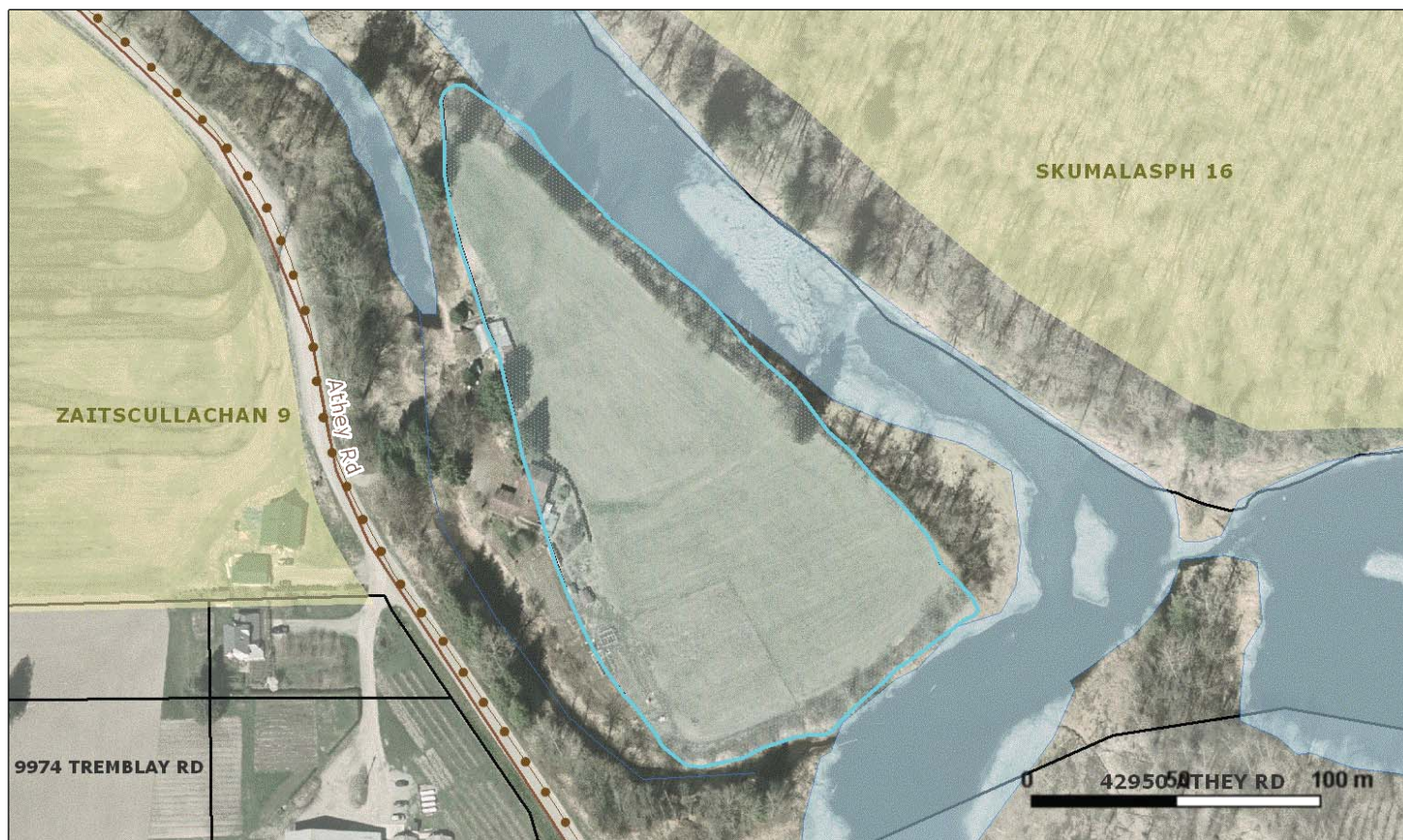
NONE

Pending Applications

NONE

Property Information Report

Civic Address:	42935 ATHEY RD	Lot Size:	6.25 ACRES
Folio Number:	775.03602.000	Electoral Area:	G
PID:	002-428-971	Map Scale:	1:2393
Legal Description:	SECTION 4, TOWNSHIP 24, NEW WESTMINSTER DISTRICT PART E 1/2, ISLAND WHICH IS SITUATE IN ZAITSCULLACHAN SLOUGH CONTAINING 6.25 ACRES MORE OR LESS AS SHOWN ON THE PL OF SAID TWP DATED THE 18TH DAY OF SEPTEMBER 1893.		



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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To: Electoral Area Services Committee

Date: 2018-07-10

From: Louise Hinton, Bylaw Compliance and Enforcement Officer File No: Eo6604. 250/3

Subject: Building Bylaw, and BC Building Code Contraventions at 4164 Slesse Road, Electoral Area E, legally described as Lot 25 Except: Part within Heavy outline taken by Highway Statutory Right of Way Plan 64013, Section 33 Township 1 Range 29 West of the Sixth M

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 4164 Slesse Road Electoral Area E, Fraser Valley Regional District, British Columbia (as Lot 25 Except: Part within Heavy outline taken by Highway Statutory Right of Way Plan 64013, Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 24078; Parcel Identifier: 009-301-780.

STRATEGIC AREA(S) OF FOCUS

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

PRIORITIES

Priority #3 Flood Protection & Management

BACKGROUND

July 19, 2011 - Fraser Valley Regional District Bylaw Staff received a complaint by telephone with regards to construction at 4164 Slesse Road. The complainant states that the owners of the property are demolishing a rear portion of the existing Single Family Dwelling and the deck and plan to replace them both. The complainant details that a 24 ft x 30 ft deck with a room built underneath is in the process of being removed. The complainant is very concerned as this area has been part of geological slope scrutiny in the past.



July 22, 2011 - Regional District Bylaw Enforcement Staff attended the subject property at 4164 Slesse Road for a site inspection. The Property Owners Mr. Marcel and Mrs. Bernice Champigny were in attendance during the inspection. FVRD Bylaw Staff confirmed upon visual inspection that extensive construction works were in progress to the rear of the Single Family Dwelling including the rear deck. Inspection photographs were taken. Regional District Bylaw Staff advised the Property Owners that a Building Inspector would be attending their property for a site inspection on July 25, 2011 to determine if the construction works requires a Building Permit. The Property Owners, Mr. Marcel and Mrs. Bernice Champigny stated their disapproval of the process and that it was their opinion that the FVRD altered their land when a retaining wall was constructed at the front of the property and caused a change in the drainage which caused the slide of their basement bathroom and rotted out the deck which they are replacing.

Site Inspection Photos dated July 22, 2011:



July 25, 2011 – Regional District Building Inspection Staff attended the property for a follow-up site inspection of the subject property at 4164 Slesse Road. There was nobody on site during the inspection. FVRD Building Inspection Staff discovered that construction works had continued, additional inspection photos were taken and a Stop Work and a No Occupancy Notice were posted on site.

Site Inspection Photos dated July 25, 2011:



August 3, 2011 -- Regional District Bylaw Staff spoke with Property Owner, Mrs. Bernice Champigny by telephone. FVRD Bylaw Staff advised Mrs. Champigny that a Building Permit was required for the work undertaken to remove the deck and the room underneath the deck. Mrs. Champigny does not agree that a Building Permit is needed and is very unhappy with Staff, stating that they were just replacing the rotten parts of the house. Regional District Bylaw Staff provided information regarding the Building Permit application and its process.

August 8, 2011 – Property Owner Mrs. Bernice Champigny came into the Regional District Building Office and applied for a Building Permit (BP012605) for the “reduction of the rotten deck”.

August 23, 2011 Regional District Bylaw, Planning and Building Staff reviewed the Building Permit application regarding the subject property and site specific information and history of slope instability in the area.

August 24, 2011 – Regional District Planning, Corporate Services, Building Inspection, Bylaw Department and Management Staff conduct a meeting to discuss the recent events, and history of the subject property at 4164 Slesse Road.

- There was a slide event occurred a few years ago and there is a 2007 Overview Slesse Park Geo-Technical Assessment completed as a result; so there are slope stability concerns on this property.
- Concerns regarding the structural integrity of the recent construction.
- The ground slope has continued to erode significantly at the back of the house.
- A Development Permit was applied for in 2007, but was never completed.

August 26, 2011 – A letter is sent by regular mail to the Property Owners Mr. Marcel and Mrs. Bernice Champigny advising them of the geotechnical hazards associated with the proposed construction project. It outlines the requirement under Section 56 of the *Community Charter* that a report from a qualified professional is required. This letter also advised Mr. and Mrs. Champigny that their professional should contact the Regional District's Planning Department for assistance before beginning any work.

August 31, 2011 - Regional District Bylaw Staff received contact from the Property Owner Ms. Bernice Champigny by telephone. Mrs. Champigny advised FVRD Bylaw Staff that she wanted the Building Permit Application (BP012605) to be amended to be an application for "remove and repair of deck and wall below", instead of "reduce rotten deck". Staff explained that this would not change the Building Permit requirements as outlined in her August 21, 2011 letter. Ms. Champigny stated that she didn't think she should have to provide the listed requirements as outlined in the letter because they were too expensive and that the previous owners did a geotechnical report only a few years prior. Staff went through each of the items outlined in the letter and referred her to the planning department for further information on the Development Permit process.

April 19, 2012 – A second letter is sent by regular mail to the Property Owners Mr. Marcel and Mrs. Bernice Champigny listing the required outstanding items to complete their Building Permit (BP012605) for the removal and repair of deck and wall below deck.

July 18, 2012 – A third letter is sent by regular mail to the Property Owners Mr. Marcel and Mrs. Bernice Champigny listing the required outstanding items to complete their Building Permit (BP012605) for the removal and repair of deck and wall below deck.

October 2, 2012 – A final notice letter is sent by regular mail to the Property Owners Mr. Marcel and Mrs. Bernice Champigny listing the required outstanding items to complete their Building Permit (BP012605) for the removal and repair of deck and wall below deck. The letter advised the Property Owners that the application would be held in abeyance until November 2, 2012 before the FVRD would take steps to close the Building Permit.

October 2012 – October 2014 - FVRD Planning and Building Department staff corresponded with the Property Owners Mr. Marcel and Mrs. Bernice Champigny to work on their Building Permit Application.

October 2, 2014 - Regional District Bylaw Staff contacted the Property Owner Mrs. Bernice Champigny by telephone to enquire as to the status of the Building Permit (BP012605). Mrs. Champigny advised Bylaw Staff that it was her intent to reduce the scope of construction work, so that a Building Permit would not be required.

November 20, 2014 – Regional District Bylaw Staff attempted to contact the Property Owners Mr. Marcel and Mrs. Bernice Champigny by telephone; however there was no answer, so a detailed voicemail was left requesting a call back.

November 27, 2014 - Regional District Bylaw Staff sent a letter to the Property Owners Mr. Marcel and Mrs. Bernice Champigny by regular mail and email. The letter summarized the October 2, 2014 discussion and requested a meeting on site to confirm that the deck does not exceed 215 square metres with a deadline for response of January 5, 2015.

December 8, 2014 – Regional District Bylaw Department Staff received contact from the Property Owner Mr. Marcel Champigny by email to schedule a site inspection and advise staff of Ms. Champigny's health concerns. FVRD Bylaw Department staff sent a response to the Property Owner on the same day with condolences and a request to have a site inspection booked in the New Year to provide an extended timeline due to accommodate the mitigating circumstances.

February 23, 2015 – Regional District Building Inspection Staff attended the subject property at 4164 Slesse Road for a site inspection. A FVRD Building Inspector confirmed on site that the rear deck measures 320 square metres and requires a Building Permit. In addition, construction has continued without a permit as the room below the deck has been enclosed.

Site Inspection Photos dated February 23, 2015:



February 24, 2015 - Regional District Bylaw staff contacted the Property Owner Mr. Marcel Champigny by telephone to advise him that a Building Permit is required for the construction work, and that this matter has been forwarded to Bylaw Enforcement for follow-up. Mr. Champigny advised that he reduced the deck size to eliminate the requirement of a Building Permit, but was unaware that the deck had not been reduced sufficiently in size. FVRD Bylaw staff also discussed the possibility of registering a Section 57 notice on the title of the property as a possible course of action at this time. Mr. Champigny stated that he will have to have discussions with his wife, Mrs. Champigny before he confirms a direction to proceed.

February 25, 2015 – A letter is sent by regular mail to the Property Owners Mr. Marcel and Mrs. Bernice Champigny to notify them that their Building Permit (BP012605) for the removal and repair of deck and wall below deck has now been closed due to inactivity. The letter advises the

Property Owners that their file has now been referred back to the Bylaw Enforcement Department for follow-up.

March 17, 2015 – Regional District Bylaw Department sent a letter to the Property Owners Mr. Marcel and Mrs. Bernice Champigny by regular mail and email advising them that the subject property at 4164 Slesse Road remains in contravention of the FVRD *Building Bylaw No. 1188, 2013*. The letter requests that a Building Permit be re-applied for or the deck removed with a deadline of April 20, 2015.

April 7, 2015 – Regional District Bylaw Staff received contact from Mr. Marcel Champigny by email to Regional District Bylaw Staff advising of Ms. Bernice Champigny's continued health concerns and financial issues. They advised the FVRD that construction has ceased and the deck is not currently in use, and requested alternative options for compliance.

April 27, 2015 -Regional District Bylaw Staff sent a letter to the Property Owners Mr. Marcel and Mrs. Bernice Champigny by regular mail and email. The letter summarizing the Bylaw Enforcement issues present on the subject property at 4164 Slesse Road and compliance options available to resolve the Bylaw Enforcement contraventions. It provides an extended timeline of one year due to the mitigating health concerns of the Property Owners. The Regional District provided a one year deadline (May 1, 2016) to apply and obtain the required permits. The property constraints were noted and a copy of the March 30, 2007 Thurber Engineering report entitled "Slesse Park Properties, Chilliwack. Overview Geo-Technical Assessment" was provided. A "Letter of Intent" was also included to be signed by the Property Owners.

March 16, 2016 - Regional District Bylaw Staff sent a follow-up letter to the Property Owners Mr. Marcel and Mrs. Bernice Champigny by regular mail and email advising them that the subject property at 4164 Slesse Road remains in contravention of the FVRD *Building Bylaw No. 1188, 2013*. The letter requests that a Building Permit be re-applied for or the deck removed with a deadline of May 1, 2016.

April 7, 2016 – Regional District Bylaw Staff received contact from the Property Owner Mr. Marcel Champigny by email advising FVRD Staff of Ms. Bernice Champigny's declining health concerns and further financial issues, which prevent the submission of a Building Permit building permit application.

2016 – 2017 - There is no further action by FVRD Bylaw Enforcement Staff during this time period due to reduced Regional District Bylaw Department Staffing levels

January 24, 2018 - Regional District Bylaw Staff sent a final warning letter to the Property Owners Mr. Marcel and Mrs. Bernice Champigny by regular mail and email. The letter advises Mr. and Mrs. Champigny of staff's recommendation to proceed with the process of registering a Section 57 *Community Charter* notice on the title of their property at 4164 Slesse Road. This letter gave the Property Owners a final opportunity to achieve voluntary compliance by the deadline of February 8, 2018. Regional District Staff have not received a response or any Building Permit Application from the Property Owners Mr. and Mrs. Bernice and Marcel Champigny.

March 29, 2018 – Regional District Bylaw and Building Inspection Staff conduct a drive-by inspection of the subject property at 4164 Slesse Road. It is noted and photographed that the unauthorized construction of the removal and repair of rear deck and wall below deck still remains in place.



June 1, 2018 – Regional District Bylaw Staff sent a legal notification letter of the Show Cause Hearing date to the Property Owners Mr. Marcel and Mrs. Bernice Champigny by registered mail. The letter advises Mr. and Mrs. Champigny of staff's recommendation to proceed with the process of registering a Section 57 *Community Charter* notice on the title of their property at 4164 Slesse Road on July 10, 2018.

June 5, 2018 – Regional District Bylaw Staff checked the Canada Post Online Tracking System and determined that the Property Owners Champigny picked up their Show Cause Hearing legal Notification Package on June 5, 2018.

June 13, 2018 – Regional District Bylaw Department and Planning Staff received property inquiry from a Real Estate Agent providing that the property had been listed for sale.

June 2018 – The property is listed for sale by realtor William Coughlin, RE/MAX City Realty under MLS # R2281723.

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.

In 2011 the Regional District confirmed that a the rear portion the existing Single Family Dwelling Structure on its lower level and the rear deck above were being removed and demolished without a required Building Permit . In 2011 and again in 2015 it was discovered that construction had continued on the removal and replacement project despite the Stop Work and No Occupancy

orders that were posted on the structure. A Building Permit Application was in late 2011; however the permit lapsed due to inactivity.

There are concerns with regard to the structural integrity of the construction completed without a Building Permit, and the slope of the ground near the construction that has continued to erode.

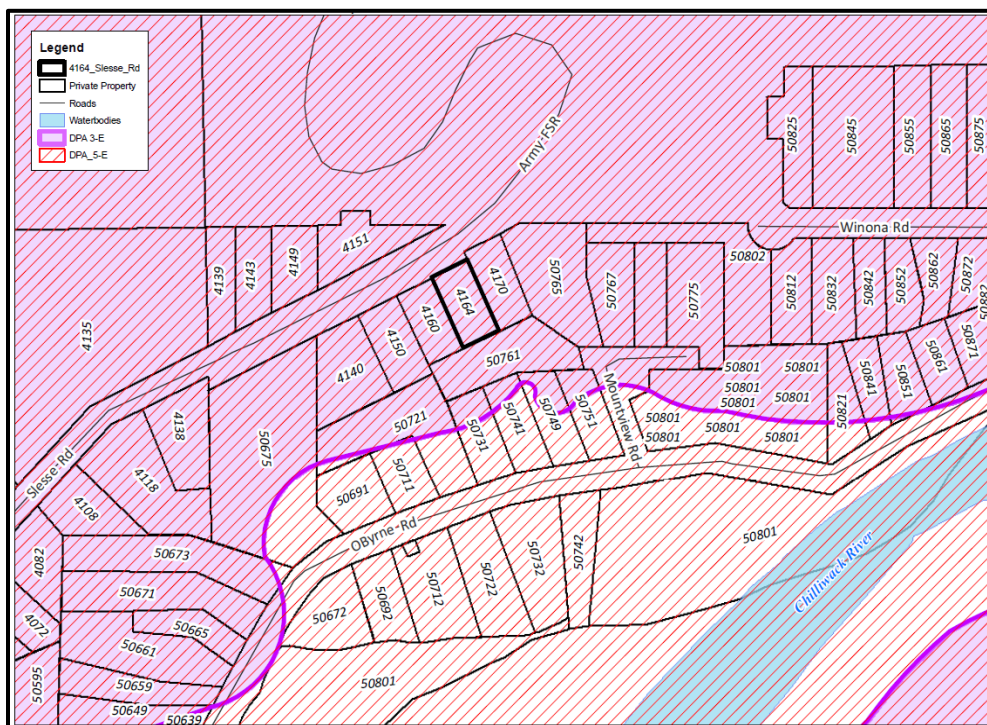
A Building Permit is required for the works undertaken by the Property Owner.

Official Community Plan

1. The subject property is within *Chilliwack River Valley Slope Hazard Development Permit Area 3-E* (DPA 3-E) under the *Fraser Valley Regional District Official Community Plan for Electoral Area E Bylaw No. 1115, 2011* (Bylaw 1115). This Development Permit area is designated for the protection of development from *hazardous conditions* (slope). 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 also within the *Riparian Areas Development Permit Area 5-E* (DPA 5-E) under the *Fraser Valley Regional District Official Community Plan for Electoral Area E Bylaw No. 1115, 2011* (Bylaw 1115). 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 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.

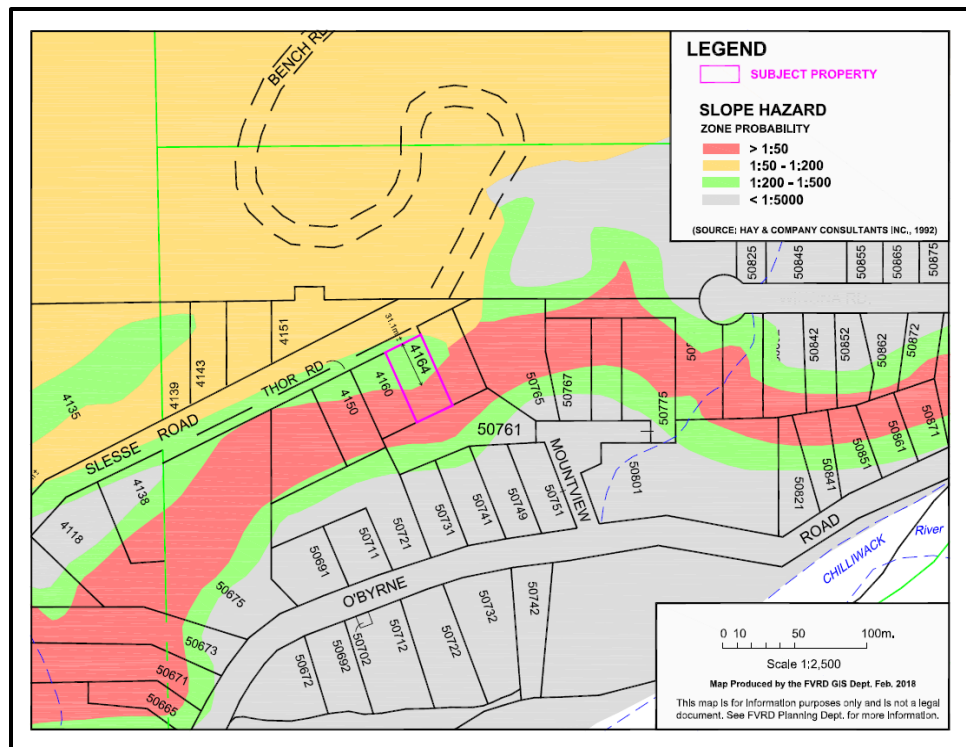
A Development Permit must be obtained prior to the alteration of land the disturbance of soil or vegetation; or construction of or addition to a building or structure within a riparian assessment area. To date there has been no application for a Development Permit for any of the construction works that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

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



(DPA 3-E) & (DPA 5-E) MAP

Slope Hazard MAP



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 unauthorized construction of the removal and repair of rear deck and enclosed wall below the deck is either:

1. Demolished with a Building Permit issued by the FVRD, with successful final inspection; or
2. A completed Building Permit for the construction works of the removal and repair of rear deck and enclosed wall below deck is issued by the FVRD and receives a successful final inspection. 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 removal and repair of rear deck and wall below deck 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 a Building Permit for the removal and repair of rear deck and wall below deck or a Building Permit for the demolition of the rear deck and enclosed wall below the deck

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.
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Mike Veenbaas, Director of Financial Services	No further financial comment.
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Paul Gipps, Chief Administrative Officer	Reviewed and supported
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January 24, 2018

Via Email: [REDACTED]

Mr. Marcel Champigny
Mrs. Bernice Champigny
4164 Slesse Road
Chilliwack BC V4Z 1B3

FILE: E06604.250/3
CIVIC: 4164 Slesse Road
PID: PID: 009-301-780
LEGAL: Lot 25 Except: Part within Heavy Outline taken by Highway Statutory Right of Way Plan 64013, Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 24078

Dear Mr. and Mrs. Champigny:

**Re: Final Warning – Construction without a Building without a Permit – 4164 Slesse Road
Demolish and reconstruct the rear of the single family dwelling with attached deck**

Further to our most recent letters dated March 16, 2016, April 27, 2015, March 17, 2015 and February 25, 2015 Regional District staff has confirmed that your property at 4164 Slesse Road (the "property") continues to remain in breach of Regional District bylaws despite our repeated requests for compliance. Staff verified that the construction works to demolish and rebuild the rear portion of the single family dwelling and attached deck on your property was started without any of the required permits. 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.

It has now been almost seven years since the Regional District first discovered the unauthorized construction on your property. We understand there have been unforeseen circumstances that may have prevented you from completing your required permits. However, as of today's date outstanding permit requirements for this structure have not been met.

Considering you have not been able to meet any of the previously given deadlines to comply with the building or development permit requirements as outlined in the Bylaw 1188, the Regional District will proceed with the process of registering a notice on the title of your property under Section 57 of the *Community Charter*. The registration of a notice on title, with the Land Titles Office is the best course of action given the timelines and permit requirements to bring the structure into compliance with Regional District regulations. 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 **February 8, 2018** a fully completed building permit application is 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 a building permit, please ensure that the completed application form includes the following items:

- a) Detailed to scale drawings for the structure including the uses for each space;
- b) British Columbia Land Surveyors (BCLS) location survey;
- c) An initial application fee in the amount of \$150.00 for the permit.
- d) A development permit application (please refer to planning department for further information on how to apply for a Development Permit).

Please note that obtaining a permit may be challenging because your property is in a known slope hazard area and because the construction that has been completed to date requires registered professional requirements.

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>

If you fail to meet the above stated deadline of **February 8, 2018** we will move forward to begin the process of registering a notice on the title of your property 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 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 Letters dated March 16, 2016 and April 27, 2015
Copy of Letters dated March 17, 2015 and February 25, 2015
Section 57 Information Sheet

cc: Orion Engar, Director of Electoral Area E
Margaret Thornton, Director of Planning & Development
Greg Price, Bylaw & Compliance Coordinator
Vancouver City Savings Credit Union in Trust (BL51936)

COPY

March 16, 2016

Bernice Champigny
Marcel Champigny
4164 Slesse Road
Chilliwack, BC V4Z 1B3

FILE: 4010-20-E06604.250/3
CIVIC: 4164 Slesse Road
PID: 009-301-780
LEGAL: LOT 25 EXCEPT: PART WITHIN HEAVY OUTLINE TAKEN BY HIGHWAY STATUTORY RIGHT OF WAY
PLAN 64013, SECTION 33 TOWNSHIP 1 RANGE 29 WEST OF THE SIXTH MERIDIAN NEW
WESTMINSTER DISTRICT PLAN 24078

Dear Mr. & Ms. Champigny;

RE: Contravention of the Building Bylaw –Construction without a Permit.

As you are aware, the Regional District has an open bylaw enforcement file for the above mentioned property for construction of a deck and storage room without a permit.

As per the attached letter dated April 27, 2015 the Regional District is aware of the difficulties you were having, preventing you from applying for a new building permit for the construction and granted you time, until May 1, 2016, to apply for the required permit. To this date the Regional district has not received any building permit applications for your property.

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 submit a new building permit application no later than **May 1, 2016**. 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.

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

Yours truly,



Jennifer Wells
Bylaw, Permits & Licences Technician

cc: Orion Engar, Director of Electoral Area E
Margaret-Ann Thornton, Director of Planning & Development

COPY

File Number: E06604.250/3

April 27, 2015

Bernice & Marcel Champigny
4164 Slesse Road
Chilliwack BC V4Z 1B3

Dear Mrs. & Mr. Champigny;

Bylaw Enforcement & 4164 Slesse Road; Legally Described as Lot 25 Except: Part within Heavy Outline Taken by Highway Statutory Right of Way Plan 64013, Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 24078 (Parcel Identifier 009-301-780)

Further to your last email sent Tuesday, April 7, 2015, it is my understanding that you wish to resolve the bylaw enforcement (BE) issues on your property but you are unable at this time due to personal finances as well as Mrs. Champignys' health. At this time, I would like to summarize the bylaw enforcement concerns for the above noted property for you.

Development Permit Information

The Fraser Valley Regional District Official Community Plan for Electoral Area E Bylaw No. 1115, 2011 contains statements and map designations respecting restrictions on the use of land that is subject to hazardous conditions. This Official Community Plan may be found by clicking on the following link: <http://www.fvrd.bc.ca/InsidetheFVRD/Bylaws/LandUsePlanningandDevelopmentBylaws/Pages/OfficialCommunityPlans.aspx>

According to our records, the subject property is within two (2) Development Permit Areas (DPA). To date, a Development Permit has not been issued for this property.

No.	Subject	<i>partial list of activities requiring a Development Permit</i>
3-E	Slope Hazard	Alteration of land; and construction of, addition to or alteration of a building within a Development Permit Area. Please note that a certified site-specific geotechnical report from a qualified professional geotechnical engineer may be required.
5-E	Riparian Areas	Development (including the alteration of land, the disturbance of soil or vegetation or the construction of or addition to a structure) within a Riparian Area (30 meters from the high water mark of a stream).

2007 Winter Slope Activity

Please see attached Thurber Engineering report titled *Slesse Park Properties, Chilliwack Overview Geotechnical Hazard Assessment* dated March 30, 2007 for more information.

Building Permit Information

Construction is regulated through the Fraser Valley Regional District Building Bylaw No. 1188, 2013 (Building Bylaw 1188). Generally, a building permit is required for all construction including reconstruction, installation, replacement, erection, repair, alteration, enlargement, placement, addition, demolition,

removal and excavation although there are exemptions. This bylaw may be found by clicking on the following link: <http://www.fvrd.bc.ca/InsidetheFVRD/Bylaws/RegulatoryBylaws/Pages/BuildingBylaw.aspx>

According to our records, there are no open building permits or building permit applications on the subject property. The historical building permits for this property is as follows:

Permit No.	Date	Subject	Status	Notes
23485	1985	12'x14' Addition	Completed Aug 20, 1986	Certificate of Occupancy provided
012605	2011	Rebuild Deck & Storage Room	Incomplete Application Cancelled	Forwarded Back to Bylaw Enforcement

Synopsis of Active Bylaw Enforcement for 4164 Slesse Road

According to our records, there is one (1) active bylaw enforcement file on the subject property:

File No.	Date	Subject	Status	Notes
E06604.250/3	Mar 2015	Build/DPA	Active	Construction without Permits (Build/DP)

On June 19, 2011, staff was made aware that property owners were demolishing the back of the dwelling and a deck with plans to rebuild. Staff verified that permits had not been applied for such works and posted the structure with STOP WORK and NO OCCUPANCY notices (BE File E06604.250/3). The Building Inspector noted the following:

- There are concerns with regards to the structural integrity of the construction, and
- The slope has continued to erode at the back of the house.

A Building Permit application was submitted on August 5, 2011. Staff sent letters on August 26, 2011, April 19, 2012, July 18, 2012, and a final notice October 2, 2012 asking for items to be submitted to approve the application. No items were submitted to staff. Items required were:

- A certified site-specific geotechnical report from a qualified professional geotechnical engineer (property is located within DPA 3-E);
- A registered professional to submit Schedules with drawings including a report on the status of the entire structure with details on any structural upgrades and foundation repairs;
- A registered professional to submit Schedules for soil bearing capacity and slope stability including a landslide assessment report;
- A scaled site plan;
- Construction drawings that reflect all requirements of the geotechnical report; and
- Documentation from an authorized person for the re-use of the existing sewage disposal system.

On October 2, 2014, staff contacted the owner who stated that they had reduced works so as to be exempt from requiring a Building Permit. The owner permitted staff to perform a site inspection on February 23, 2015 to confirm that the works do not exceed 215 square metres. The Building Inspector noted that the deck measures 320 square feet and a building permit is still required. The Inspector also noted that works have continued and the room below the deck is now enclosed (please note photographs below).

On February 25, 2015, staff sent a letter explaining that the required items to fulfill the building permit application process remain outstanding, the building permit application has been closed, and the file has been referred back to Bylaw Enforcement. On March 17, 2015, staff sent a letter requesting that the owners re-apply for a building permit. On April 7, 2015, staff received an email from you stating that:

- You have not completed the project,

- Mrs. Champigny is ill,
- You are unable to acquire the necessary finances to finish the project, and
- All work has stopped until further notice.

The works remain on the property without a permit and in contravention of Building Bylaw 1188 and staff are concerned with the structural integrity of the construction as well as the continued erosion of the slope.

Options to Consider to Resolve the Bylaw Enforcement File

Obtain and follow through with a Building Permit for the deck and enclosed storage room. This would require you to:

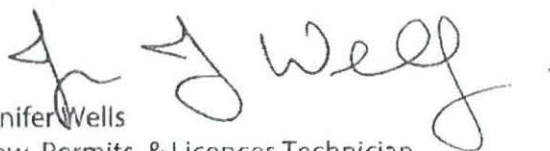
- Submit a Building Permit application form,
- Submit the Building Permit application fee (currently \$150.00),
- Submit a site plan, and
- Submit a Development Permit application (please refer to Planning Department for further information on how to apply for a Development Permit).

Please note that obtaining permits may be challenging due to a few known issues:

- Slope Hazard (a certified site-specific geotechnical report is required),
- Construction has completed (registered professional requirements).

At this time, and due to the mitigating circumstances outlined by yourself, the Regional District is prepared to provide you **one year to apply and obtain the required permits** (prior to May 1, 2016) for the works (deck and room addition). The Bylaw Enforcement file E06604.250/3 would remain open but on hold until the extension is concluded or further information is received which would require staff to activate the file. I have attached a *Letter of Intent* for you to sign if you wish to proceed with this course of action. 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. Please do not hesitate to contact me if you have any questions or require further information.

Sincerely,



Jennifer Wells
Bylaw, Permits, & Licences Technician

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

encl: Photographs
Thurber Geotechnical report
Letter of Intent form

MEMORANDUM

To: Margaret Thornton, Director of Development & Planning
mthornton@fvrd.bc.ca
File Number: E06604.250/3

From: Bernice Lorrain Champigny
Marcel Joseph Champigny
Joint Tenants of 4164 Slesse Rd
mjchamp@shaw.ca

Re: **Letter of Intent for 4164 Slesse Road:**
Legally Described as Lot 25 Except: Part within Heavy Outline Taken by Highway Statutory Right of Way Plan 64013, Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 24078 (Parcel Identifier 009-301-780)

We hereby intend to inform any potential purchaser(s)/agent(s)/occupant(s)/anyone with an interest on the above noted property of the following concerns which is the subject of a bylaw enforcement file (E06604.250/3):

- Construction (deck and room addition) carried out on the dwelling without the required building permit as required by the *Fraser Valley Regional District Building Bylaw No. 1188, 2013*, and
- The property is located within Development Permit Area 3-E and a geotechnical report is required pursuant to section 56 of the *Community Charter*.

We understand and confirm that the bylaw enforcement file will remain open, regardless of any change in ownership, until the contraventions referred above have been corrected and the property is in full compliance with the Fraser Valley Regional District bylaws.

Print Full Name	Signature	Date

Photographs taken July 22, 2011



Photographs taken July 25, 2011



Photographs taken Feb 23, 2015





APR - 3 2007

PLANNING DEPT.

March 30, 2007

File: 14-50-62

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

Attention: Mr. Rick McDermid

**SLESSE PARK PROPERTIES, CHILLIWACK
OVERVIEW GEOTECHNICAL HAZARD ASSESSMENT**

Dear Sirs:

Thurber Engineering Ltd. (TEL) is pleased to submit this overview hazard assessment for the following properties, as defined by you on February 27:

4164 and 4170 Thor Road
50761 and 50765 Mountview Avenue

The scope of our assignment is to utilize available information, field observations and our experience in the area to provide the Fraser Valley Regional District (FVRD) with an overview hazard assessment that considered broad ('big-picture') geotechnical hazard issues in the study area, which is shown on Figure 1.

