

To: Fraser Valley Regional District Board

Date: 2023-03-23

From: David Bennett, Planner II

File No: 3360-22-2020-01

**Subject:** Zoning Amendment Bylaw No. 1620, 2021 to facilitate the development of an Indoor Film Production Facility at 44390 Bayview Road, Electoral Area C. –withdrawn by the applicant.

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### RECOMMENDATION

**THAT** proposed *Fraser Valley Regional District Zoning Amendment Bylaw No. 1620, 2021* and *Official Community Plan Amendment Bylaw No. 1621, 2021* not be given any further readings and that the applications be refused.

### BACKGROUND

The purpose of *Fraser Valley Regional District Zoning Amendment Bylaw No. 1620, 2021* (Bylaw 1620) and *Official Community Plan Amendment Bylaw No. 1621, 2021* (Bylaw 1621) is to facilitate the development of an Indoor Film Production Facility at 44390 Bayview Road, Electoral Area C.

A Public Hearing was held on Tuesday, February 7, 2023.

The Public Hearing report is attached.

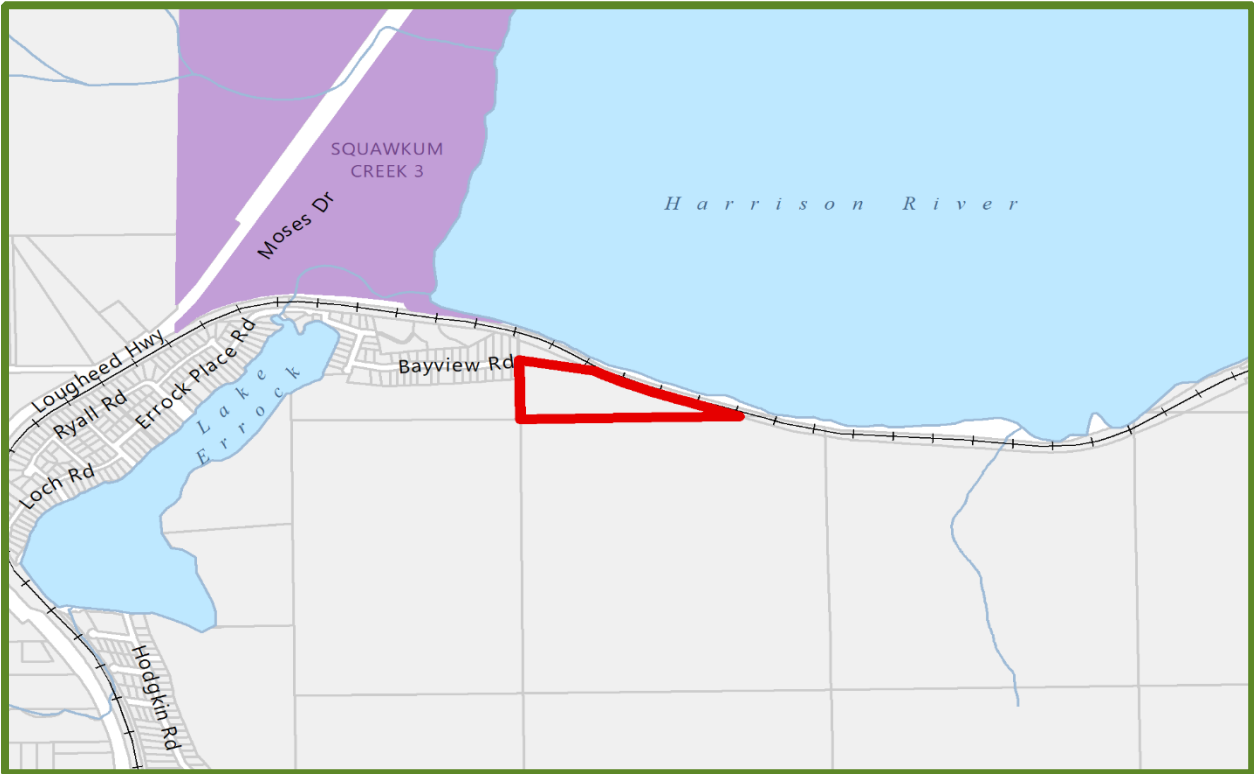
At the Public Hearing, the applicant said they wished to withdraw their application. The applicant provided this in writing to the FVRD after the Public Hearing, email attached.

Bylaw 1620 and 1621 received First Reading in October 2022 and even though the applicant withdrew their proposal, the FVRD Board must receive the Public Hearing report and must make a final decision on the bylaws. To formally close the application, it is recommended that the FVRD defeat the bylaws by refusing the application.

## DISCUSSION

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 4 (R-4)	Proposed Zoning	Indoor Film Production
Current OCP	Limited Use (LU)	Proposed OCP	Rural (R)
Current Use	Residential	Proposed Use	Indoor Film Production
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 4 (R-4); Single Family Dwelling, Canadian Pacific Railway, Harrison River	
East	>	Rural 4 (R-4), Canadian Pacific Railway, Harrison River	
West	<	Rural 4 (R-4), Rural Residential 2 (RR-2); Crown land, Single Family Residences	
South	v	Rural 4 (R-4); Crown Land	

NEIGHBOURHOOD MAP



PROPERTY MAP



Attached for information:

- *Fraser Valley Regional District Zoning Amendment Bylaw No. 1620, 2021*
- *Official Community Plan Amendment Bylaw No. 1621, 2021*
- February 7, 2023 Public Hearing Report
- File withdrawal/closure email dated February 9, 2023.

The public hearing was held on Tuesday, February 7, 2023. Director Waardenburg was delegated to hold the hearing; the public hearing report is attached separately. Approximately 55 members of the public attended the hearing. 51 letters were received. 36 people spoke at the public hearing. Speakers raised general and specific concerns with the proposal. The Fraser Valley Regional District Board may now receive the attached public hearing report.

## COST

Rezoning application fee, \$2,800.00 PAID

OCP application fee, \$4,000.00 PAID

## CONCLUSION

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.

In accordance with section 4.2.3 of the FVRD Development Procedures Bylaw, upon receipt of this report and recommendations, the Board may:

- a) give readings to or adopt the bylaw;
- b) give readings to or adopt the bylaw as amended by the Board in its resolution;
- c) refer the application for bylaw amendment to the Electoral Area Services Committee for further consideration;
- d) defer consideration of the amendment to a future meeting of the Board;
- e) refuse the application for an amendment

The applicant formally withdrew their application (email attached).

The FVRD has two bylaws open for this application, Bylaw 1621 and Bylaw 1620. Both bylaws are at First Reading. Now that the application is withdrawn, to formally close the application, it is recommended that the FVRD defeat the bylaws by refusing the application as outlined in the recommendation section of this report.

COMMENTS BY:

Hasib Nadvi, Manager of Planning: reviewed and supported

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

Kelly Lownsborough, Director of Corporate Services/CFO: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.