



STAFF REPORT

To: Electoral Area Services Committee

Date: 2025-02-13

From: Andrea Antifaeff, Planner II

File No.: 3095-20 2024-01

Subject: Temporary Use Permit Application for the storage of recreational vehicles at 38482 Bell Road, Area G

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 refuse Temporary Use Permit application 2024-01 for the outdoor storage of recreational vehicles at 38482 Bell Road, Area G.

BACKGROUND

The applicant has applied for a Temporary Use Permit (TUP) to allow the outdoor storage of recreational vehicles at 38482 Bell Road, Area G. At the time of application, the property was subject to bylaw enforcement for the residential use of recreational vehicles, operating a commercial business contrary to zoning, and the property being unsightly. Staff worked with the agents to resolve the bylaw enforcement and the property is now in compliance with FVRD bylaws and regulations.

The property is zoned Rural 4 (R-4) which does not permit the outdoor storage of recreational vehicles.

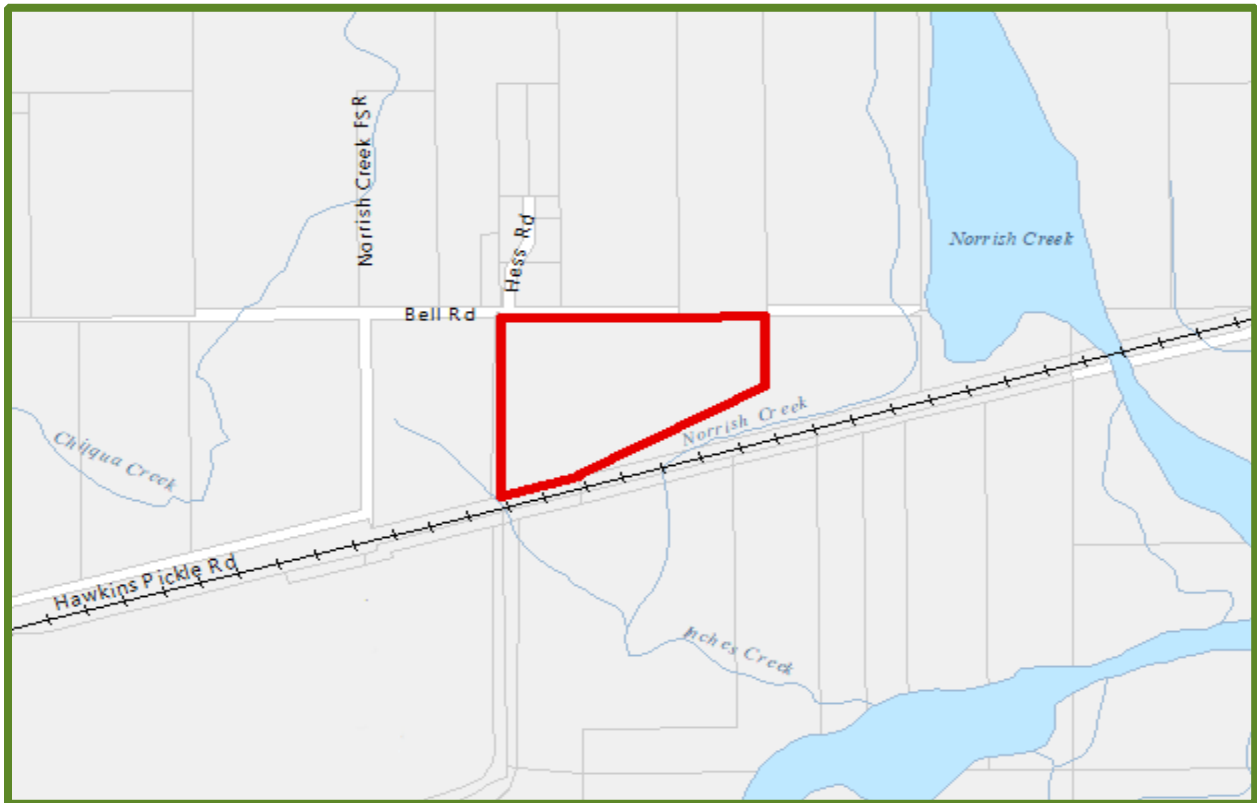
PROPERTY DETAILS

Address	38482 Bell Road	Area	G
PID	009-064-885	Owner	Wladyslaw Wojcik
Folio	775.02616.000	Agent	Jamie Stirling & Peter Wojcik
Lot Size	10.3 hectares		
Current Zoning	Rural 4 (R-4)	Proposed Zoning	No change.
Current OCP	Limited Use (LU)	Proposed OCP	No change.
Current Use	Residential	Proposed Use	Residential & RV Storage
Development Permit Areas	1-G Geologic & Stream Hazard & 2-G Riparian Areas		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Rural 4 (R-4), Rural 3 (R-3), General Industrial (GI), Civic Institutional; SFD, Storage Facility, Agricultural & Crown Land
East	>	Rural 4 (R-4); Inch Creek Hatchery (DFO)
West	<	Rural 4 (R-4); Vacant, SFD & Agricultural
South	v	Agricultural 4 (AG-4); CPKC Railway; Agricultural

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Temporary Use Permit Application 2024-01

The property owner has applied for a temporary use permit to allow the outdoor storage of recreational vehicles on the property located at 38482 Bell Road, Area G.

To support the application, the applicant submitted both a flood hazard assessment and an environmental constraints assessment. The flood hazard assessment recommends that a flood construction level (FCL) of at least 10.8 m be obtained for the outdoor storage of recreational vehicles to be considered safe. Achieving the proposed FCL would require depositing up to four metres of soil on a portion of the site to create an elevated area for the outdoor storage of recreational vehicles.

Since the outdoor storage of recreational vehicles is proposed under a TUP, the long-term use of the property remains uncertain.