Use of this report is subject to the enclosed Statement of General Conditions.

1. FIELD WORK

We conducted field work in sunny, dry weather on March 6. At that time, we met and discussed site conditions with Mrs. MacGregor, one of the owners of 4164 and 4170 Thor Road, and Mr. and Mrs. H. Fedick, at 50761 Mountview Avenue below the MacGregor properties. Subsequently, we discussed area details with Messrs. MacGregor and Mr. Fedick by phone on March 12, one day after a day of intense rainfall. We completed another brief inspection of the area on March 15.

Selected photos are included.

2. SOURCES OF INFORMATION

FVRD provided the following background information:



- Golder Associates Ltd. (GAL) geotechnical reports to Mr. MacGregor dated January 18 and January 30, 2007. The first report assesses slope hazards on the lower portion of the residential property at 4164 Thor Road and the same slope on the upper west portion of the Fedick tract. The second report is an Addendum that addresses geotechnical concerns on the lot at 4170 Thor Road, adjacent to and just east of the MacGregor residence. This lot is partially cleared, graded and filled in preparation for sale and residential development.
- An FVRD internal memo dated February 23, 2007 and photographs taken by FVRD staff on January 7, 2007
- A Fraser Health Authority letter to Mr. MacGregor dated February 8, 2007. It notes that the basement septic system at No. 4674 is damaged, no longer contained and that the basement water supply must be cut off. It also requires that an inlet to a septic tank damaged by soil movements on the south side of the house to be capped.
- A 1993 Cascade Engineering Ltd. report that dealt with geotechnical hazards on the Fedick property.
- A December 20, 1989 TEL report for a previous owner (Mr. Buzzard) at 50765 Mountview Avenue.
- Available topographic and legal maps.

TEL reviewed GAL's reports for information only and informed GAL as a professional courtesy on March 13. We do not repeat GAL's descriptions, interpretations or preliminary recommendations except as required to fulfill the scope of this assignment.

The GAL reports are preliminary and, as noted in the January 18 report, more geotechnical investigation work is required to develop appropriate design options for long term stabilization of the slope below the MacGregor house. GAL also notes that investigation work should be conducted after a period of dry weather, presumably to facilitate heavy equipment access.

3. GEOTECHNICAL ISSUES

TEL is familiar with area geotechnical issues having conducted previous work in the area for the FVRD and private landowners. There are soil movements on steep slopes high above the developed area and a history of soil slides elsewhere in the community.



Area soil movements are largely conditioned by adverse geotechnical characteristics on or near moderate to steep slopes formed of thick deposits of glacial lake silt and clay with inter-bedded aquifers. The slopes are also susceptible to landslide activity triggered by incautious residential building activity.

4. 2007 WINTER SLOPE ACTIVITY

4.1 MacGregor Property – 4164 and 4170 Thor Road

The MacGregors have lived at this address for about 10 years. They purchased the adjacent property to the east (4170 Thor Road) about 2 years ago. The south portion of the lots includes a continuous slope crest and ground that drops at moderate angles for about 7 m in elevation to their south property line. The Fedick property extends from the middle to upper slope to flat ground at the base. Their house at 50761 Mountview Avenue is situated near the foot of the slope some 13 m in elevation below the joint property line.

On or about December 23, 2006 soil fill at the slope crest on the south side of the MacGregor house began to subside and continued doing so through early January 2007 (Photo 1). We did not inspect the tarp-covered slide features but they are described in GAL's January 18 report and were photographed by FVRD staff. On March 6, Mrs. MacGregor reported the scarp just below the house basement is 1.2 m high. This compares to the 0.6 m reported in GAL's January 18 report. We are not sure if her observation is significant but continuing, slow slope deformations are possible. We estimate that the volume of displaced soil may be on the order of 100 m³.

The slide movements were preceded by heavy rain and/or rain-on-snow. They were probably affected by surcharges of water from footing drains, the damaged septic system and downspouts that delivered water from the sun deck to directly to the slope crest (Photo 1). Some water may have reached the slope from fill beneath house foundations or natural perched aquifers within the slope. GAL identifies the sliding soil to be silty to clayey fill with gravel and cobbles. The displaced fill was supported by timber crib walls which were also damaged by slide activity.

On March 12, Mr. MacGregor reported that the sun deck was constructed on top of the enclosed basement by the previous owner. Wooden stairs and deck railings were constructed for them after they purchased the



house. The slope crest fill and its timber crib retaining walls were also built by the previous owner.

Fill directly below the house was probably placed without geotechnical advice or design. The MacGregor's report their concrete foundation walls are in good repair. Both noted that a basement sump pump operated continuously for long periods of time prior to the time a Lock Block wall was constructed in April 2006 on the north side of Thor Road, some 25 m above the house. They note that the sump pump has run far less often over the very wet winter of 2006-2007. This suggests that drainage features installed behind the Lock Block wall intercept water that was previously reaching the basement pump. Thor Road is formed of unpaved gravel till.

There are small, and apparently old, rock walls and other landscape features adjacent to and below damaged timber crib walls and above a fence line that marks the MacGregor and Fedick property boundary. On March 12, Mr. MacGregor confirmed these landscape features were placed by the previous owner. We observed fresh soil waste dumped just below the southwest corner of MacGregor's west lawn. On March 12, Mr. MacGregor said he dumps yard waste at this site that originally appeared to be a compost pile. On March 6, we observed a fishpond in the west yard and upon enquiry, Mrs. MacGregor said that it is lined and in good repair.

Loose fill has been pushed southward beyond the slope crest south of the graded area on 4170 Thor Road. As noted in GAL's January 30 report, there is no visible evidence of fill instability but some woody debris is incorporated and remedial measures are recommended.

4.2 Other Features

In April 2006, a contractor working on behalf of the BC Ministry of Transportation (MoT) replaced a weak and damaged log crib wall on the north side of Thor Road, as noted in the Section 4.1. We are not aware that any geotechnical investigation was implemented to design the wall. The MacGregors note that the contractor found a considerable volume of water issuing from one portion of the rotting log cribbing. The new Lock Block wall supports fill that rises steeply to south edge of Slesse Road directly above Thor Road (Photo 2). A shallow ditch system along the north side of Slesse Road flows to a south draining, crossroad culvert some distance east of the MacGregor properties.

Soil behind the Lock Block wall is drained by a 100 mm diameter Big-O pipe that discharges what appears to be a limited volume of water east into



a shallow ditch that more or less follows the foot of the steep slope beyond the Thor Road right of way (Photo 2). On considering the reported degree of seepage from the old log crib wall and limited flows from behind the new one, GAL suggests probing the new wall's drainpipe to determine if it is blocked.

The outlet ditch at the east end of the wall turns south to descend the graded slope and then turns east-south-east to enter a forest. Confusion arises because of an apparent discrepancy between a boundary the mapped on Figure 1 at the east end of the Fedick property and a surveyed fence line that along this boundary. Mr. MacGregor believes that the east boundary of No. 4170 lies well east of the ditch and also beyond an enclosed shed that he built in the forest (Figure 1 and Photo 4). A legal survey is required to establish the MacGregor's easternmost boundary. However, Mr. MacGregor notes that the ditch was in place when he purchased the property 2 years ago and that it flowed to the small gully behind the house at 50765 Mountview (Figure 1 and Photos 3 and 4). This ditch system assumes importance as discussed below in Sections 6 and 7. Hereinafter, we refer to it as the north-south (N-S) ditch.

Subsequent to the above-noted slide activity, Mr. MacGregor constructed a shallow ditch across the east property (4170 Thor Road). It flows east across the graded land surface to the N-S ditch. It intercepts near-surface water from the slope crest not far to the south.

On March 16, we traced the ditch through the forest and noted that it crosses oblique to the forest slope fall line. This portion of the ditch appeared to have been recently excavated or cleaned out with a hand shovel (Photo 3). It flows to a relatively small natural gully that drains south to a point about 8 m east of the west range of the house at 50765 Mountview (Figure 1). The gully is referred to as Gully B in TEL's 1989 report to Mr. Buzzard. The house is situated very close to the foot of a moderate to steep forest slope and our 1989 report expressed concern about the geotechnical security of the house. We did not enter the property but the gully drainage is directed westward from behind the house to a concrete lined drainage ditch that follows the property line between 50761 and 50764 Mountview (Figure 1 and Photo 4) then into a road cross culvert.

5. 50761 MOUNTVIEW AVENUE

5.1 General Description

Figure 1 shows the Fedick property, the elongate tract at the foot of the slope below a residence at 4160 Thor Road and the two MacGregor lots.



The Fedick house is situated near the east end of their lot (Photo 5) and it was the subject of the 1993 report by Cascade Engineering. Mr. Fedick explained that his house was sited in accordance with that report and that large shot rock fragments (from a single partially buried boulder) were placed along the foot slope behind and just west of his house in accordance with advice from Cascade Engineering. This rock forms a toe blanket that appears to resist slope movements but, on March 12, Mr. Fedick noted there was no slide activity prior to the rock being placed. He also notes that maple and alder trees are dying on this slope although it is not clear why.

Mr. Fedick notes that a Big-O pipe that descends the slope behind his house picks up drainage from along his upper property line. He also notes the pipe carries little water. Sketch maps in Cascade Engineering's 1993 report suggest this pipe alignment closely follows a 'natural (surface) drainage swale' that originated above his north property line, perhaps more or less in line with what is now the N-S ditch on the MacGregor tract. We cannot confirm this but, if correct, the N-S ditch may have been diverted into the small gully behind 50765 Mountview between the time of Cascade Engineering's report and sometime before Mr. MacGregor purchased 4170 Thor Road.

On March 12, Mr. Fedick noted the N-S ditch flows to the foot of the slope behind the house at 50765 Mountview and thence into a concrete-lined ditch to Mountview Avenue. He believes the ditch water should be carried in a closed pipe to the Mountview ditch and that a catch basin (perhaps a manhole catch basin) is required to trap sediment carried from Thor Road level above. He is unwilling to maintain the proposed system and believes it is the FVRD's responsibility.

Mr. Fedick expressed concern about ground and surface water that reportedly issues from the lower slopes of the MacGregor lots. On March 12, he noted that during heavy rain the day before, considerable volumes of water issued from the MacGregor tracts onto his slopes. He looks forward to remedial measures that he believes are likely to be recommended following more detailed investigations recommended by GAL.

5.2 Landslide on Fedick Property

In early January, a comparatively large soil slide occurred on the northwest portion of the Fedick property. It is described in GAL's January 18 report. GAL estimates the slide surface area is roughly 800 m². The slide plane appears to be about 1 m or so below the surface giving a slide volume of



roughly 800 m³. The slide mass is probably colluvium weathered from underlying glacial silt and clay.

The slide head scarp is about 1 m high and the slide mass moved about 1 m in a south-south-west direction. The toe of the slide is over steepened and roughly 0.6 m high. The sliding mass remained essentially intact but trees and stumps on its surface tilted back as it moved. Mr. Fedick noted that maple and alder trees on this slope had also been dying before the slide occurred. We cannot explain why the trees died but it is conceivable that loss of root strength played a role in the shallow slide occurrence as did water infiltration in desiccation cracks in the clay-rich soil. Mr. Fedick placed stakes along the foot slope to measure further soil movements but none are observed.

GAL noted a soil cavity in the head scarp, an apparent soil pipe that delivered groundwater and affected the slide movement. GAL suggests that surface water from an old trail at the head of the slide also contributed to the slide. This raises interest in extending the scope of future work to the property west of 4160 Thor Road.

6. OTHER ISSUES

We received some conflicting information during March 12 phone conversations with area landowners. In particular, we are confused over the location of 4170 Thor Road's east boundary as noted on Figure 1 and Photo 4 of this report.

We recommend that the conflicts amongst area landowners be settled before any party seeks further geotechnical advice and before geotechnical investigation and design work is implemented. In our judgment, legal survey work will be required. We gave this information to Mr. R. Wong of GAL on March 15.

7. ADDITIONAL GEOTECHNICAL ISSUES

Figure 1 shows that the residential lots are relatively small and were subdivided in comparatively complex patterns especially considering how potentially adverse geotechnical slopes trend through the area. Most of the houses are relatively old and were sited before awareness of geotechnical hazards prevailed. Some are sited too close to the top or foot of slopes (see TEL's 1989 report) considering current levels of awareness of slope hazards and risks and the many uncertainties that apply in professional slope hazard assessment work. As a result and except for the considerable



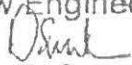
expense, the current study area could justifiably be extended east, west and south to seek comprehensive solutions to area slope problems, especially in regard to provision of drainage works.

In our judgment, it is unlikely that geotechnical professionals will undertake investigation and design work and, except with disclaimers, accept responsibility for works to protect existing or proposed residential buildings which do not conform to current siting guidelines established by the FVRD and which are affected by previously unrecognized or undocumented hazards.

Surface and groundwater control is required on all slopes. Surface water infiltration along Thor Road can be limited by paving if a suitable outlet is found for an improved ditch. The N-S ditch and its outlet behind 50765 Mountview may be especially problematic unless risks to this house are limited to a degree by continuing reduced flows from behind the Lock Block wall or if ditch water can be carried in a closed pipe system from the MacGregor land.

We trust this information is suited for your present needs. Please do not hesitate to contact us if you have any questions.

Yours truly,
Thurber Engineering Ltd.
Dave Smith, P.Eng.
Review Engineer


Robert F. Gerath, P.Geo.
Engineering Geologist



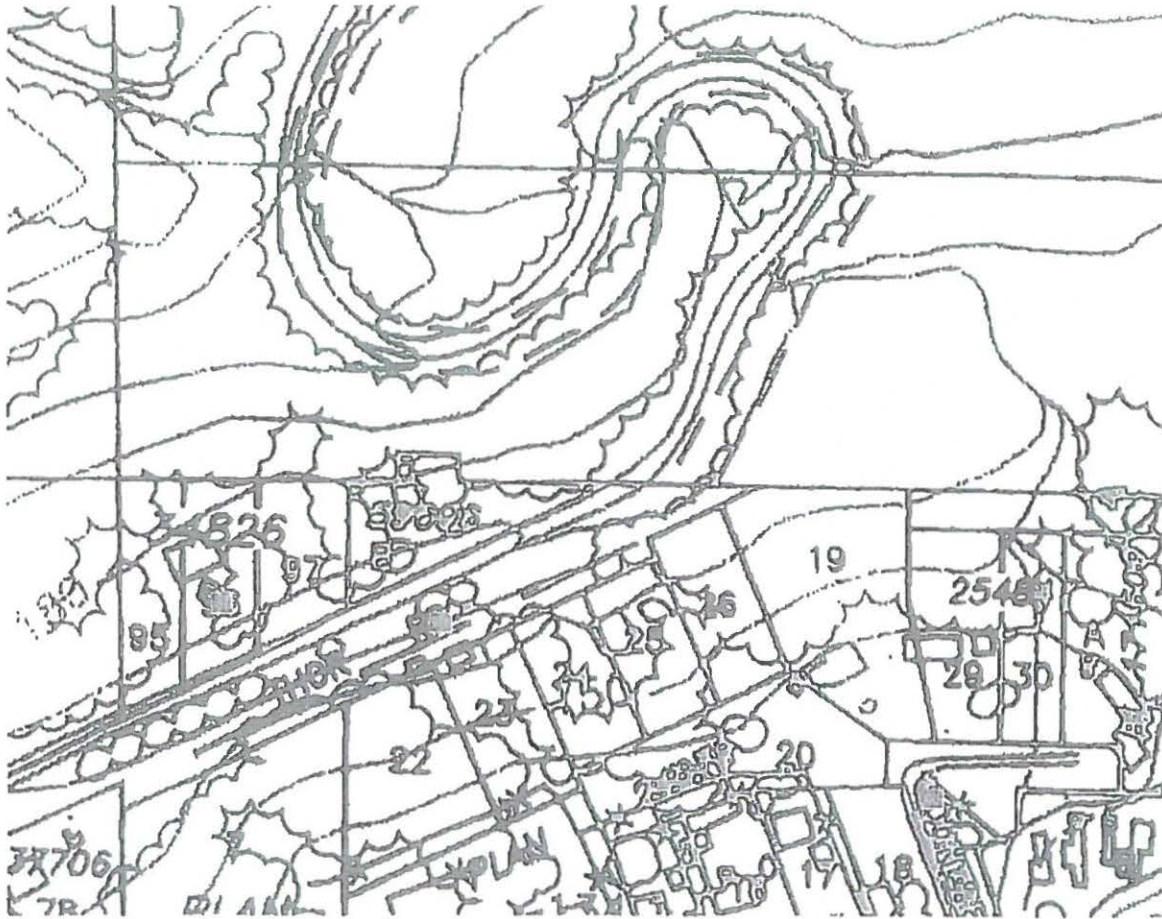


Figure 1: Topographic and property map. Contour interval is 10 m but the map is not scaled. It was produced for the BC Government in 1993. Slesse Road curves up the valley slope on the north side. Some property lines do not appear to be accurately shown or registered to physical features. Houses include what may be the MacGregor house on Lot 25 (4164 Thor Road). Surveys will be required to define actual lot limits. Lot 24 is 4160 Thor Road. Lot 26 is 4170 Thor Road. Lot 20 is the Fedick property (50761 Mountview Avenue) but the map was prepared before the house was built. Lot 19 is 50765 Mountview and its house appears to be correctly positioned relative to the immediately adjacent property boundary. Nonetheless, the boundary corner mapped just west of this house cannot be reconciled with a surveyed fence line that projects to the northeast corner of the Fedick property, as shown on Photo 4.



Photo 1. View WNW showing slide below MacGregor house at 4164 Thor Road. Note the sheared soil mass in the foreground.



Photo 2. View WNW showing Lock Block wall on north side of Thor Road above the MacGregor house. The wall drain flows to the east-flowing drainage ditch at lower right. It turns into the N-S ditch not far behind the photographer.



Photo 3. View WNW showing ditch in the forest east of the MacGregor tracts at the top of the photo.

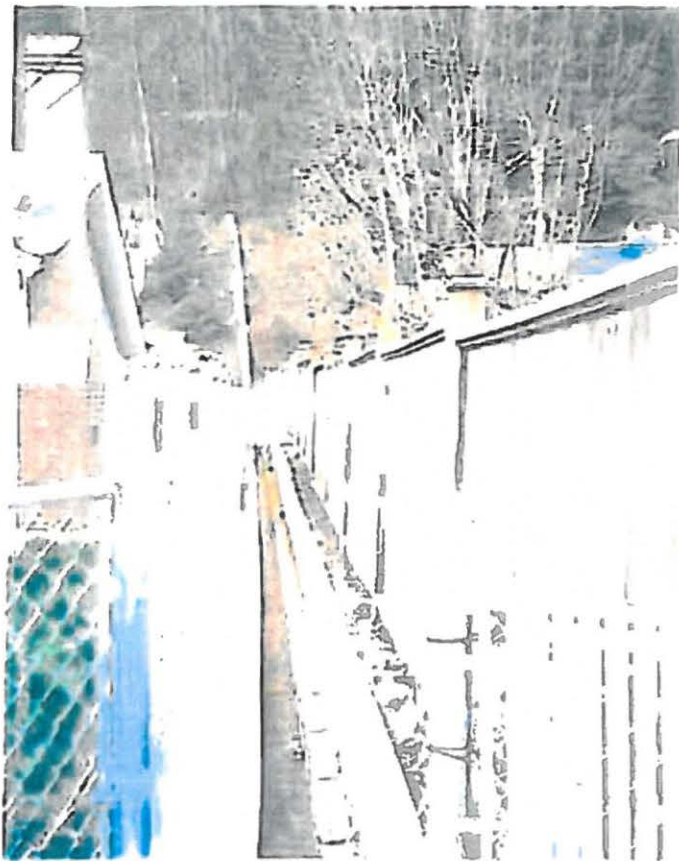


Photo 4. View northwest showing the concrete ditch between houses at 50761 (left) and 50765 (right) Mountview Avenue. Note how a Fedick fence line strikes up slope along a line projected from the ditch and compare the projected line to the boundary shown on Figure 1. Mr. Fedick states the fence follows a survey boundary to his northeast property pin. We cannot reconcile this observation with the boundary shown on Figure 1.

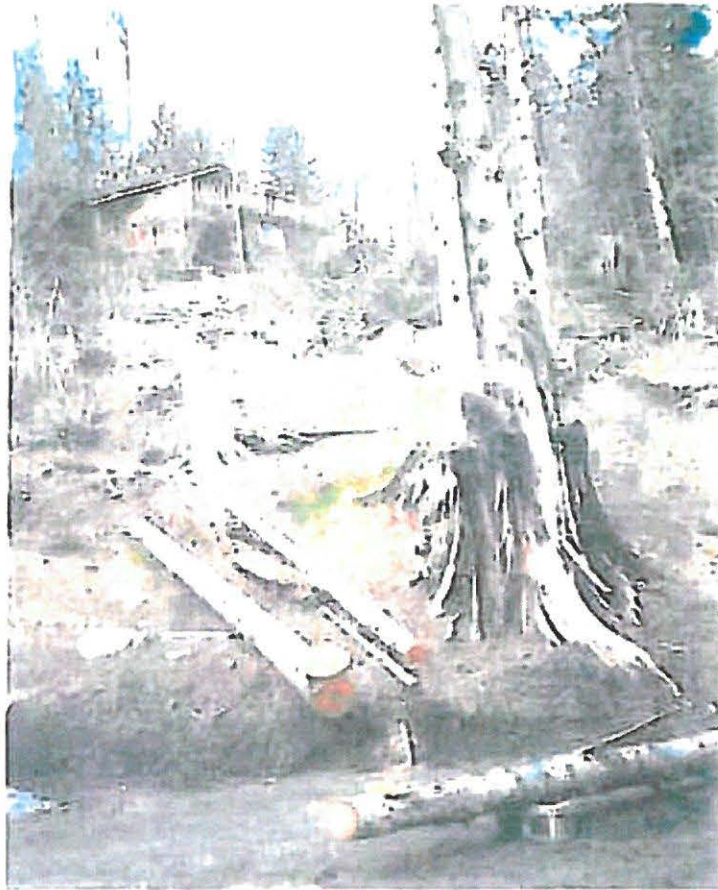


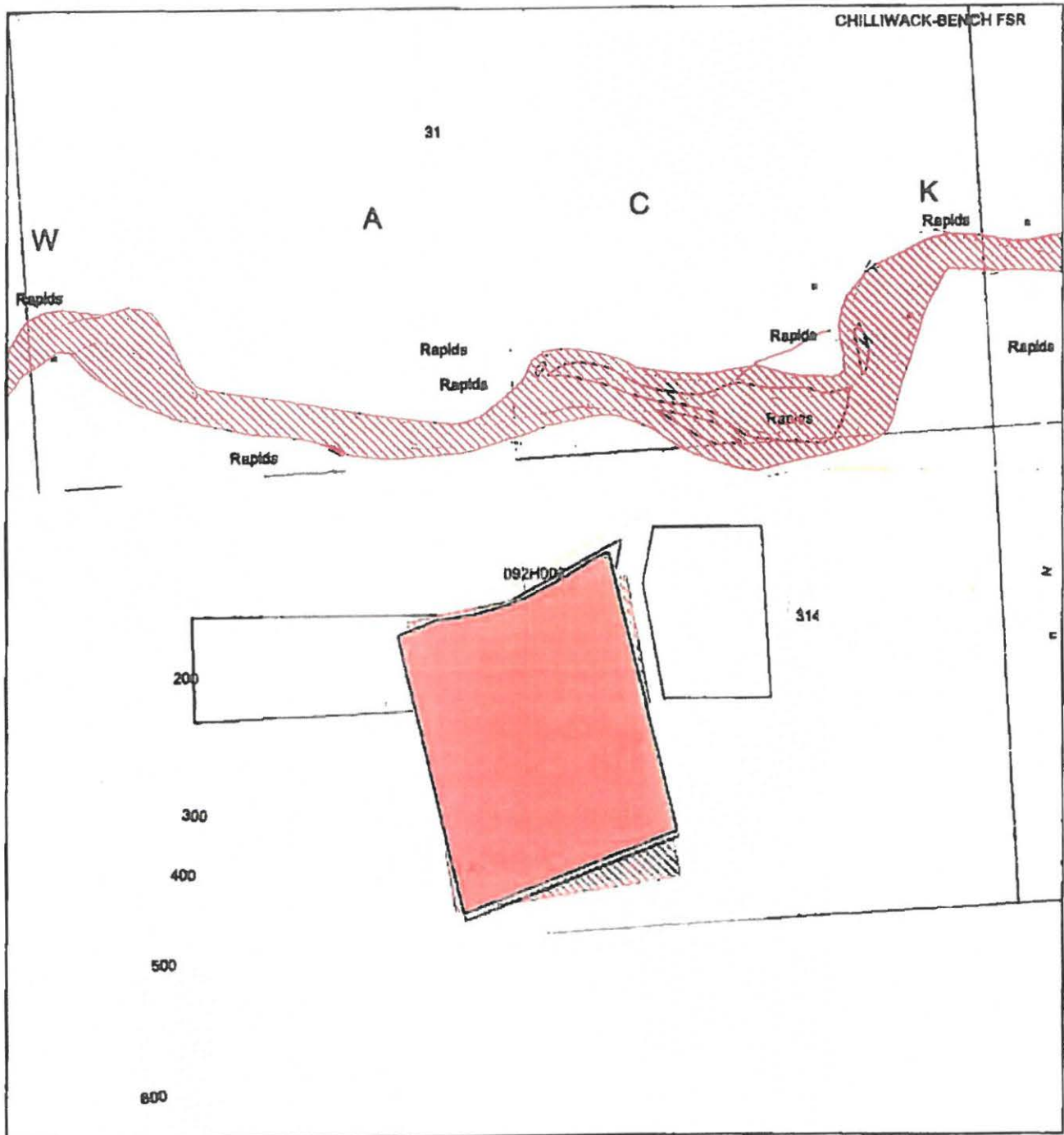
Photo 5. View northnortheast showing the landslide on the Fedick property. Bare soil patches mark the slide head scarp. Note the position of the MacGregor house compared to the slide. The Fedick lawn is in the foreground.

Aggregate

William Tolmie sand and gravel quarry

File No.: 2408600
Disposition No.: 239799

Licence of Occupation (5 years)



Scale: 1: 10,000

BCGS Mapsheet(s): 92H 002

sand and gravel

Page ____ of ____



STATEMENT OF GENERAL CONDITIONS

1. STANDARD OF CARE

This study and Report have been prepared in accordance with generally accepted engineering or environmental consulting practices in this area. No other warranty, expressed or implied, is made.

2. COMPLETE REPORT

All documents, records, data and files, whether electronic or otherwise, generated as part of this assignment are a part of the Report which is of a summary nature and is not intended to stand alone without reference to the instructions given to us by the Client, communications between us and the Client, and to any other reports, writings, proposals or documents prepared by us for the Client relative to the specific site described herein, all of which constitute the Report.

IN ORDER TO PROPERLY UNDERSTAND THE SUGGESTIONS, RECOMMENDATIONS AND OPINIONS EXPRESSED HEREIN, REFERENCE MUST BE MADE TO THE WHOLE OF THE REPORT. WE CANNOT BE RESPONSIBLE FOR USE BY ANY PARTY OF PORTIONS OF THE REPORT WITHOUT REFERENCE TO THE WHOLE REPORT.

3. BASIS OF REPORT

The Report has been prepared for the specific site, development, design objectives and purposes that were described to us by the Client. The applicability and reliability of any of the findings, recommendations, suggestions, or opinions expressed in the document, subject to the limitations provided herein, are only valid to the extent that this Report expressly addresses proposed development, design objectives and purposes, and then only to the extent there has been no material alteration to or variation from any of the said descriptions provided to us unless we are specifically requested by the Client to review and revise the Report in light of such alteration or variation or to consider such representations, information and instructions.

4. USE OF THE REPORT

The information and opinions expressed in the Report, or any document forming part of the Report, are for the sole benefit of the Client. NO OTHER PARTY MAY USE OR RELY UPON THE REPORT OR ANY PORTION THEREOF WITHOUT OUR WRITTEN CONSENT AND SUCH USE SHALL BE ON SUCH TERMS AND CONDITIONS AS WE MAY EXPRESSLY APPROVE. The contents of the Report remain our copyright property. The Client may not give, lend or, sell the Report, or otherwise make the Report, or any portion thereof, available to any person without our prior written permission. Any use which a third party makes of the Report, are the sole responsibility of such third parties. Unless expressly permitted by us, no person other than the Client is entitled to rely on this Report. We accept no responsibility whatsoever for damages suffered by any third party resulting from use of the Report without our express written permission.

5. INTERPRETATION OF THE REPORT

- a) **Nature and Exactness of Soil and Contaminant Description:** Classification and identification of soils, rocks, geological units, contaminant materials and quantities have been based on investigations performed in accordance with the standards set out in Paragraph 1. Classification and identification of these factors are judgmental in nature. Comprehensive sampling and testing programs implemented with the appropriate equipment by experienced personnel, may fail to locate some conditions. All investigations utilizing the standards of Paragraph 1 will involve an inherent risk that some conditions will not be detected and all documents or records summarizing such investigations will be based on assumptions of what exists between the actual points sampled. Actual conditions may vary significantly between the points investigated and the Client and all other persons making use of such documents or records with our express written consent should be aware of this risk and this report is delivered on the express condition that such risk is accepted by the Client and such other persons. Some conditions are subject to change over time and those making use of the Report should be aware of this possibility and understand that the Report only presents the conditions at the sampled points at the time of sampling. Where special concerns exist, or the Client has special considerations or requirements, the Client should disclose them so that additional or special investigations may be undertaken which would not otherwise be within the scope of investigations made for the purposes of the Report.
- b) **Reliance on Provided Information:** The evaluation and conclusions contained in the Report have been prepared on the basis of conditions in evidence at the time of site inspections and on the basis of information provided to us. We have relied in good faith upon representations, information and instructions provided by the Client and others concerning the site. Accordingly, we cannot accept responsibility for any deficiency, misstatement or inaccuracy contained in the Report as a result of misstatements, omissions, misrepresentations, or fraudulent acts of the Client or other persons providing information relied on by us. We are entitled to rely on such representations, information and instructions and are not required to carry out investigations to determine the truth or accuracy of such representations, information and instructions.

(see over...)



INTERPRETATION OF THE REPORT (continued)

- c) **Design Services:** The Report may form part of the design and construction documents for information purposes even though it may have been issued prior to the final design being completed. We should be retained to review the final design, project plans and documents prior to construction to confirm that they are consistent with the intent of the Report. Any differences that may exist between the report recommendations and the final design detailed in the contract documents should be reported to us immediately so that we can address potential conflicts.
- d) **Construction Services:** During construction we must be retained to provide field reviews. Field reviews consist of performing sufficient and timely observations of encountered conditions to confirm and document that the site conditions do not materially differ from those interpreted conditions considered in the preparation of the report. Adequate field reviews are necessary for Thurber to provide letters of assurance, in accordance with the requirements of many regulatory authorities.

6. RISK LIMITATION

Geotechnical engineering and environmental consulting projects often have the potential to encounter pollutants or hazardous substances and the potential to cause an accidental release of those substances. In consideration of the provision of the services by us, which are for the Client's benefit, the Client agrees to hold harmless and to indemnify and defend us and our directors, officers, servants, agents, employees, workmen and contractors (hereinafter referred to as the "Company") from and against any and all claims, losses, damages, demands, disputes, liability and legal investigative costs of defence, whether for personal injury including death, or any other loss whatsoever, regardless of any action or omission on the part of the Company, that result from an accidental release of pollutants or hazardous substances occurring as a result of carrying out this Project. This indemnification shall extend to all Claims brought or threatened against the Company under any federal or provincial statute as a result of conducting work on this Project. In addition to the above indemnification, the Client further agrees not to bring any claims against the Company in connection with any of the aforementioned causes.

7. SERVICES OF SUBCONSULTANTS AND CONTRACTORS

The conduct of engineering and environmental studies frequently requires hiring the services of individuals and companies with special expertise and/or services which we do not provide. We may arrange the hiring of these services as a convenience to our Clients. As these services are for the Client's benefit, the Client agrees to hold the Company harmless and to indemnify and defend us from and against all claims arising through such hirings to the extent that the Client would incur had he hired those services directly. This includes responsibility for payment for services rendered and pursuit of damages for errors, omissions or negligence by those parties in carrying out their work. In particular, these conditions apply to the use of drilling, excavation and laboratory testing services.

8. CONTROL OF WORK AND JOBSITE SAFETY

We are responsible only for the activities of our employees on the jobsite. The presence of our personnel on the site shall not be construed in any way to relieve the Client or any contractors on site from their responsibilities for site safety. The Client acknowledges that he, his representatives, contractors or others retain control of the site and that we never occupy a position of control of the site. The Client undertakes to inform us of all hazardous conditions, or other relevant conditions of which the Client is aware. The Client also recognizes that our activities may uncover previously unknown hazardous conditions or materials and that such a discovery may result in the necessity to undertake emergency procedures to protect our employees as well as the public at large and the environment in general. These procedures may well involve additional costs outside of any budgets previously agreed to. The Client agrees to pay us for any expenses incurred as the result of such discoveries and to compensate us through payment of additional fees and expenses for time spent by us to deal with the consequences of such discoveries. The Client also acknowledges that in some cases the discovery of hazardous conditions and materials will require that certain regulatory bodies be informed and the Client agrees that notification to such bodies by us will not be a cause of action or dispute.

9. INDEPENDENT JUDGEMENTS OF CLIENT

The information, interpretations and conclusions in the Report are based on our interpretation of conditions revealed through limited investigation conducted within a defined scope of services. We cannot accept responsibility for independent conclusions, interpretations, interpolations and/or decisions of the Client, or others who may come into possession of the Report, or any part thereof, which may be based on information contained in the Report. This restriction of liability includes but is not limited to decisions made to develop, purchase or sell land.



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-E06604.250/3

Bernice Champigny
Marcel Champigny
4164 Slesse Rd
Chilliwack BC V4Z 1B3

COPY

Dear Ms. Champigny and Mr. Champigny,

Re: Lapsed Building Permit Application BP012605 at 4164 Slesse Road; legally described as Lot 25, Section 33, Township 1, Range 29, Meridian 6, New Westminster District, Plan NWP24078 Meridian W6, Except Plan Hwy R/W 64013.

As you are aware from our letter dated February 25, 2015 the following building permit application has now been closed:

- BP012605 for the purpose of rebuilding a deck and storage room.

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 20, 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
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-BP012605E

February 25, 2015

Champigny, Bernice L
Champigny, Marcel J
4164 Slesse Rd
Chilliwack BC V4Z 1B3

COPY

Dear Mr. & Ms. Champigny:

**Re: Building Permit Application No. BP012605 for the purpose of Rebuilding a deck and storage room on property legally described as Lot 25, Section 33, Township 1, Range 29, Meridian 6, New Westminster District, Plan Nwp24078 Meridian W6, Except Plan HWY R/W 64013.
Known as 4164 SLESSE RD.**

Further to the attached final letter of requirements sent on October 2, 2012, please be advised that the required items to fulfill the building permit application process remain outstanding and the above noted building permit application has now been closed. Your project remains incomplete and is not covered by a valid building permit as required by "Fraser Valley Regional District Building Bylaw No.1188, 2013". Therefore, your file has been referred back to Bylaw Enforcement.

