



CULTUS LAKE PARK BOARD REGULAR BOARD MEETING NOTICE

Wednesday, March 16, 2022

5:00 PM

Cultus Lake Park Office Boardroom
4165 Columbia Valley Highway, Cultus Lake, BC

Time Change Notice - Cultus Lake Park Board Regular Meeting will be held at 5:00 pm on March 16, 2022 instead of 7:00 pm.

Members of the public that wish to attend the meeting are required to show proof Vaccination Card.

Members may also join the meeting remotely via Zoom. Participants will be muted upon entry to the meeting but will be able to ask questions during public question period.

Join Zoom Meeting

[https://us06web.zoom.us/j/85827935728?](https://us06web.zoom.us/j/85827935728?pwd=cVZ3S3c3RHRvS1ZwQXZwZ0syMHZqQT09)

[pwd=cVZ3S3c3RHRvS1ZwQXZwZ0syMHZqQT09](https://us06web.zoom.us/j/85827935728?pwd=cVZ3S3c3RHRvS1ZwQXZwZ0syMHZqQT09)

Meeting ID: 858 2793 5728

Passcode: 116697

The Cultus Lake Park Board Regular Meeting video will be available to view on our website the following day at www.cultuslake.bc.ca/board-meeting-videos/

Please feel free to email questions for the Public Question Period no later than Tuesday, March 15, 2022 by 4:30 pm to Rachel.litchfield@cultuslake.bc.ca



CULTUS LAKE PARK BOARD REGULAR MEETING AGENDA

WEDNESDAY, MARCH 16, 2022

5:00 PM

PARK OFFICE BOARDROOM

4165 COLUMBIA VALLEY HIGHWAY, CULTUS LAKE, BC

(1) CALL TO ORDER

(2) RESOLUTION TO PROCEED TO CLOSED MEETING (4:00 pm)

***THAT** the meeting be closed to the public to consider matters pursuant to the following sections of the **Community Charter**:*

Section 90 (1), (d) security of the property of the municipality; and

Section 90 (1), (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

(3) RECONVENE

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(4) APPROVAL OF AGENDA

- (a) ***THAT** the Cultus Lake Park Board approve the Agenda for the Regular Meeting of March 16, 2022; and*

***THAT** all delegations, reports, correspondence, and other information set to the Agenda be received.*

(5) ADOPTION OF MINUTES

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- (a) ***THAT** the Cultus Lake Park Board adopt the minutes of the Regular Meeting held February 16, 2022.*

(6) CORRESPONDENCE

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(a) Cultus Lake Park Zoning Bylaw No. 1375, 2016

- Letter dated February 28, 2022, from Hasib Navi, Manager of Planning, Fraser Valley Regional District regarding Cultus Lake Park Zoning Bylaw No. 1375, 2016

***THAT** the Cultus Lake Park Board receive the letter from Hasib Navi, Manager of Planning, Fraser Valley Regional District regarding Cultus Lake Park Zoning Bylaw No. 1375, 2016.*

(7) BYLAWS

(a) Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022

Page 15

- Report dated March 16, 2022, from Rachel Litchfield, Manager of Corporate Services / Corporate Officer

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- Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022

THAT the Cultus Lake Park Board give First, Second, and Third Readings of Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022.

(b) Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 Amendment Bylaw No. 1211, 2022

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- Report dated March 16, 2022, from Rachel Litchfield, Manager of Corporate Services / Corporate Officer

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- Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 Amendment Bylaw No. 1211, 2022

THAT the Cultus Lake Park Board give First, Second, and Third Readings of the Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 Amendment Bylaw No. 1211, 2022.

(c) Cultus Lake Park Parking & Traffic Bylaw No. 1190, 2021 Amendment Bylaw No. 1212, 2022

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- Report dated March 16, 2022, from Rachel Litchfield, Manager of Corporate Services / Corporate Officer

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- Cultus Lake Park Parking & Traffic Bylaw No. 1190, 2021 Amendment Bylaw No. 1212, 2022

THAT the Cultus Lake Park Board give First, Second, and Third Readings of Cultus Lake Park Parking and Traffic Regulations Bylaw No. 1190, 2021 Amendment Bylaw No. 1212, 2022.

