

To: CAO for the Electoral Area Services Committee

Date: 2019-05-08

From: David Bennett, Planner II

File No: 3360-23-2019-02

Subject: The purpose of Bylaw 1525, 2019 is to amend the Comprehensive Development 1 (CD-1) zone to permit the construction of Enclosed Decks in the Bridal Falls RV Resort located at 53480 Bridal Falls Road, Electoral Area "D".

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first reading to the bylaw cited as *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* to permit the construction of Enclosed Decks in the Bridal Falls RV Resort;

THAT the *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* be forwarded to Public Hearing;

THAT the Fraser Valley Regional District Board delegate the holding of the Public Hearing with respect to the proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* to Director Dickey or his alternate in his absence;

THAT Director Dickey or his alternate in his absence, preside over and Chair the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019*;

AND THAT the Chair of the Public Hearing be authorized to establish procedural rules for the conduct of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* in accordance with the Local Government Act;

AND FURTHER THAT in the absence of Director Dickey, or his alternate in his absence at the time of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019*, the Fraser Valley Regional District Board Chair is delegated the authority to designate who shall preside over and Chair the Public Hearing regarding this matter;

AND FINALLY THAT the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

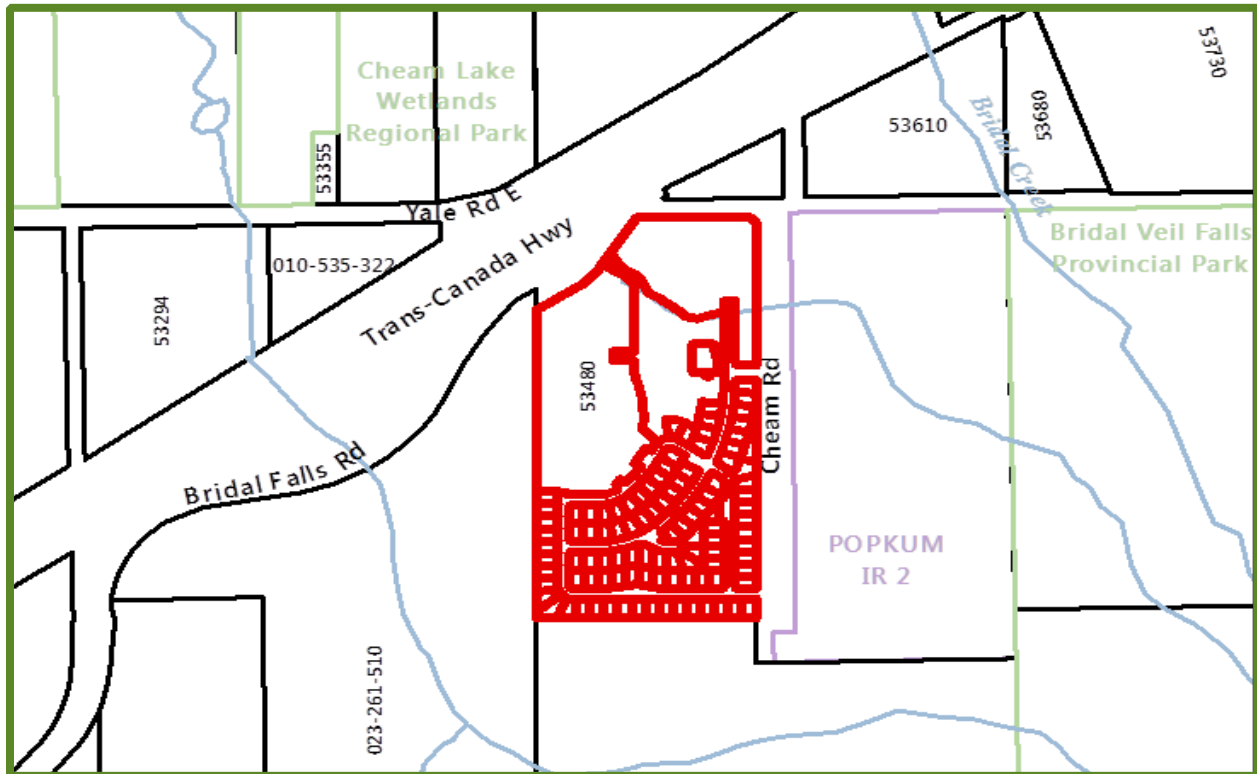
BACKGROUND

Proposal Description

The purpose of Bylaw 1525, 2019 is to amend the Comprehensive Development 1 (CD-1) zone to permit the construction of Enclosed Decks in the Bridal Falls RV Resort. Enclosed Decks are only intended to provide for weather and wind protection and may only be constructed of safety glass panels that are mounted on hardware allowing for the panels to be opened. Enclosed Decks must not increase habitable space (cannot be a bedroom or washroom). A Building Permit would also be required for each Enclosed Deck.