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

Should you wish to bring your property into compliance with all current bylaws, it will be necessary for you to contact Jennifer Wells, Bylaw and Permits & Licences Technician, with reference to your Bylaw Enforcement file E06604.250/3 to review your options.

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

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

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'MS' or similar initials, followed by a small flourish.

Monica Stuart
Building & Bylaw Clerk

cc: Orion Engar, Director of Electoral Area E
Margaret Thornton, Director of Planning & Development
✓ Bylaw Enforcement File E06604.250/3



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: 604-792-9664

website: www.fvrd.bc.ca

e-mail: info@fvrd.bc.ca

File Number: 3800-30-BP012605E

October 2, 2012

CHAMPIGNY, BERNICE L
CHAMPIGNY, MARCEL J
4164 SLESSE RD
CHILLIWACK BC V4Z 1B3

Dear Property Owners:

Re: Building Permit Application No. BP012605 for the purposes of constructing a Rebuild deck and storage room on property legally described as LOT 25, SECTION 33, TOWNSHIP 1, RANGE 29, MERIDIAN 6, NEW WESTMINSTER DISTRICT, PLAN 24078 MERIDIAN W6, EXCEPT PLAN HWY R/W 64013. known as 4164 SLESSE RD.

I am writing to you in connection with your building permit application dated **Aug 05, 2011**. 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. The property is located within Development Permit Area 3-E and a geotechnical report is required pursuant to section 56 of the Community Charter. Please see the previously attached form letter. Before engaging a geotechnical engineer contact David Bennett in the Planning Dept. at 604-702-5052 for information on preparing the report for the Development Permit process (and potential covenant). You should be aware that there may be conditions specified in the report which would require supervision by an engineer on site.
2. The following information is required from a registered professional:
 - a. Schedule B and 3 sets of sealed drawings for all structural aspects of the project that reflect a frost depth of 0.45m and climatic loads of, $S_s=2.5\text{kpa}$ & $S_r=0.3\text{kpa}$ including a sealed report on the status of the entire structure, and details on any structural upgrades and foundation repairs
 - b. Schedule B for soil bearing capacity and slope stability including a landslide assessment report
3. A scaled site plan that includes a) the entire property complete with all existing buildings and structures, b) the proposed house with setbacks to all property lines, watercourses and wells, c) the location of the septic field, tank, driveway, Statutory Right of Ways and Easements and d) rock pit/storm drainage system (minimum 5.0m from any foundation).

4. 3 complete sets of construction drawings that reflect all requirements of the above noted geotechnical report. This and item #2a may be combined.
5. Sealed documentation from an authorized person (as defined by the Provincial Sewage System Regulations) for the re-use of your existing sewage disposal system. The sealed report must confirm that the existing system will meet all Provincial Sewage System Regulations and is in good working order. For a list of authorized persons please call 604 585-2788 or go online to owrp.asitbc.org

Your permit application will be held in abeyance until **November 2, 2012** 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: Frank Kelly, MCIOB, Deputy Director of Planning and Development
David Lamson, Director of Electoral Area E

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?

At this time, the Fraser Valley Regional District does not charge the registered owner of the property when a *Notice on Title* is placed or cancelled at the Land Title Office. The fees associated with the registration or removing of the Notices are remunerated by the Fraser Valley Regional District.

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.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 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 enactment
 - that 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.

June 1, 2018

REGISTERED MAIL

Mr. Marcel Champigny
Mrs. Bernice Champigny
4164 Slesse Road
Chilliwack BC V4Z1B3

FILE: 4010-20- E06604. 250/3

CIVIC: 4164 Slesse Road

PID: 009-301-780

LEGAL: LOT 25 EXCEPT: PART WITHIN HEAW OUTLINE TAKEN BY HIGHWAY STATUTORY RIGHT
OF WAY PLAN 64013, SECTION 33 TOWNSHIP 1 RANGE 29 WEST OF THE SIXTH MERIDIAN
NEW WESTMINSTER DISTRICT PLAN 24078

Dear Mr. and Mrs. Champigny:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Tile
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building
without a Permit - 4164 Slesse Road Electoral Area E.**

Further to the final warning letter dated January 24, 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 4164 Slesse Road 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 **July 10, 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 4164 Slesse Road whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

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

Sincerely,



Digitally signed by Paul
Gipps
Date: 2018.05.28
11:26:30 -07'00'

Paul Gipps
Chief Administrative Officer

cc: 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
Vancouver City Savings Credit Union in Trust, See BL 51963

Attach: January 24, 2018 Copy of Final Warning Letter to Property Owner
July 10, 2018 Staff Report from Bylaw and Appointed Building Inspector
January 23, 2018 Land Title Search Results
May 23, 2018 Property Information Report
May 23, 2018 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

TITLE SEARCH PRINT

2018-01-23, 10:04:44

File Reference:

Requestor: Louise Hinton

Declared Value \$218600

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District

NEW WESTMINSTER

Land Title Office

NEW WESTMINSTER

Title Number

CA659052

From Title Number

BK378331

Application Received

2007-12-18

Application Entered

2007-12-24

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

BERNICE LORRAINE CHAMPIGNY, CENTRAL PROCESSING AID
MARCEL JOSEPH CHAMPIGNY, MECHANIC
4164 SLEESE ROAD
CHILLIWACK, BC
V4Z 1B3
AS JOINT TENANTS

Taxation Authority

New Westminster Assessment District

Description of Land

Parcel Identifier:

009-301-780

Legal Description:

LOT 25 EXCEPT: PART WITHIN HEAVY OUTLINE TAKEN BY HIGHWAY STATUTORY
RIGHT OF WAY PLAN 64013, SECTION 33 TOWNSHIP 1 RANGE 29 WEST
OF THE SIXTH MERIDIAN NEW WESTMINSTER DISTRICT PLAN 24078

Legal Notations

NONE

Charges, Liens and Interests

Nature:

MORTGAGE

Registration Number:

CA341226

Registration Date and Time:

2006-12-06 09:44

Registered Owner:

VANCOUVER CITY SAVINGS CREDIT UNION
IN TRUST, SEE BL51963

Duplicate Infeasible Title

NONE OUTSTANDING

Transfers

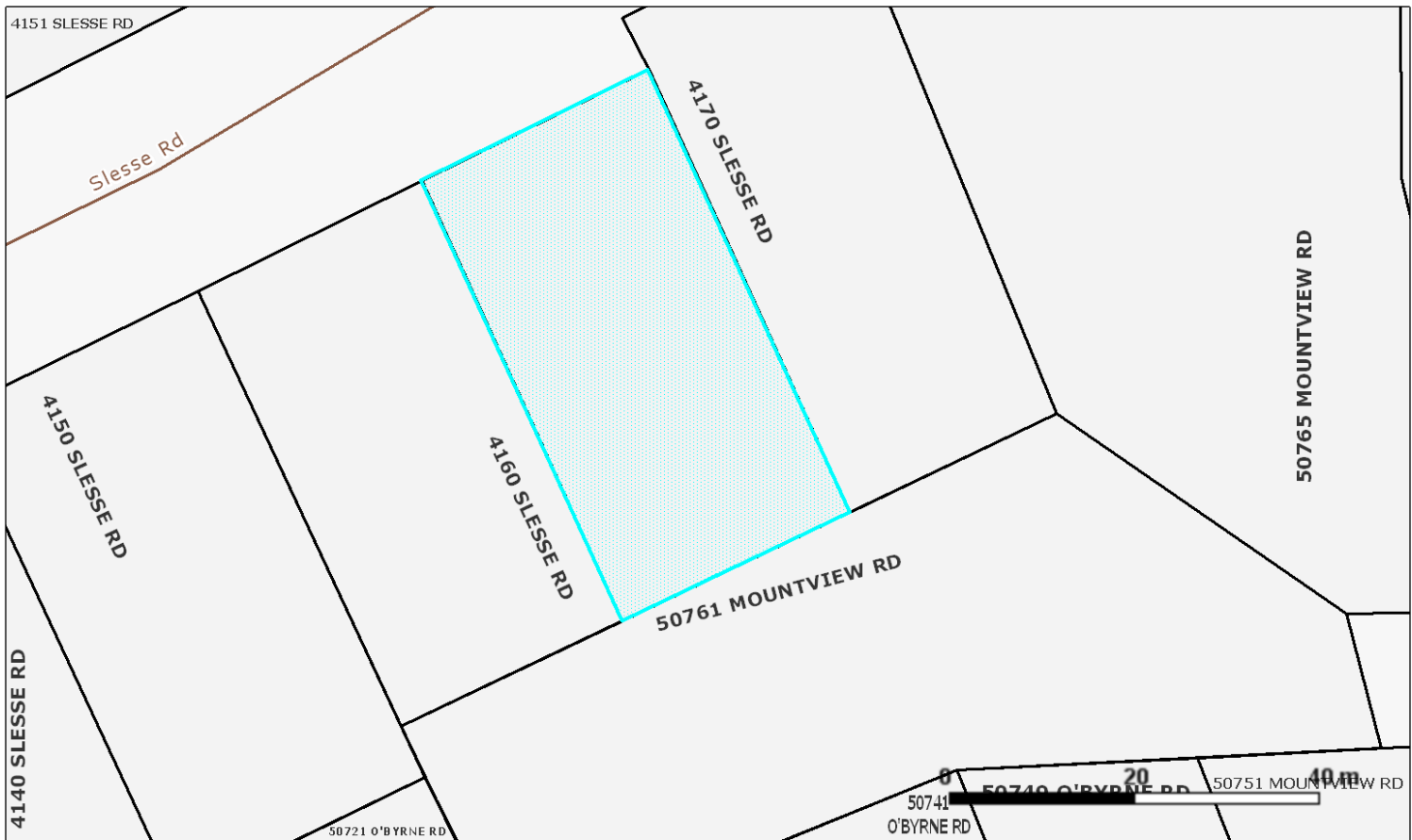
NONE

Pending Applications

NONE

Property Information Report

Civic Address:	4164 SLESSE RD	Lot Size:	13869 SQUARE FEET
Folio Number:	733.06604.250	Electoral Area:	E
PID:	009-301-780	Map Scale:	1:749
Legal Description:	LOT 25, SECTION 33, TOWNSHIP 1, RANGE 29, MERIDIAN 6, NEW WESTMINSTER DISTRICT, PLAN NWP24078 MERIDIAN W6, EXCEPT PLAN 64013.		



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: 2018-07-10

From: Louise Hinton, Bylaw Compliance and Enforcement Officer File No: E06604. 250/3

Subject: Building Bylaw, and BC Building Code Contraventions at 4150 Slesse Road, Electoral Area E, legally described as Lot 23 Except: Part within Heavy Outline taken by Highway SRW Plan 64013; Section 33 Township 1 Range 29 West of the sixth Meridian New Westminster

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 4150 Slesse Road Electoral Area E, Fraser Valley Regional District, British Columbia; legally described as (Lot 23 Except: Part within Heavy Outline taken by Highway SRW Plan 64013; Section 33 Township 1 Range 29 West of the sixth Meridian New Westminster District Plan 24078. Parcel Identifier: 002-053-578.

STRATEGIC AREA(S) OF FOCUS

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

PRIORITIES

Priority #3 Flood Protection & Management

BACKGROUND

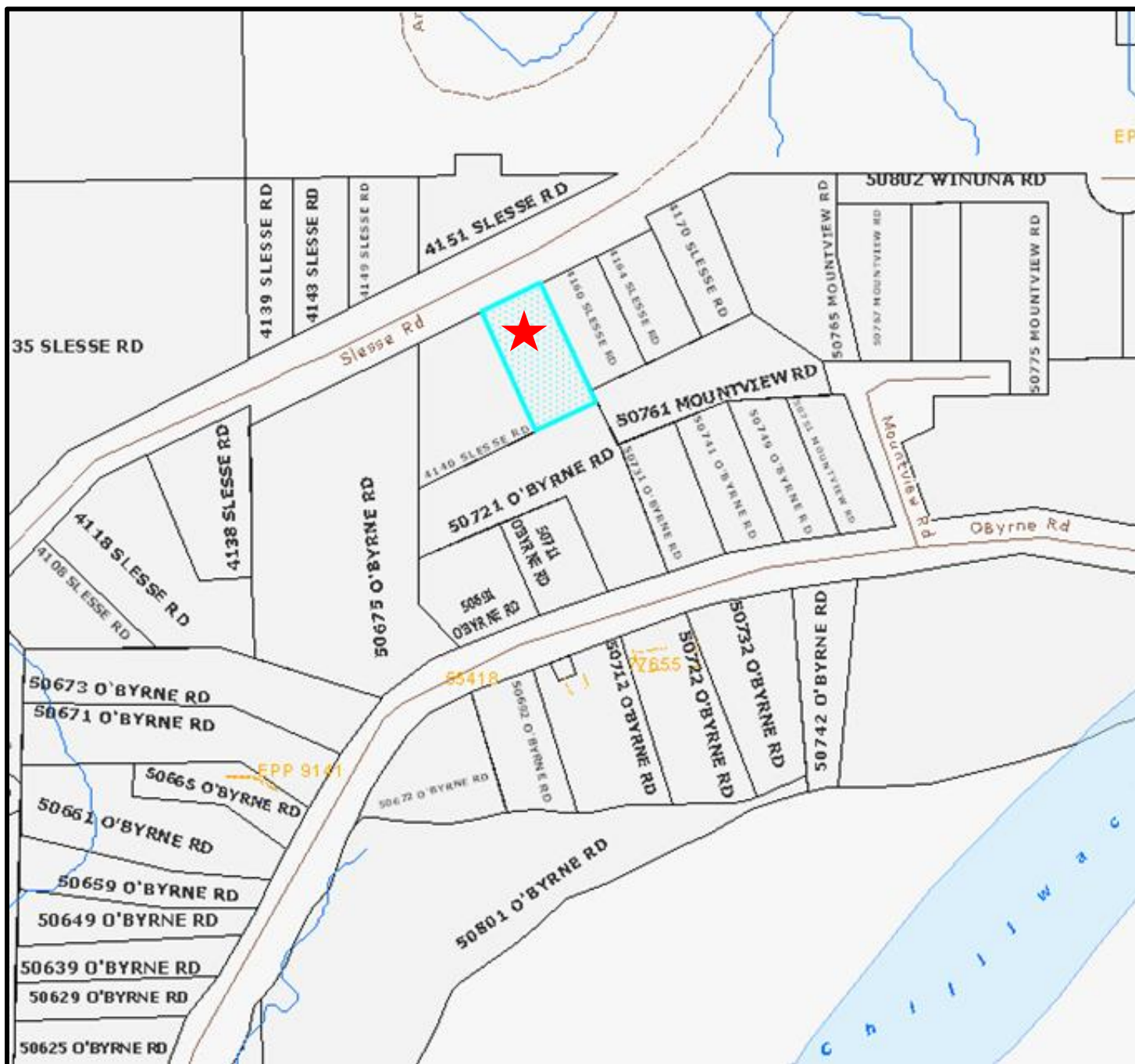
August 26, 2014 –Regional District Bylaw Enforcement staff received contact from FVRD Emergency Management Staff regarding an inquiry they received regarding 4150 Slesse Road. The inquiry states that a neighbour is concerned that some trees that were felled have been stacked on the property pose a hazard, are compromising the integrity of the slope, and that they are also unsightly.

Regional District Bylaw staff contacted the Property Owner of 4150 Slesse Road Mr. Anatoli Lazouski by telephone. Mr. Lazouski advised Bylaw Staff of the following:

That his neighbour, to the south at 50721 O'Byrne hired an excavation company to remove trees that fell from his property onto his neighbours property below. That same excavation company told the Mr. Lazouski that he should remove a few more trees from his property because they were dangerous and he would take care of it along with obtaining the FVRD removal Permit. In

addition, he relayed that his neighbour at 50721 O'Byrne Road, now believes that the logs on his property were not placed correctly, are unsightly and has continued to try to persuade him to have them removed.

Mr. Lazouski invited FVRD staff to come and do an inspection of the property, but said that it is probably easier to view the fallen trees from his neighbour's property at 50721 O'Byrne, and proceeded to give staff his neighbour's contact information. FVRD Bylaw Staff also were informed that the subject property has been listed for sale.

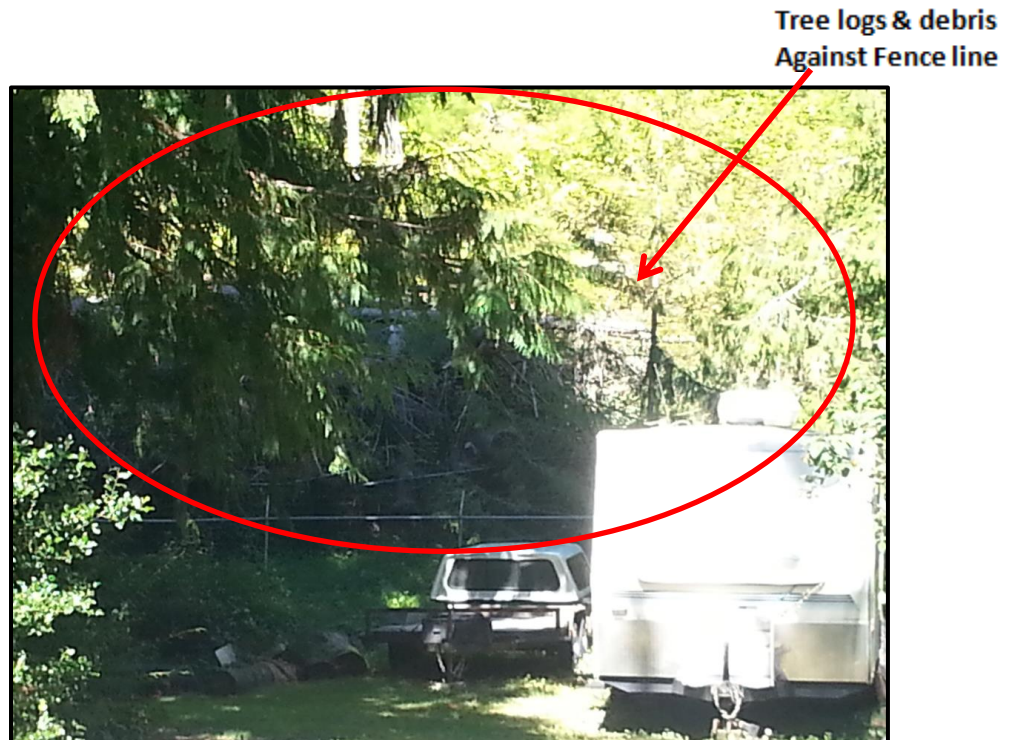


August 27, 2014 - Regional District Bylaw Staff spoke with the neighbour, who owns the property at 50721 O'Byrne. He stated the following:

The slope from 4150 Slesse moved a few feet last year which cause tree movement- two of the trees' that were previously on 4150 Slesse Road were now leaning against the his rear fence. The neighbour stated that Mr. Lazouski hired a an excavation company who said they should remove a bunch of trees (cedars) to get the weight off the hill. The neighbour did not know if Mr. Lazouski obtained permits, but was under the understanding that he did pay the company to fall the trees only, not for the removal of them. Now the trees are piled up on the hill pushing on his rear fence.

September 5, 2014 –

Regional District Bylaw Staff attended the property at 50721 O'Byrne Road in an attempt to inspect the fallen trees from 4150 Slesse Road leaning on the fence line. Regional District Bylaw Staff noted that nobody was home at the time of the inspection and access to the rear yard was not available due to fencing and a gate; and that it was difficult to see the logged trees, however brush material was evident on the slope at the rear of the yard. One inspection photo was taken.



September 16, 2014 – Regional District Bylaw Staff attended the subject property at 4150 Slesse Road for a follow-up site inspection. The Property Owner Mr. Anatoli Lazouski was on site during the inspection when staff walked to the bottom of the property line with him to view the extent of the tree cutting. The following was documented and photographed:

- Extensive sloughing of the land.
- A number of trees appear upon visual inspection to be unstable or at risk of falling.
- There is a large amount of debris from tree cutting along bottom property line and materials are slipping against fencing that is in place, causing the fence to bend. The fence seems to be holding debris in place for the time being.
- Appears that approximately ten trees have been cut down on the property.

While on site the Property Owner Mr. Anatoli Lazouski mentioned that there was retaining wall works done on the property. He stated that he completed the retaining wall works himself and did not get the necessary permits. FVRD Bylaw Staff relayed to Mr. Lazouski that the retaining wall

would have needed to get both a Building Permit and a Development Permit and that the tree removal works would have also required a Development Permit.

Site Inspection photos dated September 16, 2014



September 17, 2014 – Regional District Bylaw staff received contact from the Property Owner Mr. Lazouski by email. The correspondence provided the history of slide activity on the subject property at 4150 Slesse Road and a diagram of the retaining wall construction as well as pre-retaining wall / post-slide photos of the slope. Mr. Lazouski recalled that he believed that a slide occurred on his property in the winter of 2008/2009. He stated that he applied for emergency funding from the Province, but was declined. He outlined that he built the retaining wall by hand with no heavy duty equipment about a year after the slide with terraces all in 3.5 - 4 foot sections.

September 23, 2014 – Regional District Bylaw Staff spoke with the excavation contractor who performed the tree removal on the subject property at 4150 Slesse Road. He provided the following information regarding his work:

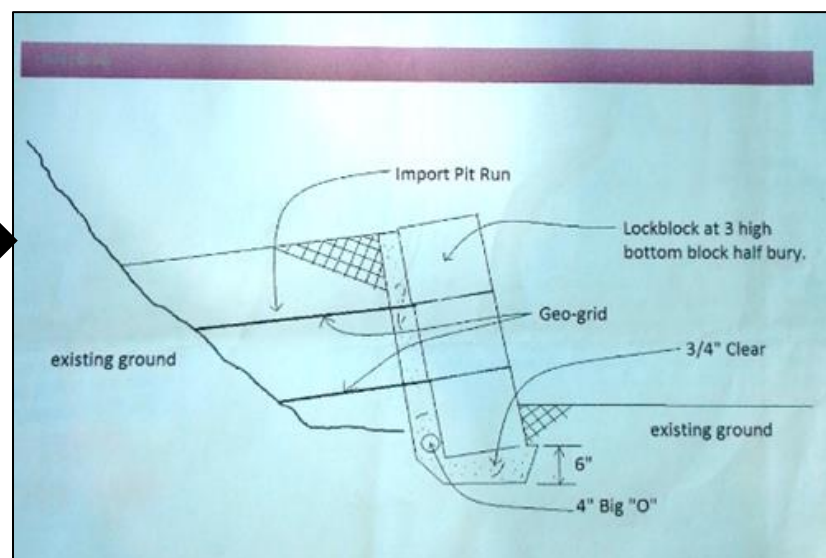
- He does a lot of work for BC Hydro, but they did not contract him for these works; there is a BC Hydro line through this property.
- Approximately two years ago, he removed debris material (tree clumps) from the fence line of the property.
- On his second visit he stated that he felled three trees that he believed were dangerous, but did not remove them from the property as the Property Owner Mr. Lazouski stated he could do the removal himself or find someone else cheaper to do it.
- He was unaware that he needed a Development Permit for the work or of the existence of a tree cutting bylaw that applied to the area.
- He explained that this was private sole proprietor job that he took and he did on his own time separate for the company and that he did not take out any permits for.
- The job required him to "slingshot" the trees as they were dead and dangerous to the property below.

The contractor also relayed to Regional District staff that the Property Owner Mr. Anatoli Lazouski left a voicemail message for him last week asking him to provide a quote on cleanup of the remaining trees and debris along the fence, but he has not had time to return the phone call.

23 September, 2014 – Regional District Bylaw Staff presented file information (including file history with point form timeline, current activity and complaints, and recent developments) to the Emergency, Engineering and Development Services Management Staff. It was agreed that the FVRD should try to see if it's able to get its own geotechnical assessment of the property.

September 25, 2014 – Regional District Bylaw and Management Staff attended the subject property at 4150 Slesse Road for a joint site inspection with hired Geotechnical Engineer Mr. Ross Wong of Golder Engineering. Regional District staff accompanied Mr. Wong around the subject property and down the hill to the toe of the slope. Mr. Wong will prepare a report regarding his findings, but he did mention on site that the threat to surrounding properties and homes is not imminent and is unlikely. He stated that slope failure resulting from the inadequate retaining wall would likely only affect the subject property at 4150 Slesse Road.

October 8, 2014 – Regional District Bylaw Staff received drawings of retaining wall from Property Owner Mr. Anatoli Lazouski.



October 8, 2014 – The Regional District Engineering Department received the geotechnical report from Mr. Russ Wong of Golder Associates Ltd., dated October 8, 2014 outlining their geotechnical assessment of the slope and retaining wall at 4150 Slesse Road following the September 25, 2014 site inspection.

October 30, 2014 - Regional District Bylaw Staff met with the Property Owner Mr. Lazouski at the Chilliwack Regional District Office. During this meeting FVRD Bylaw Staff provided Mr. Lazouski with a draft letter dated October 22, 2014 along with a copy of the slope & retaining wall geotechnical report recently completed by Golder Engineering. FVRD Bylaw Staff discussed the need to obtain both Building Permit and Development Permit for the works that were done on his property at 4150 Slesse Road. Bylaw Staff also explained to Mr. Lazouski that if he was not able to achieve completion on the applicable permits to remediate the subject property then staff had the intent to proceed to recommend the Regional District Board place a section 57 Notice on the Title of his property. Staff explained the Section 57 process and provided Mr. Lazouski with a Section 57 and 58 Notice on Title Information Package.

November 6, 2014 – Regional District Bylaw staff sent a letter to the property owners Mr. Anatoli Lazouski and Ms. Ala Lazouskaya by regular mail regarding the outstanding bylaw concerns, the potential hazards and the Building and Development Permit requirements for their property at 4150 Slesse Road. A Copy of the recently received slope and retaining wall geotechnical report (2014) and the Slesse Park geotechnical report from 2007 were both attached to the letter. The deadline for compliance was December 5, 2014.

November 27, 2014 – Property owner, Mr. Anatoli Lazouski came into the Regional District Building Office and applied for a Building Permit (BP013282) for the remediation of the retaining wall.

December 15, 2014 - A letter is sent by regular mail to the property owners Mr. Anatoli Lazouski and Ms. Ala Lazouskaya listing the required outstanding items to complete their Building Permit (BP013282) for the remediation of the retaining wall.

December 15, 2014 – A letter is sent by regular mail to the property owners Mr. Anatoli Lazouski and Ms. Ala Lazouskaya advising them of the geotechnical hazards associated with the proposed works to remediate the retaining wall. It outlines the requirement under section 56 of the *Community Charter* that a report from a qualified professional is required. This letter also advised Mr. Lazouski and Ms. Lazouskaya that their professional should contact the Regional District's Planning Department for assistance before beginning any work.

June 18, 2015 – Regional District Bylaw Staff received contact from a real estate agent by telephone regarding his client's interest in purchasing the subject property at 4150 Slesse Road. FVRD Staff briefly explained the basis for the Bylaw concerns on the subject property and advised him that a Section 57 *Community Charter* notice on title was being considered for this property due to outstanding issues.

June 19, 2015 – Regional District Bylaw staff contacted the same real estate agent by email and provided further detailed information regarding the bylaw enforcement file including what permits are required to resolve the matter.

June 22, 2015 – Regional District Bylaw staff responded to an inquiry at the Chilliwack Building Office front counter from a representative from an appraisal Company. The appraiser has been contracted to provide an appraisal for the subject property at 4150 Slesse Road that is currently listed for sale. Bylaw Staff provided a copy of the bylaw file information that was previously provided to the real estate agent that outlined the details of the bylaw file and what permits are required to resolve the matter.

June 23, 2015 – July 8, 2015 -- Regional District Bylaw staff received contact from several potential purchasers of the subject property at 4150 Slesse Road. FVRD staff went over the bylaw file history outlining the construction of a retaining wall and alteration of land without the required permits. Staff also relayed to the potential purchasers what permits would be required to resolve the file. Regional District Bylaw staff also outlined that the property files was being recommended for a Section 57 notice to be placed on the title of the property.

July 8, 2015 -- Regional District then received further contact from the potential purchaser by email that provided FVRD with a copy of the most recent geotechnical Report from Golder & Associates Engineering dated June 10, 2015 regarding the retaining wall and adjacent slope.

October 26, 2015 – Regional District Bylaw staff spoke with potential purchaser Mr. Karl Herrington and his real estate agent. The following was discussed:

- Mr. Herrington told staff that the neighbour located at 50721 O'Byrne stated to him that Mr. Lazouski had made a promise to install a concrete retaining wall at this location due to the fact that the land/materials have damaged the fence within the last two months. Mr. Herrington wanted more information about the concrete wall. Bylaw staff explained to Mr. Herrington that this was the first they had heard about the concrete wall, but told him that a Building Permit and Development Permit would be required. Staff explained to Mr. Herrington that debris and material that was going onto 50721 O'Byrne from 4150 Slesse would be a civil issue.
- FVRD Staff provided Mr. Herrington with the following documents and information:
 - a. Some of the inspection photographs taken in September 2014 with regards to trees at the bottom of the slope, so that Mr. Herrington could compare them with his more recent photographs.
 - b. The Golder geotechnical report dated October 8, 2014.
 - c. A copy of the incomplete letter dated December 15, 2014 for the Building Permit Application (BP013282) to remediate the retaining wall (closer to the top of the slope).

Mr. Herrington directly asked Regional District Bylaw Staff if we could tell him if the property was going to slide. Staff clearly explained that they were not an engineer or a registered professional and could not provide that kind of information. FVRD Bylaw staff explained that we could provide him with copies of the geo-technical reports and in addition recommended he speak to both an Engineer and the Planning department about the geotechnical concerns and issues on the property. Mr. Herrington explained that he had spoken to Russ Wong from the geo-technical firm Golder and Associates himself and was satisfied, but was still unsure at this time.

November 2015 – February 2018 - There was 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 4150 Slesse Road and the search verified that the property ownership has changed and now ownership records indicate that Mr. Karl Herrington and Mrs. Wendy Herrington have owned the property since November 25, 2015.

March 16, 2018 – Regional District Bylaw staff sent a letter to the new Property Owners Mr. Karl Herrington and Mrs. Wendy Herrington by registered mail. The letter advised the 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 4150 Slesse Road. This letter provided a copy of the geotechnical review dated June 10, 2015 and gave the owners a final opportunity to achieve voluntary compliance by the deadline of April 16, 2018.

March 19, 2018 – A letter was sent by regular mail to the Building Permit Applicants, and previous Property Owners Mr. Anatoli Lazouski and Ms. Ala Lazouskaya to notify them that their Building Permit Application (BP013282) has now been closed due to inactivity. The letter advised the property owners that their file has now been referred back to the Bylaw Enforcement Department for follow-up.

May 28, 2018 – Regional District Bylaw staff checked the Canada Post online tracking system and it states that the registered mail, the final notice letter dated March 16, 2018, was picked up at the Vedder Crossing Post Office on March 20, 2018 at 18:02hrs by last name Herrington.

May 30, 2018 - Regional District Bylaw staff did a file review of the property in preparation for the section 57 notice on title process and noted that the FVRD have not received a response or any Building Permit or Development Permit Applications or any contact from the Property Owners Mr. Karl Herrington or Mrs. Wendy Herrington 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.

The *Regional District's Bylaw 1188* provides that construction of a retaining wall at a height greater than 1.2 meters (47 inches) above finished grade height requires a Building Permit.

In 2014 the Regional District confirmed that there had been tree removal, soil disturbance and the construction of a retaining wall, approximately ten feet in height completed on the subject property at 4150 Slesse Road without a required Building Permit after a slight land slip sometime between 2008 - 2010.

A Building Permit Application was made for the remediation work on the retaining wall in November of 2014; however the Building Permit Application lapsed and was closed due to inactivity.

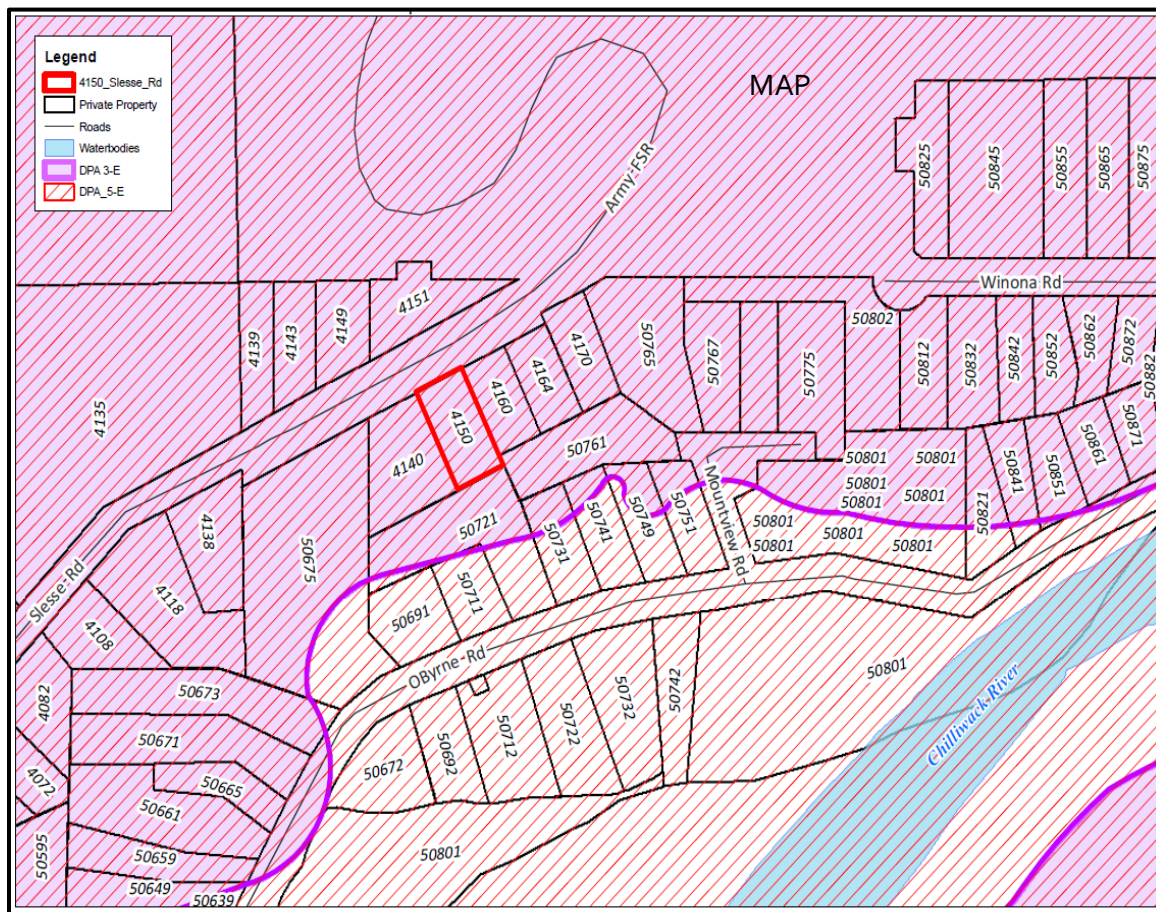
A Building Permit is required for the works undertaken by the property owner.

