

To: Electoral Area Services Committee

Date: 2020-01-14

From: David Bennett, Planner II

File No: 3360-23-2019-02

**Subject: The purpose of Bylaw 1525, 2019 is to amend the Comprehensive Development 1 (CD-1) zone to permit the construction of Enclosed Decks in the Bridal Falls RV Resort located at 53480 Bridal Falls Road, Electoral Area D.**

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### RECOMMENDATION

**THAT** the motion granting first reading to the bylaw cited as *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* be rescinded;

**THAT** *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* be given a new first reading;

**THAT** *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019* 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 D Zoning Amendment Bylaw No. 1525, 2019* to Director Dickey or his alternate in his absence;

**THAT** Director Dickey or his alternate in his absence, preside over and Chair the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019*;

**AND 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 D Zoning Amendment Bylaw No. 1525, 2019* in accordance with the Local Government Act;

**AND FURTHER THAT** in the absence of Director Dickey, or his alternate in his absence at the time of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019*, the Fraser Valley Regional District Board Chair is delegated the authority to designate who shall preside over and Chair the Public Hearing regarding this matter;

**AND FINALLY THAT** the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1525, 2019*.

## **STRATEGIC AREA(S) OF FOCUS**

Provide Responsive & Effective Public Services

## **BACKGROUND**

### **Proposal Description**

The purpose of Bylaw 1525, 2019 is to amend the Comprehensive Development 1 (CD-1) zone to permit the construction of Enclosed Decks in the Bridal Falls RV Resort. Enclosed Decks are only intended to provide for weather and wind protection and may only be constructed of safety glass panels that are mounted on hardware allowing for the panels to be opened. Enclosed Decks must not increase habitable space (cannot be a bedroom or washroom).

### **New First Reading Bylaw 1525 2019**

Bylaw 1525, 2019 was given a previous first reading and the developers proceeded to address technical requirements. The initial first reading and public notices stated that enclosed decks would require building permits. After review of the technical specifications of the enclosed deck construction materials provided by the developer, the FVRD determined that building permits would not be required for enclosed decks. The proposed bylaw is amended accordingly and a new First Reading is required to amend the bylaw to include the conditions of use listed below.

### **Building Permitting Review**

Bylaw 1525, 2019 was given First Reading in May 2019. Prior to proceeding to a Public Hearing, the developer was required to submit construction drawings to the FVRD for building permitting review. Design drawings were submitted in October of 2019 and then reviewed by the FVRD Building Department.

The FVRD Building Department's review concluded that enclosed decks that meet the criteria below would not require issuance of a Building Permit.

The Enclosed Deck is constructed on a strata lot where a Holiday Cottage has been placed;

The Enclosed Decks shall not be constructed on any strata lot where a Recreational Vehicle is placed;

The Enclosed Deck may only be constructed of single pane safety glass panels mounted on a railing system that allows for the glass panels to be opened to provide ventilation;

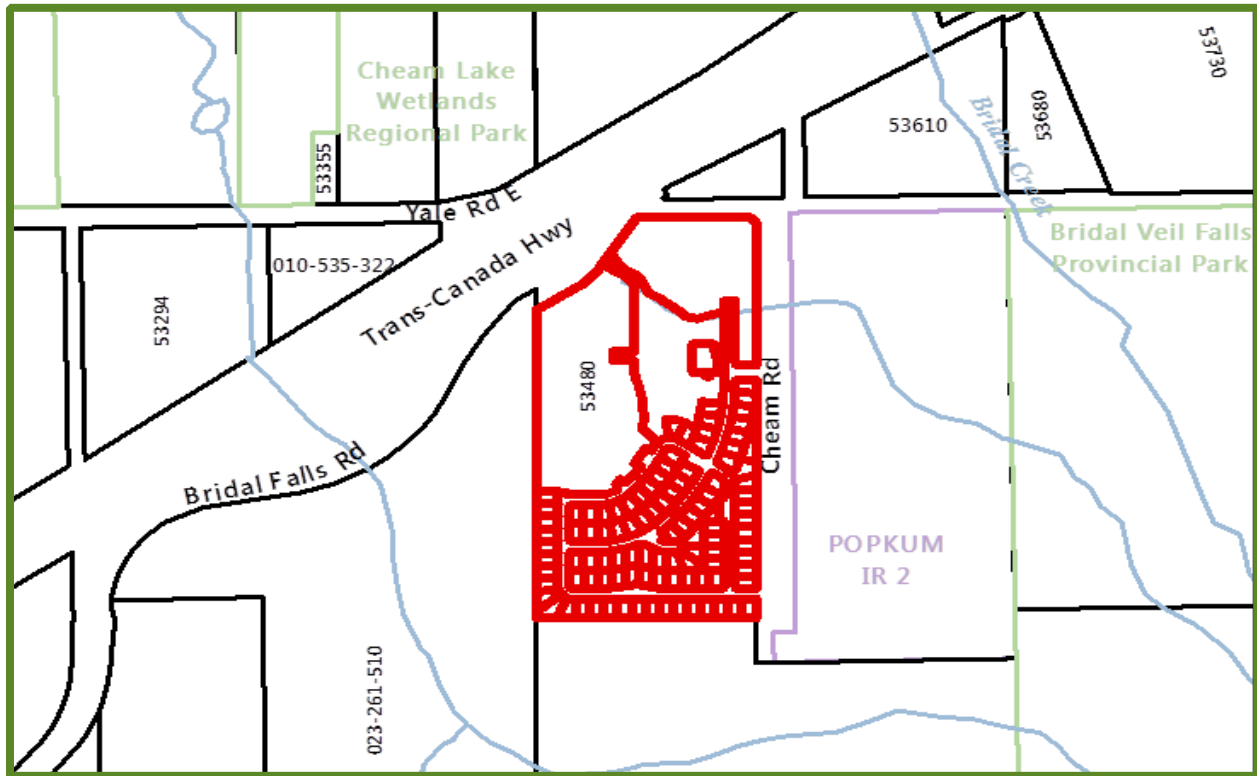
The Enclosed Deck must not be used as habitable space; and

