

To: Electoral Area Services Committee

Date: 2021-01-14

From: David Bennett, Planner II

File No: 3360-25-2020-01

Subject: Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021 and Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021 to facilitate the development of a Film Production Facility

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first reading to *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021* to facilitate the development of a Film Production Facility at 44390 Bayview Road, Electoral Area C.

THAT *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021* 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 C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021* to Director Bales or her Alternate in her absence;

THAT Director Bales or her Alternate in her absence, preside over and Chair the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021*;

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 C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021* in accordance with the Local Government Act;

THAT in the absence of Director Bales or her Alternate in her absence at the time of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021* the Fraser Valley Regional District Chair is delegated the authority to designate who shall preside over and Chair the Public Hearing regarding this matter;

THAT in accordance with Section 475 of the Local Government Act and FVRD policy First Nations Engagement on FVRD Land Use by-laws and other matters with statutory requirement to engage, a notice and referral of *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021* be sent to potentially affected First Nations via the Stò:lō Connect referral system where possible;

THAT in accordance with Section 475 of the Local Government Act, the Fraser Valley Regional District Board adopt the Official Community Plan consultation strategy as outlined in the corporate report January 14, 2021 for *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021*. The consultation strategy includes a notice and referral to the Stò:lō Connect referral system;

AND THAT the Fraser Valley Regional District Board consider that *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* is consistent with the FVRD financial plan and FVRD waste management plan;

AND FURTHER THAT the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021* and any associated applications.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship
Foster a Strong & Diverse Economy
Support Healthy & Sustainable Community
Provide Responsive & Effective Public Services

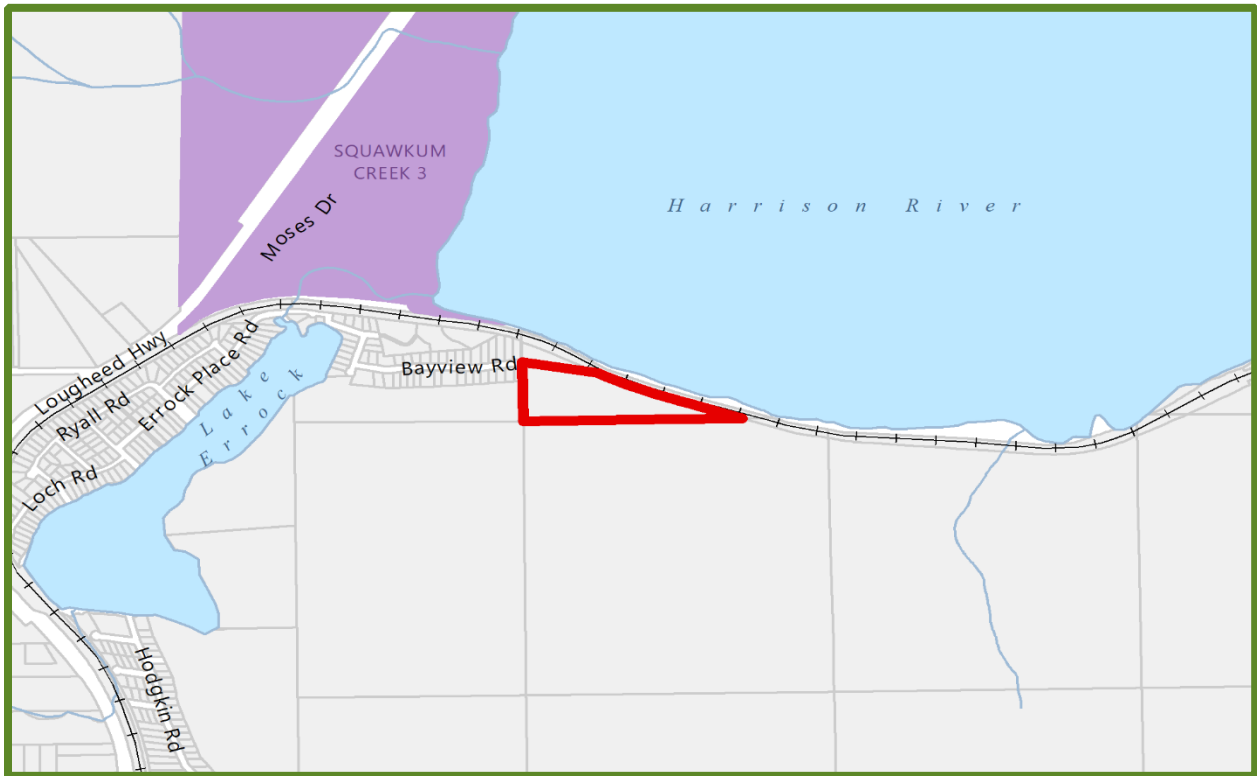
BACKGROUND

The purpose of *Fraser Valley Regional District Electoral Area C Official Community Plan Amendment Bylaw No. 1621, 2021* and *Fraser Valley Regional District Electoral Area C Zoning Amendment Bylaw No. 1620, 2021* is to facilitate the development of a Film Studio and Soundstage at 44390 Bayview Road, Electoral Area C.

