

**To:** Electoral Area Services Committee

**Date:** 2025-12-04

**From:** David Bennett Planner II, Christopher Fequet Planner I

**Subject:** 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Reading of Zoning Amendment Bylaw No. 1807, 2025 to revise definitions for farm uses

**Reviewed by:** Katelyn Hipwell, Manager of Planning

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## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board give first, second, and third reading to *Fraser Valley Regional District Zoning Amendment Bylaw No. 1807, 2025*, to revise the definitions of Farm uses and reinstate previously permitted agricultural activities in alignment with the original zoning provisions of the nine parent FVRD zoning bylaws, correcting unintended exclusions introduced during zoning bylaw consolidation;

**AND THAT** the Fraser Valley Regional District Board waive the requirement to hold a Public Hearing for Zoning Amendment Bylaw No. 1807, 2025 in accordance with s. 467 of the *Local Government Act*.

## BACKGROUND

Prior to 2022, the FVRD administered nine separate zoning bylaws across the eight Electoral Areas. These bylaws were adopted between 1976 and 1992 by three former regional districts (Fraser-Cheam, Dewdney-Alouette, and Central Fraser Valley). The FVRD Board directed staff to consolidate these bylaws into a single, modern, and user-friendly zoning bylaw. The objectives were to:

- Provide consistency, clarity, and ease of use for the public, builders, and staff;
- Eliminate duplication and outdated provisions;
- Modernize language and formatting, including diagrams and tables;
- Reduce the number of zones from approximately 120 to about 60;
- Ensure that no existing uses were lost in the process.

## Guiding Principles of Consolidation

The consolidation process was guided by several key principles:

- **No Reduction of Uses:** All existing permitted uses were to be carried forward. Where zones were consolidated, the most permissive regulations (e.g., setbacks, heights) were adopted to avoid creating non-conforming situations.
- **No New Regulations Introduced:** The project was a technical exercise, not a policy review. Broader issues such as secondary dwellings or cannabis regulations were explicitly excluded and deferred to future processes.
- **Clarity and Consistency:** Outdated, inconsistent, or confusing provisions were standardized. Synonyms were eliminated, and lengthy text was reformatted into lists, diagrams, and tables for ease of use.

When the consolidated zoning bylaw was adopted in 2022, staff advised the Board that, given the scope and scale of the consolidation effort, it was likely that, despite best efforts made, some errors or unintended consequences would emerge. Routine updates to Bylaw 1807 would be required to address these issues as they arise.

FVRD staff have identified an error in Bylaw 1807 regarding the definitions of Farm Use and the permitted uses in some zones. The purpose of this bylaw amendment is to correct this error and reinstate the range of farm uses that existed under the previous parent zoning bylaws.

## DISCUSSION

### Consolidation Error – Farm, Intensive Farm, and Intensive Swine Operations

Prior to consolidation, the nine Electoral Area zoning bylaws defined and regulated farm uses differently. Several parent bylaws contained broad “Farm” definitions that permitted a full range of agricultural activities—including poultry and swine—without exclusions. Others distinguished between general farming and more intensive livestock operations.

During the consolidation, the new Zoning Bylaw introduced two distinct categories:

#### Farm

- Use of land, buildings, and structures for producing agricultural products and livestock.
- May include storage, processing, and equipment related to farming on the same lot.
- *Excludes:* Intensive Agriculture, Micro Cannabis Production Facility, and Standard Cannabis Production Facility.

#### Intensive Agriculture

- Farming of:

- Poultry (over 2,000 birds)
- Fur-bearing animals
- Mushrooms
- Swine (over 10 animals)

However, this structure did not fully reflect the regulatory frameworks found in all parent bylaws. In five Electoral Areas, the former bylaws permitted poultry, swine, and other intensive livestock activities under a single, broad “Farm” definition. As a result, consolidation unintentionally removed previously permitted uses in several zones, creating inconsistencies between historic permissions and the post-consolidation regulatory framework.

