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## Sunshine Valley Zoning Dialogue

Saturday, July 24, 2010

Sunshine Valley Recreation Centre

### MEETING NOTES

**Present:** FVRD: Dennis Adamson, Director- Electoral Area "B", Graham Daneluz-Manager of Forward Plans, Dawn Smith- Planner, Andrea Antifaeff- Planning Assistant

APC: Doug Adolph, Rick Gagnon, Al Johnson, Frances Kenny, Marilee Yorke

65 attendees - open house  
61 attendees - community discussion

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#### 1. Open House: 10:00 am - 11:00 am

Approximately 65 individuals attended the open house portion of the meeting and were invited to view presentation boards, ask questions and offer comments to FVRD representatives, complete a survey, and obtain more detailed information at the reading table.

#### 2. Community Discussion: 11:00 am -1:15 pm

Director Adamson welcomed meeting attendees, introduced FVRD staff and in consultation the audience set a two minute time limit for questions and comments so everyone can have an opportunity to speak.

To provide background to the community discussion, FVRD staff gave a presentation which included an overview of zoning, discussed the benefits/drawbacks of zoning, and answered common questions. A complete copy of the presentation is attached to the minutes as Appendix A.

Following the presentation, meeting attendees were invited to share their comments and/or questions to staff regarding zoning and specifically whether the Fraser Valley Regional District should move forward with a zoning process for Sunshine Valley. A wide ranging discussion resulted, with some outright opposition or support of zoning, but in large part most participants raised questions and offered comments which indicated some interest in proceeding forward with draft zoning, provided some form of community referendum was held to determine support for adoption of a zoning bylaw. However the majority landowner, Sunshine Valley Developments Ltd. (SVDL) clearly stated their opposition to zoning and encouraged the FVRD to

consider an alternative method to provide community consultation and input on land use and development. Please see statement from SVDL attached as Appendix B.

The following is a summary of the meeting discussion, grouped together by topic for ease of reference:

#### Reason for Zoning Dialogue

Meeting attendees inquired about the reason for revisiting the zoning issue, since the Regional District had agreed to remove zoning in 1984 when deregulation occurred. Many asked why is the Regional District asking this question today? FVRD staff explained that there is no desire to impose land use regulation in Sunshine Valley, if residents are interested then we could move forward to consider zoning, if not then that would likely conclude the question.

It was further explained that during the 2007/2008 Vision process, many residents expressed an interest in having a say in land use. There were concerns with the lack of information, transparency and development decisions being made without the knowledge of the residents. In late 2009, recognizing that many of these concerns stem from the lack of land use regulation or zoning, the Sunshine Valley Advisory Planning Commission recommended that the FVRD host a community discussion on the matter. The Zoning Dialogue is this community discussion.

#### Fees & Services

Questions were raised about the possibility of increased taxes and fees should zoning proceed. Staff explained that Sunshine Valley residents already pay for a FVRD planning service which could include zoning. As a result, the introduction of zoning would not result in increased taxes.

It was clarified that zoning regulations do not imply building permit requirements, these are two different services and the community has not indicated an interest in building permitting. Staff noted that Regional District's offer services 'a la carte', meaning residents only receive services that they want and pay for, the example of water or fire protection service was provided.

Staff clarified that rezoning or variance permit applications would involve a fee to the applicant. The example of a Development Variance Permit was provided, which currently costs \$300.

Further questions about development cost charges in Sunshine Valley are more challenging to answer as staff were uncertain how such fees are handled when the service is provided by a private sector as it is in Sunshine Valley.

#### Property Values

Some residents were concerned that zoning would classify or zone some parcels as hazardous and this would result in property value decreases. Regional District Staff explained that it is difficult to predict the market response to zoning and corresponding property values. However many residents would consider zoning a means to protect property values, because it gives owners a voice and protects against incompatible development. Staff noted that there are many factors considered in applying zoning, this could include servicing like water & sewer, road access and hazards, among other considerations.