(7) STAFF REPORTS

(8) REPORTS BY COMMISSIONERS

(9) COMMUNITY ASSOCIATION

(10) PUBLIC QUESTION PERIOD

(11) ADJOURNMENT

THAT the Regular Meeting of the Cultus Lake Park Board held on March 16, 2022, be adjourned.



CULTUS LAKE PARK BOARD REGULAR MEETING MINUTES

WEDNESDAY, FEBRUARY 16, 2022
CULTUS LAKE PARK OFFICE BOARDROOM
4165 Columbia Valley Highway, Cultus Lake, BC

Present Commissioner D. Renwick – Chair, Via Zoom
Commissioner K. Dzaman – Vice Chair
Commissioner D. Bauer - Via Zoom
Commissioner L. Payeur
Commissioner C. Smit

Staff Chief Administrative Officer – J. Lamb
Manager of Finance – E. Lee
Manager of Park Operations – D. Driediger
Manager of Corporate Services / Corporate Officer – R. Litchfield
Communications, Media and Events Coordinator – A. Nadeau
Manager of Sunnyside Campground & Accommodations – C. Volk

Regrets

(1) CALL TO ORDER

The Chair called the meeting to order at 4:01 pm.

(2) RESOLUTION TO PROCEED TO CLOSED MEETING

THAT the meeting be closed to the public to consider matters pursuant to the following sections of the **Community Charter**:
Section 90 (1), (d) security of the property of the municipality;
Section 90 (1), (g) litigation or potential litigation affecting the municipality; and
Section 90 (1), (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

(3) RECONVENE

The meeting reconvened at 5:01 pm.

(4) APPROVAL OF AGENDA

4931-22 Moved by: Commissioner Bauer Seconded by: Commissioner Dzaman

THAT the Cultus Lake Park Board approve amending the Agenda for the Regular Meeting of February 16, 2022 by adding under Section 6, Correspondence, Items 6, (a), Letter from Coralee Towler, and Items 6, (b), Letter from Bob McCrea, Administrative Officer, Cultus Lake Business Association; and

By removing and replacing under Section 9, Staff Reports, Cultus Lake Park Sign Review - Signage Standardization Policy, Administrative Policy – Signage Standardization Policy; and

THAT the Cultus Lake Park Board approve the Agenda as amended.

CARRIED

(5) ADOPTION OF MINUTES

4932-22 Moved by: Commissioner Bauer Seconded by: Commissioner Dzaman

- (a) **THAT** the Cultus Lake Park Board adopt the minutes of the Regular Meeting held January 19, 2022.

CARRIED

(6) CORRESPONDENCE

- (a) **Letter regarding Cultus Lake Zoning Bylaw and Cultus Lake Specified Area Bylaw Comparison**

- Letter dated February 14, 2022 from Coralee Towler, resident, Lakeshore Drive

4933-22 Moved by: Commissioner Dzaman Seconded by: Commissioner Smit

THAT the Cultus Lake Park Board receive the letter regarding Cultus Lake Zoning Bylaw and Cultus Lake Specified Area Bylaw Comparison for information.

CARRIED

- (b) **Cultus Lake Park Sign Review - Signage Standardization Policy** (see Staff Report, item 9,b Administrative Policy – Signage Standardization Policy)

- Letter dated February 15, 2022 from Bob McCrea, Administrative Officer, Cultus Lake Business Association

4934-22 Moved by: Commissioner Bauer Seconded by: Commissioner Dzaman

THAT the Cultus Lake Park Board receive the letter from Bob McCrea, Administrative Officer, Cultus Lake Business Association with respect to the Administrative Policy – Signage Standardization Policy.

CARRIED

(7) BYLAWS

- (a) **The Cabins at Cultus Lake Park Bylaw No. 1208, 2022**

- The Cabins at Cultus Lake Park Bylaw No. 1208, 2022
- The Cabins at Cultus Lake Park Administrative Policy

4935-22 Moved by: Commissioner Smit Seconded by: Commissioner Bauer

THAT the Cultus Lake Park Board give Final reading to The Cabins at Cultus Lake Park Bylaw No. 1208, 2022.

