

November 2, 2023

Via Email: [REDACTED]

GAN, JIN J.
[REDACTED]

SHEN, WEI G
3640 VANCE RD
CULTUS LAKE BC V2R 5A6

FILE: **4010-20 H03802.020/4**
CIVIC: 3640 Vance Road
PID: **018-103-103**
LEGAL: PARCEL A SECTION 30 TOWNSHIP 25 NEW WESTMINSTER DISTRICT PLAN LMP8784

Dear Property Owners:

RE: Building Bylaw Contraventions – 3640 Vance Road, Electoral Area H

Further to our two prior emails dated April 27, 2023 and August 4, 2023 Fraser Valley Regional District (FVRD) Staff confirmed during our April 18, 2023 site inspection that there has been construction without building permits identified on your property at 3640 Vance Road ("the property") on each of the following structures:

1. Single Family Dwelling Structure

- Alterations and Change of Use for cannabis growing operation.
- Requires a completed Building Permit for alterations and remediation.



2. Accessory Shop Structure

- Alterations and Change of Use for a cannabis growing operation.
- Requires a completed Building Permit for Change of Use and remediation.



3. Retaining Wall

- Requires a completed Building Permit for construction.



Building permits are required pursuant to *Fraser Valley Regional District Building Bylaw No. 1188, 2013* (Bylaw 1188) to encourage owners to comply with the minimum standards established by the *British Columbia Building Code*, as well as other enactments which relate to health, safety, and use of land.

Construction to the single family dwelling, accessory shop and the retaining wall has all taken place on your property without any completed Building Permits as required and detailed below in Section 6.1 of Bylaw 1188:

Section 6 Prohibition

No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building or structure, including excavation or other work related to construction until a building official has issued a valid and subsisting permit for the work unless such work is specifically exempted from the requirement for a building permit pursuant to section 5 of this bylaw.

During a June 9, 2022 site inspection the Building Inspector posted a Stop Work and No Occupancy Notice on the property. A subsequent site inspection on April 18, 2023 revealed that both the stop work and no occupancy notices have been removed and construction has continued on the property despite the previously posted Stop Work Notice. The Notices have been re-posted. **Please be reminded that it is an offence under sections 6.4 and 21.4 of Bylaw 1188 to alter or remove a notice posted by a building inspector or continue any works after a stop work notice has been posted on a property.**

Our records indicate that we have not received a building permit application for the construction works on your property. Please ensure that three completed Building Permit Applications are submitted to the Regional District's Building Department no later than **January 15, 2024**.

The Regional District's Building Department has provided a preliminary list of requirements for the building permit applications in their April 27, 2023 email. I have enclosed the email for your convenience.

Building Permit Application forms are available online for your convenience on the Regional District's website at: www.fvrd.ca/building.

Following the receipt of your applications, the Building Department will advise you on any additional information needed. Should you have any questions with regard to your applications, please do not hesitate to contact one of our Building Inspectors at 604-702-5016 or building@fvrd.ca.

Planning Requirements

Due to the land alterations and the conditions discovered on site, as a part of the building permit applications, Regional District Building Inspectors have called for Section 56, which is within their powers outlined in the

Community Charter. As such you are required to submit a **geotechnical report prepared by a qualified geotechnical engineer to confirm the property is safe for the intended use** to our office by **January 15, 2024**. Before undertaking the report, we would strongly encourage your retained geo-technical engineer to contact the FVRD Planning Department to discuss and review the reporting requirements.

Zoning Bylaw Contraventions

It was confirmed by Regional District Staff during the most recent April 18, 2023 site inspection that the construction works conducted to operate cannabis production facilities in both the single family dwelling and the shop structures on your property are in violation of *Zoning Bylaw No. 1638, 2021* (Bylaw 1638) (see enclosed photos).



Your property is zoned as Urban Residential (UR-1). Section 9.19 of Bylaw 1638 provides a list of permitted uses in the UR-1 Zone. **Cannabis Production Use, as defined below is not listed as permitted uses in the UR-1 zone and therefore is considered a prohibited use.**

Cannabis Production Means a business or service growing, cultivating, germinating, producing, storing, warehousing or packaging any product or thing containing cannabis.

During our November 1, 2023 meeting you indicated that there was previously a Federal Cannabis growing licence issued to this property by Health Canada, but that it has since expired. You also indicated that you had no intention to pursue a cannabis growing use in the shop moving forward.

The FVRD wishes to work with you to enable you to bring your property in compliance with the *BC Building Code* and Regional District Bylaws. As such, it is required that you **immediately cease** all unauthorized land use, land alterations and or construction on your property until such time as this matter is fully resolved with the Regional District. **Should you fail to meet the above stated deadline of January 15, 2024 then you can expect that you will be subject to fines of \$500 per occurrence and or other means enforcement action on behalf of the Regional District until such time as compliance is achieved. Further inspections may be conducted until compliance is achieved.**

We encourage you to read the *Occupiers Liability Act*, regarding property safety and negligence, available online at: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96337_01

We trust that you to understand the seriousness of the situation as the Regional District feels that the property and structures in their current condition pose a life safety risk for yourself, tenants and or any visitors to your property.

Please contact me directly to discuss the above matter at 604-702-5015, by calling toll free at 1-800-528-0061 or at lhinton@fvrd.ca. Thank you in advance for your anticipated co-operation.

Respectfully,

 Digitally signed
by Louise
Hinton
Date:
2023.11.02
10:25:59 -07'00'

Louise Hinton
Bylaw Compliance and Enforcement Officer

Attach: Copy of Building Department email dated April 27, 2023

cc: Taryn Dixon, Director of Electoral Area H
Bill Ozeroff, Manager of Inspection Services
FVRD Building Department