Official Community Plan

1. The subject property is within *Chilliwack River Valley Slope Hazard Development Permit Area 3-E* (DPA 3-E) under the *Fraser Valley Regional District Official Community Plan for Electoral Area E Bylaw No. 1115, 2011* (Bylaw 1115). This Development Permit area is designated for the protection of development from hazardous conditions (slope). 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 also within the *Riparian Areas Development Permit Area 5-E* (DPA 5-E) under the *Fraser Valley Regional District Official Community Plan for Electoral Area E Bylaw No. 1115, 2011* (Bylaw 1115). 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 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.

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.

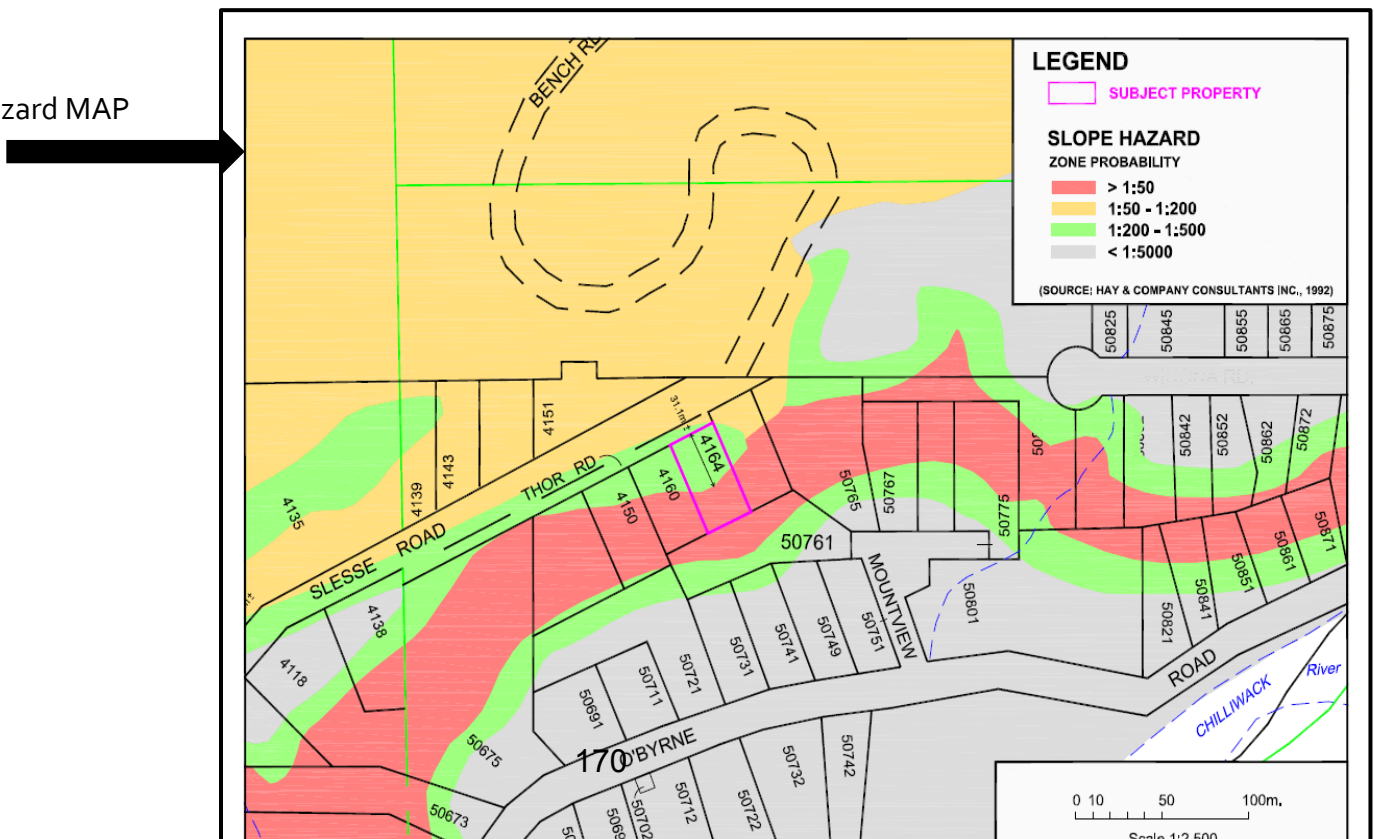
A Development Permit is required for the construction that has taken place on the property.



(DPA 3-E) & (DPA 5-E)



Slope Hazard MAP



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 unauthorized construction of the retaining wall is either:

1. Demolished with a Building Permit issued by the FVRD, with successful final inspection; or
2. A completed Building Permit for the construction works of the retaining wall is issued by the FVRD and receives a successful final inspection. 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 retaining wall 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 a Building Permit for the construction of the retaining wall or a Building Permit for the demolition retaining wall.

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 and Development 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 comment.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

March 16, 2018

VIA REGISTERED MAIL

Karl Herrington
Wendy Herrington
4150 Slesse Road
Chilliwack, BC V4Z 1B3

FILE: E06604.230
CIVIC: 4150 Slesse Road
PID: 002-053-578
LEGAL: LOT 23 EXCEPT: PART WITHIN HEAVY OUTLINE TAKEN BY HIGHWAY SRW PLAN 64013;
SECTION 33 TOWNSHIP 1 RANGE 29 WEST OF THE SIXTH MERIDIAN
NEW WESTMINSTER DISTRICT PLAN 24078

Dear Property Owners;

RE: Final Warning – Construction without a Building Permit and Alteration of Land without a Development Permit

As you may already be aware, the Fraser Valley Regional District continues to have an open bylaw enforcement file with regards to construction requiring a building permit and the alteration of land requiring a development permit at 4150 Slesse Road in Electoral Area E (the “property”). Although you may be the new owners of this property, a change of ownership in no way negates these bylaw enforcement issues.

The previous property owners have not fulfilled the outstanding requirements of their building permit application. This application has now been closed; therefore the Regional District shall proceed with the process of registering a Notice with the Land Title Office as outlined in Section 57 of the *Community Charter*. Please review the attached information sheet for further details on this process.

Development Permits ensure the safe development of property and minimize hazard risks to buildings, infrastructure and occupants. Building Permits ensure that all buildings comply with the health, safety, building and zoning requirements of the Regional District and the Province of British Columbia. Non-approved buildings place the occupants at risk, and should an unfortunate incident occur the owner may be held liable. We encourage you to read the *Occupiers Liability Act* regarding property safety and negligence, available online at: http://www.bclaws.ca/civix/document/id/complete/statreg/96337_01

Should you wish to work with staff to bring your property in to compliance with all current regulations, you will be required to submit the following applications:

- Development Permit application for the ‘alteration of land and removal of felled/dangerous trees’; and
- Building Permit application to ‘remediate retaining wall’.

For further information on these application processes, please contact the Planning Department and Building Department directly. Applications are also available on the Regional District website at: www.fvrd.ca. Please

note that obtaining permits may be challenging because your property is in a known slope hazard area and because the construction that has been completed to date requires registered professional requirements.

If we do not hear from you with regards to these matters by **April 16, 2018** we will move forward with the Notice on Title process. If you have any questions or wish to discuss this matter further, you may contact me directly at 604-702-5017 or by email at asnashall@fvr.ca. Our office hours are Monday through Friday from 8:30am to 4:30pm.

Respectfully,



Digitally signed by
Adriana Snashall
Date: 2018.03.16
15:19:18 -07'00'

Adriana Snashall
Bylaw Compliance and Enforcement Officer

enc: Geotechnical Review dated June 10, 2015
 Letters dated December 15, 2014
 Letter dated November 6, 2014
 Section 57 Information Sheet

cc: Bill Dickey, Director of Electoral Area D
 Margaret-Ann 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-BP013282H

15 December 2014

LAZOUSKI, ANATOLI F
LAZOUSKAYA, ALA I
4150 SLESSE RD
CHILLIWACK BC V4Z 1B3

Dear Owners:

Re: Building Permit Application No. BP013282 for the purpose of constructing a remediation of retaining wall on property legally described as LOT 23, SECTION 33, TOWNSHIP 1, RANGE 29, MERIDIAN 6, NEW WESTMINSTER DISTRICT, PLAN NWP24078 MERIDIAN W6, EXCEPT PLAN R/W64013. known as 4150 SLESSE RD.

Thank you for submitting a building permit application on Nov 27, 2014 for the above referenced project. In order to complete this application, please submit the following documentation:

1. The property is located within Development Permit Area 3-E and a geotechnical report is required pursuant to Section 56 of the Community Charter. Please see the attached form letter. Before engaging a geotechnical engineer contact the Planning Dept. at 604-702-5487 for information on preparing the report for the Development Permit process (and potential covenant). You should be aware that there may be conditions specified in the report which would require supervision by an engineer on site.
2. The following information is required from a *Registered Professional of Record*:
 - a. Schedule B and 3 sets of sealed drawings for all structural aspects of the project that reflect a frost depth of 0.45m,
 - b. Schedule B and a sealed letter for all geotechnical aspects of the project.
3. A revised, scaled site plan that includes: a) the entire property complete with all existing buildings and structures, b) the retaining wall, c) the location of the septic field, tank, driveway and Statutory Right of Ways and d) rock pit/storm drainage system (minimum 5.0m from any foundation).
4. 3 complete sets of *construction drawings* that reflect all requirements of the above noted geotechnical report (final version). Note this item and item 2a may be combined
5. Have Ala Lazouskaya complete and submit the attached "Owners Acknowledgement of Responsibility".

The permit application will be held in abeyance pending the receipt of the above. Further information may be required upon review of this documentation. Please contact building inspection staff (604-702-

5016 or toll free 1800-528-0061) at your convenience if you require any further information or clarification regarding any of the items on this letter. Note that items in this letter that appear in italics receive further explanation on the attached definition sheet.

Yours sincerely,

R. Wieler

Rudy Wieler, AScT, RBO, CCBO,
Building Official.

Enc.

cc: Taryn Dixon, Director of Electoral Area H
Margaret Thornton, Director of Planning & Development.

Definitions

Registered professional means:

- a) a person who is registered or licensed to practise as an architect under the Architects Act, or
- b) a person who is registered or licensed to practise as a professional engineer under the Engineers and Geoscientists Act.

Construction Drawings means:

Scaled drawings which provide sufficient information to show that the proposed work and proposed occupancy will conform to the British Columbia Building Code, FVRD Bylaws, other relevant legislation or regulations.



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-BP013282H

15 December 2014

LAZOUSKI, ANATOLI F
LAZOUSKAYA, ALA I
4150 SLESSE RD
CHILLIWACK BC V4Z 1B3

Dear Owners:

Re: Building Permit Application No. BP013282 for the purposes of constructing a remediation of retaining wall on property legally described as LOT 23, SECTION 33, TOWNSHIP 1, RANGE 29, MERIDIAN 6, NEW WESTMINSTER DISTRICT, PLAN NWP24078 MERIDIAN W6, EXCEPT PLAN R/W64013. known as 4150 SLESSE RD.

In connection with the above referenced application, an inspection of the proposed site carried out on **8 December 2014** 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 the Regional District Planning Department before commencing any work on the report.

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

Yours sincerely,

Rudy Wieler, ASCT, RBO, CCBO,
Building Inspector.

Enc.



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

November 6, 2014

File Number: 4010-20-E06604.230

Anatoli Lazouski
Ala Lazouskaya
4150 Slesse Road
Chilliwack, BC V4Z 1B3

Dear Mr. Lazouski and Ms. Lazouskaya:

Re: Potential Hazard and Permit Requirements at 4150 Slesse Road; Legally Described as Lot 23 Except: Part Within Heavy Outline Taken by Highway SRW Plan 64013; Section 33 Township 1 Range 29 West of the Sixth Meridian New Westminster District Plan 24078; Parcel Identifier: 002-053-578

The Regional District wishes to thank you for providing access for staff to inspect your property on September 25, 2014. As requested by the Regional District, Golder Associates Ltd. carried out a visual geotechnical inspection of the slope and associated retaining wall on your property. As we discussed, the intent of the inspection and subsequent report (attached for your convenience) was to obtain a professional opinion as to the stability of the slope and retaining wall, as well as the potential risk to the downslope residence at 50721 O'Byrne Road. Works, which were performed on the property without the required Development or Building Permits, engineering design, or construction supervision, include the following:

1. The removal of trees from your property; and
2. The construction of a retaining wall at the rear of your existing residence.

The report noted that, should the retaining wall fail, it is likely that the failure would not be catastrophic and that the run of the debris would not extend downslope beyond the existing terminus of the 2009 event, nor directly impact the residence at 50721 O'Byrne Road. Please be advised that the report indicates that failure of the wall could, however pose a risk to the stability of the foundation for the existing residence on the subject property. The Regional District wishes to work with you to rectify the potentially unsafe conditions on your property. In order to accomplish this, we ask that you:

1. Apply for and carry out the requirements of a Development Permit* to continue with the removal of felled and dangerous trees from your property (application enclosed); and
2. Apply for and carry out the requirements of a Building Permit and Development Permit* to remediate the retaining wall structure (application enclosed).

**Please note that only one (1) Development Permit Application is required to cover both contraventions.*

In addition to the above matter, the Regional District is aware that the subject property has been listed for sale. It would be prudent to advise any potential purchaser that the Regional District continues to have an open Bylaw Enforcement file with respect to the potentially hazardous conditions and the illegal works and construction that have taken place on the property. A change in ownership in no way negates the Bylaw Enforcement issues.

Should you fail to comply with this request by **December 5, 2014**, you may be subject to ticketing and your file may be referred to the Regional Board for their consideration and recommendation regarding further bylaw enforcement.

You may reach the Planning Department at the toll-free number above, 8:30am to 4:30pm, Monday through Friday to discuss this issue further. You may also contact me directly at 604-702-5004, or by email at mthornton@fvrd.bc.ca if you have any questions. Thank you in advance for your co-operation.

Yours truly,

A handwritten signature in black ink, appearing to read 'M Thornton', with a stylized flourish at the end.

Margaret Thornton
Director of Planning & Development

Encl: Copy of Slope and Retaining Wall Geotechnical Report 2014
Copy of Letter dated January 24, 2011
Copy of Slesse Park Geotechnical Report 2007

cc: David Lamson, Director of Electoral Area E
Jennifer Wells, Bylaw, Permits & Licences Technician
Tareq Islam, Director of Engineering and Community Services
Graham Daneluz, Manager of Planning / Deputy Planner
Chris Wilson, Manager of Electoral Area Emergency 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.

June 1, 2018

REGISTERED MAIL

Mr. Karl Herrington
Mrs. Wendy Herrington
4150 Slesse Road
Chilliwack, BC V4Z 1B3

FILE: 4010-20- E06604.230

CIVIC: 4150 Slesse Road

PID: 002-053-578

LEGAL: LOT 23 EXCEPT: PART WITHIN HEAVY OUTLINE TAKEN BY HIGHWAY SRW PLAN 64013;
SECTION 33 TOWNSHIP 1 RANGE 29 WEST OF THE SIXTH MERIDIAN
NEW WESTMINSTER DISTRICT PLAN 24078

Dear Mr. and Mrs. Herrington:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Tile
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building
without a Permit, Retaining Wall and Land Alterations without a Development Permit –
4150 Slesse Road Electoral Area E.**

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 4150 Slesse Road 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 **July 10, 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 4150 Slesse Road whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by the Committee.

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

Sincerely,



Digitally signed by Paul
Gipps
Date: 2018.05.28 11:25:59
-07'00'

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
Review of Registered Property Title – Organizations with interest in property
The Toronto-Dominion Bank (Mortgage #CA4832415)

Attach: March 16, 2018 Copy of Final Warning Letter to Property Owner
July 10, 2018 Staff Report from Bylaw and Appointed Building Inspector
March 16, 2018 Land Title Search Results
March 16, 2018 Property Information Report
May 23, 2018 Property Information Map
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

TITLE SEARCH PRINT

2018-03-16, 10:37:18

File Reference:

Requestor: Adriana Snashall

Declared Value \$200000

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

Title Number

From Title Number

CA4832414

CA495571

Application Received

2015-11-25

Application Entered

2015-11-27

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

KARL DAVID HERRINGTON, RV TECHNICIAN
WENDY ANN HERRINGTON, CARE GIVER
4150 SLESSE ROAD
CHILLIWACK, BC
V4Z 1B3
AS JOINT TENANTS

Taxation Authority

New Westminister Assessment District

Description of Land

Parcel Identifier:

002-053-578

Legal Description:

LOT 23 EXCEPT: PART WITHIN HEAVY OUTLINE TAKEN BY HIGHWAY SRW PLAN 64013;
SECTION 33 TOWNSHIP 1 RANGE 29 WEST OF THE SIXTH MERIDIAN NEW WESTMINSTER
DISTRICT PLAN 24078

Legal Notations

NONE

Charges, Liens and Interests

Nature:

STATUTORY RIGHT OF WAY

Registration Number:

363441C

Registration Date and Time:

1964-10-21 15:19

Registered Owner:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
OVER THE NORTH EASTERLY 10 FEET BEING
MEASURED PERPENDICULARLY TO THE NORTH
EASTERLY BOUNDARY AND ADJOINING LOTS
20 AND 24

Remarks:

TITLE SEARCH PRINT

File Reference:

Declared Value \$200000

2018-03-16, 10:37:18

Requestor: Adriana Snashall

Nature:

MORTGAGE

Registration Number:

CA4832415

Registration Date and Time:

2015-11-25 16:30

Registered Owner:

THE TORONTO-DOMINION BANK

Duplicate Indefeasible Title

NONE OUTSTANDING

Transfers

NONE

Pending Applications

NONE

Property Information Report

Civic Address:	4150 SLESSE RD	Lot Size:	17043 SQUARE FEET
Folio Number:	733.06604.230	Electoral Area:	E
PID:	002-053-578	Map Scale:	1:1333
Legal Description:	LOT 23, SECTION 33, TOWNSHIP 1, RANGE 29, MERIDIAN 6, NEW WESTMINSTER DISTRICT, PLAN NWP24078 MERIDIAN W6, EXCEPT PLAN 64013.		



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: Fraser Valley Regional District Board

Date: 2018-07-24

From: Jaime Schween, Manager of Corporate Administration

File No: 3920-20-1409, 2016

Subject: 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.

A draft bylaw was brought forward at the June 12, 2018 meetings of the Regional and Corporate Services Committee and the Electoral Area Services Committee. Following these meetings, staff have been provided with advice from the Ministry of Municipal Affairs regarding the simplification of wording for the proposed bylaw. As a result, the revised draft bylaw is being brought forward to the Board for consideration.

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 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 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.

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

COMMENTS BY:

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 the regulation of
commercial gravel/aggregate operations**

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 purpose of regulating 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.

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: Fraser Valley Regional District Board

Date: 2018-06-26

From: Sterling Chan, Manager of Engineering and Infrastructure

Subject: Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018 and Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Amendment Bylaw No. 1472, 2018

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first, second and third readings to the bylaw cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018*;

AND THAT the Fraser Valley Regional District Board consider giving first, second and third readings to the bylaw cited *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Amendment Bylaw No. 1472, 2018*;

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

FVRD Staff are currently working on the construction of an extension to the Lake Errock Water System to provide service to properties along Bayview Road. This project is paid in part by grant funding received through the Clean Water and Wastewater Fund with the remaining balance to be borrowed and paid back over 20 years by the benefitting property owners.

Bylaws *Fraser Valley Regional District Lake Errock Water System Local Service Area Amendment Bylaw No. 1443, 2017*, *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Establishment Bylaw No. 1444, 2017* and *Fraser Valley Regional District Lake Errock Water System Capital Construction Loan Authorization Bylaw No. 1445, 2017* were recently adopted by the FVRD Board in support of this project.

Prior to bringing the aforementioned bylaws before the Board, draft copies of the bylaws were sent out to affected property owners and a petition process was conducted in accordance with the *Local Government Act* to attain resident assent. The petition process was successful as over 50% of the property owners, representing over 50% of the total value of the properties returned signed petitions.

DISCUSSION

The service area previously established for this project was drawn up so as to only include properties with homes currently built on them or vacant properties where the owner has requested to be included. Notwithstanding the above, properties with homes connected to a small improvement district water system in the area were also excluded.

Regarding the property being added, Staff have received a validated petition from the property owner requesting that the boundaries of the Lake Errock Water Supply and Distribution System Service Area and the Lake Errock Water System Capital Construction Service Area be amended and extended to include their property.

The two properties being removed were inadvertently included in the previous bylaws. Their removal as part of the attached bylaws should be considered housekeeping. Excluding these properties does not have an effect on the cost of the project delivery or nor the results of the petition process that was previously conducted.

COST

The cost of the additional service connection to this property will be included in the overall project cost. As the cost of this project will be recovered through a parcel tax starting in 2019 this will not effect the overall cost recovery.

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

BYLAW NO. 1471, 2018

A bylaw to amend the boundaries of the Lake Errock Water Supply and Distribution System Service Area

WHEREAS the Fraser Valley Regional District Board of Directors ("the Board") has been petitioned to amend and extend the boundary of the Lake Errock Water Supply and Distribution System Service Area established by Bylaw No. 0800, 2007;

AND WHEREAS the Board wishes to correct the map schedule of Bylaw No. 0800, 2007, as amended, to exclude two properties which were inadvertently included into the service area with the adoption of *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1443, 2017*.

THEREFORE the Board enacts as follows:

1) CITATION

This bylaw may be cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018*.

2) ENACTMENTS

- a) *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Establishment Bylaw No. 0800, 2007*, is hereby amended by extending the boundaries of the Service Area to include one property and exclude two properties as shown on Schedule 1471-A attached to and forming an integral part of this bylaw.
- b) Schedule A to Bylaw No. 0800, 2007 is hereby replaced by Schedule 1471-B, attached to and forming an integral part of this bylaw. The amended boundaries of the service area shall be those portions of Electoral Area C as shown on Schedule 1471-B.
- c) That the provisions of all bylaws that are now in effect with regard to the establishment and amendment of the Lake Errock Water Supply and Distribution System Service Area shall henceforth apply to those lands outlined on Schedule 1471-B of this bylaw.

3) SEVERABILITY

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

4) READINGS AND ADOPTION

CERTIFICATION AS TO SUFFICIENCY
AND VALIDITY OF PETITIONS this 7th day of June, 2018

READ A FIRST TIME THIS 26th day of June, 2018

READ A SECOND TIME THIS 26th day of June, 2018

READ A THIRD TIME THIS 26th day of June, 2018

ADOPTED THIS day of

Chair/Vice-Chair

Corporate Officer/Deputy

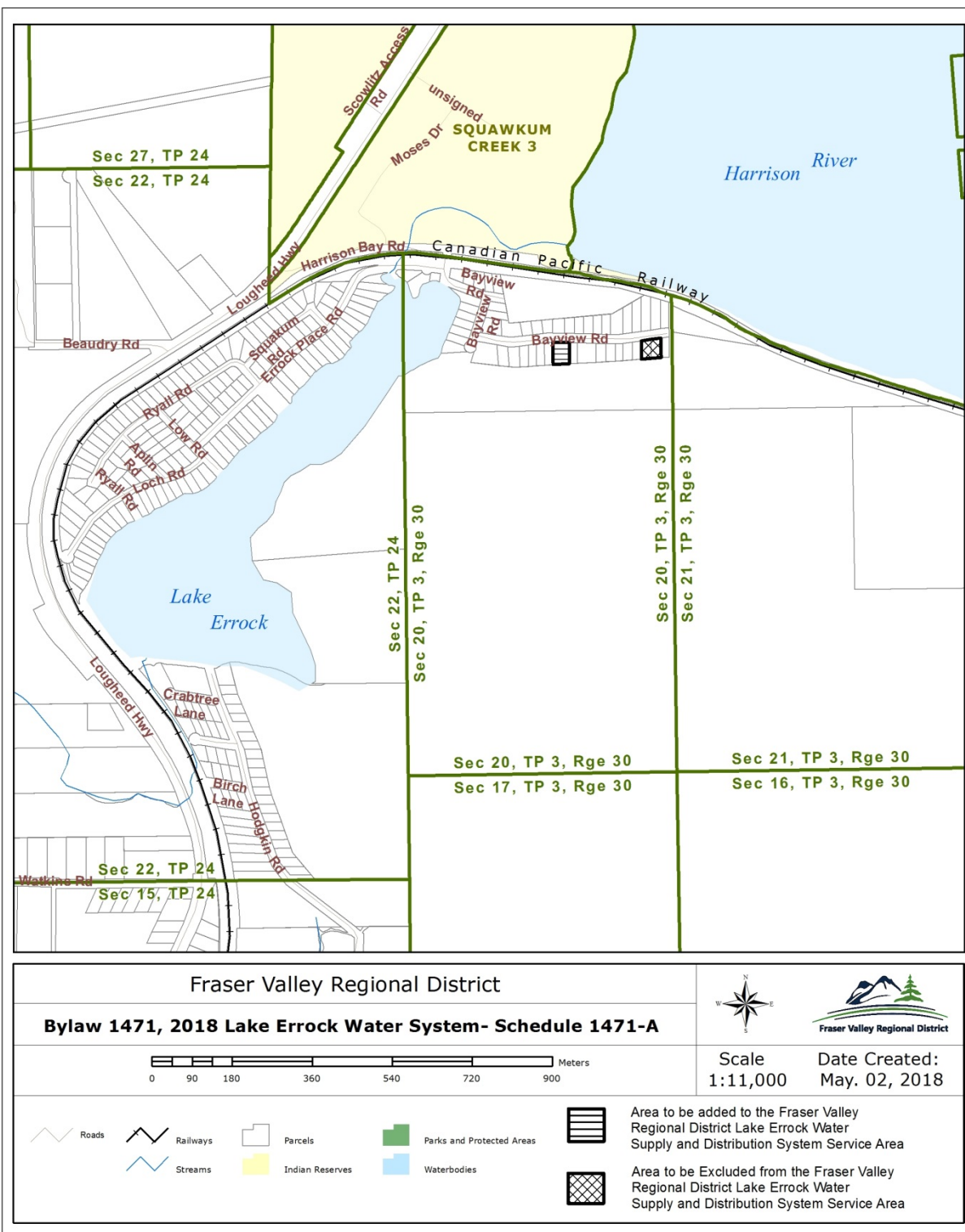
5) CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018* as adopted by the Fraser Valley Regional District Board on the

Dated at Chilliwack, BC this

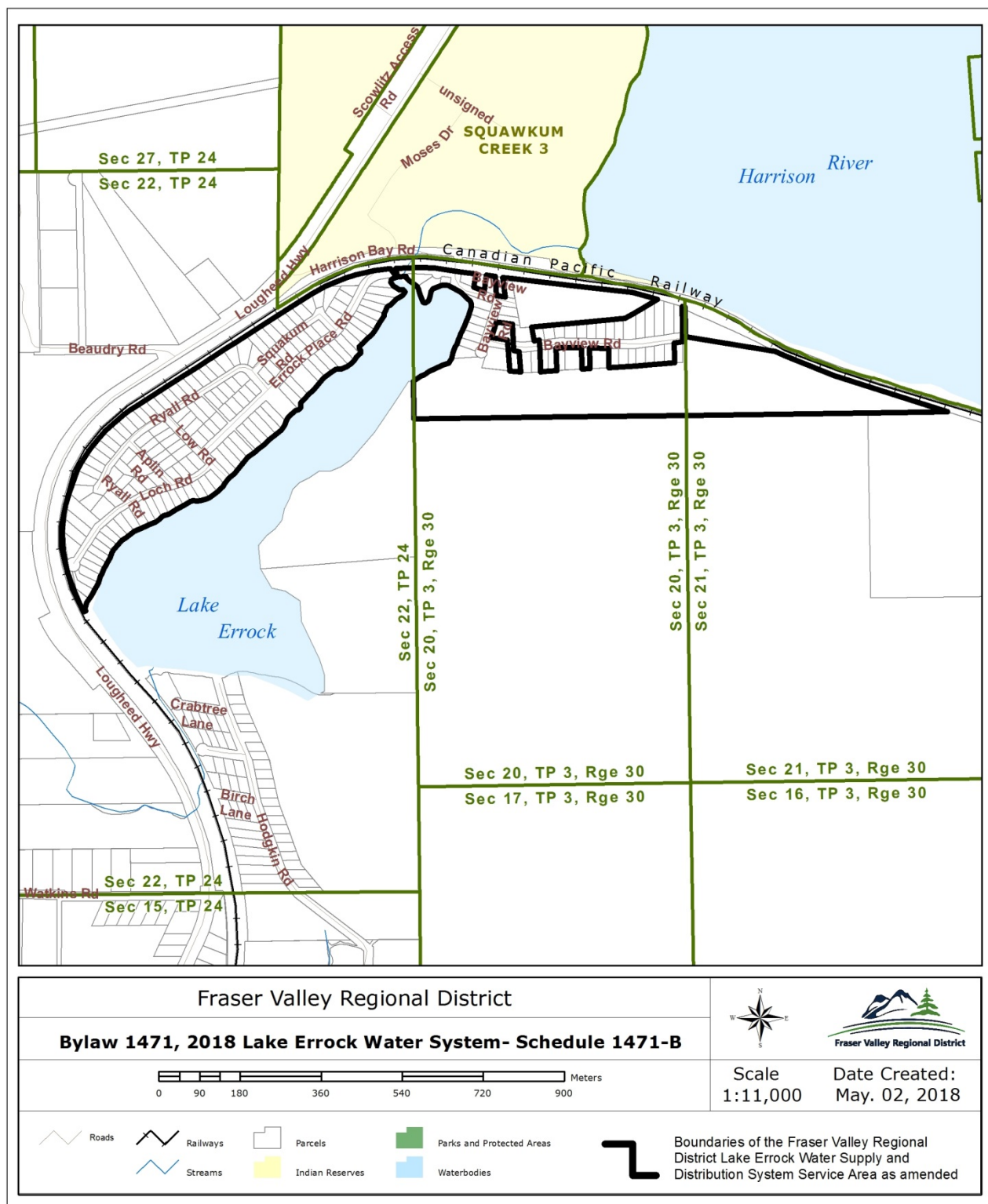
Corporate Officer/Deputy

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1471, 2018
Schedule 1471-A



This is map 1 of 2 constituting Schedule 1471-A attached to and forming part of *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018*.

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1471, 2018
Schedule 1471-B



This is map 2 of 2 constituting Schedule 1471-B attached to and forming part of *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1471, 2018*.

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1472, 2018

**A bylaw to amend the boundaries of the
Lake Errock Water System Capital Construction Service Area**

WHEREAS the Fraser Valley Regional District Board of Directors ("the Board") has been petitioned to amend and extend the boundary of the Lake Errock Water System Capital Construction Service Area established by Bylaw No. 1444, 2017;

AND WHEREAS the Board wishes to correct the map schedule of Bylaw No. 1444, 2017 to exclude two properties which were inadvertently included into the service area.

THEREFORE the Board enacts as follows:

1) CITATION

This bylaw may be cited as *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Service Area Amendment Bylaw No. 1472, 2018*.

2) ENACTMENTS

- a) *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Establishment Bylaw No. 1444, 2017*, is hereby amended by extending the boundaries of the Service Area to include one property and exclude two properties as shown on Schedule 1472-A attached to and forming an integral part of this bylaw.
- b) Schedule A to Bylaw No. 1444, 2018 is hereby replaced by Schedule 1472-B, attached to and forming an integral part of this bylaw. The amended boundaries of the service area shall be those portions of Electoral Area C as shown on Schedule 1472-B.
- c) That the provisions of all bylaws that are now in effect with regard to the establishment and amendment of the Lake Errock Water System Capital Construction Service Area shall henceforth apply to those lands outlined on Schedule 1472- B of this bylaw.