Key technical details of the proposed soil deposit to facilitate the proposed temporary use for the outdoor storage of recreational vehicles are as follows:

- Total proposed soil deposit area: ~64,500 m²
- Estimated depth of soil: ~4 m
- Estimated volume of soil deposit: ~250,000 m³
- Estimated timeline for soil deposit: ~2 years

The soil deposit is outside the consideration of the temporary use permit as the soil deposit is not a land use that can be regulated by a zoning bylaw or through a TUP. The soil deposit is incidental to the consideration of the temporary use being proposed under the TUP.

Property Details

The property is zoned Rural 4 (R-4), which provides for a range of residential and agricultural uses. However, the outdoor storage of recreational vehicles is not a permitted use under this zoning. The property currently contains a single family residential use.

The property is located on the Fraser River floodplain and the Norrish Creek alluvial fan and is not protected by a standard diking system, which presents potential flood hazard considerations.

Official Community Plan (OCP)

The property is designated Limited Use (LU) in the *Fraser Valley Regional District Official Community Plan for Electoral Area G Bylaw No. 0866, 2008*. Permitted uses within the LU designation include agriculture, assembly, conservation, low density commercial recreation, park and park reserve, public and semi-public, resource extraction, resource industrial, single family residential, accessory residential, and associated rural residential uses. The OCP does not explicitly address the outdoor storage of recreational vehicles.

The *Local Government Act* allows local governments to designate where TUPs may be issued within their official community plans.

A Temporary Use Permit may do one or more of the following:

- Allow a use not permitted by a zoning bylaw;
- Specify conditions under which the temporary use may be carried on; and,
- Allow and regulate the construction of buildings and structures with respect to the use for which the permit is issued.

Temporary Use Permits can allow the use to occur on the lands as described in the permit until the permit's expiration date or three years after the permit was issued, whichever happens first. A temporary use permit may be renewed only once.

The OCP identifies the types of uses that may be permitted under a TUP within the Plan area. Although this specific type of commercial use is not **explicitly listed**, "**Other industrial or commercial uses**" is identified and indicates that TUPs may be issued for such uses.

Development Permit Areas (DPAs)

Development Permit Area 1-G – Geologic and Stream Hazards

- A portion of the property is located within DPA 1-G.

