

To: Electoral Area Services Committee

Date: 2020-03-10

From: Andrea Antifaeff, Planner I

File No: 3920-20 1572 & 1573

**Subject: Cultus Lake Advisory Planning Commission Repeal Bylaw No. 1572, 2020 and FVRD Development Procedures Amendment Bylaw No. 1573, 2020**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as *Fraser Valley Regional District Cultus Lake Park Advisory Planning Commission Repeal Bylaw No. 1572, 2020*;

**AND THAT** the Fraser Valley Regional District Board consider giving three readings and adoption to the bylaw cited as *Fraser Valley Regional District Development Procedures Amendment Bylaw No. 1573, 2020*;

**AND FURTHER THAT** the Fraser Valley Regional District Board direct staff to proceed with the planning application referral process to Cultus Lake Park as outlined in this corporate report.

### STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

### BACKGROUND

The Cultus Lake Advisory Planning Commission (APC) was established in 2018 to assist with the implementation of the Cultus Lake Park Zoning Bylaw No. 1375, 2016 and to generally advise the FVRD Board on matters related to land use, community planning and the preparation of bylaws. The Cultus Lake APC has met six times since its establishment.

Recently, Director Dixon, Fraser Valley Regional District staff and Cultus Lake Park representatives and staff have been meeting to explore opportunities to improve the process for receiving Cultus Lake Park input on planning matters within the Park.

## DISCUSSION

### Advisory Planning Commission Bylaw 1378, 2016

The *Cultus Lake Advisory Planning Commission Bylaw No. 1378, 2016*, established an Advisory Planning Commission (APC) for Cultus Lake Park. The idea of the APC was to provide recommendations to the Electoral Area Director, the Electoral Area Services Committee and the FVRD Board regarding planning, development and land use within Cultus Lake Park. The APC is comprised of the Commissioners elected to the Cultus Lake Park Board.

Through conversations between Taryn Dixon, Electoral Area H Director, Cultus Lake Park Commissioners and staff and FVRD staff, it has been determined that the APC is not meeting the needs of the parties involved. The FVRD has been asked to re-evaluate the process for obtaining comments from CLP on planning matters under consideration by the FVRD Board.

### Planning Application Referrals

Decisions on planning applications that stem from FVRD bylaws are the responsibility of the FVRD Board as set out in the *Local Government Act*. The Board carries the responsibility for these decisions and any liability that flows from them. Some decisions that the FVRD Board make have the potential to affect other agencies. Where this is the case, the Regional District seeks input from these agencies through a referral process.

Cultus Lake Park is responsible for roads, parking, public lands, waste collection services and other matters within the park. As a result, decisions made by the FVRD Board on planning applications may affect the Park. A referral process will ensure that any comments CLP wish to provide about development applications before the FVRD Board will be considered by the Board.

Referrals to Cultus Lake Park will follow will be sent as follows:

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| Who  | FVRD staff will prepare and send a referral to Cultus Lake Park. Cultus Lake Park staff will process the referral and return comments to the FVRD within referral response timelines (or requested extended timeline).   |
| What | Planning applications (Development Variance Permits, Temporary Use Permits and Zoning amendments) that may affect matters within the jurisdiction of Cultus Lake Park will be referred to Cultus Lake Park for comment from the viewpoint of Cultus Lake Park bylaws, regulations and policies. Public notice and input will be a separate process undertaken by the FVRD in accordance with FVRD bylaws and the <i>Local Government Act</i> . |
| When | Referrals will be sent upon receipt and intake of the application so that comments may be received (usually within 30 days) before the FVRD Board Meeting when the application would normally be considered. Where the 30 days referral timeline does not provide adequate time for response, Cultus Lake Park may request and receive an extension to the response time.  |
| Why  | It is the sole responsibility of the FVRD Board to address planning and development applications that stem from FVRD bylaws. Cultus Lake Park has jurisdiction over Park lands, roads, parking on roads and public lots, waste collection and other matters within the Park.   |

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|     | FVRD development approvals may affect matters within the jurisdiction of Cultus Lake Park and referrals will provide an effective opportunity for Cultus Lake Park to identify impacts and provide comments from the perspective of their bylaws, regulations and policies. |
| How | Applications with a cover letter will normally be sent by email to the Cultus Lake Park CAO.  |

The referral process outlined above would not replace the public notification process required for planning application processes. For example, for a development variance permit application, all neighbours within 30 metres of the subject property will receive a notice in the mail describing the application and providing details of the date and time when the application will be considered by the FVRD Board. Neighbours will submit their comments directly to FVRD.

#### Development Procedures Bylaw No. 1377, 2016

An amendment to the Development Procedures Bylaw is also required as a result of the Cultus Lake APC bylaw being repealed and moving to a referral process for planning applications. The FVRD Development Procedures Bylaw needs to be amended to delete the following text:

- 3.1 *"Cultus Lake Park" means the lands identified in the Cultus Lake Park Act as forming Cultus Lake Park.*
- 4.2 *Development Variance Permit applications, Temporary Use Permit application and amendment applications concerning land within Cultus Lake Park shall be referred to the Advisory Planning Commission for Cultus Lake Park and the recommendations of the Advisory Planning Commission shall be considered by the Electoral Area Services Committee and Board.*

#### **COST**

There will be a cost savings to FVRD with the repeal of the Cultus Lake APC Bylaw. In addition, the referral process should streamline application processing and result in savings for applicants.

#### **CONCLUSION**

Staff recommend that proposed Fraser Valley Regional District Cultus Lake Advisory Planning Commission Repeal Bylaw No. 1572, 2020 and Fraser Valley Regional District Development Procedures Amendment Bylaw No. 1573, 2020 be given three readings and adoption and that the Fraser Valley Regional District Board direct staff to proceed with the planning application referral process to Cultus Lake Park as outlined in this corporate report. The proposed referral process is consistent with how the FVRD currently manages inter-agency referrals. It should streamline the process while still providing an effective opportunity for Cultus Lake Park to provide their comments on applications.

**COMMENTS BY:**

**Graham Daneluz, 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.