The Enclosed Deck floor area must not exceed 20 square metres.

## DISCUSSION

PROPERTY DETAILS			
Electoral Area		D	
Address		53480 Bridal Falls Road	
PID		029-454-387	
Folio		733.06403.060	
Lot Size		7.834 acres	
Owner	Bridal Falls RV Park	Agent	n/a
Current Zoning	Comprehensive Development (CD-1)	Proposed Zoning	No change: text amendment
Current OCP	Highway Tourist Recreation Commercial (HTRC)	Proposed OCP	No change
Current Use	Holiday Park	Proposed Use	No change
Development Permit Areas		DPA 1-D and DPA 3-D	
Hazards		Alluvial Fan	
Agricultural Land Reserve		No	
ADJACENT ZONING & LAND USES			
North	^	Local Tourist Commercial (C-4), Gas Station	
East	>	Rural (R), Popkum IR 2	
West	<	Rural (R), Crown Land	
South	v	Rural (R), Crown Land	

NEIGHBOURHOOD MAP

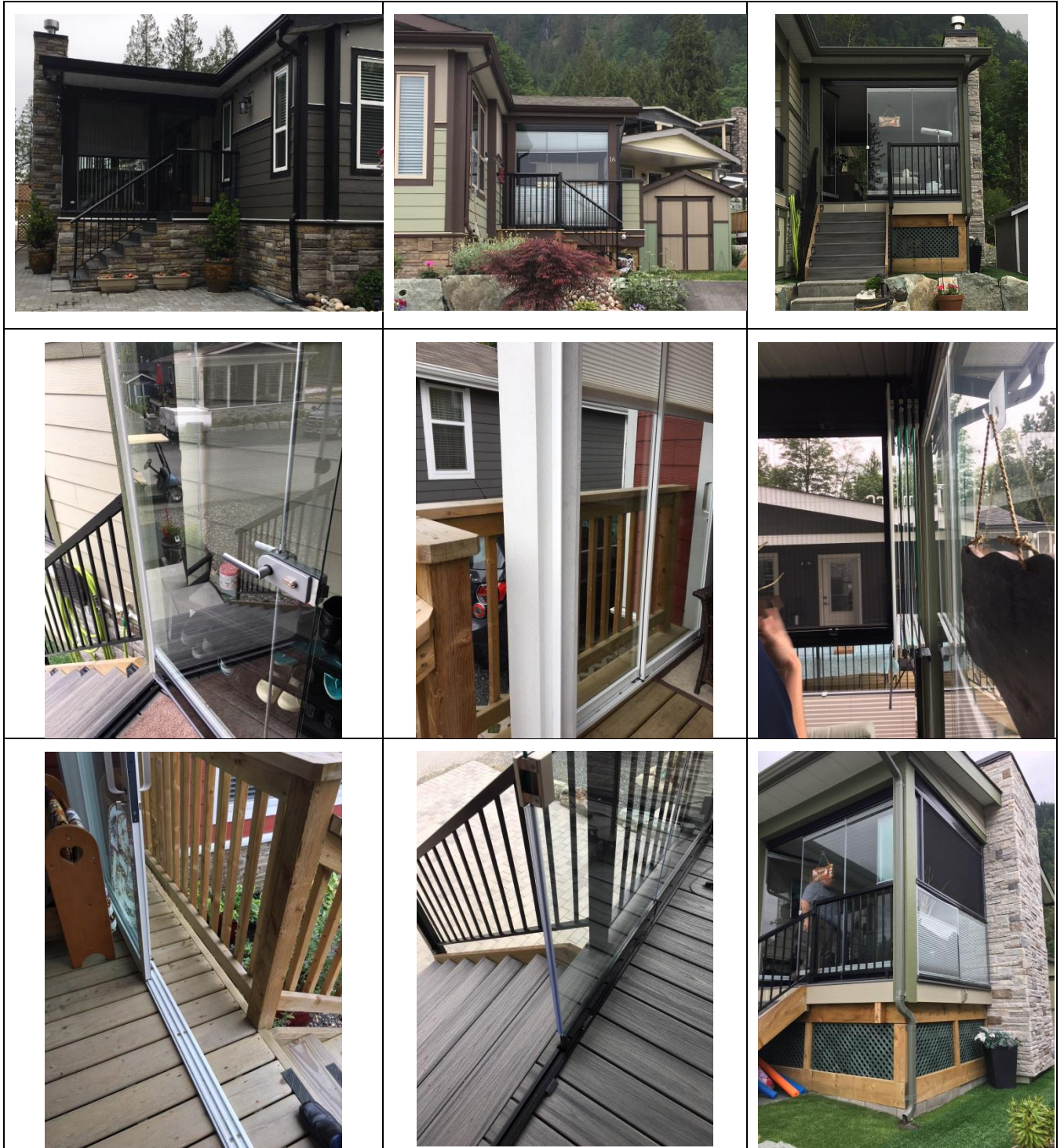


PROPERTY MAP





**ENCLOSED DECKS at the Bridal Falls RV Resort 53480 Bridal Falls Road, Electoral Area "D".**



Examples of enclosed decks already installed in the development contrary to current FVRD bylaws.

Bridal Falls RV Resort is zoned Comprehensive Development 1 (CD-1). The CD-1 zone expressly prohibits strata lot owners from constructing enclosed decks on their strata lots. Only open decks are permitted. The regulations regarding open decks is highlighted in the table below, Bylaw Section 2702

## 2700 CONDITIONS OF USE

Type of Use and Structures	Minimum Strata Lot Size Required for Types of Uses and Structures.	
	130m <sup>2</sup>	222m <sup>2</sup>
One (1) Recreational Vehicle	<b>Permitted</b>	<b>Permitted</b>
One (1) Holiday Cottage	NOT permitted	<b>Permitted</b>
One (1) Shed - Maximum Size 9.3m <sup>2</sup> (100 sq. ft.)	<b>Permitted</b>	<b>Permitted</b>
One (1) Open Deck	NOT permitted	<b>Permitted</b>
One (1) Ramada	<b>Permitted</b>	<b>Permitted in combination with the siting of a recreational vehicle,</b>
		Not permitted in combination with the siting of a Holiday Cottage.
<b>Enclosed Deck (e.g. Arizona room/sunroom)</b>	<b>NOT Permitted</b>	<b>NOT Permitted</b>
Any structure that is attached to a Recreational Vehicle or a Holiday Cottage	NOT Permitted	NOT Permitted
The use of a bunk house, shed or similar structures for sleeping accommodation.	NOT Permitted	NOT Permitted

In December 2017, the FVRD received complaints about deficiencies within the development. The initial concerns were related to the way that certain fire hydrants had been incorrectly installed. The FVRD instructed the developer to correct the fire hydrant installation issues.