- The property is within an area of potential alluvial fan hazard, as identified in a 2004 overview assessment by Thurber Engineering Ltd.
- As part of the TUP application the applicant submitted a flood hazard assessment titled 38482 Bell Road, Deroche, BC – Flood Hazard Assessment and Temporary Use Permit Application – Revised Draft prepared by Jamie Stirling, M.Sc., P. Geo. of Stirling Geoscience Ltd., dated October 10, 2024.
- The report assesses flood and erosion hazards associated with the Fraser River floodplain and the Norrish Creek alluvial fan.
- Key hazards identified:
 - Erosion and clear water flooding from the Fraser River; and,
 - Erosion, avulsions, and clear water flooding from Norrish Creek.
- The flood hazard assessment has considered the entire property in its assessment not only the portion of the property located within DPA 1-G (as shown in Figure 1)

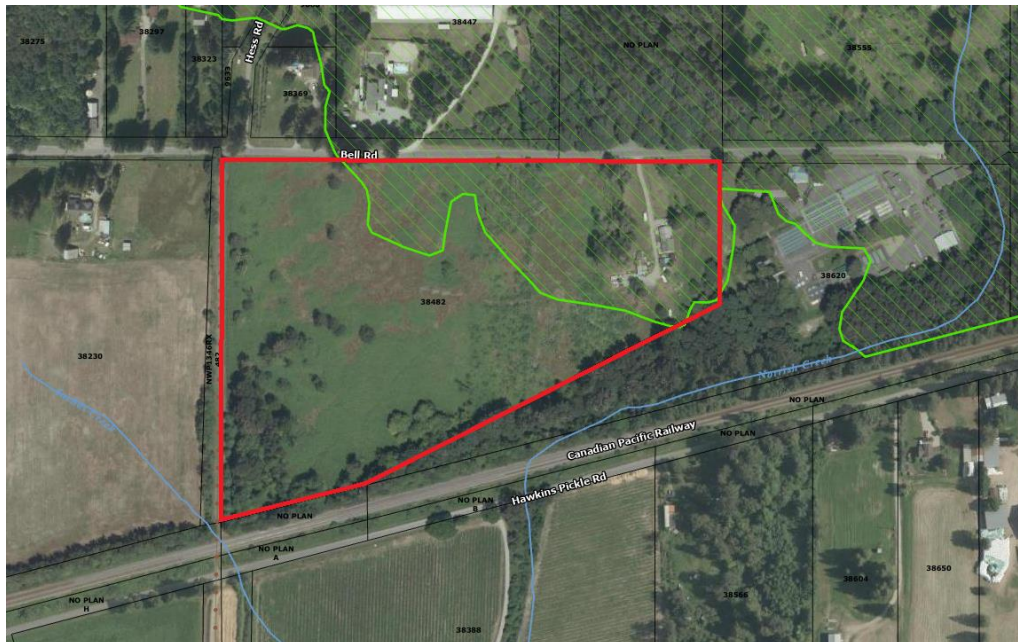


Figure 1: The hatched area shows the portion of property within DPA 1-G

Development Permit Area 2-G – Riparian Areas

- The entire property is within this DPA 1-G.
- As part of the TUP application the applicant submitted an assessment titled Environmental Constraints Assessment – Rev 2 38482 Bell Road, Dewdney, Fraser Valley Regional District, BC Project No. 18314 prepared by Jeremy Nilson, R.P. Bio. of Key West Environmental, dated October 10, 2024.
- The assessment concluded that the proposed land alteration is more than 30 metres away from any watercourse, exempting it from further Riparian Area Protection Regulation (RAPR) assessment requirements.

Development permits are non-discretionary approvals - if an application meets the conditions set out in the DPA guidelines, it must be issued. DPA guidelines are narrow in scope and do not address common soil deposit concerns, limiting their regulatory effectiveness in addressing soil deposit.

Soil Deposit

The soil deposit component of this application falls outside the FVRD's land use regulatory framework and cannot be addressed through a temporary use permit or zoning bylaw. Soil deposit activities are not generally regulated as land uses.

Without a soil deposit bylaw, the FVRD's ability to regulate soil deposit activities is significantly limited. The soil deposit review is restricted solely to the narrow scope of a development permit application.

If the soil deposit aligns with an issued development permit (including the flood hazard assessment), the FVRD has no discretion over regulating the soil deposit itself.

FVRD's understanding is that the scale of the soil deposit required to achieve the FCL identified in the flood hazard assessment is expected to take approximately two years and deposit 250,000 m³ of soil. For perspective, the deposit of 250,000 m³ of soil would require approximately 20,800 dump truck trips (assuming a tandem axle dump truck carrying 12 m³ of soil). This amounts to over 40 trips each weekday for two years (exclusive of statutory holidays). It would be one of the largest soil deposits in FVRD's electoral areas.