A small number of parent bylaws introduced restrictions that differed from the general approach to agricultural uses. Two bylaws—Bylaw 66 (Areas E and H) and Bylaw 75 (Area D)—explicitly removed Intensive Swine Operations from the general definition of “Farm,” resulting in swine being permitted only in two specific zones while other livestock (e.g., chickens, fur-bearing animals) and mushrooms remained permitted under the broader Farm definition.

Additionally, Bylaw 559 (Areas F, G, and part of C) created its own distinction between “Farm” and “Intensive Farm,” extending the separation to chickens, fur-bearing animals, swine, and mushrooms.

For clarity, Table 1 below summarizes the key differences in how the three parent bylaws defined or restricted intensive agricultural uses.

Parent Bylaw	Electoral Areas	Treatment of Swine	Treatment of Other Livestock / Mushrooms	Regulatory Effect
<b>Bylaw 66</b>	E, H	Excluded from “Farm”	Allowed in “Farm”	Swine only permitted in limited zones
<b>Bylaw 75</b>	D	Excluded from “Farm”	Allowed in “Farm”	Swine only permitted in limited zones
<b>Bylaw 559</b>	F, G, part of C	Classified as “Intensive Farm”	Chickens, fur-bearing animals, mushrooms also classified as “Intensive Farm”	Creates segmented intensive agriculture framework

Table 1.

During the zoning consolidation process, only two classes of farm were defined, Farm and Intensive Farm. This resulted in certain farming uses being excluded in zones that previously permitted them. A more nuanced approach is required to define farm uses to return the previous zoning provisions to their full extent.

### Farm Use Definitions Going Forward

In keeping with the principles of the consolidation project—and in particular the commitment that no uses within any zone would be reduced—the approach to farm use definitions must remain faithful to

the distinctions and exclusions established in the parent bylaws, while also ensuring that all existing uses are preserved. To achieve this, the bylaw will adopt three clear and mutually exclusive categories of farm activity:

1. **Farm** – This category represents the broad, baseline definition of agricultural use. It excludes both Intensive Farm and Intensive Swine Operation, ensuring that the general Farm definition remains consistent with the parent bylaws where swine and other intensive uses were carved out.
2. **Intensive Farm** – This category encompasses those uses that were historically separated in certain bylaws due to their scale or operational intensity. It includes chickens, fur bearing animals, and mushroom production. By grouping these uses together, the bylaw reflects the distinctions made in the parent bylaws while maintaining clarity and enforceability.
3. **Intensive Swine Operation** – Recognizing that swine operations were treated uniquely in several parent bylaws, this category isolates swine into its own definition. This ensures that the exclusions and carveouts applied historically are preserved, while also providing a clear regulatory framework for managing their impacts.

By adopting these three definitions, the consolidated bylaw restores conformity that was unintentionally lost during the consolidation process, aligns the bylaw with the intent of the parent zoning frameworks, and preserves previously permitted farm uses across zones. This approach prevents the creation of new non-conforming operations and fulfills the consolidation mandate of clarity, consistency, and modernization without introducing new policy direction.

### **Implementation**

To implement these corrections, staff completed a zone-by-zone review comparing the original (parent) zoning bylaws for each Electoral Area with the corresponding consolidated zones adopted under Zoning Bylaw No. 1638, 2021. This review identified several instances where farming permissions in the parent bylaws were unintentionally reduced during consolidation.

Using this comparison, each consolidated zone was updated to include one or more of the three revised farm definitions—Farm, Intensive Farm, and Intensive Swine Operation—so that all farming uses permitted under the parent bylaws are restored. This amendment results in the reintroduction of 10 Intensive Farm uses and 8 Intensive Swine Operation uses across various zones, aligning the consolidated bylaw with the full extent of permissions that previously existed.

A comprehensive comparison table of the parent zones is provided in Appendix A.

Because the consolidated zoning bylaw groups multiple Electoral Areas under single zone categories (e.g., “R1” applies across several Areas, while the former parent bylaws were Area-specific), certain permissions vary by Electoral Area. These Electoral Area-specific exemptions are clearly identified in the amendment bylaw using zone-specific subsections (e.g., *R1 Zone – Except Electoral Area D*). This ensures that the bylaw transparently reflects where a use is permitted, restricted, or excluded based on the original parent bylaw intent.