3) SEVERABILITY

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

4) READINGS AND ADOPTION

CERTIFICATION AS TO SUFFICIENCY
AND VALIDITY OF PETITIONS this 7th day of June, 2018

READ A FIRST TIME THIS 26th day of June, 2018

READ A SECOND TIME THIS 26th day of June, 2018

READ A THIRD TIME THIS 26th day of June, 2018

ADOPTED THIS day of

Chair/Vice-Chair

Corporate Officer/Deputy

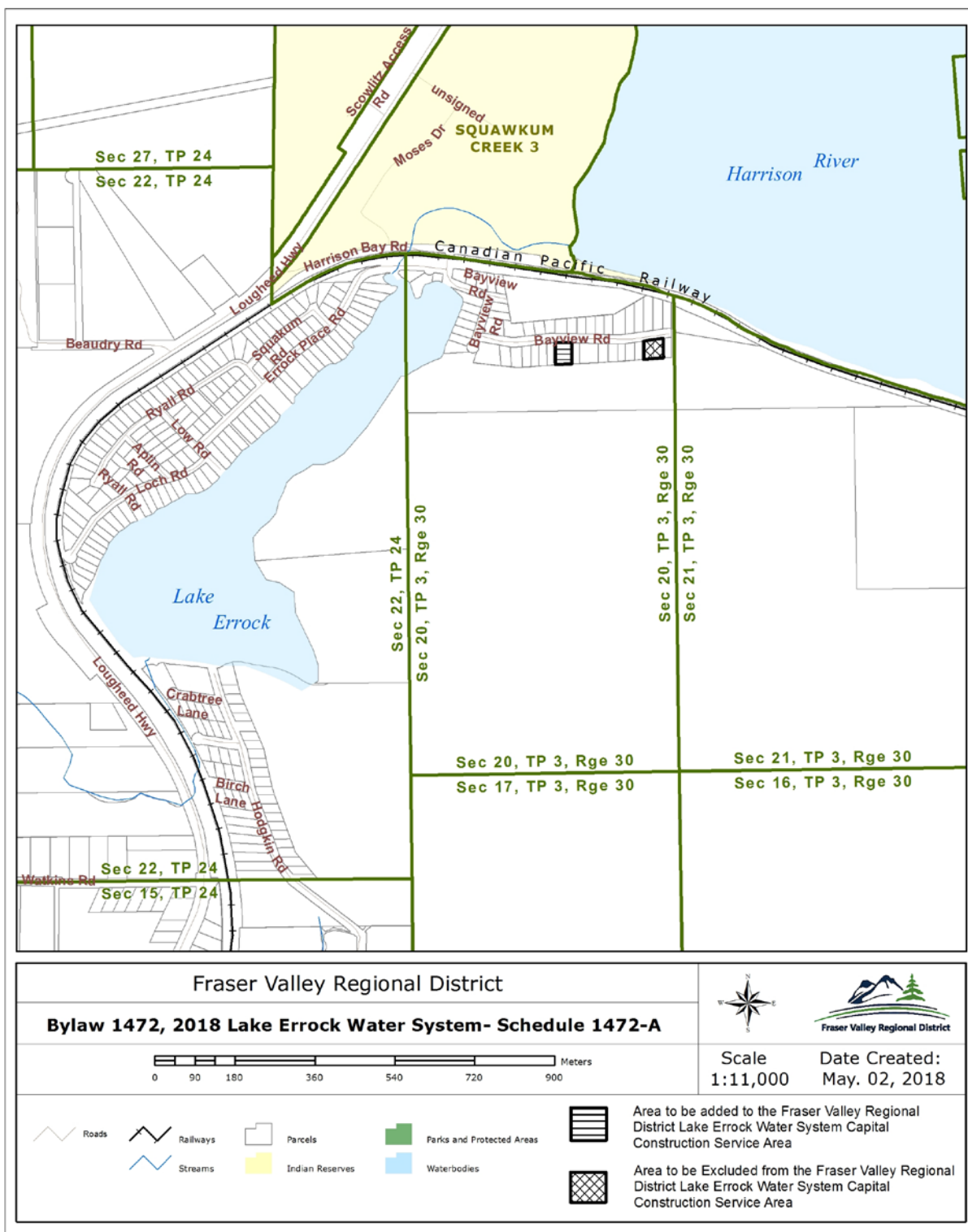
5) CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Service Area Amendment Bylaw No. 1472, 2018* as adopted by the Fraser Valley Regional District Board on the

Dated at Chilliwack, BC this

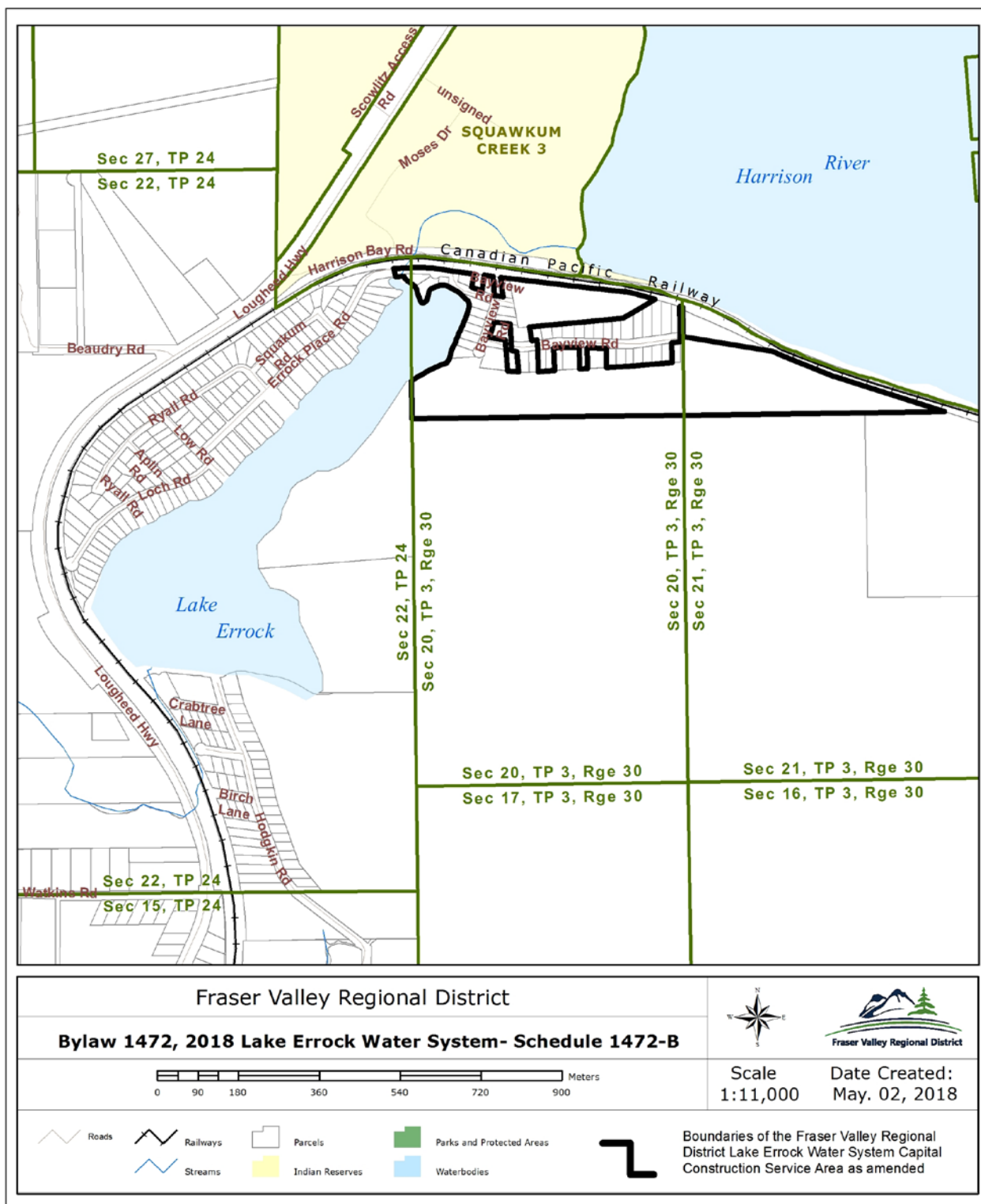
Corporate Officer/Deputy

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1472, 2018
Schedule 1472-A



This is map 1 of 1 constituting Schedule 1472-A attached to and forming part of *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Service Area Amendment Bylaw No. 1472, 2018*.

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1472, 2018
Schedule 1472-B



This is map 1 of 1 constituting Schedule 1472-B attached to and forming part of *Fraser Valley Regional District Lake Errock Water System Capital Construction Service Area Service Area Amendment Bylaw No. 1472, 2018.*

To: Fraser Valley Regional District Board

Date: 2018-07-24

From: Sterling Chan, Manager of Engineering and Infrastructure

File No: 3920-20

Subject: Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw 1482, 2018

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first, second and third readings to the bylaw cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1482, 2018*;

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

DISCUSSION

Staff have received a validated petition from the property owner requesting that the boundaries of the Lake Errock Water Supply and Distribution System Service Area System Service Area be amended and extended to include their property. The property is not currently connected to the water system.

COST

No costs to the FVRD.

The property owner is responsible for the cost of installing a service connection to their property. Additionally the property owner must pay a one time Capital Improvement Connection Fee of \$8,244 prior to connecting to the system.

COMMENTS BY:

Tareq Islam, Director of Engineering & Community Services

Reviewed and supported.

Mike Veenbaas, Director of Financial Services

Not available for comment.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1482, 2018

A bylaw to amend the boundaries of the
Lake Errock Water Supply and Distribution System Service Area

WHEREAS the Fraser Valley Regional District Board of Directors ("the Board") has been petitioned to amend and extend the boundary of the Lake Errock Water Supply and Distribution System Service Area established by Bylaw No. 0800, 2007;

THEREFORE the Board enacts as follows:

1) **CITATION**

This bylaw may be cited as *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1482, 2018*.

2) **ENACTMENTS**

- a) *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Establishment Bylaw No. 0800, 2007*, is hereby amended by extending the boundaries of the Service Area to include the property shown on Schedule 1482-A attached to and forming an integral part of this bylaw.
- b) Schedule A to Bylaw No. 0800, 2007 is hereby replaced by Schedule 1482-B, attached to and forming an integral part of this bylaw. The amended boundaries of the service area shall be those portions of Electoral Area C as shown on Schedule 1482-B.
- c) That the provisions of all bylaws that are now in effect with regard to the establishment and amendment of the Lake Errock Water Supply and Distribution System Service Area shall henceforth apply to those lands outlined on Schedule 1482-B of this bylaw.

3) **SEVERABILITY**

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

4) **READINGS AND ADOPTION**

CERTIFICATION AS TO SUFFICIENCY
AND VALIDITY OF PETITIONS this

day of

READ A FIRST TIME THIS

day of

READ A SECOND TIME THIS _____ day of _____

READ A THIRD TIME THIS _____ day of _____

ADOPTED THIS _____ day of _____

Chair/Vice-Chair

Corporate Officer/Deputy

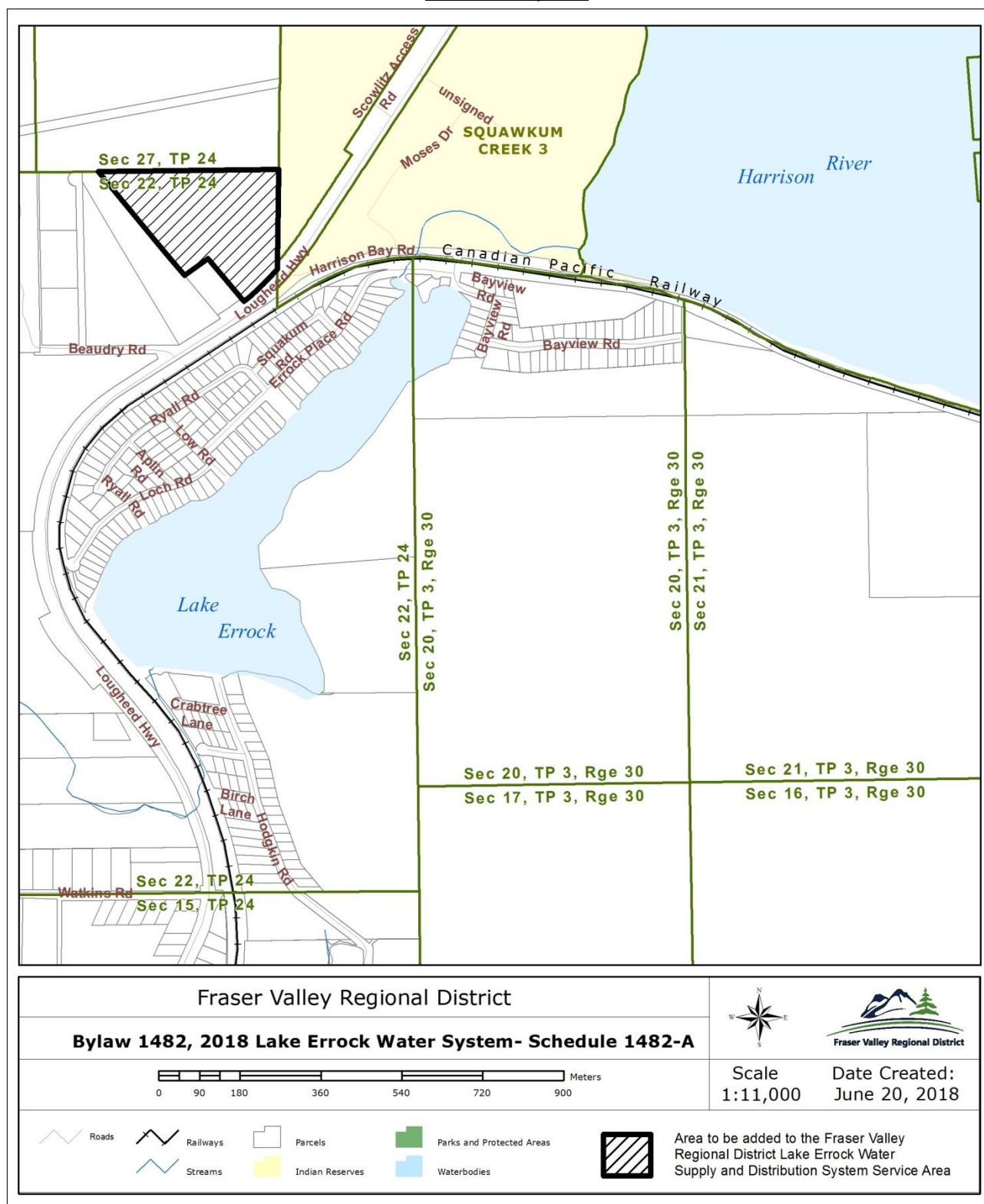
5) CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1482, 2018* as adopted by the Fraser Valley Regional District Board on the

Dated at Chilliwack, BC this

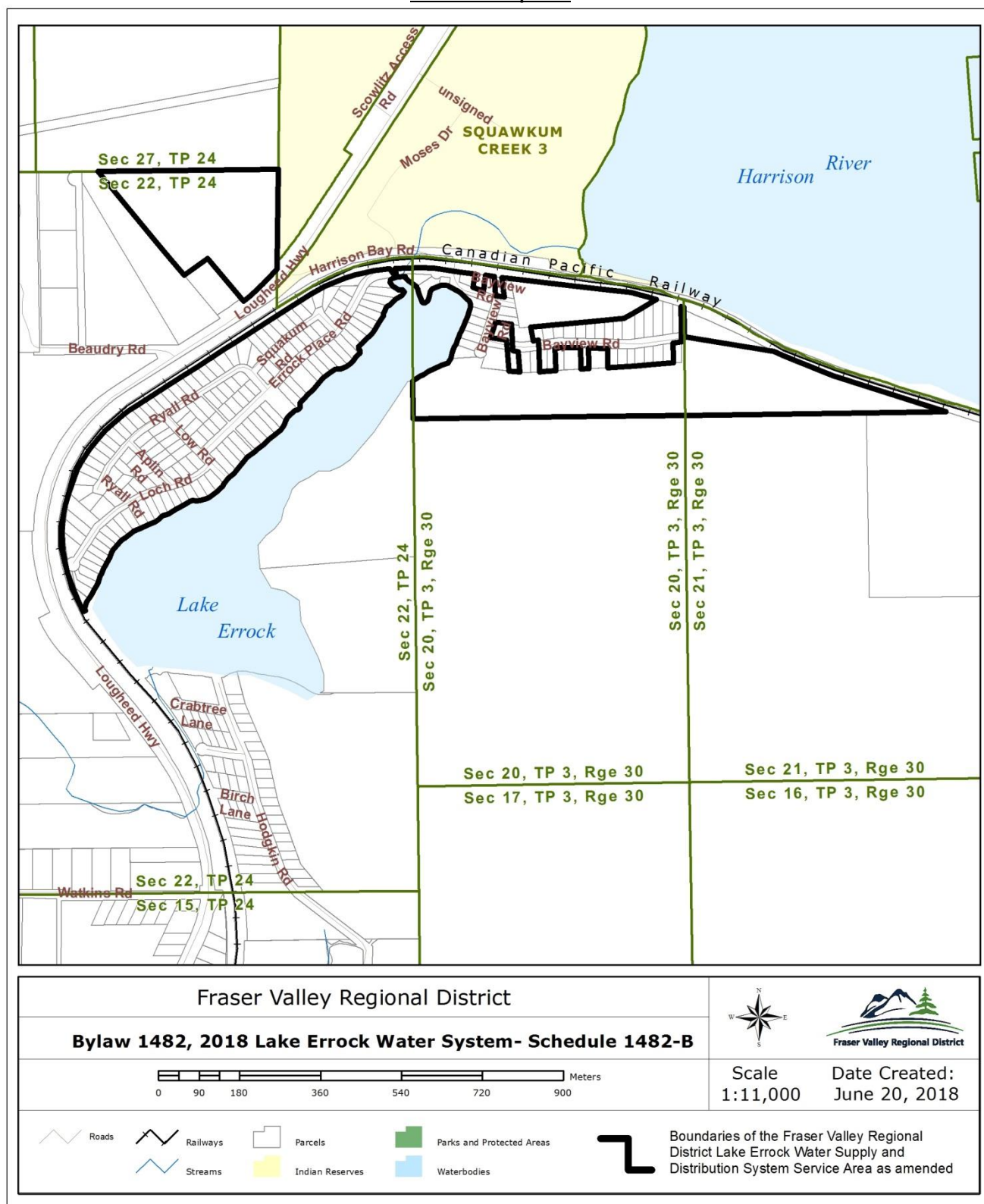
Corporate Officer/Deputy

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1482, 2018
Schedule 1482-A



This is map 1 of 2 constituting Schedule 1482-A attached to and forming part of *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1482, 2018*.

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1471, 2018
Schedule 1482-B



This is map 2 of 2 constituting Schedule 1482-B attached to and forming part of *Fraser Valley Regional District Lake Errock Water Supply and Distribution System Service Area Amendment Bylaw No. 1482, 2018*.

To: Fraser Valley Regional District Board

Date: 2018-06-26

From: Sterling Chan, Manager of Engineering and Infrastructure

File No: 3920-20

**Subject: Fraser Valley Regional District Hatzic Prairie Water System Service Area Amendment
Bylaw No. 1481, 2018**

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first, second and third readings to the bylaw cited as *Fraser Valley Regional District Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

DISCUSSION

Staff have received a validated petition from two property owners requesting that the boundaries of the Hatzic Prairie Water System Service Area be amended and extended to include their properties. The properties are currently not connected to the water system.

COST

No costs to the FVRD.

Each property owner is to be responsible for the cost of installing a service connection to their property. Additionally each property owner must pay a one time Capital Improvement Connection Fee of \$2,067.03 prior to connecting to the system.

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

BYLAW NO. 1481, 2018

A bylaw to amend the boundaries of the Hatzic Prairie Water System Service Area

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

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

1) **CITATION**

This bylaw may be cited as *Fraser Valley Regional District Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018*.

2) **ENACTMENTS**

- a) *Fraser Valley Regional District Hatzic Prairie Water System Service Area Establishment Bylaw No. 0837, 2007*, is hereby amended by extending the boundaries of the Service Area to include the property shown on Schedule 1481-A attached to and forming an integral part of this bylaw.
- b) Schedule A to Bylaw No. 0837, 2007 is hereby replaced by Schedule 1481-B, attached to and forming an integral part of this bylaw. The amended boundaries of the service area shall be those portions of Electoral Area F as shown on Schedule 1481-B.
- c) That the provisions of all bylaws that are now in effect with regard to the establishment and amendment of the Hatzic Prairie Water system Service Area shall henceforth apply to those lands outlined on Schedule 1481-B of this bylaw.

3) **SEVERABILITY**

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

4) READINGS AND ADOPTION

CERTIFICATION AS TO SUFFICIENCY
AND VALIDITY OF PETITIONS this 11th day of June, 2018

READ A FIRST TIME THIS 26th day of June, 2018

READ A SECOND TIME THIS 26th day of June, 2018

READ A THIRD TIME THIS 26th day of June, 2018

ADOPTED THIS 26th day of June, 2018

Chair/Vice-Chair

Corporate Officer/Deputy

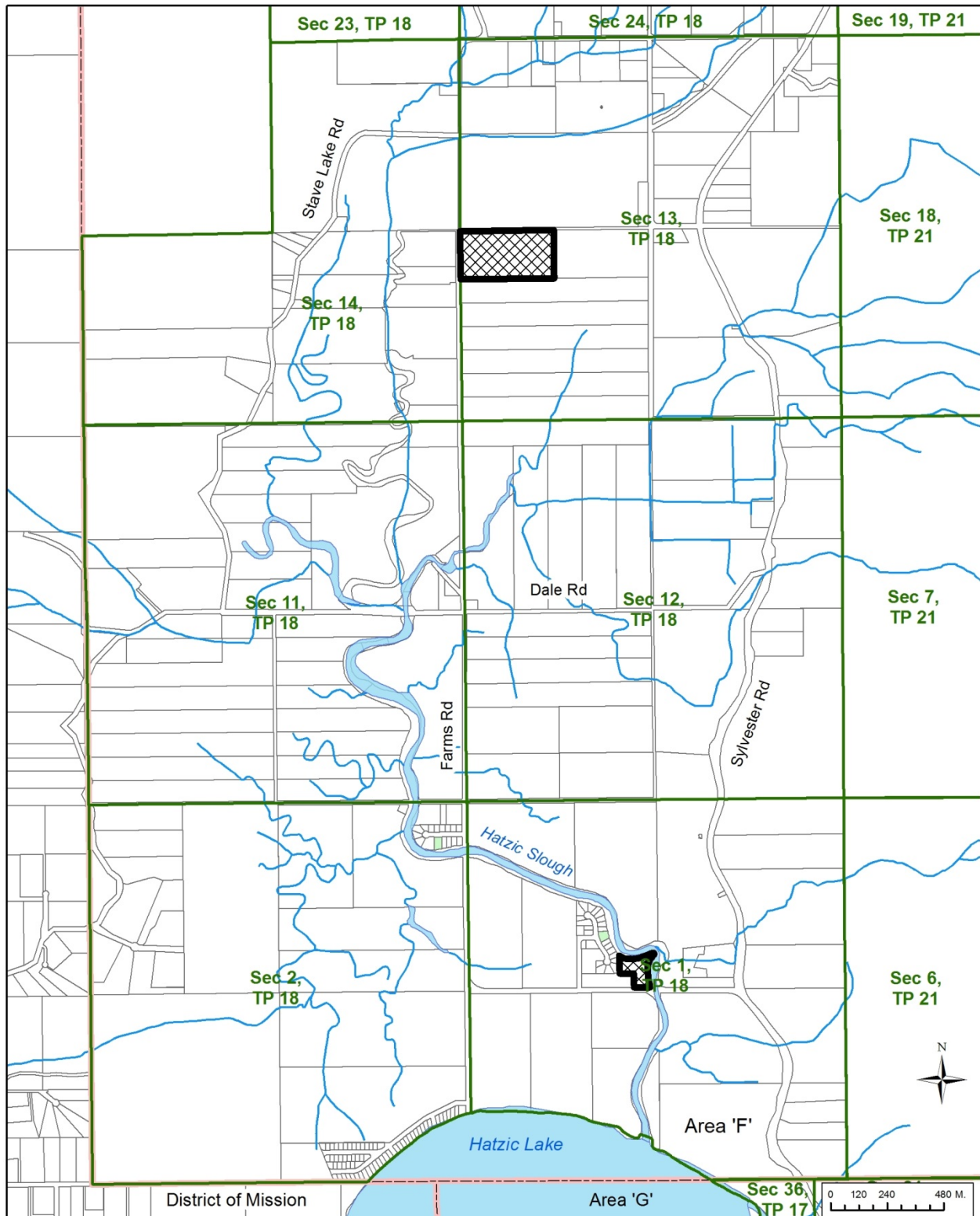
5) CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018* as adopted by the Fraser Valley Regional District Board on the

Dated at Chilliwack, BC this

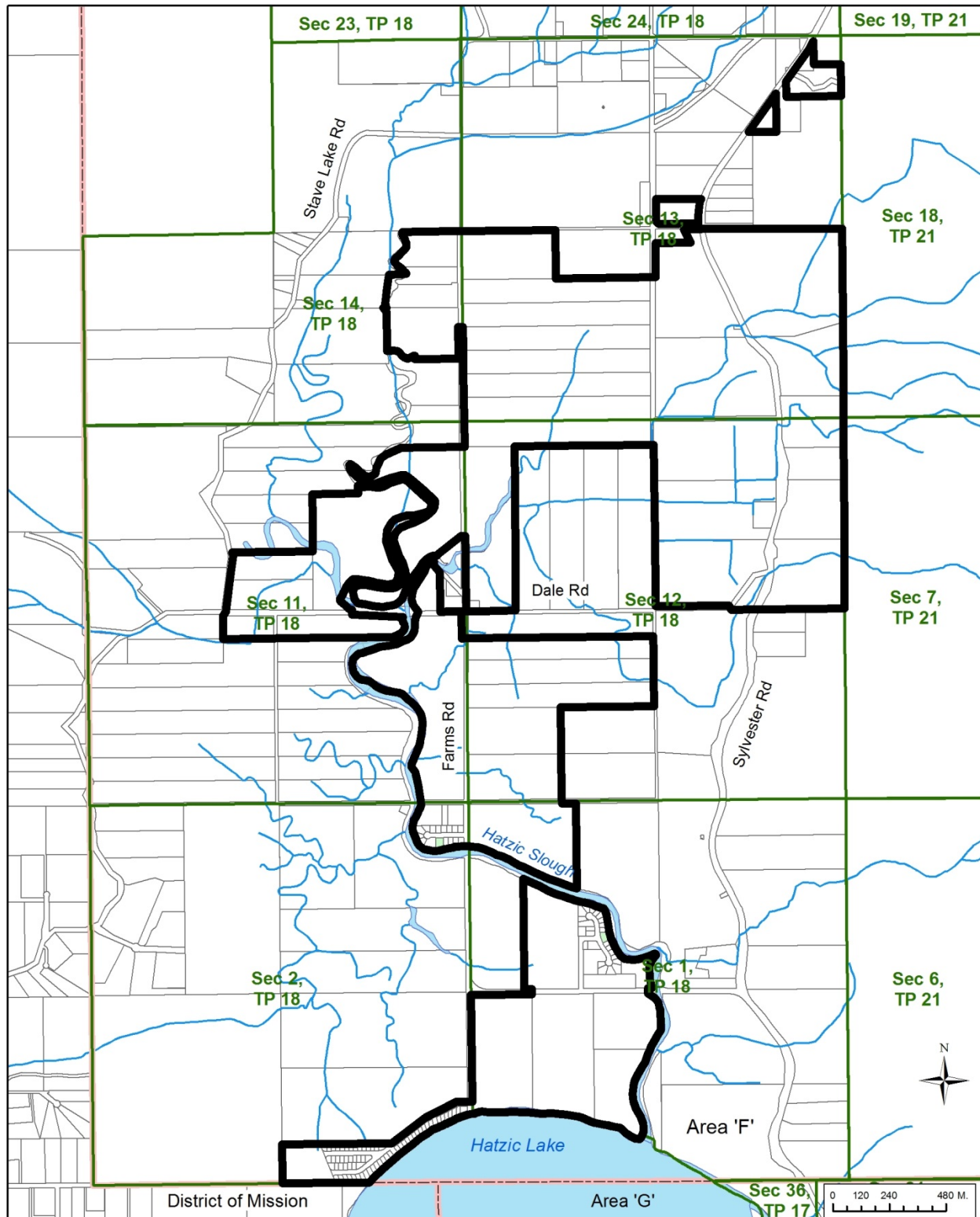
Corporate Officer/Deputy

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1481, 2018
Schedule 1481-A



This is map 1 of 1 constituting Schedule 1481-A attached to and forming part of *Fraser Valley Regional District Hatzie Prairie Water System Service Area Amendment Bylaw No. 1481, 2018*.

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1481, 2018
Schedule 1481-B



This is map 1 of 1 constituting Schedule 1481-B attached to and forming part of *Fraser Valley Regional District Hatzic Prairie Water System Service Area Amendment Bylaw No. 1481, 2018*.

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

Date: 2018-07-10
 File No: 309-20-2018-24

Subject: Application for Development Variance Permit 2018-24 to reduce the parcel size and increase the gross floor area for an Accessory Cottage Industry Use at 35406 Durieu Road, Electoral Area F

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-24 to reduce the parcel size required for an accessory cottage industry use from 2.0 hectares (4.94 acres) to 1.9 hectares (4.69 acres) and to increase the gross floor area for an Accessory Cottage Industry Use from 80m² (861 ft²) to 140m² (1500 ft²) at 35406 Durieu Road, Area "F", subject to consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services
 Foster a Strong & Diverse Economy

PRIORITIES

BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to reduce the parcel size required and increase the maximum gross floor area for an Accessory Cottage Industry Use as outlined in *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*.

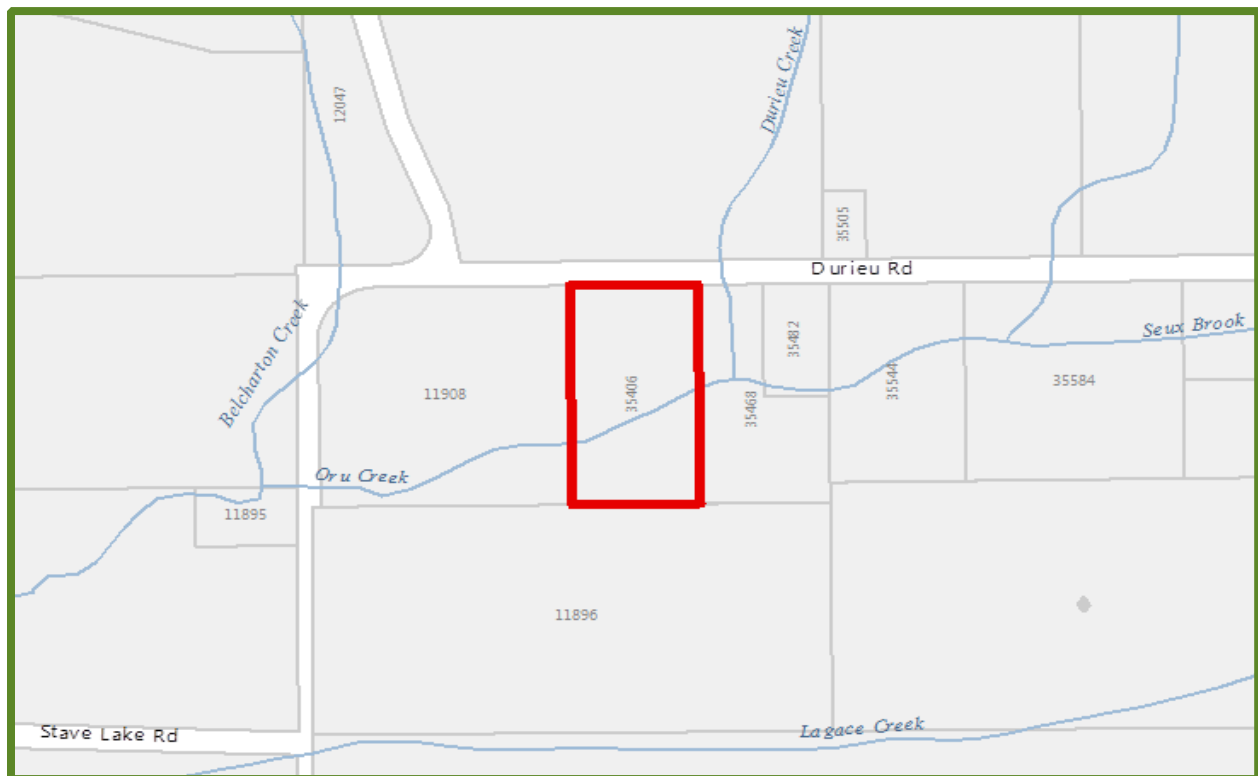
PROPERTY DETAILS			
Electoral Area	F		
Address	35406 Durieu Road		
PID	018-742-629		
Folio	775.02261.500		
Lot Size	4.74 acres		
Owner	Shylah Dobbin & Joel St-Ange	Agent	n/a
Current Zoning	Rural (R-1)	Proposed Zoning	n/a
Current OCP	Rural	Proposed OCP	n/a

Current Use	Residential	Proposed Use	Residential and Accessory Cottage Industry
Development Permit Areas	DPA 1-F and DPA 2-F		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Upland Agriculture (A-1), Farm
East	>	Rural 1 (R-1), Residential
West	<	Floodplain Agriculture (A-2), Farm
South	v	Floodplain Agriculture (A-2), Farm

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The subject property, located at 35406 Durieu Road, is zoned Rural 1 (R-1), which permits an Accessory Cottage Industry Use. The *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992* defines Accessory Cottage Industry Use as an accessory use to a Residential Use where the resident of the parcel carries on a profession or occupation which use is incidental to the Residential Use on the parcel and is undertaken within a building separate from the dwelling unit. The Zoning Bylaw also states that an Accessory Cottage Industry Use shall not be permitted on a parcel of less than 2.0 hectares.

Staff have considered the parcel size restriction for Accessory Cottage Industry Use and determined that the restriction must have been established to prevent certain uses from creating nuisances to neighbours.

The Zoning Bylaw does not restrict the siting of Accessory Cottage Industry Uses beyond the setbacks generally required for buildings and structures. Accordingly, the use can be sited as close as 6.0 metres to the front and rear property lines and 3.0 metres from the interior property line. Appendix A illustrates the proposed site plan.

The Zoning Bylaw also specifies that the maximum gross floor area for Accessory Cottage Industry Use is 80m² (861ft²). The applicant is proposing to increase the gross floor area for the Accessory Cottage Industry Use from 80m² (861ft²) to 140m² (1500ft²). The increase in gross floor area is to allow the

Accessory Cottage Industry Use to take place in a portion of an existing detached garage already located on the property (see Figure 1).



Figure 1 Detached Garage already located at 35406 Durieu Road, Area F

As defined in the Zoning Bylaw, Accessory Cottage Industry Use provides for a very broad range of uses. The proposed Accessory Cottage Industry Use is for the storage and packaging of natural bath and body products for online orders. This type of use would be permitted as an Accessory Cottage Industry Use.

Application Rationale

The applicants advise that the reasons in support of the variance are: 1. the property size is close to the required size; 2. the Accessory Cottage Industry Use will be taking place in an existing structure that requires no alterations; and, 3. the Accessory Cottage Industry Use will be for the storage and packing of their online orders for natural bath and body products and will not cause a nuisance to neighbours.

Accessory Cottage Industry Use Variance

The owners are seeking a variance to reduce the minimum parcel size required for an Accessory Cottage Industry Use.

	Required Property Size	Current Property Size	Proposed Variance
Accessory Cottage Industry Use	2.0 hectares (4.94 acres)	1.9 hectares (4.69 acres)	0.1 hectares (0.25 acres)

(Note varying the minimum property size requirement is not varying density)

The owners are also seeking a variance to the maximum gross floor area permitted for an Accessory Cottage Industry Use.

	Maximum Gross Floor Area	Proposed Gross Floor Area
Accessory Cottage Industry Use	80 m ² (861 ft ²)	140 m ² (1500 ft ²)

Future Implications

This application is for a specific type of Accessory Cottage Industry Use. Staff recommend that the Development Variance Permit be worded such that the variance applies only to the uses proposed by the applicant. The reason is the current owners could sell this property in the future and any Accessory Cottage Industry Use would be permitted if a blanket variance were to be issued. The Development Variance Permit has been specifically drafted to only include these uses as being permitted and only in the building shown on the site plan. (Appendix A).

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 parcel size required and increase the maximum gross floor area for an Accessory Cottage Industry Use. Staff recommend that the FVRD Board issue the permit. The variance is not anticipated to negatively affect surrounding properties, as the Accessory Cottage Industry Use will be occurring inside an existing building meeting setback requirements.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2018-24 for the property located at 35406 Durieu Road, Electoral Area F to reduce the parcel size required for an Accessory Cottage Industry Use from 2 hectares (4.94 acres) to 1.9 hectares (4.69 acres) and to increase the maximum gross floor area for an Accessory Cottage Industry Use from 80 m² (861 ft²) to 140 m² (1500 ft²) at 35406 Durieu Road, Area "F", 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 2018-24 for the property located at 35406 Durieu Road, Electoral Area F.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2018-24 for the property located at 35406 Durieu Road, Electoral Area F to FVRD staff.

