
MEMORANDUM

To: Chair and Members of the Regional Board
From: Graham Daneluz, Manager of Forward Plans
Date: February 11, 2011
Subject: Official Community Plan for Hatzic Valley, Electoral Area "F" Bylaw No. 0999, 2010
File No.: 6480-20-600

RECOMMENDATION

THAT the Regional Board consider Fraser Valley Regional District Official Community Plan for Hatzic Valley, Electoral Area "F" Bylaw No. 0999, 2010 as amended in conjunction with the Public Hearing Report for the January 19, 2011 public hearing of Bylaw 0999, 2010

That the motion granting Second Reading of Bylaw No. 0999, cited as "Fraser Valley Regional District Official Community Plan for Hatzic Valley, Electoral Area "F" Bylaw No. 0999, 2010" be rescinded and that a new Second Reading of Bylaw No. 0999, cited as "Fraser Valley Regional District Official Community Plan for Hatzic Valley, Electoral Area "F" Bylaw No. 0999, 2010" be given as amended

THAT the Regional Board delegate holding of the public hearing to Electoral Area "F" Director Dick Bogstie

AND THAT other members of the Regional Board may attend the public hearing in which case the director to whom the hearing is delegated will chair the public hearing

BACKGROUND

The Regional Board gave first reading to Official Community Plan for Hatzic Valley, Electoral Area "F" Bylaw No. 0999, 2010 in June, 2010. An open house was held on September 20, 2010 and a public hearing on September 23, 2010.

The bylaw was amended to respond to public hearing input and subsequently received second reading from the Board in November, 2010. As amendments altered land use provisions in the plan, a second public was necessary. It was held on January 19, 2011 at the McConnell Creek Farmers Institute Hall. Notice was provided in accordance with the Local Government Act. A report of the public hearing by Electoral Area "F" Director Dick Bogstie is presented under separate cover.

DISCUSSION

Public hearing comments, along with response from staff, are summarized in the table attached as Appendix 1. Amendments to proposed Bylaw 0999 have been made to address public hearing comments, correct errors and improve the plan. A notable amendment is the deletion of a subdivision policy in the SUBURBAN RESIDENTIAL designation which would have supported 0.2 hectare parcels where both an approved community water system and an approved community sanitary sewer system are provided. Based on the results of the two public hearings, staff feels that densities of 1 parcel per 0.2 hectares in the proposed SUBURBAN RESIDENTIAL (SR) designation would be inconsistent with the desired rural character of the

community, the protection of the community watershed area (which significantly overlaps with SR lands), and the overall objectives of the Plan.

Pursuant to Section 897 of the Local Government Act, an amendment to a density provision in the OCP after a public hearing will trigger the need for a new hearing. Consultation respecting Bylaw 0999 has been extensive and two previous public hearing have been held in the community. Accordingly, staff recommends that the third public hearing be held in the FVRD Boardroom during working hours to reduce costs and increase efficiency. In this case, in addition to the notification requirements under the Act, notice of the proposed amendment and public hearing should be sent by addressed mail to owners of property in the proposed SR designation.

The Regional Board has previously determined that Official Community Plan for Hatzic Valley, Electoral Area "F" Bylaw No. 0999 is compatible with and consistent with both the Financial Plan and the Solid Waste Management Plan. Proposed amendments do not relate to matters which materially affect the Financial Plan or the Solid Waste Management Plan. Bylaw 0999 remains consistent with these plans.

Copies of Bylaw 0999, along with comprehensive background information, have been placed in the Director's Room for review.

COST

Costs associated with the development of a new official community plan for Hatzic Valley were included in the 2010 EA Planning budget.

COMMENT BY CHIEF ADMINISTRATIVE OFFICER

reviewed and supported

COMMENT BY GENERAL MANAGER OF COMMUNITY AND REGULATORY SERVICES

reviewed and supported

COMMENT BY GENERAL MANAGER OF REGIONAL AND CORPORATE SERVICE

The proposed Hatzic Valley OCP is keeping with the draft 2011-2015 Financial Plan.