Staff Rationale

Staff understand that the proposed soil deposit, intended to facilitate the potential application is expected to take approximately two years to complete. Since a TUP cannot regulate soil deposit as a land use, the permit would only apply to the outdoor storage of recreational vehicles. However, this storage use cannot be established until the soil deposit is complete and the required FCL is met – both of which are anticipated to take around two years. Given that TUPs are only valid for three years, this would leave the applicant with limited time to establish the temporary use before renewal would need to be considered by the FVRD Board.

Furthermore, staff believe that the scale of the soil deposit operation – in terms of cost, value, and community impacts – is disproportionate to the temporary use being proposed. The soil is permanent whereas the temporary use is uncertain beyond the initial three-year permit.

Additionally, the suitability and safety of the site for the proposed use will depend in part on the stability of the soil deposit, which will reach up to four metres in depth in some areas. These factors, including soil composition, bearing capacity, and settlement rates, can only be reliably assessed once the soil deposit is complete.

Considering these factors, staff believe it is premature for the Board to approve the TUP at this time. However, the Board should be aware that refusing the TUP would not prevent the soil deposit activities from proceeding.

Future Applications

Development Permit

If the applicant chooses to proceed with soil deposit activities on the property, they must apply for and obtain a development permit. The permit is limited to geohazard aspects of the works and does not constitute a comprehensive approval of the soil deposit. Furthermore, a development permit cannot be withheld if the applicant meets the guidelines set out in the development permit area, which are limited to geohazard considerations.

The issuance of a development permit does not indicate approval, agreement, or support for the soil deposit; it only confirms that geohazard aspects of the works have been addressed. As a condition of the permit, the applicant would be required to obtain a qualified professional to monitor and conduct field reviews throughout the duration of the soil deposit. This ensures compliance with the recommendations in the geohazard and flood hazard assessment and allows for a final assessment of the soil deposit's **suitability** for future uses.

The applicant has also been advised that proceeding with soil placement does not guarantee approval for a future temporary use permit, including for the outdoor storage of recreational vehicles. The development permit for land alteration (soil deposit) is an independent process, and any future land use approvals would require independent consideration.

Temporary Use Permit

Refusal of the TUP now would not prevent future soil deposit.

If the applicant decides to complete the soil deposit and subsequently apply for a TUP for the outdoor storage of recreational vehicles in the future, staff will review the application based on its merits at that time. Certification from a qualified professional will likely be required to confirm that the soil was placed in a manner that ensures the land is safe for the intended use. This certification would likely depend on knowledge of how the soil was deposited (i.e. field reviews).

Staff have advised the applicant that obtaining a development permit for land alteration (soil deposit) and proceeding with soil deposit to establish a suitable FCL for the proposed temporary use does not guarantee that a future TUP for recreational vehicle storage will be approved by the FVRD Board. A TUP is a discretionary approval, meaning the Board will consider various factors, including public input, before making a decision. Staff have reiterated this to ensure the applicant is fully informed of the process and potential outcomes.

COST

The application fee of \$2,570 has been paid in full. Of this total application fee, the planning fees were \$2,200 and the engineering fees were \$370.

CONCLUSION

Staff recommend that the Fraser Valley Regional District Board deny Temporary Use Permit 2024-01 for the outdoor storage of recreational vehicles at 38482 Bell Road.

The proposed temporary use presents significant challenges, as its feasibility depends on achieving the flood construction level identified in the flood hazard assessment, which requires a substantial soil deposit. This soil placement is expected to take approximately two years, leaving only one year for the actual temporary use of outdoor storage within the three-year permit period. As a result, the intended use **would only be operational for about 33% of the permit's duration**, raising concerns about the practicality and effectiveness of approving the TUP under these conditions.

Option 1: Refuse (Staff Recommendation)

MOTION: THAT the Fraser Valley Regional District Board refuse Temporary Use Permit application 2024-01 for the outdoor storage of recreational vehicles at 38482 Bell Road, Area G

Option 2: Refer back to staff

MOTION: THAT the Fraser Valley Regional District Board refer Temporary Use Permit 2024-01 back to staff to work with the applicant to complete technical reporting;

AND THAT the applicant be directed to host a public information meeting.