COMMENTS BY:

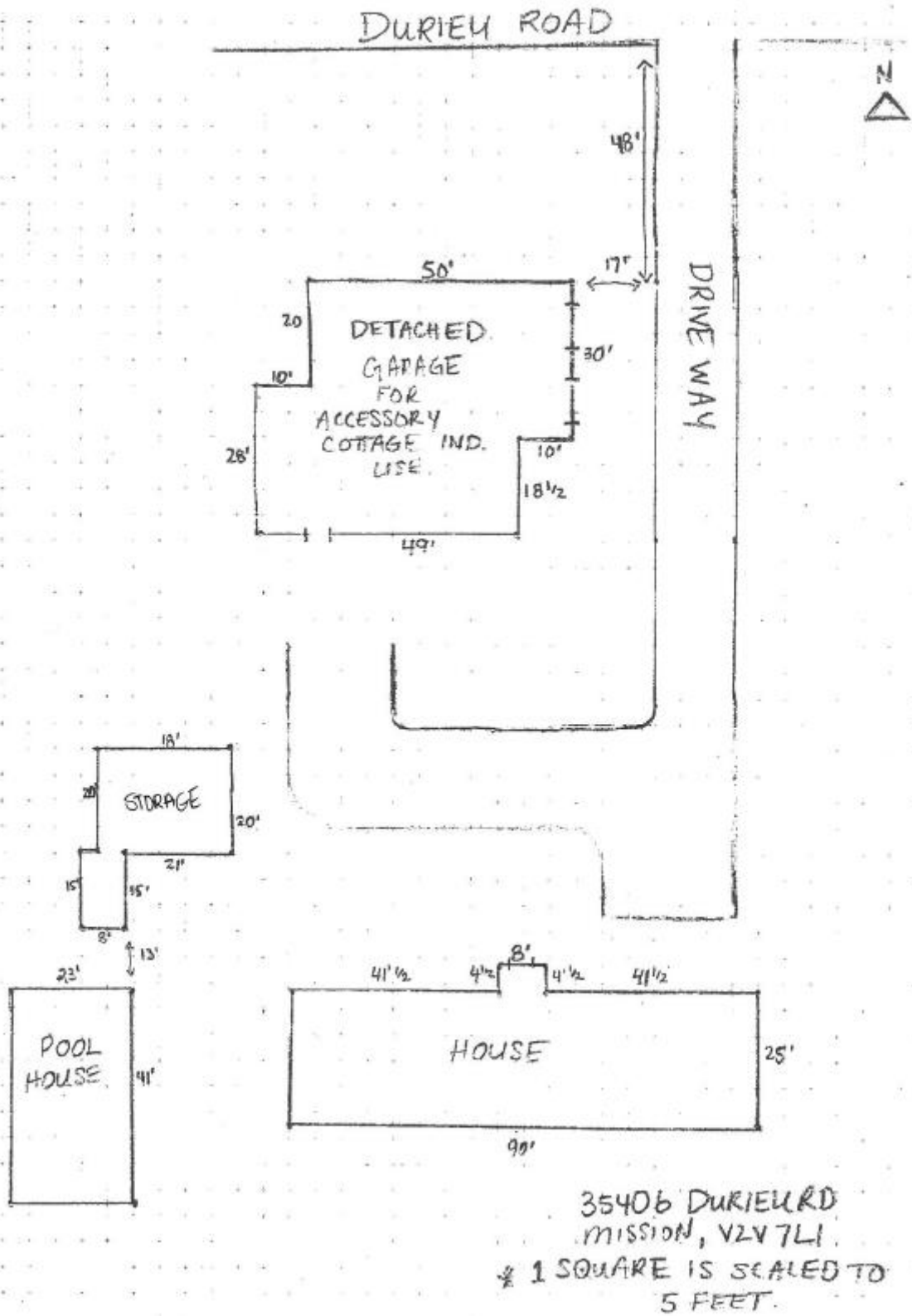
Graham Daneluz, Deputy Director of Planning & Development: Reviewed and supported

Margaret Thornton, Director of Planning & Development Reviewed and supported

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

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


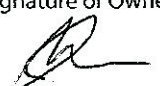
An Application Fee in the amount of \$ 350.⁰⁰ as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 35406 Durieu Road, Mission V2V 7L1 PID 018-742-629

Legal Description Lot A Block _____ Section 13 Township 18 Range _____ Plan 23439

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) Shylah Rayne Dobbin	Signature of Owner 	Date May 18, 2018
Name of Owner (print) Joel Stephen Luke St-Ange	Signature of Owner 	Date May 18, 2018

Owner's
Contact
Information

Address 35406 Durieu Rd		City Mission
Email		Postal Code V2V 7L1
Phone	Fax	

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

Agent

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

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

Signature of Owner	Date
Signature of Owner	Date

Agent's contact information and declaration

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

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

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

Development Details

Property Size 4.74 acres Present Zoning Rural 1 (R-1)

Existing Use Residential use / deta

Proposed Development to convert the existing detached garage into an accessory cottage industry use.

Proposed Variation / Supplement 1) vary the parcel size required for an accessory cottage industry use from 2 hec to 1.9 hec.
2) vary the accessory cottage industry use building size from 80 m² to 140 m².

(use separate sheet if necessary)

Reasons in Support of Application Property parcel size close to the hec. required. Business is going into the existing structure with no alterations needed. Acc. cottage industry use would be for the storage and packing of our online orders, which are natural bath & body products. www.soluxury.com.

**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 ☐ *N/A - existing structure.*
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 ☒ *X*
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 ☒ *X*

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 documents are required for this application. **Additional information may also be required at a later date.**

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

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



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2018-24

Folio No. 775.02261.500

Issued to: Joel St. Ange and Shylah Dobbin

Address: 35406 Durieu Road, Mission, B.C., V2V 7L1

Applicant: Joel St. Ange and Shylah Dobbin

Site Address: 35406 Durieu Road, Mission, B.C., V2V 7L1

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 A (BH146290) SECTION 13 TOWNSHIP 18 NEW WESTMINSTER DISTRICT PLAN 23439
018-742-629

LIST OF ATTACHMENTS

Schedule "A": Location Map

Schedule "B": Site Plan

AUTHORITY TO ISSUE

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

BYLAWS SUPPLEMENTED OR VARIED

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

1. Section 406(1c) An Accessory Cottage Industry Use shall not be permitted on a parcel of less than 1.9 hectares.
 2. Section 406(8) An Accessory Cottage Industry Use shall be limited to one building not greater than 140m² in gross floor area.
 3. Part 200 Definitions, for the purposes of this Development Variance Permit, Accessory Cottage Industry Use means the storage and packaging of natural bath and body products and no other uses.
-

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 defined Accessory Cottage Industry Use with respect to which the Permit was issued within two (2) years after the date of the permit, this permit shall lapse.
3. Development of the site shall be undertaken in accordance with the Site Plan attached hereto as Schedule "B".

GENERAL TERMS AND CONDITIONS

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

SECURITY DEPOSIT

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

Should the holder of this permit:

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

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

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

Note: The Regional District shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number 2018-24. 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 JULY, 2018.

Chief Administrative Officer / Deputy

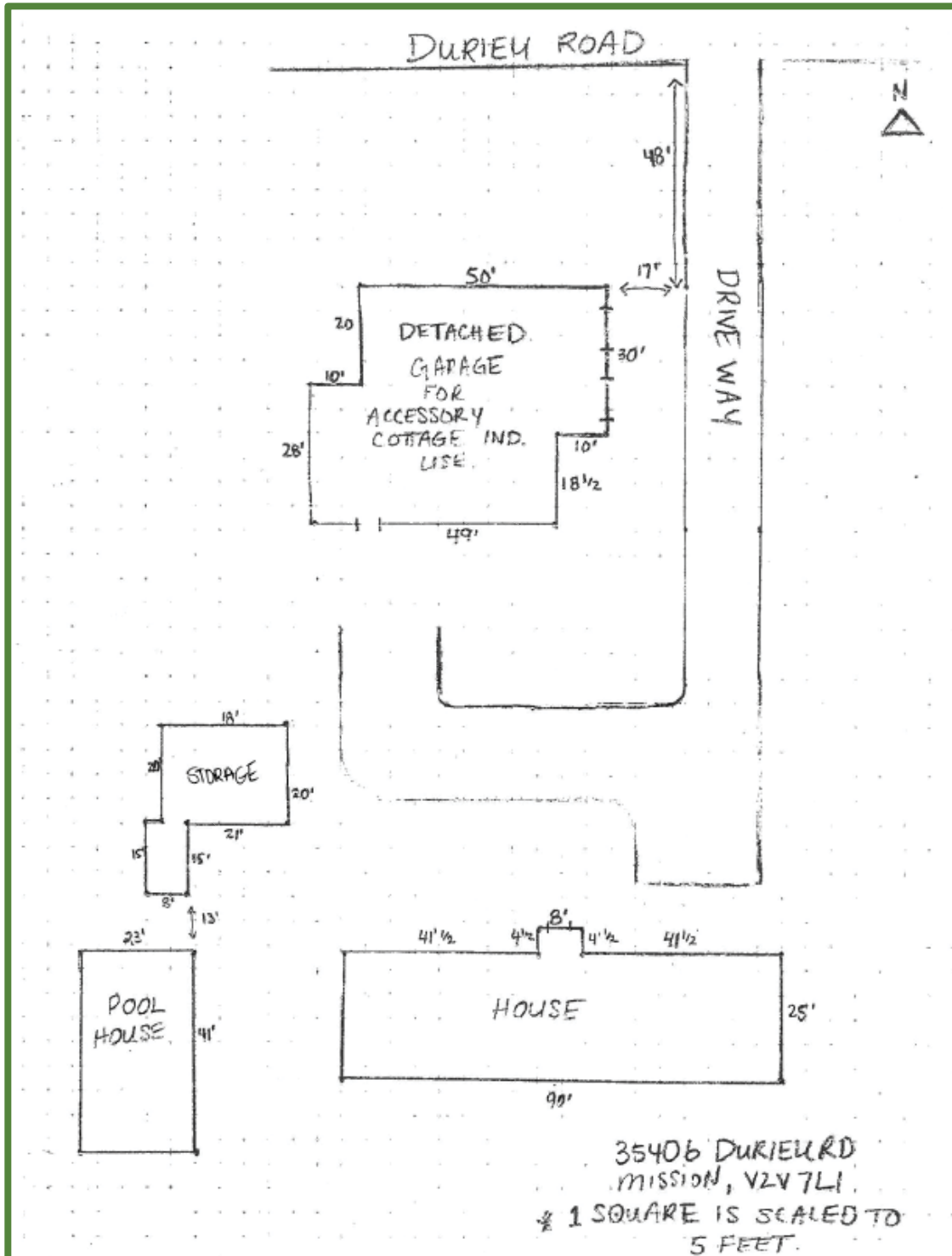
THIS IS NOT A BUILDING PERMIT

DRAFT

DEVELOPMENT VARIANCE PERMIT 2018-24
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2018-24
SCHEDULE "B"
Site Plan



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

Date: 2018-07-10
 File No: 3090-20-2018-25

Subject: Application for Development Variance Permit 2018-25 to reduce the interior side lot line setback to permit the construction of a dairy barn at 9518 Catherwood Road, Area G

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-25 for the property located at 9518 Catherwood Road, Electoral Area G, to reduce the interior side lot line setback from 30.0 metres (98.4 feet) to 15 metres (49.2 feet), clear to sky, to facilitate the construction of a cattle barn, subject to consideration of any comments or concerns raised by the public.

AND THAT the Fraser Valley Regional District Board authorize its signatories to execute all legal instruments associated with this application, including a Section 219 restrictive covenant tying the sale of either of the two properties to the other to address existing construction built across the interior lot line.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services
 Foster a Strong & Diverse Economy

BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to reduce the interior side lot line setback for a cattle barn as outlined in *Dewedney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*.

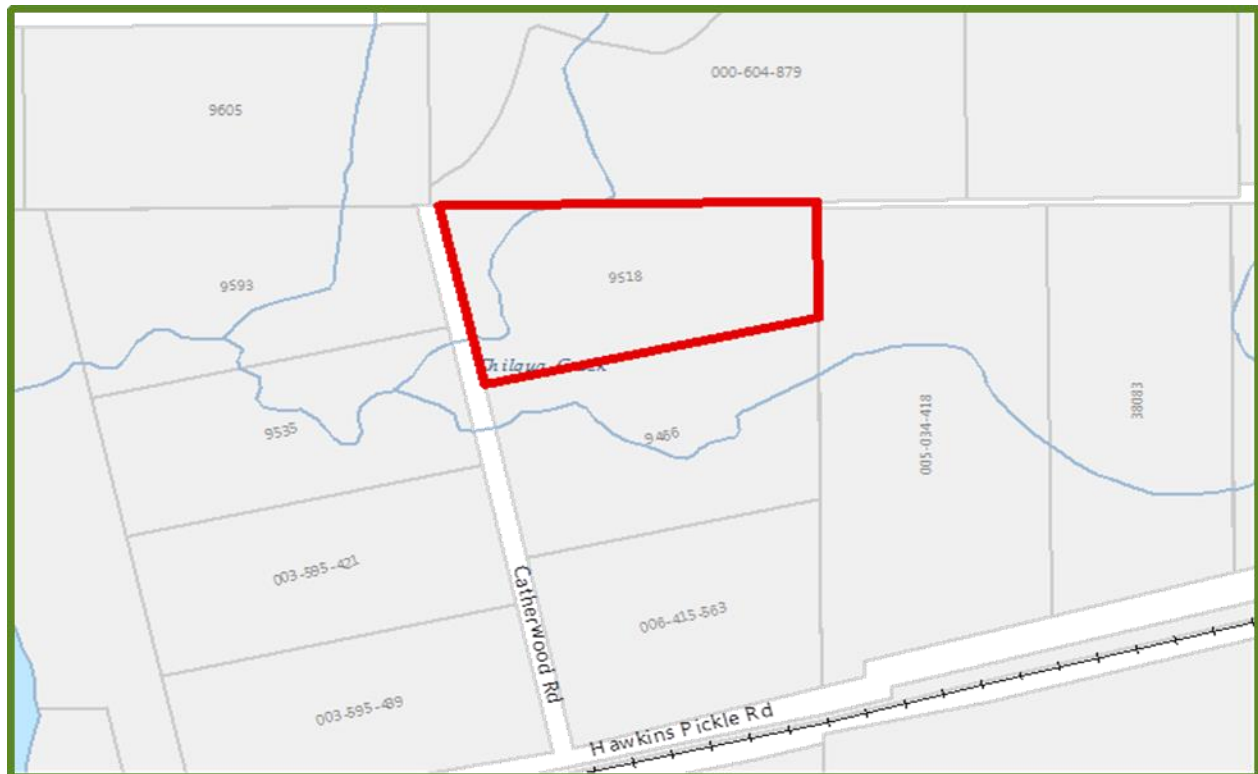
PROPERTY DETAILS			
Electoral Area	G		
Address	9518 Catherwood Road		
PID	006-415-571		
Folio	775.01165.000		
Lot Size	14.5 acres		
Owner	Vandeburgt Farms Ltd.	Agent	Jordan Kloot
Current Zoning	Floodplain Agriculture (A-2)	Proposed Zoning	No change

Current OCP	Agricultural (AG)	Proposed OCP	No change
Current Use	Farm	Proposed Use	No change
Development Permit Areas	DPA 2-G (RAR)		
Agricultural Land Reserve	Yes		

ADJACENT ZONING & LAND USES

North	^	Floodplain Agriculture (A-2), Residential / Farm
East	>	Floodplain Agriculture (A-2), Residential /Dairy Farm (owned by applicant)
West	<	Floodplain Agriculture (A-2), Residential /Dairy Farm
South	v	Floodplain Agriculture (A-2), Residential / Dairy Farm (owned by applicant)

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The owners of the property have made an application to construct a cattle barn at 9518 Catherwood Road. The property is located within the Agricultural Land Reserve and currently is used as a dairy farm. The applicant is proposing a location for the cattle barn which efficiently utilizes their existing dairy farm operation. Locating the cattle barn in accordance with the 30 metre Zoning Bylaw setback from the interior lot line would situate the barn further from the existing barns already being used for the dairy farm. Appendix A shows the site plan.

Bylaw Enforcement

In 1998, the FVRD received a complaint of building without a permit at 9518 Catherwood Road. At a subsequent inspection of the property a bylaw enforcement officer confirmed the presence of a recently placed mobile home. Consequently, the property has been in bylaw contravention since 1998 for construction without a permit (placement of mobile home). Building permits are required by the Building Bylaw to encourage property owners to comply with minimum standards established by the British Columbia Building Code as well as other enactments which related to health, safety and use of land. FVRD staff are following up on this bylaw enforcement contravention.

Variance Requested – DVP 2018-25

Application Rationale

The applicant advises that the reasons in support of the variance are: 1. there is more room needed for livestock; and, 2. the location of the proposed barn is close in relation to the existing barns for successful dairy farm operations.

Interior Side Setback Variance

The owners are seeking a 15 metre (49.2 foot) relaxation to the required interior side lot line setback, reducing the setback requirement from 30 metres (98.4 feet) to 15 metres (49.2 feet).

The interior side lot line for 9518 Catherwood Road is shared with 9466 Catherwood Road, which is also owned by the applicant. The site plan for the proposed cattle barn shows that two barns and a shop have been previously constructed over the interior side property line, resulting in these structures being located on both 9518 Catherwood and 9466 Catherwood Road. The applicants have offered a covenant in favour of the Regional District which will state that the properties will be treated as a single parcel (for as long as the structures that cross the property boundary exist or the properties are consolidated) and the property owner cannot sell, agree to sell, transfer or otherwise dispose of either of the parcels or tracts of land and premises which comprise the Lands it being understood that the Lands shall be treated as a single parcel.

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 interior side setback for a cattle barn. Staff recommend that the FVRD Board issue the permit. The variance is not anticipated to negatively affect the surrounding properties as there are already dairy farm operations occurring on the property and the neighbouring property affected is owned by the applicant.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2018-25 for the property located at 9518 Catherwood Road, Electoral Area G to reduce the interior side lot line setback from 30.0 metres (98.4 feet) to 15 metres (49.2 feet), clear to sky, to facilitate the construction of a cattle barn, 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 2018-25 for the property located at 9518 Catherwood Road, Electoral Area G.

Option 3 – Refer to Staff

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

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2018-25 for the property located at 9518 Catherwood Road, Electoral Area G to FVRD staff.

COMMENTS BY:

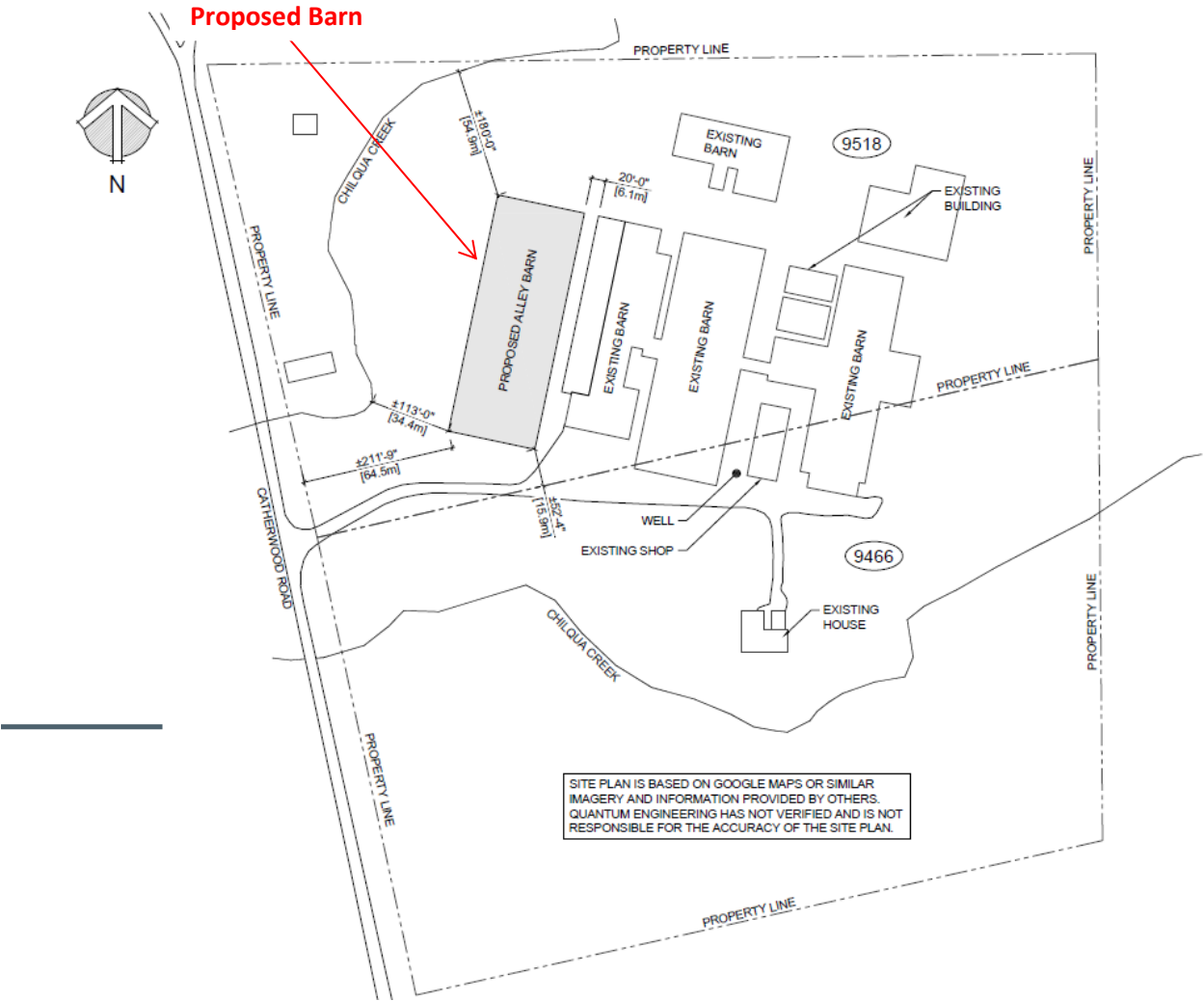
Graham Daneluz, Deputy Director of Planning & Development	Reviewed and supported.
--	-------------------------

Margaret Thornton, Director of Planning & Development	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 \$ _____ as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic Address 9518
9466 Cathwood Rd PID 006-415-784

Legal Description Lot 3 Block 1 Section 33 Township 20 Range _____ Plan NWP3254

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

Owner's
Declaration

Name of Owner (print)	Signature of Owner	Date
<u>Ken Vandenberg</u>	<u>[Signature]</u>	<u>06/10/2018</u>
Name of Owner (print)	Signature of Owner	Date

Owner's
Contact
Information

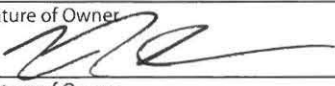
Address <u>9466 Cathwood Rd</u>		City <u>Dewdney</u>
Email	Postal Code	
Phone	Fax	

Office Use Only	Date	File No.
	<u>12 JUNE 2018</u>	<u>3090-20 2018-25</u>
	Received By	Folio No.
	<u>AA</u>	<u>775.01165.000</u>
Receipt No.	Fees Paid: \$	
<u>6216/2</u>	<u>350.00</u>	

Agent

I hereby give permission to Jordan Klot 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 <u>06/10/2018</u>
Signature of Owner	Date

Agent's contact information and declaration

Name of Agent <u>Jordan Klot</u>	Company <u>Klot Construction</u>
Address <u>41505 South Suna</u>	City <u>Chilliwack</u>
Email	Postal Code <u>V2R4K1</u>
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 <u>2018/06/12</u>
---	---------------------------

Development Details

Property Size 14.5 Acres Present Zoning AGR

Existing Use Dairy Farming

Proposed Development Applying for a boundary variance to allow construction of a livestock building closer than 30m. See Site Plan.

Proposed Variation / Supplement Allowing building/barn to be constructed within property set backs. Note: The Vandeburgt family also own neighbouring properties.

(use separate sheet if necessary)

Reasons in Support of Application More room needed for livestock, to support this the construction of a new barn is being proposed.

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.



FRASER VALLEY REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT

Permit No. Development Variance Permit 2018-25 **Folio No.** 775.01165.000

Issued to: Vandeburg Farms Ltd., INC NO. 310487

Address: 33832 South Fraser Way, Abbotsford, BC V2S 2C5

Applicant: Kloot Construction (Jordan Kloot)

Site Address: 9518 Catherwood Road, Electoral Area "G"

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

LOT 3, BLOCK 1, SECTION 33, TOWNSHIP 20, NEW WESTMINSTER DISTRICT, PLAN 3254
006-415-571

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 and Regulation Bylaw No. 559-1992 is **varied** as follows:

Section 412 Siting for Buildings, Structures and Uses

Siting for Agricultural Uses

(8)(a) from 30.0 meters to 15.0 metres, clear to sky from the interior side lot line (south property lot line) for the construction of a cattle barn.

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. 014326.

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 2018-25. 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 JULY, 2018.

Chief Administrative Officer / Deputy

THIS IS NOT A BUILDING PERMIT

DRAFT

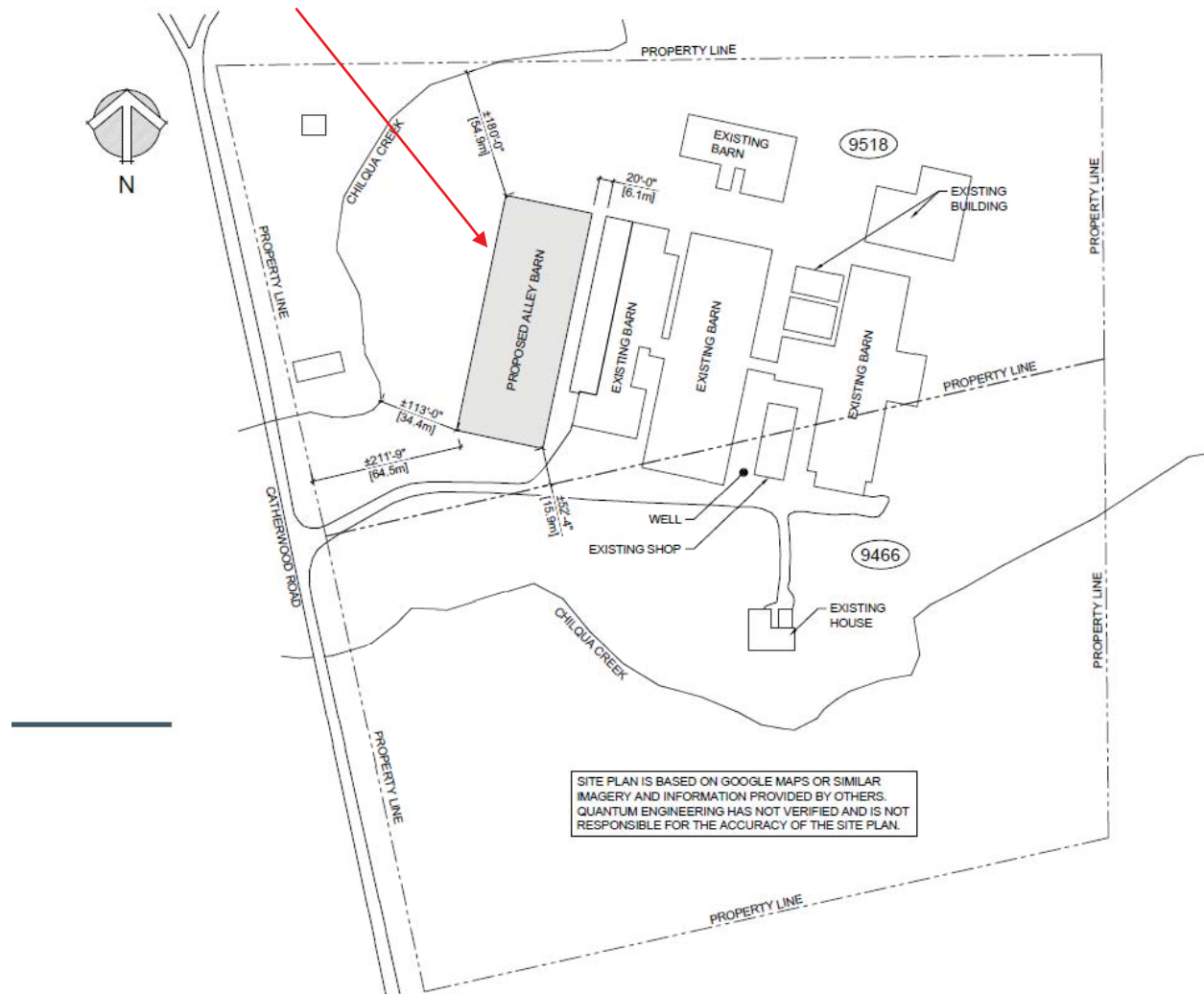
DEVELOPMENT VARIANCE PERMIT 2018-25
SCHEDULE "A"
Location Map



DEVELOPMENT VARIANCE PERMIT 2018-25 SCHEDULE "B"

Proposed Barn

Site Plan



To: Regional and Corporate Services Committee
From: Barclay Pitkethly, Director of Regional Programs

Date: 2018-07-10
File No: 8500-01

Subject: BC Transit Board of Directors

RECOMMENDATION

THAT the Fraser Valley Regional District Board direct staff to request the Hon. Claire Trevena, Minister of Transportation and Infrastructure that the Fraser Valley be represented on the BC Transit Board of Directors.

AND THAT the Fraser Valley Regional District Board consider selecting a political representative, either the FVRD Chair or a Mayor, to apply to the BC Transit Board of Directors for the Lieutenant Governor in Council's consideration.

STRATEGIC AREA(S) OF FOCUS

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

PRIORITIES

Priority #2 Air & Water Quality
Priority #4 Tourism

BACKGROUND

At a previous Regional and Corporate Services Committee, the question was noted that the BC Transit Board did not include representation from the Fraser Valley. This report attempts to explain the legislative requirement of the BC Transit Board as well as the current makeup and opportunities for Fraser valley representation.

DISCUSSION

The BC Transit Board of Directors is appointed by the Lieutenant Governor in Council to hold office as a director of the Board. The Lieutenant Governor in Council must appoint:

- (a) 2 individuals who are members of the regional transit commission for the greater Victoria metropolitan area established under section 25,
- (b) 2 individuals each of whom is
 - (i) a mayor of a municipality that has a transit service agreement, or

(ii) a chair of a regional district that has a transit service agreement, and

(c) 3 other individuals.

Currently, the Board consists of six members, four of which hail from the greater Victoria area, while two represent Kelowna and Terrace. The Board's membership is currently:

Name:	Location:	Position:	By order:	Expiry:
Brice, Susan M.	Victoria	Director	OIC 91/09, February 27, 2009	At Pleasure
Cairns, Kelly Andrew	Kelowna	Director	OIC 138/06, March 9, 2006	At Pleasure
Hamilton, Carol L.	Colwood	Director	OIC 494/12, June 22, 2012	At Pleasure
Holt, Catherine Mary	Victoria	Chair	Board 495/17, December 8, 2017	At Pleasure
Leclerc, Carol Joan	Terrace	Director	OIC 410/15, July 14, 2015	At Pleasure
Milne, Wendal	Sooke	Director	Board 493/17, December 8, 2017	At Pleasure

Susan M. Brice, elected Councillor of Saanich since 2005, and Carol Hamilton, elected Mayor of Colwood in 2011, and Carol Leclerc elected as Mayor of Terrace are the elected officials representation on the Board. As per legislation, it seems the Saanich and Colwood representatives are appointed to represent the regional transit commission for the greater Victoria area, while the Mayor of Terrace is the lone representative for local government for the remainder of the province. According to the legislature, the Board is one local government representative short of its required appointments.

COST

There are no costs to the Fraser Valley Regional District with this report.

CONCLUSION

Based on the legislation and the makeup of the current Board, now would be an ideal time to seek representation on the BC Transit Board of Directors to protect the interests of the residents of the Fraser Valley.

There is currently one opening available on the BC Transit Board; attached is information pertaining to the appointment to the BC Transit Board of Directors.

COMMENTS BY:

Mike Veenbaas, Director of Financial Services

Not available for comment.

Paul Gipps, Chief Administrative Officer

Reviewed and supported.

Board Resourcing and Development Office

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BC Transit Corporation

Requisition #	2302800
Job Location	Canada-British Columbia-ALL
Job Stream	Transportation
Job Type	Appointment, Part-Time
Expiry Date	
Educational Requirements	N/A
Languages Required	English

Future Opportunity Description

Click "Apply Online Now" to be considered for future opportunities. For more information on the board, please refer to the Board Resourcing and Development Office website.

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BC Transit Board of Directors Skills Requirements as at January 2013

Area / Skill / Competency	Requirement	Definition
Geographic Diversity	Essential	Representation from various parts of the province where BC Transit services are delivered.
Accounting Designation or Equivalent	Essential (at least one member)	Professional accounting designation or experience in one or more positions as principal financial officer, principal accounting officer, controller, accountant, or auditor.
Financial Literacy	Essential	Ability to understand corporate financial reports and financial statements.
Strategic Planning	Essential	Experience with strategic planning and evaluation of the implementation of the plan within an organization.
Local Government or Community Development	Essential	Significant work experience in the local government or non-profit sectors.
Financial Management	Desirable	Financial expertise and/or understanding of financial operational planning and management in a complex organization, including resource allocation, institutional investment oversight and reporting.
Legal	Desirable	LLB designation or significant senior-level experience negotiating agreements involving multiple agencies.
Corporate Management	Desirable	Senior level management experience with responsibility for developing or overseeing the implementation of business plans to achieve stated objectives/goals.
Human Resources or Labour Relations	Desirable	An appreciation for the best practices in human resources planning and management with familiarity with human rights requirements, employment legislation and labour relations.
Engineering or Project Management	Desirable	P.Eng or PMP designation and or a combination of senior level project management or design engineer experience for large-scale or complex projects.
Sales, Marketing or Communications	Desirable	An appreciation for the best practices in promoting a company's brand image and product line or developing and delivering on a sales program.
Transportation Management	Desirable	Experience with planning, executing or monitoring the effectiveness of transportation systems (e.g. bus, rail, ship, freight, air).
Urban or Transportation Planning	Desirable	Experience with planning and design of the urban environment, including transportation networks, to ensure the orderly and efficient development of communities.
Governance or Board Expertise	Desirable	Training and/or experience in board management, building and assessment together with knowledge of governance processes and practices. Experience serving on private, public or not-for-profit sector board and/or governance committee. Experience serving as a committee chair.
Risk Management	Desirable	Experience with enterprise risk management processes/activities in the private, public or not-for-profit sector. Demonstrated ability to identify principal risks of an organization's operations and ensure that appropriate systems are in place to manage these risks.