Table 2. below summarizes the farming-use permissions currently in Bylaw No. 1638 and the corresponding permissions that will be added through Bylaw No. 1807:

Zones	Current ( <i>Fraser Valley Regional District Zoning Bylaw No. 1638, 2021.</i> )		To Be Added ( <i>Fraser Valley Regional District Zoning Amendment Bylaw No. 1807, 2025</i> )	
	Allowed Use		Proposed Use	
	Farm	Intensive Agriculture	Intensive Farm	Intensive Swine
R1	yes	yes (except Area D)	yes	yes
R3	yes	no	yes (Area D, E, H, only)	no
R5	yes	no	yes	yes
R7	yes	no	yes	yes
REC	yes	no	yes	yes
RR	yes	yes	yes	yes (except Area D, E, H)
AG1	yes	yes	yes	yes
AG2	yes	yes	yes	yes
AG3	yes	yes	yes	yes
AG4	yes	yes	yes	yes
AG5	yes	no	yes	no
RRA	yes (except Area D)	no	yes (except Area D)	yes (except Area D, E, H)
RI1	yes	no	yes	yes
RI2	yes	no	yes	yes
P2	yes	no	yes	yes
PR	yes	no	yes	yes
LU	yes	yes (except Area D, E, H)	yes (except Area D, E, H)	yes (except Area D, E, H)

Table 2.

**Consistency with Official Community Plans**

The Fraser Valley Regional District undertook an Omnibus OCP Amendment Bylaw in 2022 which amended nine OCPs by inserting a policy statement that identified the intention of the Board to consolidate zoning bylaws and recognized the inconsistencies between zoning and OCPs. In effect, this made the consolidated zoning bylaw consistent with the OCPs. This bylaw amendment is a continuation of that work. Advancing such corrections through the standard bylaw amendment process, including waiving the public hearing, maintains alignment with the OCP framework that was updated to support the consolidation process.

This clause provided an important bridging mechanism for the areas included in the 2022 omnibus update. However, this bridging provision does not apply to Electoral Area C, which received a newly updated OCP (*Fraser Valley Regional District Official Community Plan for Portions of Electoral Area C – Lake Errock and Harrison Mills, Bylaw No. 1747, 2024*) in 2025 after the consolidation process.

### **Adoption of the New Area C OCP (2024)**

The *Fraser Valley Regional District Official Community Plan for Portions of Electoral Area C – Lake Errock and Harrison Mills, Bylaw No. 1747, 2024* was adopted this year as a complete, modernized OCP. Because it was adopted after the 2022 omnibus zoning amendments, it does not contain the transitional clause acknowledging zoning–OCP inconsistencies resulting from the consolidation of the nine Electoral Area zoning bylaws. As a result, Electoral Area C does not benefit from the “grandfathering” effect that exists in the OCPs for other Electoral Areas.

This means that any zoning amendment in Area C must fully comply with s.478 of the *Local Government Act*, which requires zoning bylaws to be consistent with the OCP. Staff must therefore ensure that any change to permitted uses does not introduce conflicts with the recently adopted OCP policy framework.

To maintain full compliance with s.478 and avoid introducing intensive agricultural uses into designations where they would conflict with OCP policy, staff have limited both new uses—*Intensive Farm* and *Intensive Swine Operation*—to parcels located within the Agricultural Land Reserve (ALR) in Area C. This approach is also consistent with the historic zoning regime that applied before consolidation: the former parent bylaw for Electoral Area C (Regional District of Fraser-Cheam Zoning Bylaw No. 100) included the same requirement, stating in Section 1601 B.8 that “Farm uses shall be permitted only on land within the Agricultural Land Reserve of the Regional District of Fraser-Cheam.”

With these limitations in place, Zoning Amendment Bylaw No. 1807 is consistent with the Area C OCP and satisfies s.478 of the *Local Government Act*.

### **Waived Public Hearing and Notice Requirements**

Because the proposed zoning amendments are consistent with the applicable Official Community Plans, the Board may waive the public hearing under s. 467 of the *Local Government Act*.