APPENDIX 1 - Summary of Comments made at the January 19, 2011 Public Hearing

Official Community Plan for Hatzic Valley Bylaw 0999, 2010

Comment	Response
Plan appears to be appropriately revised from the last review	No amendment to Bylaw 0999 recommended.
Schedule 2 for the agriculture designation - the ALR zone of the frontage of 13361 Stave Lake Road has been removed on this map. I'm requesting that the Fraser Valley Regional Board and Planners to check the legality of 13361 Stave Lake Road frontage to be removed from the past ALR designation of the second reading	Staff has reviewed ALR maps from 1996 and 2010 to confirm whether the subject property is within the ALR. It is not. The OCP accurately reflects the ALR boundary. The ALR boundary follows the west side of Stave Lake Road along the frontage of the subject property. It does not include the subject property. The map referred to in the comment is a DARD zoning map. Generally, zoning bylaws will zone ALR land as "Agriculture". However, it is not a requirement that all land zoned Agriculture is also in the ALR. The easterly portion of the subject property is zoned Upland Agriculture (A-1) under DARD Zoning Bylaw 559. That is unchanged. No amendments recommended.
7.2 Community Parks and Recreational Resources - bring your attention to a document - Wilderness Committee Education Report Volume #06-1987 entitled Proposed Saint Benedict Seven Lakes Pocket Wilderness. This document refers to a 19 foot round Hemlock in this Mount Benedict wilderness.	No amendments recommended.
11.2.8 on page 109 - it starts in the statement about mining activity, but I recommend adding in forestry; they should also have no disturbance of riparian buffer zones.	Section 11.2 is titled "Aggregate & Minerals" deals solely with aggregates and minerals. Section 11.1 provides adequate policies dealing with forestry. Stream buffers for forestry on crown land are the jurisdiction of the Province.
13.2 Riparian Areas DPA; section 13.2.2. should not exempt forestry activities	This DPA implements the provincial Riparian Areas Regulation. The Riparian Areas Regulation does not apply to forestry activities on Crown land. The DPA does apply to forestry activities on private lands. No amendment recommended.
In 5.5.7 Limited Use nowhere in there does it say you can have rock quarries and yet the quarry on Stave Lake Road is in a Limited Use designation	FVRD does not have the ability to prohibit aggregate extraction or to remove existing quarry operations. In addition, due to comments made at the first public hearing, resource extraction was removed from the list of permitted uses in the LIMITED USE designation. No amendment recommended.
5.5.9 says it should not negatively affect surrounding properties; that should apply whether they exist or they don't.	Section 5.5.9 relates to rezoning applications to permit low density commercial recreation. No amendments recommended.
It concerns me that the Board's taking a view that well we could enact a bylaw, but if it's challenging to enforce it we won't. Law enforcement is always facing resource challenges and prioritization. It would be nice if the FVRD had the authority to prevent new gravel operations, but we don't, but if we did we'd have to be able to enforce it. FVRD shouldn't be walking away from legislative controls that we are able to impose even though enforcing them may be a challenge	No amendments recommended.
Hearing was scheduled at the same time as an important school board meeting. Scheduling could have been better.	No amendment to Bylaw 0999 recommended.
The changes in the draft document are a great improvement; thanks to the staff and Board members for very good work.	No amendment to Bylaw 0999 recommended.
In section 1.1a there seems to be a numbering issue.	This section was amended to improve section numbering.
Historic population growth rates in Section 2.2 are incorrect.	This section was amended to correct historic growth rate calculations.