In March 2018, the FVRD received complaints about other aspects of the development relating to construction on individual strata lots. FVRD staff conducted a site inspection and at this time it was determined that the issues raised were unlikely to represent imminent health or safety hazards.

On May 17<sup>th</sup>, 2018 the FVRD conducted a second site inspection to review construction complaints.

On July 10<sup>th</sup>, 2018 the FVRD met with the developer on site to review the complaints and to conduct a site tour with the developer. A number of concerns were identified and the FVRD's letter dated July 24, 2018 provides further background on the deficiencies in the development that require the developer to address.

To address the enclosed decks, the developer applied for a zoning amendment. They have asked for enclosed decks to be allowed on Holiday Cottage lots and for the enclosing materials to be limited to single pane safety glass on sliding rails. If adopted, this zoning amendment will address the zoning compliance issues related to the enclosed decks and provide clarity for all strata lot owners and occupants who may wish to install enclosed decks on their lots.

## **NEXT STEPS**

Staff recommend that the FVRD Board give a new first reading to the proposed bylaw in order to proceed to a public hearing. The public hearing will be the opportunity for the residents of the development to express their opinions on the proposal to permit enclosed decks.

Prior to consideration of Bylaw Adoption, the developer will be required to address all of the deficiencies identified in the FVRD's July 24 2018 letter.

## **First Nations**

The bylaw will be referred to the neighbouring Popkum First Nation as part of the neighbourhood notification process in accordance with the FVRD Policy "*First Nations Engagement on FVRD Land Use Bylaws and Other Matters With Statutory Requirement to Engage*".

## **COST**

Zoning Amendment fee of \$2500 paid by the applicant.

## **CONCLUSION**

It is recommended that Bylaw 1525, 2019 be given a new first reading and forwarded to public hearing.

## **COMMENTS BY:**

<b>Graham Daneluz, Director of Planning &amp; Development:</b>	reviewed and supported
<b>Mike Veenbaas, Director of Financial Services:</b>	No further financial comment.
<b>Jennifer Kinneman, Acting Chief Administrative Officer:</b>	Reviewed and supported.