PROPERTY DETAILS			
Electoral Area	C		
Address	44390 Bayview Road		
PID	002-041-154		
Folio	775.06714.025		
Lot Size	12.984 acres		
Owner	1064542 BC Ltd (Arcana Studios, Sean O'Reilly)	Agent	Samira Khayambashi (Aplin & Martin Consultants Ltd)
Current Zoning	Rural 3 (R-3)	Proposed Zoning	Rural 6 (R-6)
Current OCP	Limited Use (LU)	Proposed OCP	Rural (R)
Current Use	Residential	Proposed Use	Film Studio
Development Permit Areas	Geologic Hazard Development Permit Area 1-C and 3-C Riparian Areas DPA		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Rural 3 (R-3); Single Family Dwelling, Canadian Pacific Railway, Harrison River
East	>	Rural 4 (R-4), Rural 3 (R-3); Canadian Pacific Railway, Harrison River
West	<	Rural 3 (R-3), Rural Residential 2 (RS-2); Crown land, Single Family Residences
South	v	Rural 3 (R-3); Crown Land

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

To facilitate the development of a Film Studio and Soundstage at 44390 Bayview Road, an OCP amendment and rezoning are required. The proposed development is described as a Director's Retreat for film production. The facilities include camera equipment, lighting, set decoration, hair, a viewing theatre and more. The proposal would allow for an entire production to be produced and delivered at a single location, without the need to deliver equipment to the site for each production.

Application details:

- The proposal will host productions of 1 to 3 weeks in duration.
- Operating hours are proposed to be 7:00AM to Midnight, 6 days a week.
- On-site staffing is 5 to 15 people each day.
- Large production will have more than 100 employees on site.
- The existing house is proposed for on-site worker accommodation.
- 20m Landscape Buffer around the perimeter of the property.

Proposed Construction:

New Building	Soundstage	10,000 sq ft
New Building	Studio	15,000 sq ft
New Building	Production Office	7000 sq ft
Relocate Existing House	Production House	5000 sq ft
Staff Parking	12 spaces + Bus + Commercial Delivery	

Supporting Technical Reports Submitted:

<https://cloud.fvrd.ca/index.php/s/ciX3uh2kHb8M4QS?path=%2FZONooo68/>

Conceptual Servicing Plan:

The conceptual plan, prepared by a Professional Engineer, identifies how the proposed development will be provided with FVRD Community water and on-septic service.

Environmental Impact Assessment Report:

The report addresses environmental considerations such as tree conservation and riparian areas. The objective of the report is to identify and protect important environmental values that are important to Electoral Area C community values by providing a high-level summary of the proposed development and its potential impact.

Preliminary Arborist Report:

This report is intended to address tree preservation relative to the development application. Site clearing will be limited to the needs for new buildings and parking.

Wildfire Hazard Assessment Report:

The overall objective of this report is to assess the potential wildfire threat and provide recommendations and tools to reduce this threat to the development site.

Preliminary Geo-Hazard Feasibility Review:

The purpose of this report is to provide a qualitative geo-hazard feasibility review of the subject property.

Traffic Impact Assessment:

The purpose of this report is to review concerns regarding trip generation for the proposed development and rail crossing impacts. The report concludes that the intersections from Highway 7 to the site will have low impacts in terms of delays and queue lengths. These intersections have low overall delays. The additional traffic generation does not trigger changes to the existing rail crossing. Parking can be accommodated on site.

PROPOSED ZONE – RURAL 6 (R-6)

The Rural 6 zone was developed for a site specific application for a film production facility in Electoral Area F in 2000. The Rural 6 zone was drafted to mitigate impacts on neighbours by requiring vegetated buffers and general regulations that prohibit activities whereby lighting used for film production is directed onto any adjoining lands. The public hearing for the parcel zoned Rural 6 in 2000 did not generate negative comments; the primary public response was positive. FVRD staff are not aware of any ongoing or outstanding neighbour concerns with the operation of the existing film production facility in Electoral Area F or concerns with the zoning bylaw's regulations regarding film production or the Rural 6 zone.

