

To: Fraser Valley Regional District Board

Date: 2019-09-18

From: Graham Daneluz, Deputy Director of Planning & Development File No: 6480-20-589

Subject: Official Community Plan Amendment Bylaw No. 1533, 2019 for Electoral Areas E & H

RECOMMENDATION

THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019* be given second and third reading;

AND THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019* be adopted.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship

Foster a Strong & Diverse Economy

Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

BACKGROUND

Official Community Plan Amendment Bylaw No. 1533, 2019 addresses two outstanding issues related to the Official Community Plan (OCP) for Electoral Area "E":

1. Shortly after the adoption of the OCP for Area E, the electoral area was divided into two separate areas – Areas E and H. This split was not reflected in the OCP and, as a result, there has been some confusion for Area H residents about which OCP covers their community.
2. Experience with the 'Aquadel' development in Cultus Lake South revealed that some of the land use policies for Cultus Lake South were not well supported in the community. Neighbourhood leaders from the Lindell Beach, Cottages and Spring Creek developments asked that these policies be amended to better reflect the interests of the community.

Proposed Bylaw No. 1533, 2019 would address these issues by:

- Changing the name of the plan to the Official Community Plan for Electoral Areas E and H;
- Adding text to various sections of the plan to explain the division of Electoral Area E into Areas E and H;

- Amending the description of OCP area and boundaries in Section 1.3 to describe both Areas E and H;
- Altering the manner in which “useable land” is determined for resort developments in Cultus Lake South such that sensitive habitats (including riparian areas) are excluded;
- Removing Multi-family Resort Residential use as a supported land use in Cultus Lake South;
- Revising Policy 7.8.5 to require resort developments to provide community water systems, including fire hydrants, with sufficient water flow for fire suppression (rather than recommend that they should provide such systems);
- Deleting Policy 7.1.3.7 which supported the redevelopment of the commercial site on Lindell Avenue to a Multi-family Resort Residential use and reflecting the ongoing commercial use of this site on Map Schedule 10B – Cultus Lake South – Land Use Concept Map; and,
- Updating the maps in Schedule 10B – Cultus Lake South – Land Use Concept Map and Schedule 10C Cultus Lake South – Trail Concept Map to remove the ‘Potential Community Park’ symbol from the ‘Aquadel’ development site as no community park was developed there. On March 27, 2018 the FVRD Board directed FVRD staff and the applicants to address the concerns raised by the surrounding neighbours at the first Public Hearing held on March 13, 2018 and to hold a Second Public Hearing.

Proposed Bylaw No. 1533 was discussed with key stakeholders at in-person meetings, it was referred to various organizations for comment and a public information meeting was held to present it to the community. A report detailing consultation efforts was provided to the Board in July.

The bylaw received first reading from the FVRD Board on July 23, 2019.

DISCUSSION

The public hearing for *Bylaw No. 1355, 2019* was held on August 28, 2019. Director Dixon was delegated to hold the hearing; her public hearing report is attached separately. Approximately 8 members of the public attended the hearing. One oral submission was made at the public hearing in support of the bylaw.

As the Public Hearing has now closed, the Regional Board may not receive any new information with respect to this bylaw. This report is a summary and does not constitute new information.

In accordance with Section 470 of the Local Government Act the procedure after the public hearing is as follows:

- After a public hearing, the council or board may, without further notice or hearing,
- (a) adopt or defeat the bylaw, or
 - (b) alter and then adopt the bylaw, provided that the alteration does not

- (i) alter the use,
- (ii) increase the density, or
- (iii) without the owner's consent, decrease the density of any area from that originally specified in the bylaw.

Accordingly, the Fraser Valley Regional District Board may now receive the public hearing report and may consider the following options:

OPTION 1 2nd / 3rd Readings & Consideration of Adoption (Staff Recommendation)

THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019* be given second and third reading.

AND THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019* be adopted.

The Board is able to give 2nd Reading, 3rd Reading and, by separate resolution, adopt *Bylaw No. 1533, 2019* at the same meeting. Section 4.24.3 of *FVRD Board and Committee Procedures Bylaw No. 1305, 2015*, states that, "...any bylaw which does not require approval, consent, or assent under the provisions of the Act or any other enactment prior to the adoption of the bylaw may be adopted at the same meeting of the Board at which it passed third reading, provided the motion for adoption receives an affirmative vote of at least two-thirds (2/3) of the votes cast, otherwise, a Board must not adopt a bylaw on the same day it has given the bylaw Third Reading."

Alternatively, the Board may wish to consider:

OPTION 2 Refer to Staff & EASC for further consideration

THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019* be referred to Staff and the Electoral Area Services Committee for further consideration.

OPTION 3 Defer

THAT consideration of the proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019* be deferred to the next regular meeting of the Fraser Valley Regional District Board [or other date]; or

OPTION 4 Refuse

THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019* not be given any further readings.

Attached for information:

- *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1533, 2019*

- Public Hearing Report- August 28, 2019

COST

Costs for consulting services in the amount of \$16,000 (approximately) are covered by Electoral Area "H" Community Works Fund grant monies. Costs for the FVRD staff time required to draft the Bylaw, coordinate the consultant, and public hearing will be borne by the EA Planning budget.

COMMENT BY:

Margaret Thornton, Director of Planning & Development	Reviewed and supported
Mike Veenbaas, Director of Financial Services	No further financial comments
Jennifer Kinneman, Acting Chief Administrative Officer	Reviewed and supported