### Referendum

Many residents expressed a strong interest in a referendum or some form of vote to determine public support for zoning. Residents noted the need for a more details perhaps even the draft zoning bylaw itself before providing their opinion by referendum. Staff explained that a referendum isn't ideal since it only offers a black and white choice, and doesn't allow for any opinions from the residents in the area affected. The Regional District has inquired with Provincial government officials who indicated no other example of referendum on zoning in BC, but it doesn't appear impossible and could be presented to the Regional Board for consideration.

### Current Development Practices

Many residents commented on the current lack of community input with regards to new large developments and the potential for this practice to continue. Residents stated that they want the Sunshine Valley to remain serene and current development patterns could affect their quiet community. Regional District staff explained that rezoning proposals are legally required to be considered by the public, and would include a public hearing for residents to voice concerns to the Regional District.

### Existing Strata Rules

The question of existing strata or village rules was raised, and what would happen to already established rules. Staff noted that they would need to meet both sets of rules and that maybe the FVRD should only be concerned with land use requirements. The FVRD would also consider past building schemes and they would be an influencing factor as they were in Hemlock Valley. It was also noted by staff that zoning would not be a hindrance to strata rules.

### Building Permits

Residents inquired about the present responsibility of building permits. Staff noted that presently there is no Regional District building permitting nor has responsibility been transferred to other groups or agencies. However individual strata councils may have their own rules about development.

### FVRD Participation

A resident noted that Sunshine Valley needs the oversight FVRD zoning would provide, and to administer regulation privately has been costly, challenging for residents and often forces neighbours to enforce rules on neighbours. The FVRD has demonstrated an openness and transparency in working with the community to date, given the experience with the Vision and APC process.

### Alternatives to Zoning

Many residents asked the Regional District to consider other methods or tools to address land use concerns. There was a desire by some to look at other ways to bring the community together around the vision without an outside agency. Some suggested that the APC could assist with this.

### Community Services

It was noted by a resident and landowner that zoning doesn't address other community issues such as a first responder building or water system concerns.

### Engineering and Geo-Tech Reports

Many residents were concerned about the impact of geotechnical studies on their parcel and development opportunities, and specifically if a hazard could deem their parcel undevelopable. FVRD staff clarified it is rare to apply no building type zoning, and has only been used where the Provincial government has deemed the land un-useable. In these cases, the Province bought the land from the owners and sold it to the FVRD. It was explained that geotechnical reports could influence development expansion. For example in order to subdivide a parcel or obtain a building permit, a geo-technical report may be required before approval is granted.

Staff explained that all geotechnical reports held by the FVRD are available to the public and the FVRD – Sunshine Valley website has a number of geotechnical reports accessible to the public. Some residents questioned the validity of some geotechnical studies and wondered which studies will be reviewed by the FVRD. Staff explained that the FVRD is obliged to share all background information used by the Regional Board in their decision. All completed geotechnical assessments for Sunshine Valley will be reviewed and publicly available.

### Hemlock Valley

A number of residents inquired about the current zoning process in Hemlock Valley and why some parcels were zoned for 2 units when they had previously been zoned for 6 units. Staff explained that the parcels are within a moderate avalanche zone and warrant a decrease in density to reduce risk exposure of occupants. A compromise was made which resulted in the decrease of units as opposed to the alternative which could have been no development or sterilization of the parcel. Staff noted that the avalanche hazard was identified in 1982 by the Province and was subsequently studied by the FVRD and Dr. McClung – UBC Professor. The McClung studies identified the risk areas, and while the risk still exists the most recent report shows that the situation has improved. Grandfathering and existing uses were a consideration in the application of zoning in Hemlock Valley. Overall the number of properties affected by the density decrease is less than 10 parcels, or 5% of Hemlock properties.

### **3. Adjournment**

The meeting closed at approximately 1:15pm. FVRD staff explained that the next step is to prepare a report for the Regional Board and present the comments from the meeting. The Regional Board will then determine if the Regional District should proceed with preparation of draft zoning bylaw and community consultation or if the process should conclude and proceed no further.