To: Electoral Area Services Committee  
From: David Bennett, Planner II  
Subject: Zoning Bylaw 1597, 2020 Proposed rezoning of 10789 North Deroche Road, Electoral Area G to facilitate a single burial plot within an existing religious building.

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving second and third reading to the bylaw cited Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1597, 2020 for the rezoning of 10789 North Deroche Road, Electoral Area G to permit a single burial plot within an existing religious use building.

STRATEGIC AREA(S) OF FOCUS
Provide Responsive & Effective Public Services

BACKGROUND

The purpose of Bylaw 1597, 2020 is to amend the text of the P-1 zone to permit one (1) burial plot within an existing religious building located at 10789 North Deroche Road, Electoral Area G.
## PROPERTY DETAILS

<table>
<thead>
<tr>
<th>Property Details</th>
<th>Details</th>
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</thead>
<tbody>
<tr>
<td><strong>Electoral Area</strong></td>
<td>G</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>10789 North Deroche Rd</td>
</tr>
<tr>
<td><strong>PID</strong></td>
<td>007-331-525</td>
</tr>
<tr>
<td><strong>Folio</strong></td>
<td>775.03662.200</td>
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<tr>
<td><strong>Lot Size</strong></td>
<td>19.7 acres</td>
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| **Owner**         | Fr. Rudolph D’souza  
Canadian Carmelite Charitable Society |
| **Agent**         | John Clark Architect Inc |

| Current Zoning | Civic Assembly (P-1) & Rural (R) |
| Proposed Zoning | Text Amendment to Civic Assembly |

| Current OCP | Institutional (I) & Rural (R) |
| Proposed OCP | No change |

| Current Use | Religious Assembly |
| Proposed Use | Religious Assembly with interment |

| Development Permit Areas | 1-G – Geologic & Stream Hazard; 2-G Riparian Areas |
| Agricultural Land Reserve | No |

## ADJACENT ZONING & LAND USES

<table>
<thead>
<tr>
<th>Adjacent Area</th>
<th>Details</th>
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<tbody>
<tr>
<td>North ^</td>
<td>Rural 3 (R-3); Forest</td>
</tr>
<tr>
<td>East &gt;</td>
<td>Rural 1 (R-1); Forest</td>
</tr>
<tr>
<td>West &lt;</td>
<td>Rural 1 (R-1); Agriculture</td>
</tr>
<tr>
<td>South v</td>
<td>Rural Residential (RS-1); North Deroche Rd, Agriculture</td>
</tr>
</tbody>
</table>

## NEIGHBOURHOOD MAP
DISCUSSION

Proposal Details

- The proposal is for 1 (one) burial plot.
- The single burial plot is proposed within a room that is apart of an existing larger religious complex.
- The proposed single burial plot is defined as a cemetery and is subject to all provincial regulations regarding cemeteries.
- The applicant must submit an approval document from the Regional Board that confirms the proposed use is permitted by its bylaws before any provincial approvals are granted.
- The current zoning does not permit cemetery uses and therefore requires rezoning to proceed.
Public Hearing Waiver.

The Local Government Act states:

A local government may waive the holding of a public hearing on a proposed zoning bylaw if
(a) an official community plan is in effect for the area that is subject to the zoning bylaw, and
(b) the bylaw is consistent with the official community plan.

This proposed zoning bylaw is consistent with the Local Government Act’s conditions to waive the
holding of a public hearing.

The impact on the neighbourhood will be a single burial plot located within an existing religious use
building. The building is setback from North Deroche Road and the proposed burial room is not visible
from North Deroche Road.

Public Hearing Waiver Notification

The Local Government Act states that if a public hearing is waived, the local government must provide
newspaper notification as well as mailed notification to neighbours.

The notification processes undertaken for this application was:

A sign was posted on the property on June 18, 2020

Notification was mailed to neighbours within 500m on June 26, 2020. The mailout was
extended from 150m to 500m in order to provide notices to more neighbours on North Deroche
Road.

Newspaper ads were published in the July 16 and 23 editions of the Mission Record.

The public notification informed neighbours that they may address comments or concerns to FVRD
staff.

FVRD staff received comments and questions from two neighbours concerned about the ability to
expand the cemetery use beyond the single burial plot.

FVRD staff provided the following statement to neighbours:

This proposed zoning amendment bylaw is a site-specific text amendment. The bylaw would only
permit a single burial plot on the subject property. In other words, no other lands with the same zoning
would be permitted burial plots.
A covenant will further enforce the zoning bylaw and restrict the burial to a single plot within the single room of the existing religious use building located on the property. Covenants run with the lands and are binding on the owner and all future owners.

With the proposed zoning restriction and covenant it would not be possible for additional future burials as they would be in conflict with the zoning bylaw and covenant.

Any future additional burial proposals would require another rezoning application and public process. Whether or not a zoning bylaw is approved or denied is a discretionary power of the FVRD Board. All rezoning applications are considered on their own merits and previous zoning approvals do not establish precedence.

FVRD staff have not receive any further comments or concerns and are recommending proceeding with second and third reading.

**COST**

Rezoning application fee - $2,800.00 **Paid**

**CONCLUSION**

In order to determine whether or not to recommend proceeding to First Reading; FVRD staff’s consideration included the following:

- Official Community Plan supports the religious and assembly use of the property.
- The proposal is limited in scope and scale to one (1) burial plot in an existing building.
- The proposal will be regulated by the Consumer Protection Branch and the associated regulations regarding official burial plots.
- A covenant is recommended to further enforce the zoning bylaw and restrict the burial to a single plot within the single room of the existing religious use building located on the property.
- The proposed zoning amendment bylaw is a site-specific text amendment. The bylaw would only permit a single burial plot on the subject property. In other words, no other lands with the same zoning would be permitted burial plots.
- Neighbourhood concerns regarding the possibility to expand the proposed cemetery use beyond a single burial were addressed and no further comments or concerns were received.
COMMENTS BY:

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

Kelly Lownsbrugh, Director of Finance/Chief Financial Officer: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.