The applicant wishes to rezone 44390 Bayview Road to the Rural 6 zone. However, because the Rural 6 zone contains a broad list of permitted primary and secondary uses, not all of those uses are proposed for 44390 Bayview Road. The following is a summary of the uses permitted, and the uses proposed:

The Rural 6 Zone permits the following land uses:

- Residential
- Film Production Facility Use
- General Agricultural Use
- Public Use
- Accessory Boarding Use
- Accessory Cottage Industry Use
- Accessory Family Residential Use
- Accessory Film Production Conference Facility
- Accessory Home Occupation Use
- Accessory Off-Street Parking Use
- Accessory Outdoor Storage Use
- Accessory Produce Sale Use

- Medical Marijuana Grow Operation

Of these permitted land uses, the proposed development will be limited to the following uses:

- Residential
- Film Production Facility Use
- Accessory Film Production Conference Facility
- Accessory Off-Street Parking Use
- Accessory Outdoor Storage Use

The intent of the proposed development is to accommodate a film production facility, which will entail a studio, a soundstage, accessory office space and parking for production staff. A single-detached home is also proposed for the Subject Site, either by relocating the existing single-detached dwelling or demolishing and constructing a new dwelling. The dwelling is not intended to be a permanent home, but instead used for intermittent overnight stays in conjunction with film production. As a result, any overnight accommodation on the Subject Site should be limited to "Accessory Film Production Conference Facility" use, which allows for:

- a) overnight accommodation of guests in a lodge or cabins;
- b) the provision of food or meals to guests; and,
- c) a maximum of 2,000 square metres floor area of all buildings used for overnight accommodation, meals, and accessory film production conference facility uses.

Despite the intent to have only intermittent overnight accommodation, a 'Residential' land use may be required in the future if the purpose of the dwelling unit changes to provide more permanent accommodations.

It is recommended that a restrictive covenant be offered to limit the proposed uses to only those listed above. Such a covenant would have to be offered by the owner, accepted by the FVRD and then registered on title prior to consideration of bylaw adoption.

Early and Ongoing Public Consultation

The FVRD encourages applicants to discuss their proposals with neighbours early in the development process. The applicants are planning on providing a community mailout to provide specifics about the proposal. Following the mailout, the applicant will then have an opportunity to amend their application, if necessary, to respond to community concerns and comments.

An official Public Hearing will be scheduled after First Reading of the Zoning Bylaw Amendment and Official Community Plan Amendment. FVRD staff anticipate the following sources of public interest:

- Type, timing, and intensity of traffic activity.
- Environmental Impact including grading, surfacing, and land clearing.
- Noise and light pollution due to film production and related activities on the property.

OFFICIAL COMMUNITY PLAN AMENDMENT CONSULTATION:

In accordance with the *Local Government Act*, when adopting or amending an official community plan the Board is obliged to consult with other organizations and agencies. The Board is obliged to consider whether consultation is required with First Nations, senior government agencies or other organizations. In accordance with the FVRD First Nations Engagement policy, it is recommended that a notice and referral of the proposed bylaw be referred to the Sq'ewlets First Nation and the Stó:lō Nation via Stó:lō Connect referral system prior to public hearing.

In accordance with the *Local Government Act*, after First Reading, the regional Board must consider the proposed Official Community Plan amendment in conjunction with Regional District's current Regional Growth Strategy, financial and waste management plans. With regards to the financial plan, this project would be funded by the developer. The proposed bylaw is compatible with and consistent with the FVRD Five Year Financial Plan and Solid Waste Management Plan.

In terms of the FVRD Regional Growth Strategy (RGS), the bylaw is consistent with the 2004 RGS. Goal 7 – Achieve Sustainable Economic Growth supports employment growth and economic diversification in smaller communities. The bylaw is also consistent with the 2020 Draft RGS Update. Under Goal 2 – Economic Strength and Resiliency – is policy 2.1 e. *Support initiatives that provide employment opportunities in rural communities and electoral areas, including Indigenous communities.*

COST

Rezoning application fee, \$2,800.00 PAID

OCP application fee, \$4,000.00 PAID

The proposed development will not add new FVRD owned and operated infrastructure.

CONCLUSION

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

- The applicant submitted all of the required technical assessments. Those assessments conclude that the proposed Film Studio and Soundstage is feasible.
- The proposal can be served by the existing FVRD water system.
- The location is at the end of Bayview Road with two immediate neighbours.
- The Rural 6 zone includes a minimum 20m vegetated buffer from the property boundary, the proposal accommodates this buffer around the entire property.

- Proceeding to First Reading will initiate neighbourhood consultation and allow the applicant to review and respond to any concerns prior to proceeding to a public hearing.

COMMENTS BY:

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

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

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.