THAT the Cultus Lake Park Board approve The Cabins at Cultus Lake Park Administrative Policy.

CARRIED

(b) **Bylaw Notice Enforcement Bylaw Amendment No. 1140, 2019 Amendment Bylaw No. 1209, 2022**

- Bylaw Notice Enforcement Bylaw Amendment No. 1140, 2019 Amendment Bylaw No. 1209, 2022

4936-22 Moved by: Commissioner Bauer Seconded by: Commissioner Dzaman

THAT the Cultus Lake Park Board give Final reading to the Cultus Lake Park Board Bylaw Notice Enforcement Bylaw Amendment No. 1140, 2019 Amendment Bylaw No. 1209, 2022.

CARRIED

(c) **Comparison of the Cultus Lake Park Zoning Bylaw No. 1375, 2016 and the Cultus Lake Park Specified Area Bylaw 1994, and Amendments**

- Report dated February 16, 2022 from Joe Lamb, Chief Administrative Officer
- Cultus Lake Park Zoning Bylaw No. 1375, 2016
- Cultus Lake Park Specified Area Bylaw
- Specified Area Bylaw Amendment Bylaw No. 1035, 2012

4937-22 Moved by: Commissioner Smit Seconded by: Commissioner Payeur

THAT the Cultus Lake Park Board recommend staff write a formal request to the Fraser Valley Regional District to make the following amendments to Cultus Lake Park Zoning Bylaw No. 1375, 2016;

(1) *Change the definition of "Grade", back to the definition from the Specified Area Bylaw 1994, to read:*

"Grade" *means the lowest of the average existing level of finished ground adjoining each exterior wall of a building except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average existing levels of finished ground.*

R4 to also include the following parameters:

- (a) Maximum of two (2) stories plus roof above grade; and*
- (b) Basement or crawl space below grade.*

CARRIED

(2) *R1-R4 – All Residential*

Change sections 5.1.4.2, 5.2.4.2, 5.3.4.2 and 5.4.4.2 to include Handrails/guardrails for such balconies and stairs, must be of a 'see through type' by having a minimum of 70% openings and meet code requirements, as per Specified Area Bylaw 1994.

CARRIED

(3) *R3 – Waterfront Residential*

Have section 5.3.3.3 changed from 6.7m maximum two (2) stories plus basement or crawlspace and roof, back to the 5.8m maximum height as per Specified Area Bylaw 1994.

MOTION DEFEATED

(4) *R3 – Waterfront Residential Amended section 5.3.3.6 to have lease lots 106 – 186 First Avenue exempt from this clause.*

CARRIED

(8) CONSENT AGENDA

Fourth Quarter Reports

- Finance
- Parking
- Public Works
- Campground and Accommodations
- Bylaw Compliance and Enforcement
- Fire Department
- Lease Assignment

4938-22 Moved by: Commissioner Smit Seconded by: Commissioner Dzaman

THAT the Cultus Lake Park Board receive the 2021 Fourth Quarter reports for information.

CARRIED

(9) STAFF REPORTS

(a) Office Closure – Lunch Break

- ~~Report dated February 16, 2022 from Rachel Litchfield, Manager of Corporate Services / Corporate Officer~~

~~Moved by: Commissioner Seconded by: Commissioner~~

~~***THAT*** the Cultus Lake Park Board approve that the Cultus Lake Park office close for lunch breaks, Monday to Friday, Noon to 1 pm commencing April 1, 2022.~~

Staff requested that this item be removed from the Agenda

(b) Cultus Lake Park Sign Review - Signage Standardization Policy

- Report dated February 16, 2022 from Amanda Nadeau, Communications, Media and Events Coordinator
- Administrative Policy – Signage Standardization Policy
- Signage Inventory
- Graphic Sign Index

4939-22 Moved by: Commissioner Smit Seconded by: Commissioner Dzaman

THAT the Cultus Lake Park Board approve the Signage Standardization Policy.

