



STAFF REPORT

To: Electoral Area Services Committee

Date: 2025-02-13

From: Tracey Heron, Planner I

File No: 3090-20 2025-01

Subject: Development Variance Permit 2025-01 to reduce setbacks at 46090 Lougheed Hwy, Area C

Reviewed by: Katelyn Hipwell, Manager of Planning
Graham Daneluz, Director of Planning & Development
Jennifer Kinneman, Chief Administrative Officer

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2025-01 to reduce interior lot line setbacks to up to 0.0 metres for the placement of water treatment and fire suppression systems at 46090 Lougheed Hwy, Electoral Area C, subject to the registration of an easement to secure access to the Licenced Area, and subject to the consideration of any comments or concerns raised from the public.

BACKGROUND

A reconciliation agreement between the **Sts'ailes and British Columbia** saw the purchase of land by **Sts'ailes within the Harrison Mills Neighbourhood Plan Area** to build and operate a primary health care centre that will serve all residents on the north side of the Fraser River between Mission and Agassiz.

Construction of the primary health care centre at 46048 Lougheed Hwy began prior to the completion of the subdivision of the parent parcel, separating 46048 and 46090 Lougheed Hwy. As community water currently does not reach this site, water treatment and fire suppression systems are needed until such time that community water does becomes available. The installation of these temporary systems is proposed just south of the development, on the adjacent parcel at 46090 Lougheed Hwy.

The relevant property information is as follows:

PROPERTY DETAILS			
Address	46090 Lougheed Hwy	Area	C
PID	013-178-903	Owner	Keltic (Beach Camp) Development Ltd.
Folio	776.06718.000	Agent	Jun Nan at HNPA Architecture & Planning Inc.

Lot Size	20.48 acres (8.28 hectares)		
Current Zoning	Rural (R-1) Highway Commercial (HC-1)	Proposed Zoning	No change
Current OCP	Rural (R) Limited Use (L) Highway Commercial (HC)	Proposed OCP	No change
Current Use	Civic	Proposed Use	No change
Development Permit Areas	DPA 1-C - Geological Hazard DPA 2-C - Environmentally Sensitive Habitat Resources DPA 3-C - Riparian Areas		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Rural (R-1); Highway Commercial (HC-1); Civic
East	>	Rural (R-1); Resource Extraction
West	<	Rural Resource (RR); Crown land
South	v	Limited Use (LU); Crown land, Harrison River

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The adjacent parcel, north of the subject property, contains the primary health care centre, a septic system, and a known archaeology site. These features limit the land available for the required temporary water treatment and fire suppression systems infrastructure. The blue arrow on the Property Map above shows the proposed location of this infrastructure, which is south of the primary health care centre on the adjacent property. This can also be seen in Figure 1.

The water treatment and fire suppression systems will be completely fenced off, and access to the infrastructure will be from the east, through a gate off Beach Camp Road.

Water System Licence Agreement

The location of the proposed water treatment structure, water reservoir, and pumphouse for fire suppression is in a rectangular area noted as the Licenced Area, as seen in Appendix A. This Licenced Area is part of a Water System Licence Agreement between the property owners of 46048 and 46090 Lougheed Hwy.

The Water System Licence Agreement allows for the installation and maintenance of a temporary potable water treatment system, and water storage with a pumping system for fire suppression, with the location of these structures proposed within the Licenced Area.

A restrictive covenant is also registered on the property titles to ensure that the water treatment system is installed, the water is regularly tested, and the system is maintained to ensure that the supply of potable water meets or exceeds the Guidelines for Canadian Drinking Water Quality.



Figure 1: The red rectangle shows the approximate location of the proposed water treatment and fire suppression systems. This location is adjacent to 46048 Lougheed Hwy, where construction of the primary health care centre is underway. The proposed infrastructure location will keep the systems close to the new primary care centre, while also keeping it at a higher elevation and meeting the flood construction level.

Zoning Bylaw

The subject property is zoned Rural 1 (R-1) under *Fraser Valley Regional District Zoning Bylaw No. 1638, 2021*. Setbacks from all property lines within this zone are 7.6 metres (25 ft).

Variance Request DVP 2025-01

Due to the 7.6 metre (25 ft) setback requirements from all lot lines in the R-1 zone, the applicant is seeking a reduction in lot line setbacks to keep the water treatment and fire suppression systems contained within the rectangular area, or Licenced Area, as shown in Appendix 1. This Licenced Area is 21.41 metres (70.2 ft) by 64.93 metres (230.3 ft) in size.

The applicant has provided a setback request in the application, and after discussion with staff, the requested setback reductions were further reduced. While every effort will be made to ensure the

setbacks on the design plans will be met, if these setbacks vary slightly during the placement of the structures in the building permit process, another DVP application would not be required.

The amendments to the setbacks are as follows:

Rural 1 Zone – Water Treatment Structure			
Water Treatment	Required	Site Plan	Setback Request
Interior lot line - north	7.6 m (25.0 ft)	1.65 m (5.4 ft)	0.0 m

Rural 1 Zone – Water Reservoir for Fire Suppression			
Water Reservoir	Required	Site Plan	Setback Request
Interior lot line - north	7.6 m (25.0 ft)	4.76 m (15.6 ft)	0.0 m

Rural 1 Zone – Pumphouse for Fire Suppression			
Pumphouse	Required	Site Plan	Setback Request
Interior lot line - north	7.6 m (25.0 ft)	3.6 m (11.8 ft)	0.0 m

Applicant Rationale

The applicant stated that subdivision of the adjacent parcel, 46048 Lougheed Hwy, was recently completed. The size of the primary health care centre, the septic system, and a known archaeology site placed constraints on the property for placement of the temporary water treatment and fire suppression infrastructure. As such, it was agreed that this infrastructure could be placed on the lands at 46090 Lougheed Hwy.