BC Transit's Board of Directors: Assessment against BC's Board Resourcing and Development Office Checklist

Last Updated: August 2012

Board Composition and Succession

Guideline 1		Current Status
a.	The Board is made up of individuals who, collectively, have the required competencies and personal attributes to effectively carry out their responsibilities.	Seven-member board in place, as set out under the <i>BC Transit Act</i>
b.	Board members are independent from management and have no material interest in the organization.	No declared conflicts or less than arms-length relationships
c.	The Board has a competency matrix that is updated annually and when vacancies arise. The competency matrix is used to identify competency "gaps" on the Board and to assist in the search for new candidates.	Competency matrix updated annually at a minimum. Most recently updated August 2012.
d.	The Board has a Governance Committee that develops director selection criteria.	No Governance Committee in place. Delt with by the full Board as a "Committee of the Whole."
e.	Board members are selected and appointed in compliance with the Province of BC Board Appointment Process .	Board member selection and appointment process complies with applicable policies.
f.	The Board has a succession plan for the orderly turnover of directors.	No formal plan in place.
g.	The Board publishes the name, appointment term and a comprehensive biography for each director on the organization's web site.	Information is published on BC Transit's public website
h.	Unless otherwise required by legislation or directed by Cabinet, the appropriate Board size is 9 to 11 members, including the Chair.	<i>BC Transit Act</i> specifies board size and composition.(currently set at 7)

Board Responsibilities

Guideline 2		Current Status
a.	The Board sets the tone for the Crown Agency through its operating style, ethical values, assignment of roles and responsibilities, and actions in response to wrongdoing.	Board is setting appropriate tone. BC Transit has established and communicated a code of conduct and ethics in addition to a whistleblower program.
b.	The Board publishes a Charter describing the Board's roles and responsibilities and the governance process used to fulfill Board duties.	Legal obligations, roles and responsibilities outlined in Board Handbook.
c.	The Board develops an internal manual and by-laws outlining Board procedures and responsibilities, consistent with BRDO's Best Practices Guidelines.	Procedures, roles and responsibilities outlined in Board Handbook.
d.	<p>The Board fulfills its responsibilities to Government (see the Shareholder's Expectations Manual for BC Crown Agencies) which include:</p> <ul style="list-style-type: none"> Establishing Board policies and procedures that are consistent with and meet Government's governance standards as set out in the Best Practice Guidelines. Ensuring the Crown Agency's management is in compliance with statutory obligations and applicable legislation. Approving the strategies, policies and plans necessary to fulfill Government's direction. Hiring and dismissing the Crown Agency's Chief Executive Officer (CEO), unless otherwise specified in the Crown Agency's enabling legislation. Ensuring the Crown Agency's adherence to financial and other reporting obligations to Government. Fulfilling any responsibilities under enabling legislation (e.g., statutory decision-making powers). Monitoring and reporting on the Crown Agency's progress in fulfilling Government direction, and informing the Minister Responsible of any significant variances from planned targets (reflecting either unexpected successes or shortfalls). Overseeing the development of and approving (based on the Minister Responsible's review) the annual Service Plans and Annual Reports for Commercial and Service Delivery Crown Corporations. Appearing as witnesses at Legislative Committees, as required. Responding to enquiries from Officers of the Legislative Assembly. Meeting the fiduciary obligation to act in the best interests of the Crown Agency. 	The Board fulfills its responsibilities to Government as outlined in the Shareholder's Expectations Manual for BC Crown Agencies.
e.	The Board fulfills its responsibilities for a relationship with the Minister Responsible and Ministry staff	Board Chair meets regularly with the Minister Responsible and regular "staff to staff" meetings are held.

Committees

Guideline 3		Current Status
a.	The Board has Committees that address the Audit, Governance, and Human Resources functions, as well as other committees relevant to Board operations as required. While the committee approach is good practice, organizations sometimes choose to have committee functions performed by the Board as a whole.	One standing committee, the Audit, Finance and Risk Management Committee. All other matters are referred to the Board as a Committee of the Whole.
b.	Each Board Committee has Terms of Reference that set out its roles and responsibilities.	Committee Terms of Reference and membership reviewed annually.
c.	Each Board Committee annually reviews its Terms of Reference outlining the Committee's composition and responsibilities, and assesses its effectiveness in meeting the needs of the Board.	Committee Terms of Reference and membership reviewed annually.
d.	Each Committee keeps informed about emerging good practices in corporate governance and any new statements of Government expectations that are relevant to the Crown Agency's assigned functions.	Relevant reference material and links to Crown Agency Best Practices are included in the Board Handbook.
e.	The membership and Terms of Reference for each Committee are publicly disclosed.	Committee Terms of Reference and membership are available upon request.
f.	Any Board task force or working group that is established to address specific Board requirements has a Terms of Reference outlining its composition, responsibilities, working procedures and termination date.	No active task forces or working groups.
g.	The Terms of Reference, including the termination date, for all Board Committees, task forces and working groups are publically disclosed.	No active task forces or working groups.

Board Chair

Guideline 4		Current Status
a.	The positions of Chair and CEO are separate in the organization.	Chair and CEO positions are separate.
b.	The Board has a position description that sets out the roles and responsibilities of the Chair.	Roles and responsibilities of Chair are outlined in the Board Handbook.
c.	The Chair and the Minister Responsible communicate regularly (at least quarterly) to develop and maintain a strong working relationship.	The Chair and the Minister Responsible communicate regularly.

Individual Directors

Guideline 5		Current Status
a.	The Board develops a Charter of Expectations (or equivalent document) detailing the expectations for Board members.	Obligations and expectations are outlined in the Board Handbook and reviewed with each Board Member during their orientation.
b.	The Board develops minimum attendance expectations for directors and publically discloses the annual attendance records of the Chair and directors.	Attendance expectations outlined in the Board Handbook and posted annually on BC Transit's public website.
c.	As part of public sector transparency, the organization annually discloses the amount of compensation paid to the Chair and each director for the preceding year.	Remuneration for Chair and Directors included as part of BC Transit's <i>Financial Information Act</i> filings.

Board and Committee Meetings

Guideline 6		Current Status
a.	The Board and its Committees hold a sufficient number of meetings to fulfil their roles and responsibilities.	The Board meets at least quarterly; additional meetings will be held if required.
b.	The Board keeps adequate meeting minutes and supporting documentation.	Meeting minutes reflect the key events that transpired.
c.	The Chair sets the agenda for Board meetings with input from other Board members and the CEO.	The Chair and CEO establish the agenda for Board meetings.

Chief Executive Officer or President

Guideline 7		Current Status
a.	The Board has a CEO position description that sets out roles and responsibilities.	CEO roles, responsibilities and expectations documented and reviewed annually.
b.	The Board establishes the annual performance expectations for the CEO.	CEO performance reviewed and expectations for upcoming year established annually.
c.	The Board annually assesses the CEO's performance against the position description and performance expectations.	CEO performance reviewed annually by the Board.
d.	The Board (or its delegate, such as the Chair of the Audit Committee) reviews and approves the CEO's expenses.	CEO expenses reviewed and approved by the Board Chair.
e.	The organization has a documented process for undertaking Board meetings or portions of meetings without management present.	There is an opportunity for an 'in camera' session at each Board meeting
f.	The CEO is not a voting member of the Board.	The CEO is not a voting member.

Corporate Secretary

Guideline 8		Current Status
a.	The Board has a Corporate Secretary position description that sets out roles and responsibilities.	Corporate Secretary position profile established.
b.	The Corporate Secretary reports to the Chair of the Board, and may also report administratively to the CEO. The CEO is not the Corporate Secretary.	Corporate Secretary reports to the Chair of the Board and also administratively to the CEO.

Code of Conduct and Ethical Standards

Guideline 9		Current Status
a.	The Board has adopted a Code of Conduct and Ethical Standards for directors, officers and employees that is consistent with the Standards of Ethical Conduct for Public Sector Organizations	Code of Conduct and Ethical Standards adopted.
b.	The organization publically discloses its Code of Conduct and Ethical Standards, including a conflict of interest policy for Board members and staff.	The Code of Conduct and Ethical Standards is publicly disclosed.
c.	A process is in place whereby directors can disclose real or potential conflicts of interest, consistent with the standards and requirements established by BRDO.	A process is established whereby directors can disclose real or perceived conflicts of interests.
d.	The Board has established a whistle-blower policy for officers and employees.	BC Transit has a whistler-blower policy and process.
e.	If the organization's Code of Conduct and Ethical Standards allows the Board to grant waivers for any of its provisions, public disclosure of whether the Board granted any such waivers during the preceding year (and reasons for so doing) is required.	Not applicable.

Orientation and Professional Development

Guideline 10		Current Status
a.	The Board has a comprehensive orientation program about the organization for new directors.	Comprehensive orientation program established for new directors.
b.	The Board has a culture that encourages new directors to fully and effectively participate in Board activities.	Participative and open culture exists.
c.	The Board provides ongoing educational opportunities for directors to learn about the organization, its sector and its corporate governance practices, and maintains a policy of encouraging directors to take advantage of these opportunities.	Board members are encouraged to pursue opportunities to enhance their skills. A formal learning and development program is under development.
d.	The Board undertakes measures to orient new directors regarding: <ul style="list-style-type: none"> the relationship and division of roles and responsibilities between the Board and Government; the role and responsibilities of the Board, its Committees and directors; and, the mandate and operations of the organization. 	Comprehensive orientation program established for new directors.

Board, Committee and Director Assessment

Guideline 11		Current Status
a.	The Board annually assesses its performance and the performance of each of its Committees against their respective Terms of Reference.	A formal process is under development.
b.	The Board annually assesses the performance of the Chair against the Chair's position description.	A formal process is under development.
c.	The Board annually assesses the performance of individual directors against the directors' Charter of Expectations.	A formal process is under development.

Communications Strategy

Guideline 12		Current Status
a.	An appropriate communications strategy is in place that meets the needs of all stakeholders, employees and Government, and reflects a public sector organization's requirement for transparency and accountability. The Board approves and ensures compliance with the communications strategy.	A communication policy is approved and a communication strategy is under development.
b.	The Chair is the authorized spokesperson for the Board, and the CEO is the primary spokesperson for the organization.	Chair and CEO are primary spokespersons for the Board and organization, respectively.
c.	The organization's practice for reporting on financial and other affairs is publically disclosed.	BC Transit complies with all financial disclosure requirements.

Board Access to Information

Guideline 13		Current Status
a.	The Board ensures that it receives sufficient, appropriate information to allow it to fully assess organizational performance and compliance, and to support Board-level decision-making.	The quality, timeliness and completeness of information received are reviewed regularly by the Board.
b.	Where additional information is required to make an assessment or upon which to base a decision, the Board requests such information from management and/or external sources and ensures that it is obtained on a timely basis. The Board defers decisions and/or judgement in cases where sufficient, appropriate information have not yet been received.	The Board requests additional information as required and defers decisions in cases where sufficient, appropriate information have not yet been received.
c.	The Board periodically looks critically at the quality and quantity of information they receive to ensure that it allows for the effective discharge of all of the roles and responsibilities of the Board.	The quality, timeliness and completeness of information received are reviewed regularly by the Board.

BRITISH COLUMBIA TRANSIT ACT

[RSBC 1996] CHAPTER 38

Board of directors

4 (1) The board of directors consists of directors appointed by the Lieutenant Governor in Council to hold office during pleasure, and the Lieutenant Governor in Council must appoint, as directors,

(a) 2 individuals who are members of the regional transit commission for the greater Victoria metropolitan area established under section 25,

(b) 2 individuals each of whom is

(i) a mayor of a municipality that has a transit service agreement, or

(ii) a chair of a regional district that has a transit service agreement, and

(c) 3 other individuals.

(1.1) No act or proceeding of the directors is invalid merely because of there being in office less than the number of directors required by this section.

(2) The Lieutenant Governor in Council must appoint from among the directors a chair of the board to hold office during pleasure and must fix the salary to be paid to the chair.

(3) The directors must appoint a chief executive officer of the authority and must establish the terms and conditions of his or her employment.

(4) The directors must supervise the management of the affairs of the authority and may, unless otherwise provided in this Act, by resolution

(a) establish a plan of organization to carry out the powers of the authority,

(b) exercise the powers and duties of the authority under this Act,

(c) exercise the powers and duties conferred on them by this Act,

(d) delegate the exercise of a power of the authority to a person employed by the authority,

(e) establish rules for the conduct of their affairs and of any committee of directors, and

(f) appoint from their number committees and delegate to those committees any of the powers of the directors, except the powers of delegation and appointment given by paragraph (d) and this paragraph.

(5) A director must be reimbursed by the authority for reasonable travelling and out of pocket expenses necessarily incurred by the director in the discharge of the director's duties, and may be paid a director's fee in an amount approved by the Lieutenant Governor in Council.

To: Fraser Valley Regional District Board
From: Paul Gipps, Chief Administrative Officer

Date: 2018-07-24

Subject: Elizabeth's Wildlife Centre

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider authorizing a regional grant-in-aid to Elizabeth's Wildlife Centre in the amount of \$5,000 to support the ongoing efforts of the foundation for 2018;

AND FURTHER THAT staff be directed to bring forward an option for ongoing financial support during 2019 budget discussions.

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community

BACKGROUND

the FVRD was invited to attend the Elizabeth Wildlife Center (further information on the organization is attached to this report) to see first-hand the work they do in supporting our communities with their emergency management of wildlife and the support they provide for these animals while convalescing. Staff, along with the FVRD Chair and Vice Chair, attended the tour and were suitably impressed with the number of interactions they have with our residents in the Fraser Valley.

The facility runs primarily on the kindness of donors with a couple of corporate donors including the City of Abbotsford.

DISCUSSION

From the numbers indicated above, Elizabeth's Wildlife Center certainly supports our region. Staff in our Animal Care Center confirm they regularly receive calls and refer community members in all our jurisdictions to this center and appreciate their managing the requests referred rather than people showing up to the center with injured animals.

While we have not received a formal request to provide some financial support to this center, staff would like to gauge the board's support for such a consideration.

COST

\$5,000.00



Elizabeth's Wildlife Center was established in 1986, and became a non-profit organization in 1999. Elizabeth Melnick, founder and primary caregiver of the Center, is a qualified registered nurse and wildlife rehabilitator. What first began as a rescue center from her home, expanded into Elizabeth's backyard with construction of aviaries and small housing facilities.

The Center is now a fully functioning, independent facility, capable of handling hundreds of injured/orphaned wild birds and animals. The Center has 4 buildings that serve as care-giving facilities. We have pre-release buildings, and a waterfowl pond for rehabilitation purposes.

Each year we admit over 1000 birds/animals and approximately 50% are fully rehabilitated and released. Each animal that enters our facilities is assessed, given necessary treatment, rehabilitated, and if fully recovered, released to their natural environment. Our goal is to continue our Rehabilitation and Release Program. Our Community Education Program is also an intricate part of the Center.

Tours of the facilities is against government policy. The Center receives over 4,000 phone calls per year with questions regarding situations involving small wildlife that are injured/orphaned. This service is provided during normal business hours, daily from 9 am to 5 pm.

The Center offers a mutually beneficial solution for both animals and humans by providing a permanent and safe place for wildlife to be rehabilitated while at the same time educating the public. This is the only Wildlife Center in the Abbotsford area that provides this service. The Center receives animals from the local police and fire departments, the SPCA, veterinarians and residents of Abbotsford and the Lower Fraser Valley -- serving approximately 200,000 community members. The purpose of the Center is

Elizabeth's Wildlife Center

**MAIL BOX ONLY - NO ANIMALS
THE MALL DOES NOT ALLOW
ANIMALS**

P.O. Box 15015, Sevenoaks
Abbotsford, B.C.
V2S 8P1

**TO DROP ANIMALS OFF FOR CARE
- YOU MUST CALL FOR A
LOCATION**

Open daily 9am-5pm
(604) 852-9173
Call for drop-off location

to preserve wildlife. These invaluable animals, whose natural life cycle has been disturbed by human interaction, would otherwise be euthanized.

We evaluate our success by the number of animals released, education evaluation forms, financial support within the community, the number of phone calls received, and volunteer involvement. Our goal is to increase awareness and knowledge about wild animals.

To reach Elizabeth's Wildlife Center, call (604)852-9173, or [email](#) us.

<http://www.elizabethswildlifecenter.org/>

To: Fraser Valley Regional District Board
From: Paul Gipps, Chief Administrative Officer

Date: 2018-07-24

Subject: Tashme Museum Letter of Support

RECOMMENDATION

THAT the Fraser Valley Regional District provide a letter of support to the Tashme Historical Society's efforts to preserve this important historical area and secure financial and in-kind support from the other funding agencies as well as any potential grant opportunities that may arise.

BACKGROUND

Sunshine Valley, formerly named Tashme, is an unincorporated settlement and former Japanese Canadian internment camp on the Crowsnest Highway between of the District of Hope and the entrance to Manning Park. Located just outside the 100 mile "quarantine" zone from which all Japanese Canadians were removed during World War II, it was the largest camp of its kind in Canada, housing 2400 people on the site. Over the course of many years, the remains of the internment camp have gradually been replaced, demolished or simply disappeared.

DISCUSSION

Most recently, the Tashme Historical Society is working on the redevelopment of the old RCMP (police station) and is looking to separate this area from the main travelled portions of Sunshine Valley with fencing. In discussions with potential supporters and donors of the museum, and potential grant opportunities, it was felt a letter of support for this project from the FVRD would be beneficial.

COST

No cost.



The following is some of the work Fraser Basin Council has completed or is undertaking in the Fraser Valley.

Lower Mainland Flood Management Strategy (LMFMS)

- **Joint Program Committee** – Updates on three funding sources applicable to flood mitigation were shared at the June 20 meeting in Surrey:
 - Community Emergency Preparedness Fund – through UBCM – next intake for flood planning and mapping is Feb 2019 and for structural projects is fall 2019.
 - National Disaster Mitigation Program – through EMBC – next intake deadline is August 31, 2018.
 - Disaster Mitigation and Adaptation Fund – next intake deadline for DMAF is July 31, 2018
- **Flood strategy 2018 Fraser freshet summary:** While the snowpack was an estimated at 109% total accumulation, it was very high in the Upper Fraser West at 264%. Temperatures an average 5° C above normal in early May led to a rapid snowmelt at low and middle elevations, although there was little or no rain in May to add to the freshet. Early and short water flow peak occurred May 21-22 and was just under 11,000 m³/s at Hope, a volume less than last year's recorded peak flow (12, 000m³/s). Some low-lying, exposed areas flooded. Cooler days in late May and June slowed the snowmelt and eased the flood threat.
- **Seismic guidelines workshop:** On June 18, FBC LMFMS held a workshop in Vancouver with Golder Associates to review challenges to and next steps in implementing Seismic Guidelines for Dikes.
- **Flood management & the environment:** FBC LMFMS hosted a one-day program with regional environment non-governmental organizations (ENGOS), First Nations and government on June 26, 2018 at Evergreen Hall, Chilliwack. Giving presentations were Chief Robert Gladstone – Shxwhay Village, Dr. Mike Church – UBC Geography, on the Fraser River, Dr. Mike Pearson, freshwater fish biologist – Ecology and Environment of the area. Robert Gladstone, Frank Van Nynatten – City of Chilliwack, Lory Oberst – Skwah First Nation, Brent Baron – Indigenous and Northern Affairs Canada, Natasha Cox – Fraser Valley Watersheds Coalition riparian restoration biologist, Richard Fortin – City of Chilliwack, Lotte Flint Peterson – B.C. Gov't presented case studies. An afternoon tour included reviews of Shxwhay and Skwah communities' flood mitigation and vulnerability, and the Browne Creek salmon spawning and rearing channels off Vedder Canal in Yarrow.
- **A Resilient Fraser River Delta** workshop June 27-28 – FBC LMFMS held a 2-day symposium on ways to create a resilient Fraser delta, hosted by University of British Columbia and the Netherlands Consulate in Vancouver. The workshop brought in local and international flood management experts, and highlighted a range of options to address the impact of climate change and natural events in our local context, such as rising ocean levels and floods recently impacting the Lower Mainland.

FBC Board tour and meeting June 13 and 14:

- On June 13, FBC held a tour for its directors, hosted by FVRD and FBC director and Mission Coun. Pam Alexis on the morning visit to Zajac Ranch for Children. Thirty-five guests heard about Mission's sustainable municipal forest, its award-winning landfill, and the Stave West recreational plans, developed in partnership with Kwantlen First Nation; this includes new 200 campsites for equestrian campers, for ATV users, and walk-in sites. FBC directors Barb Strachan and Satwinder Bains provided comments on wetland restoration and flood history on the return bus ride.
- FVRD's Dave Urban reported on Experience the Fraser progress at the Mission waterfront stop. At the University of the Fraser Valley Abbotsford after lunch, Alison Stewart gave a comprehensive review of FVRD's climate action and flood risk plans in relation to agriculture. Lenore Newman, Canada Research Chair for Food Security and the Environment, based at UFV, discussed the state of affairs for global agriculture and local challenges; Agassiz dairy farmer Detmar Schwichtenberg offered suggestions for sustainable farming stewardship through the Farm Advantage incentive program.
- At the FBC directors' meeting on June 14, Chris Hamilton of FLRNORD's Resource Stewardship Division discussed the province's initiative to update wildlife and habitat management, caribou recovery and to create a species at risk act. Public input is encouraged and you can provide comments at the govTogetherBC public engagement sites, at engage.gov.bc.ca

For more information, please contact:

Christina Toth at 604-864-9295, ctoth@fraserbasin.bc.ca | Bob Purdy at 604-488-5355, bpurdy@fraserbasin.bc.ca

To: Fraser Valley Regional District Board

Date: 2018-07-24

From: Paul Gipps, CAO

File No: 1855-30

Subject: Letter of endorsement for Canada BC Infrastructure Grant

RECOMMENDATION

THAT the Fraser Valley Regional District Board provide a letter of endorsement for the joint application by the City of Abbotsford and District of Mission for their Collector Well Project.

STRATEGIC AREA(S) OF FOCUS

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

PRIORITIES

Priority #2 Air & Water Quality

BACKGROUND

The City of Abbotsford and the District of Mission are jointly applying for a Canada BC Infrastructure grant to support the "Collector Well Project" to meet future demands for potable water and fire flow. Abbotsford Mission Water Sewer Commission oversee the water and utility service that supports both communities as well as provides bulk water through separate agreements to the FVRD Hatzic Lake and Deroche Areas as well as other such as Matsqui First Nation.

DISCUSSION

The FVRD has been asked to provide a letter of endorsement for this project to assist them in their bid for a successful grant.

I have met and discussed this with the other CAO's in the region and as this is truly a regional service, and as it directly services 3 or more of our communities staff are in support of the board providing a letter of endorsement.

To: Regional and Corporate Services Committee
From: Stacey Barker, Deputy Director of Regional Programs

Date: 2018-07-10

Subject: Animal Control - Dog Licensing

INTENT

This report is intended to advise the Regional and Corporate Services Committee of information pertaining to the sale of dog licences within the Fraser Valley Regional District animal control program. Staff is not looking for a recommendation and has forwarded this information should members want more clarification or to discuss the item further.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The Fraser Valley Regional District (FVRD) currently provides full animal control services to the City of Abbotsford, City of Chilliwack, District of Mission, District of Kent and the Village of Harrison Hot Springs, operated under a sub-regional regulatory bylaw. The FVRD also provides a limited aggressive dog investigation/control service to Electoral Areas D, E, G and H, regulated under a separate bylaw, specific to aggressive dogs. Limited dog apprehension and pound services are also provided to several First Nation communities in the local area by way of contract.

Within municipalities receiving animal control services, dog licensing is also a requirement. The FVRD has been working toward gaining greater compliance from dog owners through various methods including: increasing the convenience of purchasing a dog licence, in-person communication to dog owners while patrolling parks or visiting homes, social media and through the issuance of tickets. While working to increase compliance with licensing, the FVRD is also making strides towards greater operational efficiencies in conducting everyday operations.

DISCUSSION

The FVRD is currently implementing several database modules to complement our existing systems to improve customer service and convenience which are expected to result in increased dog licence sales. The systems, expected to be accessible to the public in January 2019, include:

Dogs eApply: This will allow members of the public to purchase new dog licences online, not just renewals. Once the required information is entered (and payment is made online), a new dog licence will be created. The applicant will have the ability to upload documents such as a photo of their dog or the dog's spayed/neutered certificate. This information will automatically be saved in the FVRD's Tempest system saving staff from having to manually enter this data (which is the current workflow).

In 2017, approximately 51% of dog licences were sold on-line. This is an increase from 2016 in which only 43% were sold on-line. The FVRD is anticipating increased on-line sales in 2018 as well and with the implementation of Dogs eApply, the 2019 on-line sales should significantly increase.

Dogs eBilling: This will allow members of the public to receive their dog licence renewal and reminder invoices by email. If a user signs up for eBilling, they will not receive a paper invoice. There were approximately 15,000 renewal invoices and 5,000 reminder invoices mailed this year. The Dogs eBilling module will decrease the cost of printing and postage for future years, as well as decrease the time it takes to prepare the mail outs.

The FVRD is also exploring various reward programs that have shown to increase compliance with dog licensing including the Regional District of Central Okanagan's **My Dog Matters Rewards Program**. This initiative, which included the development of a licensing app makes it easy and convenient to renew and pay for a dog license from any device, provides an interactive communication channel with dog owners, and promotes a rewards program which offers dog owners discounts at businesses if they license their dogs. Data gathered by the RDCO shows that the Rewards Program and associated app has significantly decreased operating costs for its dog control service. *A representative from the RDCO is appearing as a delegation at the meeting today to speak about this initiative.*

COST

The licence and implementation costs for Dogs eApply and Dogs eBilling will be funded out of the regular Animal Control operational budget with savings realized in 2018 from decreased postage, an uptake in dog licence purchases and various enforcement revenue.

The FVRD will gather information on costs and other resource implications of possible rewards programs and report back to the Board with further information as it becomes available for their consideration.

CONCLUSION

The FVRD is continuing to pursue efficiencies and greater customer service in its animal control program. These efforts will lead to a more cost effective service and increased compliance with dog licensing.

COMMENT BY:

Barclay Pitkethly, Director of Regional Programs

Reviewed and supported.

COMMENT BY:

Mike Veenbaas, Director of Financial Services

Unavailable for comment.

COMMENT BY:

Paul Gipps, Chief Administrative Officer

Unavailable for comment.

To: Regional and Corporate Services Committee
From: Jaime Schween, Manager of Corporate Administration/
Chief Election Officer

Date: 2018-07-10

File No: 4200-20-2018

Subject: 2018 General Local Elections

INTENT

This report is intended to advise the Regional and Corporate Services Committee of information pertaining to the upcoming General Local Elections. 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

The Chief Election Officer for the Fraser Valley Regional District (FVRD) conducts the elections for the office of Electoral Area Director for all eight FVRD Electoral Areas. Additionally, the CEO conducts elections for rural School Trustees in our Electoral Areas under agreements with School District 33 (Chilliwack), School District 75 (Mission) and School District 78 (Fraser-Cascade).

The Chief Election Officer, amongst other items, is responsible for receiving nomination documents, declaring candidates, and administering voting opportunities within the FVRD Electoral Areas.

Elections BC is an independent and non-partisan Office of the Legislature that is responsible for administering provincial electoral finance and local elections campaign financing, disclosure rules and advertising laws under the *Local Elections Campaign Financing Act* ("LECFA").

As the 2018 General Local Elections cycle is now underway, it is important to keep pertinent information and dates in mind.

DISCUSSION

Under LECFA, Elections BC is responsible for establishing limits on election expenses and third party advertising. These limits are both based on the office and population of the individual FVRD Electoral Area.

Election expenses

The election expense limit that applies to each individual FVRD Electoral Area is \$5,000. Election expense limits apply during the campaign period of September 22 to October 20, 2018.

Third Party Advertising

Under LECFA, the Third Party Advertising Limit that applies to each individual FVRD Electoral Area is \$750. Again, this limit applies during the campaign period of September 22 to October 20, 2018.

As election expenses and third party advertising limits are administered by Elections BC, all inquiries should be directed to Elections BC by phone at 250-387-5305 or at www.elections.bc.ca.

Please note that it is important to be aware of the following dates:

Election Period:	January 1 to September 21, 2018
Nominations Open:	September 4, 2018 at 9am
Nominations Close:	September 14, 2018 at 4pm
Campaign Period:	September 22 to October 20, 2018
Advanced Voting Opportunity:	October 10, 2018
General Voting Day:	October 20, 2018
Deadline for filing campaign financing disclosure statement:	January 18, 2019

CONCLUSION

As the cycle for 2018 General Local Election is now in process, this report highlighting the role of Elections BC, as well as upcoming critical dates, is being brought forward for the Committee's information.

COMMENT BY:

Paul Gipps, Chief Administrative Officer

Not available for comment.

To: Regional and Corporate Services Committee

Date: 2018-07-10

From: Johannes Bendle, Planner I

File No: 8500-30-26237

Subject: FVRD Regional Transit Service Update – Bus Routes #66 Fraser Valley Express, #11 Agassiz-Harrison, and #22 Hope.

INTENT

This report is intended to advise the Fraser Valley Regional District Board of information pertaining to transit service updates for bus routes #66 Fraser Valley Express, #11 Agassiz-Harrison and #22 Hope. 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

Foster a Strong & Diverse Economy

Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

PRIORITIES

Priority #2 Air & Water Quality

BACKGROUND

The Fraser Valley Regional District (FVRD) coordinates three sub-regional transit services: Fraser Valley Express (FVX #66), Agassiz-Harrison (AGH #11), and Hope (#22). Due to increasing demand the FVRD is doubling the weekend service on the FVX route, adding summer holiday service on the AGH route and adding a transit bus stop at Chawathil Reserve on the Hope route. The FVRD is expanding the service of all three sub-regional transit services while operating within the existing FVRD funding budgeted for each transit service.

DISCUSSION

Fraser Valley Express (FVX) Route #66

The FVX transit service was introduced in 2015 to offer passengers bus service between Chilliwack and Abbotsford to Carvolth Exchange where passengers are able to connect to TransLink's transit network serving Metro Vancouver. The FVX initially offered 17 round trips on weekdays and four round trips on Saturdays. In Fall 2017 Sunday and holiday service was introduced at four round trips per day to match existing Saturday service levels. The FVX has been a popular transit service and has seen ridership numbers increasing with 107,000 passengers (2016/2017) to 126,000 passengers (2017/2018). The popularity of the service has resulted in demand for expanding the frequency of the service.

The FVRD and BC Transit have identified the need to double the Saturday, Sunday and holiday service which will expand the service from four round trips to eight round trips per day for the Fall of 2018. This transit service expansion is informed by previous FVX background studies, service reports and public engagement and responds to customer feedback about the low frequency of weekend and holiday service.

Currently the FVX weekend and holiday schedule runs on a 2 hour 45 minute frequency; however, by doubling the service, the frequency will increase to between 1 hour 30 minutes and 1 hour 15 minutes. Public engagement results summarized in the FVRD *Fall 2018 Transit Service Change Plan*, indicate that 75% of survey respondents preferred weekend/holiday trips be distributed evenly throughout the day. As a result, the four new round trips are distributed evenly as shown in the table below.

FVX Current & Additional Trips – Weekends & Holidays

Depart Chilliwack Exchange	Depart Chilliwack Exchange
grey = existing trip – blue = new trip	
Departs 9:00 am	Departs 10:15 am
Departs 10:15 am	Departs 11:30 am
Departs 11:45 am	Departs 1:00 pm
Departs 1:00 pm	Departs 2:15 pm
Departs 2:30 pm	Departs 3:45 pm
Departs 3:45 pm	Departs 5:00 pm
Departs 5:15 pm	Departs 6:30 pm
Departs 6:30 pm	Departs 7:45 pm

The impressive FVX ridership numbers have generated enough revenue to finance the expansion of service hours, without requiring additional tax requisition. The estimated annual FVRD cost for the service expansion is \$94,642. With the additional service it is anticipated that the FVX will continue to experience revenue growth.

Agassiz-Harrison (AGH) Route #11

The Agassiz-Harrison transit service offers bus service between Chilliwack and Harrison Hot Springs via Agassiz. The route currently offers weekday and Saturday service and Sunday service July 1st to Labour Day. This year for the first time the route will provide Sunday-level service on statutory holidays throughout the summer. The route will offer holiday (Sunday-level) service on Canada Day (Sunday, July 1st, and Monday, July 2nd), BC Day (Monday, August 6th) and Labour Day (Monday, September 3rd).

BC Transit has planned a promotional campaign to advertise the new service. The new service will be advertised in the interior bus cards, on the website and through social media ads. The Rider's Guide has also been updated to reflect the summer services.

The additional 30 service hours required to offer the Sunday-level service on statutory holidays throughout the summer will be covered within the existing Annual Operating Agreement (AOA). The AOA includes additional hours to account for possible extra operating hours due to traffic or other service delays on the route. Therefore, the increased level of service will be taken from hours already accounted for and will not come at an additional cost to the service.

Hope Route #22

The Hope transit service was introduced in Fall 2017. The route offers bus service between Agassiz and Hope. From Agassiz passengers are able to transfer to the AGH Route #11 for travel to Chilliwack. The Hope transit service currently offers four round trips Monday to Friday and four round trips on Saturdays. The FVRD, at the request of Chawathil First Nation, is working with BC Transit to add an additional bus stop to the transit service route. The FVRD has already entered into partnership with Seabird Island Band and Cheam First Nation so working with Chawathil First Nation is a continuation of the FVRD's collaboration with First Nations to create partnerships on transit services.

The Chawathil Reserve is located 10 km west of downtown Hope off of Highway 7. The bus stop is proposed for the west side of Chawathil Road just off of Highway 7. The start of the service is still to be determined but based on ongoing discussions the FVRD expects the service to be operational by September. Chawathil First Nation will cover the cost of the number of service hours required to add the stop to the route. Chawathil First Nation will also cover the cost of paving required for the bus stop and any bus stop infrastructure.

COST

The expanded transit services proposed are included in the 2018-2019 AOA. The FVX route #66 expanded service is supported by existing revenues. The AGH route #11 expanded service on statutory holidays is covered by the existing AOA. The additional hours required and infrastructure for the bus stop on Chawathil Reserve will be implemented through a service agreement with Chawathil First Nation.

CONCLUSION

The FVRD is expanding the transit service of the FVX route #66, AGH route #11, and Hope route #22. The expansions in service are due to demand for increasing weekend and holiday service and demand for access to transit service. The expansion in transit services are being financed within existing budgets for each transit service.

COMMENTS BY:

Alison Stewart, Manager of Strategic Planning

Reviewed and supported

Barclay Pitkethly, Director of Regional Programs

Reviewed and supported

Mike Veenbaas, Director of Financial Services

Not available for comment.

Paul Gipps, Chief Administrative Officer

Reviewed and supported

Fraser Valley Regional District Fall 2018 Transit Service Change Plan



DRAFT June 2018

Table of Contents

1. Introduction.....	1
2. Timeline.....	1
3. Service Expansion Details	2
4. Public Engagement.....	3
5. Infrastructure	4
6. Next Steps.....	4

Appendix A: FVX 2017/2018 Schedule

Appendix B: FVX Online Survey Results

Appendix C: FVX 2018 Schedule by Stop Location

1. Introduction

To continue delivering on the 2012 Chilliwack Area Transit Future Plan and support the continued success of the transit system, the Fraser Valley Regional District (FVRD) approved the following transit service expansion item for Fall 2018:

- **Increased frequency on the FVX to double the existing Saturday, Sunday and Holiday service (1,200 expansion hours)**

The service expansion builds on the Fall 2017 expansion, where Sunday and holiday service was introduced on the FVX. This expansion item was informed by previous FVX background studies and service reports, input from public engagement, and feedback from the FVRD, City of Chilliwack, and Operating Company. The table below summarizes both the 2017/2018 (implemented) and 2018/2019 (upcoming) transit service expansion for the FVRD.