CARRIED

(c) Vedder Mountain Bike Festival Special Event

- Report dated February 16, 2022 from Amanda Nadeau, Communications, Media and Events Coordinator

4940-22 Moved by: Commissioner Dzaman Seconded by: Commissioner Smit

THAT the Cultus Lake Park Board approve the Vedder Mountain Bike Festival Special Event to be held from Friday, May 13 to Sunday, May 15, 2022; and

THAT the Cultus Lake Park Board approve waiving parking fees for twenty-five volunteers for the duration of the three-day event.

CARRIED

(d) Cultus Lake Triathlon

- Report dated February 16, 2022, from Amanda Nadeau, Communications, Media and Events Coordinator

4941-22 Moved by: Commissioner Bauer Seconded by: Commissioner Dzaman

THAT the Cultus Lake Park Board approve the Cultus Lake Triathlon event from September 15 – 19, 2022; and

THAT the Cultus Lake Park Board approve waiving parking fees for 15 volunteers for the duration of the event in parking lot A.

CARRIED

(9) COMMISSIONERS REPORTS

Commissioner Dzaman noted that the Village Center Planning Committee had their first meeting and will be moving forward in the planning by using PlanCultus as their guide.

(10) COMMUNITY ASSOCIATION

(11) PUBLIC QUESTION PERIOD

Question:

Carrie Johnson, resident inquired whether the greenspaces were going to be addressed along First Avenue with respect to seeding. In addition, recommended that a path be created to protect grass from foot traffic through laneways.

Answer:

Staff confirmed that this area was going to be addressed and would take the path under advisement.

(12) ADJOURNMENT

4942-22 Moved by: Commissioner Bauer Seconded by: Commissioner Payeur

***THAT** the Regular Meeting of the Cultus Lake Park Board held on February 16, 2022 be adjourned at 5:34 pm.*

CARRIED

I hereby certify the preceding to be a true and correct account of the meeting of the Cultus Lake Park Board held February 16, 2022.

David Renwick
Chair

Joe Lamb
Chief Administrative Officer

To: Electoral Area Services Committee
From: Hasib Nadvi, Manager of Planning

Date: 2022-02-28
File No: 3920-20 Bylaw 1395, 2016

Subject: Cultus Lake Park Board Request to Implement Changes to the Cultus Lake Park Zoning Bylaw No. 1375, 2016

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider Cultus Lake Park Board request to implement changes to the Cultus Lake Park Zoning Bylaw No. 1375, 2016;

AND THAT the Board provide direction to staff regarding allocating the required staff and financial resources to undertake review of specific sections of the Zoning Bylaw No. 1375, 2016 as requested by the Cultus Lake Park Board.

BACKGROUND

Prior to the adoption of the Zoning Bylaw No. 1375 in 2018, the Cultus Lake Park Board enacted their land use regulations through their Specified Area Bylaw 1994. There were concerns that the *Cultus Lake Park Act* did not provide clear legal authority for the Cultus Lake Park Board to enact land use regulations, as detailed in the Specified Area Bylaw 1994. In 2015, based on direction from the Ministry of Community, Sport and Cultural Development, Fraser Valley Regional District initiated a Zoning Bylaw under the authority of Section 479 of the *Local Government Act (LGA)* to bring the general regulations of the Cultus Lake Specified Area Bylaw into legislative compliance. The current Zoning Bylaw was adopted in February 2018 after extensive public and stakeholder consultation. This included newsletters, open houses, and a public hearing.

The purpose of Cultus Lake Park Zoning Bylaw No. 1375, 2016 (hereafter referred to as Cultus Lake Zoning Bylaw) is to establish zoning regulations for the lands comprising Cultus Lake Park. In general terms, the bylaw contains a zoning map and regulations for each zone dealing with permitted land uses; density; and, the siting, size, and dimensions of buildings and structures.

Cultus Lake is an area going through a transformation due to its recreational amenities and rapidly increasing lot values resulting in building designs that maximize the lot potential. Three Development Permit variances have been considered since the adoption of the Bylaw related to a height variance. Most recently, two Development Variance Permit applications were considered on Lakeshore Drive, which raised a lot of concerns from Cultus Lake residents. The resident concerns were mostly related to the obstruction of views, changes to the existing community character, and general opposition to "monster homes".