<p>1.1 e) on page 2 - "objectives respecting matters not within the jurisdiction of the local government; OCP should not be finalized until School Board makes final decision about Durieu Elementary because the section 4 will have to be rewritten if there are changes made to the school.</p>	<p>Section 6.7 was amended to reflect the ongoing school closure review. If the school is ultimately closed, this change can be reflected in a future plan update.</p>
<p>Section 7 - the school is Institutional. To have a sustainable community more institutional properties in EA F are needed.</p>	<p>Local government must be cautious in proactively designating private lands for public uses, particularly where no funding for property acquisition and development has been identified. Moreover, it appears that existing Institutional meet current demands. Accordingly, staff does not recommend the designation of additional INSTUTIONAL lands at this time. As needs change and funding sources are identified, additional lands can be designated for INSTITUTIONAL uses.</p>
<p>With the idea of a school closure, the Ministry of Education could sell the property. We need to address that in this document.</p>	<p>The subject property would be designated INSTITUTIONAL. This designation is appropriate for the subject property. In the event that the School District sells the property and a different use is envisioned, it would be subject of a plan amendment (and public hearing) at a later date. No amendments recommended.</p>
<p>We will have to accommodate some people and, in fact, a doubling of population in this area from the 1,300 people we have now to maybe 2,500 people in another twenty years I believe is not unreasonable.</p>	<p>The proposed OCP, and the existing zoning, provide opportunities for residential and other development. However, historic annual growth rates (1971-2006) for this community are modest. It is anticipated that future growth rates will not be radically different that past growth rates.</p>
<p>need a co-ordinated effort between the Regional District and the School Board to make sure that their information is consistent about development projections, impacts to school services.</p>	<p>Staff made efforts, without success, to involve the School District in the development of the OCP. Moreover, as required under the Local Gov't Act, comments with respect to official community plans are solicited from school districts annually. No amendments recommended.</p>
<p>High speed internet should be deemed as an essential service for the residents of this community.</p>	<p>Section 6.5 of the proposed plan identifies the importance of high speed internet to the community and that only portions of the community are presently receive this service. This section is amended to further highlight the importance of this service.</p>
<p>Have an additional map in the Official Community Plan showing areas with high speed internet and areas without it</p>	<p>The provision of internet and communication services by private utilities is dynamic and evolving. It is expected that any such map would quickly become out of date and would therefore be potentially misleading. Moreover, the data does not exist to accurately define service areas and internet providers may not be forthcoming with it for reasons of competitiveness. No amendments recommended.</p>
<p>Maps 9 and 10 should have the property boundaries so they are consistent with all the others.</p>	<p>Property lines were intentional left off these maps due to data accuracy issues. The data shown on these maps is not accurate enough to be viewed in relation to specific lot lines. No amendments recommended.</p>
<p>Pg.13 - Household and Family Language Characteristics - numbers don't add up</p>	<p>This section is amended to correct this problem.</p>
<p>The Plan should identify the new water reservoir that is being planned and any new residences which will be added to the system.</p>	<p>Section 6.2 of the proposed plan identifies planned reservoir and hydrant upgrades for this water system. It also provides policies about the expansion of the water service area. No amendments recommended.</p>
<p>OCP should set out a formula for allocation of production levy fees from aggregate operations, including funds for road improvements.</p>	<p>Section 11.2.13 addresses the need for production levies from aggregate operations and identifies things the fees should be used to fund. Rather than identify an allocation formula in an individual OCP, it would be preferable to develop an EA-wide strategy. It would be premature to set out an allocation in this plan. No amendment recommended.</p>
<p>I do not like the term Limited Use for any designation of any properties. I would like to see if there could be another name used for this property. Limited Use sounds like it has a negative connotation to it.</p>	<p>As a term, "limited use" has advantages and disadvantages. One of the advantages is that it is consistently used in EA OCPs and zoning bylaws. Staff and APC members explored this issue and were unable to come up with a term that is clearly better. No amendments recommended.</p>
<p>Minimum parcel size for Limited Use is eight ha. There are many properties in the LU designation that are smaller than 8 ha. There needs to be a new category for parcels that are under eight hectares in the Limited Use designation.</p>	<p>The minimum parcel size for new subdivisions in the LU designation is 8 ha. The minimum parcel size does not describe the criteria for inclusion in the LU designation; in deals only with new parcels to be created within it. Section 5.5.4 sets out the criteria for designating lands as LU. They include geotechnical hazards, flooding hazards, environmental sensitivity, servicing levels, access limitation and lands best suited to low density rural uses and densities. No amendments recommended.</p>

P. 10 - the idea that many of our children or people that have been growing up in our community have been moving away from the family home. Without the new technology such as high speed internet to the Valley, and without the school, we will be causing a larger amount of families to be moving away from our region and I do not believe that is what we do want as a community plan. We should put the necessary provisions in place to make sure that we can attract families to the region and support the school and support perhaps executive style people to our area that could be good neighbours.

See above comments regarding high speed internet. Sections 3.1 and 3.2 set out a vision and Plan objectives. While it is not a plan objective to attract families to the area, the Plan does offer development opportunities within the land constraints that are present. No amendments recommended.