Public notice (Appendix B) for this zoning amendment is being provided in accordance with the *Local Government Act*, the *Community Charter*, and the FVRD Public Notice Bylaw. Notice of first reading will be posted on the FVRD website and shared with Electoral Area Directors before the bylaw is considered by the Board.

Because the Board is waiving the public hearing, newspaper advertising is not required. All statutory notice requirements are still met, and this approach ensures the public is informed and the process remains transparent.

### **Proposed Bylaw Processing Timeline and Rationale**

The following schedule satisfies all legislative notice requirements and provides a clear path for the Board to consider First, Second, and Third Reading on December 11, 2025, followed by referral to the Ministry of Transportation and Infrastructure (MoTT) prior to adoption.

#### 1. First Public Notice — December 4

- Statutory notice of the proposed bylaw amendment will be published and circulated through December 4.
- Purpose:  
Meets the requirement for providing public notice at least six days before Board consideration, in accordance with s. 94 of the *Community Charter* and the FVRD Public Notice Bylaw.
- Rationale:  
Although a public hearing is waived, providing an early notice supports transparency and aligns with FVRD's standard practice for zoning housekeeping amendments.

#### 2. Second Public Notice — December 8

- A second notice will be published on December 8.
- Purpose:  
While not required by the LGA when a hearing is waived, a second notice:
  - strengthens transparency,
  - creates a more defensible public record, and
  - is consistent with past practice for technical zoning amendments.
- Rationale:  
Two notices reduce procedural risk and are aligned with expectations of Electoral Area Directors and rural residents.

#### 3. Board Consideration — December 11 (1st, 2nd, and 3rd Readings)

- The bylaw will be presented for:
  - First Reading
  - Second Reading
  - Third Reading
- Why all three readings can occur at one meeting:
  - No public hearing is required, as the amendments are OCP-consistent and fall under s. 464(2) exemptions.

- The LGA does not require any delay between readings when a hearing is waived.
- Statutory public notice under s. 94 will have been completed (December 4 and December 8).

This allows the bylaw to proceed efficiently while meeting all legislative obligations.

#### 4. Ministry of Transportation and Transit (MoTT) Referral — Following Third Reading

- As the bylaw affects land within the Electoral Areas, referral to MoTT is required under s. 52 of the Transportation Act.
- Why referral occurs after Third Reading:
  - Standard practice is to send zoning bylaws to MoTT after Third Reading, once the Board has endorsed the bylaw in principle.
  - This ensures MoTT reviews the final version and can request any modifications prior to adoption.
- Timing:
  - MoTT review periods typically range from 1–6 weeks, depending on workload.
  - This timing informs the scheduling of the January adoption report.

#### 5. January Board Report — Targeted for January 2026

Following MoTT approval, staff will return the bylaw to the Board in January 2026 for:

- confirmation of MoTT approval, and
- Final Adoption.

Why January adoption is reasonable:

- Public notices will be complete by December 8;
- Three readings will occur December 11;
- MoTT will have the latter part of December and early January to review;
- Staff can prepare the adoption report promptly once MoTT sign-off is received.

The proposed timeline meets all statutory requirements under the Local Government Act and the Transportation Act. Public notice will be issued twice, exceeding minimum legal requirements and supporting procedural transparency. Because the bylaw is consistent with the applicable OCPs and a public hearing is waived under s. 467, the Board may give three readings at its December 11 meeting. Following Third Reading, the bylaw will be referred to MoTT for approval, with final adoption anticipated at the January 2026 Board meeting.

## **COST**

This amendment was initiated by the FVRD to correct a consolidation error and has been completed using existing staff resources. No additional costs are anticipated. Because the public hearing and newspaper advertising requirements are waived under the Public Notice Bylaw, no public notice expenses will be incurred.

## **CONCLUSION**

Zoning Bylaw No. 1638, 2021 corrects a consolidation error by restoring the full scope of permitted farm uses as established in the parent bylaws to various zones. By introducing three distinct and mutually exclusive definitions—Farm, Intensive Farm, and Intensive Swine Operation—the bylaw reflects the original regulatory framework and ensures that no existing uses are reduced. This approach maintains consistency with the guiding principles of the consolidation process.