DISCUSSION

As of February 17, 2022, FVRD is in receipt of a letter from the Cultus Lake Park Board formally requesting the Fraser Valley Regional District to make certain amendments to the Cultus Lake Zoning Bylaw (*Attached*). Staff analysis of the requested amendments are as follows:

Item*	Proposed amendment	Zoning Bylaw No. 1375, 2016	Staff comment
1.	<p>Change the definition of “Grade” back to the definition from the Specified Area Bylaw 1994</p> <p>“Grade” means the lowest of the average existing level of finished ground adjoining each exterior wall of a building except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average existing levels of finished ground.</p> <p>R4 to also include the following parameters: (a) Maximum of two (2) stories plus roof above grade; and (b) Basement or crawl space below grade.</p>	<p>GRADE means the lowest of the average levels of finished ground levels adjoining each exterior wall, excluding vehicle or pedestrian entrances.</p> <p>Maximum Building/Structure Height in Hillside Residential (R-4) zone is: 8.5m (27ft.) maximum two (2) stories plus basement or crawlspace and roof.</p>	<p>There is no difference between the proposed amendment and the current Zoning Bylaw definition of “Grade”.</p> <p>Staff recognize the requested amendment to the Hillside Residential (R-4) zone intends to restrict the height. There has been correspondence from various residences about restricting the height in Waterfront Residential (R-3) zone as well.</p> <p>In the current Zoning Bylaw, the height was increased by an additional 3ft. in all zones to reflect the past variances approved by the Cultus Lake Park Board under the Specified Area Bylaw 1994.</p> <p><u>Staff recommend</u> a review and analysis of building height, storey, and grade in the R-3 and R-4 zones as they pertain to Lakeshore Drive and Monroe Avenue</p>
2.	<p>R1-R4 – All Residential</p> <p>Change sections 5.1.4.2, 5.2.4.2, 5.3.4.2 and 5.4.4.2 to include Handrails/guardrails for such balconies and stairs, must be of a ‘see through type’ by having a minimum of 70% openings and meet code requirements, as per Specified Area Bylaw 1994.</p>	<p>No reference to the material and type of handrail and percentage of opening.</p> <p>Related Section in R1- R4 zone:</p> <p>Decks or Balconies shall have no enclosing walls. Decks or Balconies may</p>	<p>Section 479 of the <i>Local Government Act</i> authorizes a local government (i.e. Regional District) to regulate specific matters within a zone. While the LGA allows use, density, siting, and size requirements for structures, it does not provide local governments power to</p>

		have guard railings and may have screening to maximum height of 1.5 metres above the floor of the Deck or Balconies	regulate the materials, types, and % of opening of buildings/structures. <u>Staff recommend</u> that this request be not part of the Zoning Bylaw review. Cultus Lake Park Board could consider whether they can stipulate building materials through land leases or by other means.
3.	R3 – Waterfront Residential Amended section 5.3.3.6 to have lease lots 106 – 186 First Avenue exempt from this clause.	Section 5.3.3.6 of the Waterfront Residential (R-3) zone required 2 parking spaces/single-family dwelling.	Most of the residential lots in Cultus Lake are small lots, approximately 280m ² or 3,000 sq. ft. With 60% lot coverage, the lots are already constrained for storage of vehicles, RV, boats, and trailers. The roads are also narrow at approximately 4m for two-way vehicle passage. Streets cluttered with vehicles also reduce safety for pedestrians and incoming traffic. <u>Staff recommend</u> that the request to exempt 80 lease lots in the Waterfront Residential (R-3) zone from the off-street parking requirements be given further consideration and analysis before the FVRD Board directs an amendment to the bylaw. This would likely need to be a subsequent phase of the work in a future year.