A Water System Licence Agreement has been established between the property owners of 46048 and 46090 Lougheed Hwy and the proposed setback reductions would allow for this infrastructure to be fully contained within a surveyed Licenced Area. This Licenced Area is part of the Water System Licence Agreement, and an easement is currently being worked on for this area to be registered on the property title to have it 'run with the land'.

Reports for Development

Development Permit 2023-02

As part of the process for subdivision of the parent parcel, a development permit application was required and reports were received for geotechnical hazards and environmentally sensitive areas. All proposed development was outside 30 metres of the Harrison River, so a riparian report was not required.

Geotechnical report

Professional Opinion on Flood Construction Level for 46090 Hougheed Hwy, Harrison Mills, dated November 28, 2022, prepared by Madrone Environmental Services Ltd.

The subject property is within the Elbow Creek alluvial fan hazard area, and the Harrison River floodplain. The geotechnical report places the proposed structures within an area that has a flood construction level (FCL) of 15.67 metres (46.5 ft) a.s.l. (above sea level). While this infrastructure does not contain habitable areas, with the proposed reduction in setbacks, the site plan provided for the new infrastructure demonstrates that it would meet the 15.67 metre (46.5 ft) FCL.

Environmentally Sensitive Habitat Area

Environmental Impact Assessment Development Permit Report v.2.0- 46090 Lougheed Highway, Harrison Mills, BC, dated January 13, 2023, prepared by Madrone Environmental Services Ltd.

Assessment of the entire site before the clearing of land for construction of the primary health care centre showed that the forested area of the current development contained a relatively high density of non-native, invasive plant species. The proposed area for the location of the water treatment and fire suppression systems was within this area of forest, and has since been cleared.

The final inspection report showed that all requirements for this environmentally sensitive area have been met.

Staff comments:

The proposed setback reductions will act to keep the water treatment and fire suppression systems closer to the primary health care centre, further away from the Harrison River, and will be within the 15.67 metre (46.5 ft) contour line, thus having the proposed infrastructure meet the FCL set out in the geotechnical report.

Easement

A Licenced Area, as noted in Appendix A, is part of a Water System Licence Agreement between the owners of the two properties at 46090 and 46048 Lougheed Hwy. This agreement allows the temporary placement of the water treatment and fire suppression systems required for the operation of the primary health care centre once construction has been completed.

As this agreement does not 'run with the land', an easement is required to be registered on the property title prior to the registration of this DVP. This easement will allow continued access to the Licenced Area for the maintenance and operation of the new infrastructure in the event of the sale of either of the two properties.

Building Permits

Two (2) building permit applications have been received by the FVRD Building Department. One is for the placement of the water treatment infrastructure, while the second is for the fire suppression infrastructure.

A referral to the Building Department indicated that as long as there is an easement registered for the Licence Area, there were no concerns with the proposed setback reductions for the infrastructure as noted on the design drawings. There are also no concerns if the setbacks were further reduced to 0.0-metre lot line setbacks to the northern interior side lot line.

Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified by the FVRD of the development variance permit application and be given the opportunity to provide written comments or attend the Board meeting to state their comments. FVRD staff encourage advising neighbouring property owners and residents of the requested variance in advance of the mail-out notification. To date, no letters of support or objection have been submitted.

COST

The development variance permit application fee of \$1,650.00 has been paid by the applicant.

CONCLUSION

A primary health care centre is being constructed at 46048 Lougheed Hwy, with no local infrastructure in place to supply community water or fire suppression systems to the development. As such, an agreement with the property owner to the south of the development is in place to allow for the temporary placement of a water treatment structure, a water reservoir, and a pumphouse structure for fire suppression.

The applicant is seeking a variance to reduce the interior lot line setback for the placement of the water treatment and fire suppression infrastructure. Staff recommend that the setback variance be approved at 0.0 metres. This will allow for flexibility in the placement of the infrastructure without having to apply for an additional variance.

The location of these infrastructure systems is compliant with all reporting requirements completed as part of the development of the primary health care centre. Internal referrals indicated that as long as

an easement is put in place for the Licenced Area, there are no concerns for the proposed setback reductions as indicated on the site plan, or any further reductions up to 0.0 metres.

Staff recommend that the FVRD Board issue DVP 2025-01 as drafted.

OPTIONS

Option 1 – Issue (Staff Recommendation)

MOTION: THAT the Fraser Valley Regional District Board issue Development Variance Permit 2025-01 to reduce interior lot line setbacks to up to 0.0 metres for the placement of water treatment and fire suppression systems at 46090 Lougheed Hwy, Electoral Area C, subject to the registration of an easement to secure access to the Licenced Area, and subject to the consideration of any comments or concerns raised from the public.

Option 2 – Refuse

If the Board wishes to refuse the application, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional Board refuse Development Variance Permit 2025-01 for the property located at 46090 Lougheed Hyw, Electoral Area C.

Option 3 – Refer to Staff

If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2025-01 for the property located at 46090 Lougheed Hyw, Electoral Area C to FVRD staff

APPENDIX A
 Licenced Area – from Water System License Agreement