Table 1: FVRD Transit Service Expansion 2017-2019

Upcoming & Recent Implementations	Service Expansion	Annual Hours	Vehicles
Sept. 2018/2019 (upcoming)	FVX Increased frequency on the FVX to double the existing Saturday, Sunday and Holiday service	1,200	1
Sept 2017/2018 (implemented)	FVX Introduce weekend/holiday at existing Saturday service levels	700	0
	Route 22 Introduce service between Agassiz and Hope	1,800	2

2. Timeline

The Fall 2018 FVRD expansion involved the following timeline:

- **Summer/Fall 2017:** MOU for Fall 2018 Expansion Implementation Plan drafted/signed
- **Fall / Winter 2017:** Implementation of Fall 2017 service changes
- **Spring 2018:**
 - FVX Public Engagement (Online survey)
 - Expanded weekend & holiday schedules drafted, reviewed and finalized
 - Implementation MOU issued for review and signature

- **Summer 2018:**
 - Fall 2018 Service Change Plan provided to FVRD for review
 - Riders Guide drafted and reviewed for completion; website updated and marketing/media
- **Fall 2018:** Service Implementation

3. Service Expansion Details

The FVX 66 is a limited-stop express service that connects transit passengers between Chilliwack, Abbotsford and the Carvolth Exchange in Langley Township. At Carvolth, FVX passengers are able to connect to TransLink's transit network which spans across Metro Vancouver.

The FVX was introduced in 2015 as the first regional bus service between Metro Vancouver and the Fraser Valley, offering 17 round trips on weekdays and four trips on Saturdays. Since opening, the FVX has been popular and well-used, with approximately 107,000 passengers (2016/2017) increasing to approximately 126,000 passengers (2017/2018), with continued future growth anticipated. When combined with ridership in Chilliwack's conventional transit system, the FVX accounts for 12% of total system ridership.

The FVX weekday schedule is largely designed to serve morning and afternoon commuters. As the primary direction of the morning commute in the Lower Mainland is westbound, the first FVX weekday departure is 5:15 a.m. from Chilliwack's Downtown Exchange. The FVX then runs every 30 minutes during weekday morning and afternoon peaks. Outside of these peaks, it has headways of 60 minutes or more (see **Appendix A**).

On Saturday, Sunday and holidays, the first FVX leaves Chilliwack at 9:00 am, and provides four round trips per day, running on a 2hr 45-minute frequency (see Table 2).

Table 2: 2017/2018 FVX Weekend & Holiday Schedule

66 FVX to Langley					
(A)	(VL)	(L)	(MC)	(HI)	(CA)
Downtown Exchange: Yale and Spadina	Vedder at Luckakuck	Lickman Park & Ride	McCallum Park & Ride	Highstreet Mall	Carvolth Exchange
Saturday, Sunday & Holidays					
9:00	9:07	9:15	9:35	9:46	10:09
11:45	11:52	12:00	12:20	12:31	12:54
2:30	2:37	2:45	3:05	3:16	3:39
5:15	5:22	5:30	5:50	6:01	6:24

66 FVX to Chilliwack					
(CA)	(HI)	(MC)	(L)	(VL)	(A)
Carvolth Exchange	Highstreet Mall	McCallum Park & Ride	Lickman Park & Ride	Vedder at Luckakuck	Downtown Exchange: Yale and Spadina
Saturday, Sunday & Holidays					
10:15	10:38	10:46	11:06	11:15	11:23
1:00	1:23	1:31	1:51	2:00	2:08
3:45	4:08	4:16	4:36	4:45	4:53
6:30	6:53	7:01	7:21	7:30	7:38

To address the low frequency of the weekends and holiday schedule, as well as customer feedback, the FVRD identified the need to double the Saturday, Sunday and holiday service with four additional round trips. Scheduling in the new trips was informed by key themes from public consultation (see Section 4.0 below), and required approximately 1,200 annual service hours.

The four new round trips added to the Fall 2018 schedule are shown below in Table 3:

Table 3: FVX Additional Trips – Weekends & Holidays

Route	New trips added – Depart Chilliwack Exchange	New trips added – Depart Carvolth Exchange
66 FVX	• Departs 10:15 am	• Departs 11:30 am
	• Departs 1:00 pm	• Departs 2:15 pm
	• Departs 3:45 pm	• Departs 5:00 pm
	• Departs 6:30 pm	• Departs 7:45 pm

By doubling the weekend & holiday service, the FVX frequency becomes 1hr15 - 1hr30, significantly improving the availability of FVX. The new schedule also provides more service in the late afternoon and early evening, a strong theme heard in survey feedback.

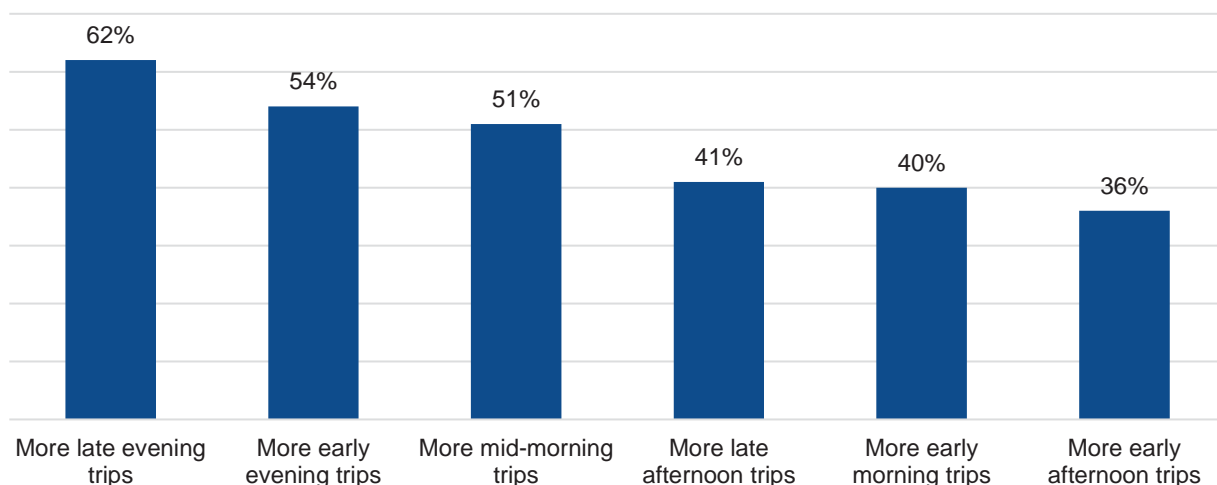
4. Public Engagement

To inform the expansion of weekend and holiday service, an online survey was available between April 3 - 15, 2018 to gather input and feedback about the proposed service expansion. The survey was advertised broadly, including on social media and posters on FVX buses. Nearly 200 people responded to the survey, providing a good understanding of current weekend/holiday transit use and customer needs.

There was a generally high level of support for the FVX weekend and holiday service expansion, with key themes as follows (detailed survey responses shown in **Appendix B**):

- Over half (53%) of respondents indicated that when they use FVX on weekends/holidays, their **primary trips starts in Chilliwack or Abbotsford and ends at Carvolth Exchange in Langley**. Similar to weekdays, this indicates that westbound is the primary direction of weekend travel. The second most popular weekend destination for users of the FVX was High Street in Abbotsford.
- 40% of survey respondents indicated that their **primary purpose of weekend/holiday FVX trips is shopping/recreation**. Family visits (22%) and work (10%) were identified as the next most common reason for using the FVX on weekends.
- Survey respondents were asked why they did not use FVX on weekends and holidays. By far, the most common reason, chosen by 57% of respondents, was because the **weekend/holiday schedule is inconvenient**. The second most stated reason was that it is more convenient to use another mode of travel, identified by 21% of respondents.
- Survey respondents were asked to identify weekend/holiday schedule improvements they would like to see, with the majority indicating **more evening trips**. Mid-morning and late afternoon trips were also a high priority. This indicates that, unlike weekdays, weekend/holiday ridership demand is largely for later afternoons / evening periods and less so in the early morning period.

What types of schedule improvements to FVX weekend service would you like to see?



- Respondents were asked how they would prefer new weekend/holiday FVX trips to be scheduled, with 75% indicating **more trips distributed evenly throughout the day**.

5. Infrastructure

FVX bus stop infrastructure and maintenance is the responsibility of the City of Chilliwack, City of Abbotsford, and Township of Langley where the stops / exchanges are located. While the Fall 2018 service expansion of the FVX requires an additional fleet vehicle, it does not require any new bus stop infrastructure at any point along the FVX route. Any posted paper schedules available at the exchanges will need to be updated to reflect the new weekend & holiday schedule.

6. Next Steps

The Fall 2018 Expansion for doubling FVX weekend & holiday service will be implemented on Saturday, September 8, 2018. BC Transit, the FVRD, and the Operating Company will collaboratively monitor the impacts of this service change on ridership and service via customer comments, operator feedback, and data collection.

Looking ahead, BC Transit, the FVRD, and City of Chilliwack will be undertaking a refresh of the Transit Future Plan five-year priorities. Given the ongoing popularity and demand for the FVX service, continued expansion of the FVX schedule may continue to be a priority in years ahead.

Appendix A: FVX 2017/2018 Schedule

66 FVX to Langley					
Monday to Friday					
(A)	(VL)	(L)	(MC)	(HI)	(CA)
Downtown Exchange: Yale and Spadina	Vedder at Luckakuck	Lickman Park & Ride	McCallum Park & Ride	Highstreet Mall	Carvoith Exchange
5:15	5:22	5:30	5:50	6:01	6:26
5:45	5:52	6:00	6:20	6:31	6:56
6:15	6:22	6:30	6:50	7:01	7:26
6:45	6:52	7:00	7:20	7:31	7:56
7:30	7:37	7:45	8:05	8:16	8:41
8:45	8:52	9:00	9:20	9:31	9:54
10:00	10:07	10:15	10:35	10:46	11:09
11:30	11:37	11:45	12:05	12:16	12:39
12:50	12:57	1:05	1:25	1:36	1:59
2:20	2:27	2:35	2:55	3:06	3:29
3:20	3:27	3:35	3:55	4:06	4:29
3:45	3:52	4:00	4:20	4:31	4:54
4:15	4:22	4:30	4:50	5:01	5:24
5:00	5:07	5:15	5:35	5:46	6:09
6:00	6:07	6:15	6:35	6:46	7:09
7:01	7:08	7:16	7:36	7:47	8:10
7:45	7:52	8:00	8:20	8:31	8:54
Saturday, Sunday & Holidays					
9:00	9:07	9:15	9:35	9:46	10:09
11:45	11:52	12:00	12:20	12:31	12:54
2:30	2:37	2:45	3:05	3:16	3:39
5:15	5:22	5:30	5:50	6:01	6:24

66 FVX to Chilliwack					
Monday to Friday					
(CA)	(HI)	(MC)	(L)	(VL)	(A)
Carvoith Exchange	Highstreet Mall	McCallum Park & Ride	Lickman Park & Ride	Vedder at Luckakuck	Downtown Exchange: Yale and Spadina
6:40	7:03	7:11	7:30	7:39	7:47
7:10	7:33	7:41	8:00	8:09	8:17
7:40	8:03	8:11	8:30	8:39	8:47
8:20	8:43	8:51	9:10	9:19	9:27
8:59	9:22	9:30	9:49	9:58	10:06
10:15	10:38	10:46	11:05	11:14	11:22
11:35	11:58	12:06	12:25	12:34	12:42
1:05	1:28	1:36	1:55	2:04	2:12
2:05	2:28	2:36	2:55	3:04	3:12
3:45	4:08	4:16	4:36	4:45	4:53
4:46	5:09	5:17	5:37	5:46	5:54
5:15	5:38	5:46	6:06	6:15	6:23
5:48	6:11	6:19	6:39	6:48	6:56
6:30	6:53	7:01	7:21	7:30	7:38
7:30	7:53	8:01	8:21	8:30	8:38
8:30	8:53	9:01	9:21	9:30	9:38
9:05	9:28	9:36	9:56	10:05	10:13
Saturday, Sunday & Holidays					
10:15	10:38	10:46	11:06	11:15	11:23
1:00	1:23	1:31	1:51	2:00	2:08
3:45	4:08	4:16	4:36	4:45	4:53
6:30	6:53	7:01	7:21	7:30	7:38

Appendix B: FVX Online Survey Results

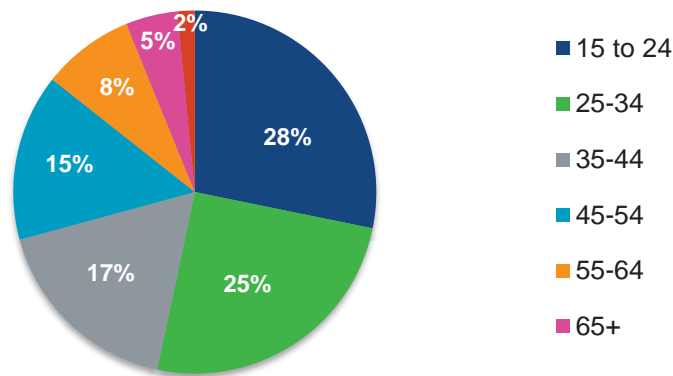
To inform the expansion of weekend and holiday service, BC Transit hosted an online survey between **April 3 - 15, 2018** to gather input and feedback about the proposed service expansion. Nearly 200 people responded to the survey, with the results summarized below.

1. Respondent Characteristics

Respondents of the online survey were asked demographic questions and their patterns of transit use. Results indicated the following:

- **Age:** The largest age group of respondents was 15 to 24 (28%), with another 25% of respondents being in the age group of 25 to 34, and 17% being in the age group of 35 to 44.

Which age group are you?

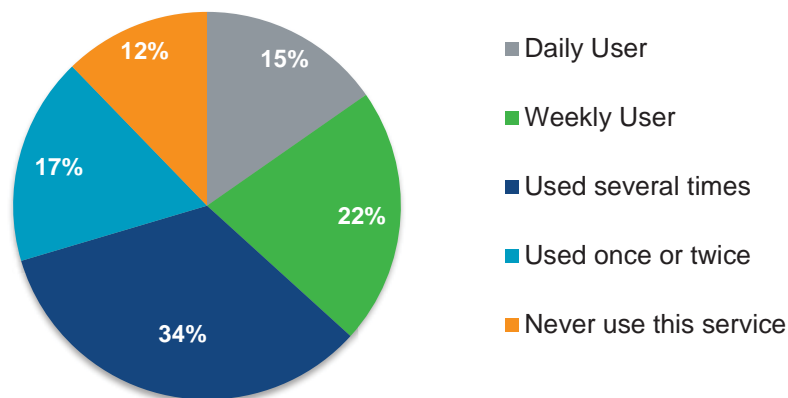


- **Transit use:** 48% of respondents indicated being daily transit users, 27% use transit weekly, 18% used transit within the last month, 6% used transit within the last six months, and 1% never use transit.
- **Community lived in:** Nearly half (43%) of respondents live in Abbotsford, with other respondents from Chilliwack (37%), Langley (5%), as well as respondents elsewhere (15%), including Vancouver, Port Coquitlam and Surrey.
- **Form of payment:** 35% of respondents use cash as their primary form of fare payment, 31% monthly passes, 19% tickets, 15% other. UPass and BC Bus Pass were common other answers
- **Location of ticket vendors:** Participants were asked where they primarily purchased tickets, with 24% purchasing from an Abbotsford / Mission vendor, 22% from a Chilliwack Vendor, 11% purchased online, while 5% purchased from a Langley vendor. The remaining 9% indicated from another location.

2. FVX Use

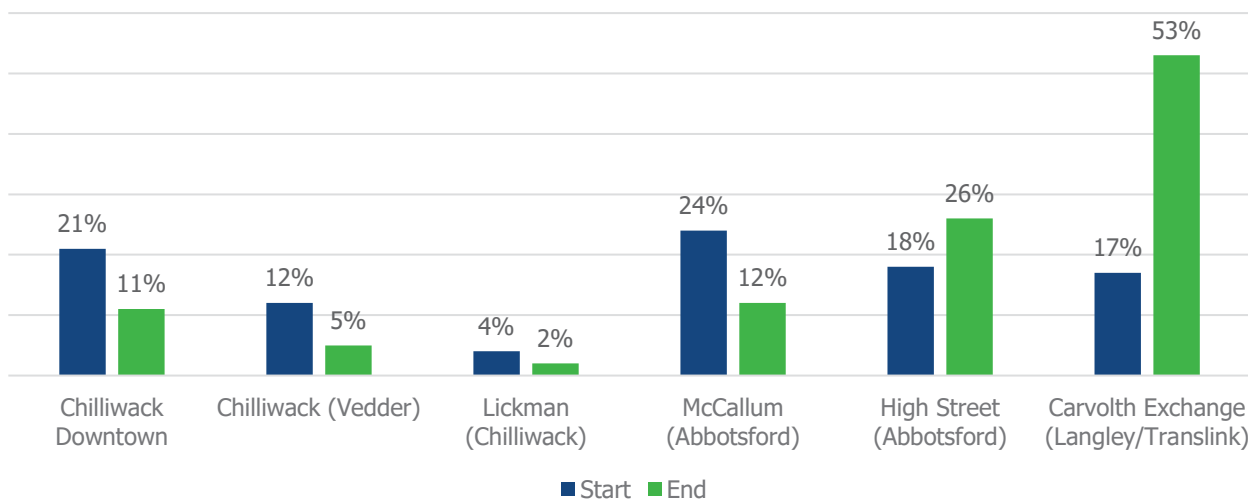
- FVX patterns:** The survey asked participants to identify their typical experience with the FVX in terms of ridership patterns. As can be seen in the chart below, one third (33%) of respondents indicated they have used the 66 FVX several times, 21% identified as weekly users, 17% use the service once or twice while 15% reported as being daily users.

What best describes your experience with the 66 FVX?



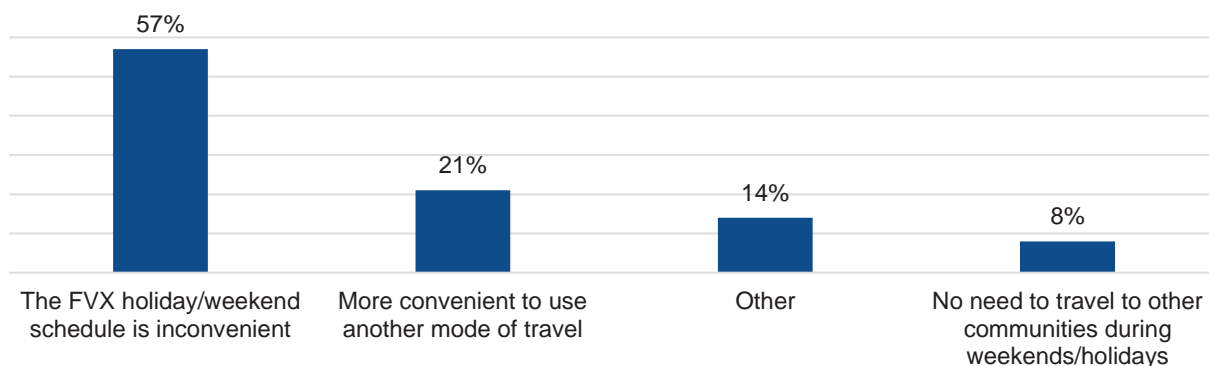
- FVX Use by time of day:** Survey respondents were asked to indicate what times they typically use the FVX service, and were able to choose all times that applied to them:
 - Weekdays: Morning peak (48%); Midday (58%) ; Afternoon peak (53%); Evenings (50%)
 - Weekends (82%)
 - Holidays (40%)
- Trip Origin & Destination:** As per the chart below, over half of respondents (53%) indicated that their trip ends at Carvolth Exchange, while the start of the trip had more variability:

If you use the FVX on weekends/holidays, where does your primary trip start and end?



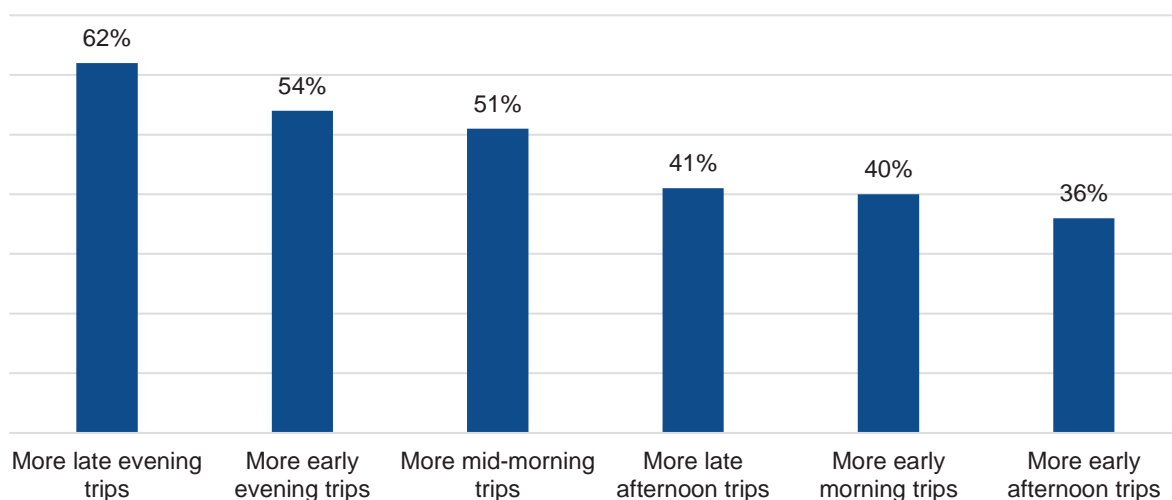
- Participants were asked what the primary purpose of their **weekend/holiday FVX** trip was, with results showing:
 - 40% of respondents identified shopping/recreation
 - 22% Family purposes
 - 10% Work
 - 5% School
 - 4% Health appointment
 - 5% chose other
- Participants were asked why they **did not currently use the FVX on weekends/holidays**, the reasons are shown below, with the dominant reason being the current inconvenience of the weekend schedule.

If you do not currently use the FVX on weekends / holidays, why not?



- Weekend service improvements:** Respondents were asked to identify weekend schedule improvements they would like to see, and were able to choose multiple answers. The majority of respondents indicated they would like more late evening trips, and/or more early evening trips. Mid-morning and late afternoon trips were also a high priority.

What types of schedule improvements to FVX weekend service would you like to see?



- **New trip distribution:** Respondents were asked to pick if they would prefer new weekend FVX trips to be distributed evenly throughout the day or clustered during certain parts of the day.
 - 75% indicated more trips distributed evenly throughout the day, and
 - 20% indicated more trips clustered during certain parts of the day.
 - The remainder indicated a preference for more trips earlier in the morning and later in the evening.
- Participants were asked if **improvements to the weekend FVX schedule would encourage taking the service more**, with results as follows:
 - Yes (70%)
 - Maybe – depending on schedule (27%)
 - No (3%)

3. Open-ended Survey Feedback: Comments and Suggestions

Survey participants were also able to provide open-ended feedback and comments at the end of the survey. In general, participants were largely supportive of the proposed weekend/holiday service expansion for the 66 FVX. Key themes that emerged through these comments included:

- Improve the frequency of 66 FVX in general (filling in weekday gaps, longer service spans in the evening, support for more weekend frequency)
- Having a direct connection to a TransLink's system – including linking to a Skytrain or West Coast Express station was identified by many respondents
- Better integration with TransLink's fare structure (Compass card), identified as a reason that can make using transit difficult
- Expensive fare, better fare integration with TransLink
- Explore more than doubling to the service – desire for late-late night service between Metro Vancouver and the Fraser Valley on weekends (to accommodate late evening weekend events in Vancouver, working schedules)
- More FVX stops

Appendix C: FVX Fall 2018 Schedule by Stop Location

Weekend Holiday Service – FVX 66

Route: 66 Fraser Valley Express (FVX)
 Garage: CHW Chilliwack Garage
 Direction: West - East

Block	From	Note	DWTN	VDLK	LICK	MCCA	HIGH	CARV	CARV	HIGH	MCCA	LICK	VDLK	DWTN	Note	To
7000	(8:52)		9:00	9:07	9:15	9:35	9:46	10:09	10:15	10:38	10:46	11:06	11:15	11:23		
7001	(10:07)		10:15	10:22	10:30	10:50	11:01	11:24	11:30	11:53	12:01	12:21	12:30	12:38		
7000			11:45	11:52	12:00	12:20	12:31	12:54	13:00	13:23	13:31	13:51	14:00	14:08		
7001			13:00	13:07	13:15	13:35	13:46	14:09	14:15	14:38	14:46	15:06	15:15	15:23		
7000			14:30	14:37	14:45	15:05	15:16	15:39	15:45	16:08	16:16	16:36	16:45	16:53		
7001			15:45	15:52	16:00	16:20	16:31	16:54	17:00	17:23	17:31	17:51	18:00	18:08		
7000			17:15	17:22	17:30	17:50	18:01	18:24	18:30	18:53	19:01	19:21	19:30	19:38	(19:46)	
7001			18:30	18:37	18:45	19:05	19:16	19:39	19:45	20:08	20:16	20:36	20:45	20:53	(21:01)	

Fraser Valley Regional Transit

11 Agassiz-Harrison Transit

To Harrison					To Chilliwack				
Monday to Friday									
(A)	(V)	(X)	(Y)	(Z)	(Z)	(Y)	(X)	(V)	(A)
Downtown Exchange	Rosedale: Yale and McGrath	Highway 9 and Yale	Agassiz: Pioneer and Park	Harrison Hot Springs Hotel	Harrison Hot Springs Hotel	Agassiz: Pioneer and Park	Highway 9 and Yale	Rosedale: Yale and McGrath	Downtown Exchange
5:25	5:40	5:45	6:00	—	6:35	6:46	7:01	7:06	7:21
6:30	6:45	6:50	7:05	7:16	7:25	7:36	7:51	7:56	8:11
7:25	7:40	7:45	8:00	8:11	D 8:15	8:31	8:56	9:01	9:16
—	—	—	—	—	—	9:04	9:19	9:24	9:39
B 8:25	8:40	8:45	9:00	9:11	9:25	9:36	9:51	9:56	10:11
B 9:25	9:40	9:45	10:00	10:11	B 10:25	10:36	10:51	10:56	11:11
B 12:25	12:40	12:45	1:00	1:11	B 1:25	1:36	1:51	1:56	2:11
B 2:25	2:40	2:45	3:00	3:11	B 3:25	3:36	3:51	3:56	4:11
2:51	3:06	3:11	3:26	—	B 4:25	4:36	4:51	4:56	5:11
D 3:15	3:30	3:45	4:05	4:16	5:25	5:36	5:51	5:56	6:11
4:25	4:40	4:45	5:00	5:11	—	6:26	6:41	6:46	7:01
5:25	5:40	5:45	6:00	6:11	6:20	6:31	6:46	6:51	7:06
F 7:45	8:00	8:05	8:20	8:31	F 8:45	8:56	9:11	9:16	9:31
F 9:45	10:00	10:05	10:20	10:31	F 10:35	10:43	10:58	11:01	11:12
Saturday									
7:25	7:40	7:45	8:00	—	—	—	—	—	—
8:35	8:50	8:55	9:10	9:21	B 9:25	9:36	9:51	9:56	10:11
—	—	—	—	—	—	11:04	11:19	11:24	11:39
B 10:25	10:40	10:45	11:00	11:11	B 11:25	11:36	11:51	11:56	12:11
B 12:25	12:40	12:45	1:00	1:11	B 1:25	1:36	1:51	1:56	2:11
1:51	2:06	2:11	2:26	—	—	—	—	—	—
B 3:25	3:40	3:40	4:00	4:11	B 4:25	4:36	4:51	4:56	5:11
—	—	—	—	—	—	5:31	5:46	5:51	6:06
B 5:25	5:40	5:45	6:00	6:11	B 6:20	6:31	6:46	6:51	7:06
7:45	8:00	8:05	8:20	8:31	8:45	8:56	9:11	9:16	9:31
9:45	10:00	10:05	10:20	10:31	10:35	10:43	10:55	10:58	11:09
Sunday – July 1 until Labour Day									
—	—	—	—	—	9:25	9:36	9:51	9:56	10:11
10:25	10:40	10:45	11:00	11:11	11:25	11:36	11:51	11:56	12:11
12:25	12:40	12:45	1:00	1:11	2:25	2:36	2:51	2:56	3:11
3:25	3:40	3:45	4:00	4:11	4:25	4:36	4:51	4:56	5:11
5:25	5:40	5:45	6:00	6:11	—	—	—	—	—
B On-Request trips can route to Bridal Falls and/or the Community and Cultural Recreation Centre in Agassiz.									
D On-Request trips can detour off route within the boundaries of On-Request service.									
F Trip operates Friday only									

Agassiz-Harrison Ticket and Pass Outlets

Agassiz Library
(tickets only)
District of Kent office
Chilliwack City Hall

Village of Harrison
Hot Springs
Fraser Valley Regional
District Office
Online fvrd.ca/transit



22 Hope

To Hope			To Agassiz					
Monday to Friday								
(Y)	(SI)	(B)	(B)	(KL)	(FH)	(U)	(SI)	(Y)
Agassiz: Pioneer and Park	Seabird Island First Nations	Park and 3rd Avenue	Park and 3rd Avenue	Kawakawa Lake Rd and Union	Flood Hope and School Rd	3rd Avenue and Wallace	Seabird Island First Nations	Agassiz: Pioneer and Park
6:00	6:05	6:30	6:37	6:44	6:50	6:58	7:22	7:29
7:38	7:43	8:08	8:13	8:20	8:26	8:34	8:58	9:04
3:26	3:31	3:56	3:56	4:03	4:09	4:17	4:41	4:48
5:05	5:10	5:35	5:35	5:42	5:48	5:56	6:20	6:26
Saturday								
8:00	8:05	8:30	8:36	8:43	8:49	8:57	9:21	9:28
9:38	9:43	10:08	10:13	10:20	10:26	10:34	10:58	11:04
2:26	2:31	2:56	2:56	3:03	3:09	3:17	3:41	3:48
4:10	4:15	4:40	4:40	4:47	4:53	5:01	5:25	5:31

Fares

Agassiz-Harrison and Hope subject to change

Cash

All	\$ 2.50
Child, 4 or under	Free

DayPASS

All	5.00
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Tickets (10)

All	22.50
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Monthly Pass

Adult	44.00
Student/Senior*	35.00

* Reduced fare with valid I.D. for persons 65 or over, and students in full-time attendance to Grade 12.

UFV U-PASS is valid in Chilliwack and Agassiz-Harrison only.

Holiday Service

11 Agassiz-Harrison has holiday service on Canada Day, July 2, BC Day and Labour Day. No other holiday service.

22 Hope does not have holiday service.

Hope Ticket and Pass Outlets

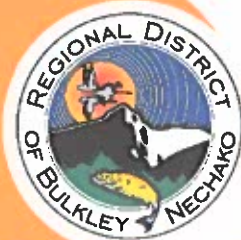
District of Hope Visit bctransit.com for updates

Dan Sharrers Aquatic Centre

Fraser Valley Regional District

Online fvrd.ca/transit





37, 3RD AVE, PO Box 820
BURNS LAKE, BC
VOJ 1E0

REGIONAL DISTRICT
OF BULKLEY-NECHAKO
"A WORLD OF OPPORTUNITIES WITHIN OUR REGION"

Ministry of Environment and Climate Change Canada
200 Sacré-Coeur Boulevard
Gatineau, QC
K1A 0H3

Attention: The Honourable Catherine McKenna
Minister of Environment and Climate Change Canada

Dear Ms. McKenna,

RE: Support of the Province of B.C.'s Caribou Recovery Program

The Board of the Regional District of Bulkley-Nechako (RDBN), would like to request that Ottawa support the Province, in collaboration with all relevant local interests and inclusive of local governments, to develop and implement Caribou Recovery Program to maintain and recover BC's caribou herds.

The RDBN agrees with Minister Donaldson, FLNRORD's opening remarks, in the *Provincial Caribou Recovery Program Discussion Paper*, that it is important to "reduce threats to caribou, while balancing the needs of all British Columbians, including Indigenous communities, industry and recreation enthusiasts."

We cannot understate the need to balance socioeconomic needs while developing plans to maintain and recover caribou. Forestry, mining, and recreation are important values that must be considered concurrently with the caribou recovery. The Province has advised that it aims to include local governments in developing predictable zonation and thresholds to provide certainty to affected natural resource users.

The RDBN is committed to work with the province to plan natural resource utilization that supports our local communities and minimizes impacts to local caribou herds. Minister Donaldson has committed to involving local governments in the caribou recovery to ensure that local knowledge and priorities are incorporated as we move forward.

MUNICIPALITIES:

SMITHERS FORT ST. JAMES
VANDERHOOF FRASER LAKE
HOUSTON TELKWA
BURNS LAKE GRANISLE

ELECTORAL AREAS:

A - SMITHERS RURAL E - FRANCOIS/OOTSA LAKE RURAL
B - BURNS LAKE RURAL F - VANDERHOOF RURAL
C - FORT ST. JAMES RURAL G - HOUSTON RURAL
D - FRASER LAKE RURAL

INQUIRIES@RDBN.BC.C

WWW.RDBN.BC.C

PH: 250-692-319

FX: 250-692-330

TF: 800-320-333

We support the Province's ongoing efforts to compile current and accurate data reflecting caribou use as the most recent updated scientific information, including spatial representation of habitat, as an essential step to achieve the objectives of protecting caribou herds while balancing the socioeconomic impacts and the needs of other species, including moose habitat and predator management.

Thank you for your consideration,



Bill Miller
Chair
Regional District of Bulkley-Nechako

cc: The Honourable John Horgan, Premier, Province of B.C.
The Honourable George Heyman, Minister of Environment and Climate Change Strategy
The Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development
North Central Local Government Association Members
Union of B.C. Municipalities Members



CITY OF WILLIAMS LAKE

450 MART STREET, WILLIAMS LAKE, BRITISH COLUMBIA V2G 1N3
TELEPHONE (250)392-2311 FAX (250)392-4408

July 17, 2018

The Honourable Carole James
Minister of Finance and Deputy Premier
PO BOX 9048 STN PROV GOVT
Victoria BC
V8W 9E2

Dear Minister / Deputy Premier James:

Re: Employer Health Tax Impact on Local Government

This is to advise that the City of Williams Lake Council passed the following resolution at its regular meeting held Tuesday, May 29th, 2018:

"That pursuant to the report of the Chief Financial Officer dated May 17, 2018, Council support the resolution of the Council for the City of Langley and request the Province of BC to exempt local governments, regional districts and school boards from the imposition of the EHT to lessen the financial burden on local taxpayers, especially those that are on fixed incomes and further that correspondence to that effect be sent to the Province of BC."

The City of Williams Lake, like many local governments have a limited revenue base that relies heavily on property taxation. The new Employer Health Tax will put additional cost pressure on the City of Williams Lake (and other BC local governments) that would have to be passed to municipal taxpayers, placing an undue share on lower and middle income British Columbians.

If you have any questions in this regard, please contact the undersigned.

Sincerely,


Mayor Walt Cobb

cc: UBCM Member Municipalities



MUSEUM
of the
CARIBOO CHILCOTIN

www.williamslake.ca