*N.B. The Cultus Lake Park Board letter had 4 motions, one of which was defeated.**

COST & PROJECT DURATION

The requested Zoning Bylaw amendment will require significant public engagement including a public hearing process per the *Local Government Act*. Amendments to the Cultus Lake Zoning Bylaw are not in the 2022/23 Electoral Area Planning work plan. Staff does not have the capacity to undertake such a project. Should the Board decide to undertake the Zoning Bylaw amendment, staff recommend hiring an external consultant to undertake the zoning review, analysis, public engagement, and reporting in 2022. The estimated cost for the proposed works will be \$20,000 to \$30,000. With any external consultant, staff resources are required to oversee the work and provide assistance during the entire process as needed. Staff anticipates the cost to internal resources will be approximately \$10,000 to \$15,000. Hiring a consultant to finish the review of the zoning bylaw including any zoning bylaw amendment adoption may take approximately 8-10 months.

CONCLUSION

Staff have reviewed the Cultus Lake Park Board letter dated February 17, 2022, to make specific amendments to the Cultus Lake Zoning Bylaw No. 1375, 2016. Based on the Park Board request and the concerns raised by the residents, staff believe a zoning review of the existing height, storey, and grade regulations in the R3 and R4 residential zones as they pertain to Lakeshore Drive and Munroe Avenue is appropriate. The request to regulate the type and percentage opening of guardrails cannot be regulated by the Zoning Bylaw under the *Local Government Act*. In the absence of a comprehensive strategy to address residential parking in Cultus Lake Park, staff do not support the exemption from off-street parking requirements from lease lots 106 - 186. Eliminating the requirement to provide off-street parking when new homes and additions are built would shift parking to roadways and public spaces, increase road congestion and potentially reduce road safety. A comprehensive parking strategy could be considered in a future year.

Given the nature of the zoning review, staff anticipate significant community interest in the matter. As such, it will require a robust public engagement plan and analysis of the relevant zoning bylaw regulations. The requested amendment is not part of the staff work plan in 2022/23. As such, staff recommend hiring an external consultant to undertake the proposed works under the supervision of the FVRD staff. Staff anticipate the budget for hiring an external consultant will be \$20,000 - \$30,000.

Staff are seeking direction from the Board in terms of the next steps. The Board has the following options:

Option 1 – Hire a consultant

MOTION: THAT the Fraser Valley Regional District Board direct staff to bring back a proposal from an external consultant to undertake a review of relevant provisions related to the maximum height in the residential zones of the Cultus Lake Zoning Bylaw No. 1375, 2016;

AND THAT the Board allocate \$30,000 to the review of the Cultus Lake Zoning Bylaw No. 1375, 2016.

Option 2 – Internal staff

MOTION: THAT the Fraser Valley Regional District Board direct staff to incorporate the review of the Cultus Lake Zoning Bylaw No. 1375, 2016, in the 2024 EA Planning work plan.

Option 3 – Refuse

MOTION: THAT the Fraser Valley Regional District Board direct staff to not proceed with the requested zoning amendments to the Cultus Lake Zoning Bylaw No. 1375, 2016.

COMMENTS BY:

Graham Daneluz, Director of Planning & Development: reviewed and supported

Kelly Lownsborough, Chief Financial Officer/ Director of Finance: reviewed and supported

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.



CULTUS LAKE PARK REPORT/RECOMMENDATION TO BOARD

DATE: March 16, 2022 **FILE:** 3900
SUBMITTED BY: Rachel Litchfield,
Manager of Corporate Services / Corporate Officer
SUBJECT: Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022

PURPOSE:

To present to the Board the proposed Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022.

RECOMMENDATION:

***THAT** the Cultus Lake Park Board give First, Second, and Third Readings of Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022.*

DISCUSSION:

As of January 2022, Cultus Lake Park has requested residents to affix address labels to all waste management receptacles. These have been provided by the Park office.

There has been an increase of bins put out prior to, or left out beyond the allowable time, and subsequently this can cause lanes and alleys to become unsightly. Due to this, an increase in garbage spillage has been identified, which can be a wildlife attractant and undermines the health and safety of the community.

During inclement weather many times waste management receptacles can be displaced and with the identifying labels, they can be returned to the correct leased lot.