PROPERTY DETAILS			
Electoral Area		D	
Address		53480 Bridal Falls Road	
PID		029-454-387	
Folio		733.06403.060	
Lot Size		7.834 acres	
Owner	Bridal Falls RV Park	Agent	n/a
Current Zoning	Comprehensive Development (CD-1)	Proposed Zoning	No change: text amendment
Current OCP	Highway Tourist Recreation Commercial (HTRC)	Proposed OCP	No change
Current Use	Holiday Park	Proposed Use	No change
Development Permit Areas		DPA 1-D and DPA 3-D	
Hazards		Alluvial Fan	
Agricultural Land Reserve		No	
ADJACENT ZONING & LAND USES			
North	^	Local Tourist Commercial (C-4), Gas Station	
East	>	Rural (R), Popkum IR 2	
West	<	Rural (R), Crown Land	
South	v	Rural (R), Crown Land	

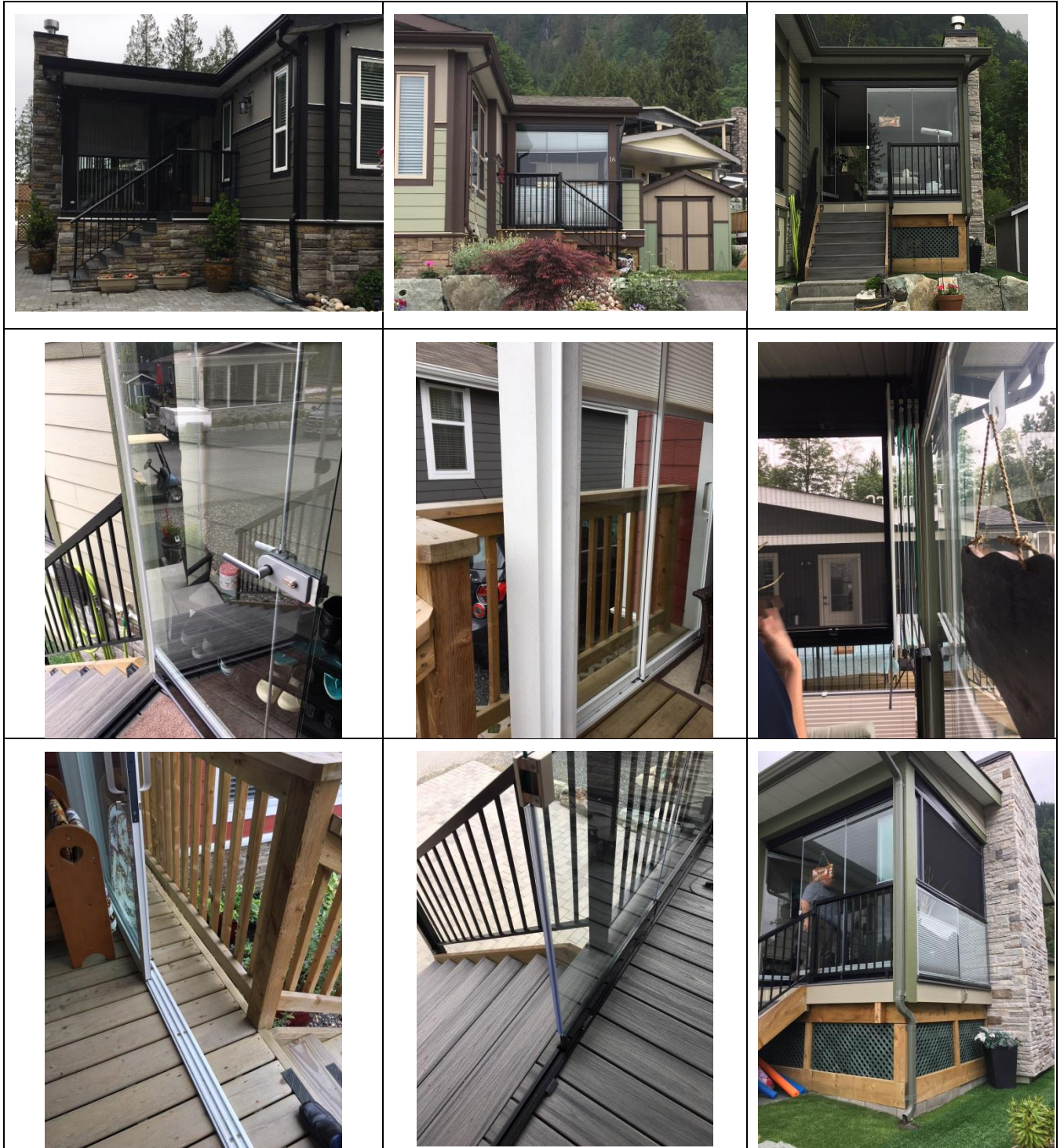
NEIGHBOURHOOD MAP



PROPERTY MAP



ENCLOSED DECKS at the Bridal Falls RV Resort 53480 Bridal Falls Road, Electoral Area "D".



Examples of enclosed decks already installed in the development contrary to current FVRD bylaws.

DISCUSSION

Bridal Falls RV Resort is zoned Comprehensive Development 1 (CD-1). The CD-1 zone expressly prohibits strata lot owners from constructing enclosed decks on their strata lots. Only open decks are permitted. The regulations regarding open decks is highlighted in the table below, Bylaw Section 2702

2700 CONDITIONS OF USE

Type of Use and Structures	Minimum Strata Lot Size Required for Types of Uses and Structures.	
	130m ²	222m ²
One (1) Recreational Vehicle	Permitted	Permitted
One (1) Holiday Cottage	NOT permitted	Permitted
One (1) Shed - Maximum Size 9.3m ² (100 sq ft)	Permitted	Permitted
One (1) Open Deck	NOT permitted	Permitted
One (1) Ramada	Permitted	Permitted in combination with the siting of a recreational vehicle,
		Not permitted in combination with the siting of a Holiday Cottage.
Enclosed Deck (e.g. Arizona room/sunroom)	NOT Permitted	NOT Permitted
Any structure that is attached to a Recreational Vehicle or a Holiday Cottage	NOT Permitted	NOT Permitted
The use of a bunk house, shed or similar structures for sleeping accommodation.	NOT Permitted	NOT Permitted

In December 2017, the FVRD received complaints about deficiencies within the development. The initial concerns were related to the way that certain fire hydrants had been incorrectly installed. The FVRD instructed the developer to correct the fire hydrant installation issues.

In March 2018, the FVRD received complaints about other aspects of the development relating to construction on individual strata lots. FVRD staff conducted a site inspection and at this time it was determined that the issues raised were unlikely to represent imminent health or safety hazards.

On May 17th, 2018 the FVRD conducted a second site inspection to review construction complaints.

On July 10th, 2018 the FVRD met with the developer on site to review the complaints and to conduct a site tour with the developer. A number of concerns were identified and the FVRD's letter dated July 24,

2018 provides further background on the deficiencies in the development that require the developer to address.

The FVRD's response to the developer regarding enclosed decks was as follows:

"Enclosed Decks (e.g. Arizona room/sunroom) are expressly prohibited on any lot within the development under the Comprehensive Development 1 (CD-1) Zone. The enclosed decks inspected all included floor to ceiling glass sliding panels on tracks that could be opened. Some of the glass panels included blinds. You clarified that all glass enclosures were approved by Bridal Falls RV Park and are all installed to your standards using a Lumon Retractable Frameless Glass Windbreak standard.

The rationale for the Comprehensive Development 1 (CD-1) Zone excluding "Enclosed Deck (e.g. Arizona room/sunroom) and specifically referencing "One (1) Open Deck", was based upon the desire to allow for construction of Open Decks under 215 sq ft without Building Permits. This is in keeping with the allowance to place Holiday Cottages without Building Permits and for placement of sheds under 100 sq ft. without Building Permits. During the rezoning review, decks were expressly considered as Open Decks and not habitable space because the sanitary sewer capacity is calculated based on seasonal occupancy of sites and maximums of 1-2 bedrooms. Enclosing open decks may lead to additional occupancy and sewage flows and may require further review.

The "Recreational Vehicles" and "Holiday Cottages" are defined in the Comprehensive Development 1 (CD-1) Zone to not require the issuance of a Building Permit. Open decks that are less than 20 m² (215 sq.ft) do not require issuance of a building permit. Enclosed decks require issuance of a building permit. The CD zone was specifically written to exclude enclosed decks/sunrooms/Arizona rooms so that site users would not have to obtain building permits if they constructed open decks under 20 m². Changes to the CD zone to allow enclosed decks will require an application for a zoning amendment."

On March 5, 2019, the developer made this rezoning application to address enclosed decks. The developer has expressly requested that this bylaw amendment be written so that only very specific materials are permitted to be used for enclosed decks. The developer does not wish to have strata owners install any other type of enclosed deck in order to achieve uniformity in the development and to maintain a certain aesthetic.

NEXT STEPS

Staff recommend that the FVRD Board give first reading to the proposed bylaw in order to proceed to a public hearing. The public hearing will be the opportunity for the residents of the development to express their opinions on the proposal to permit enclosed decks.

After consideration of First Reading and prior to Public Hearing, the developer will have to work with the FVRD Building Department to develop standard Building Permit drawings and specifications for enclosed decks, to streamline the Building Permit process for each individual strata lot owner. Input from the FVRD' emergency services department will also be incorporated into the development of a standard building permit.

Prior to consideration of adoption, the developer will be required to address all of the deficiencies identified in the FVRD's July 24 2018 letter.

First Nations

In accordance with the FVRD Policy "*First Nations Engagement on FVRD Land Use Bylaws and Other Matters With Statutory Requirement to Engage*", a notice and referral of the bylaw to potentially affected First Nations is considered appropriate. The bylaw will be referred to the neighbouring First Nations as part of the neighbourhood notification process.

COST

Zoning Amendment fee of \$2500 paid by the applicant.

CONCLUSION

It is recommended that Bylaw 1525, 2019 be given first reading and forwarded to public hearing.

COMMENTS BY:

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

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

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

Jennifer Kinneman, Acting Chief Administrative Officer; Reviewed and supported