Without a way to identify the leased lot that a bin belongs to, it is impossible to achieve compliance.

The bylaw was also updated to reflect the changes made to the Fees and Fines section by the Board's legal representatives.

Staff also used this opportunity to make changes that strengthen compliance and enforce when required.

STRATEGIC PLAN:

This report does not impact the Board's Strategic Plan Initiative.

Prepared by:

Rachel Litchfield
Manager of Corporate Services /
Corporate Officer

Approved for submission to the Board:

Joe Lamb
Chief Administrative Officer



Cultus Lake Park

PROPERTY MAINTENANCE BYLAW

Bylaw No. 1210, 2022

A Bylaw to regulate Property Maintenance

Section 12 of the *Cultus Lake Park Act*, SBC 1932, c 63, as amended, enables the Cultus Lake Park Board to adopt bylaws, and Section 9.2 (1) provides that Section 260 – Enforcement Powers of the *Community Charter* (British Columbia) apply to the enforcement of the bylaws of the Board, and Section 261 – Payment of Fines and Other Penalties to Municipality under the *Community Charter* (British Columbia) provides that fines and other penalties imposed and collected under or because of Cultus Lake Park bylaws must be paid to the Board.

Every Person who offends against any of the provisions of this Bylaw or who suffers or permits any act to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, will be in breach of this Bylaw, and will be liable to the fines as outlined in the Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 and all amendments.

The Cultus Lake Park Board in open meeting assembled, enacts as follows:

1. TITLE

This Bylaw may be cited as “Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022”.

2. INTERPRETATION

2.1 Words or phrases defined in *The Cultus Lake Park Act* (British Columbia), the *Interpretation Act* (British Columbia), the *Motor Vehicle Act* (British Columbia), the *Transportation Act* (British Columbia), the *Local Government Act* (British Columbia), the *Community Charter* (British Columbia) or any successor legislation to any of them, will have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

2.2 DEFINITIONS OF TERMS

"Accumulation" means a buildup, growth, or collection, scattered, amassed or piled, existing at the time of inspection.

"Boulevard" means:

- (a) On a street with curbs, the portion of the street between the outside curb and the adjoining property line;

- (b) on a street without curbs, the portion of the street between the edge of the roadway/highway and the adjoining property line; or
- (c) on a street where traffic is separated by a median, it includes the median.

“Building Inspector” means the building officials designated or appointed by the Board of Directors of Fraser Valley Regional District (FVRD).

“Chattels” means something that a person owns other than land or buildings.

“Container” means a dumpster, garbage can, garbage bin or other receptacle designed, intended, or used to hold rubbish, discarded materials and debris.

“Derelict Vehicle” means any vehicle or part thereof, propelled otherwise than by muscle power which:

- (a) is physically wrecked or disabled;
- (b) is not capable of operating under its own power.

“Graffiti” means one or more letters, symbols, writing, pictures or marks, however made, posted scratched, painted or drawn on any structure or thing but does not include any of the following:

- (a) A sign, public notice or traffic control mark authorized by a CAO, Bylaw or Provincial or Federal legislation; or
- (b) In the case of private property, letter, symbol, or mark for which the leaseholder of the property on which the letter or symbol or mark appears has given prior, written authorization.

“Laneway” means a public thoroughfare or way which affords only a secondary means of access to a lot at the side or rear.

“Leased Lot” means real property, with or without improvements, that is located within The Park and that is used for residential and/or commercial purposes.

“Leaseholder” means (a) a Person having a current and valid lease with the Board; or (b) a Person (i) renting a residence in The Park from a Person having a current and valid lease with the Board, and (ii) the address of that residence is the Person’s permanent address.

“Noxious Weed” means any weed designated by regulation to be a noxious weed pursuant to the *British Columbia Weed Control Act*.

“Nuisance” means anything that annoys, irritates, disturbs or interferes with a person’s use or enjoyment of private or public property or is offensive to the senses or causes injury to health, comfort or convenience of any person.

“Offensive Matter” means physical objects which are objectionable to the public.

“Park” means the area within the Park boundaries and the foreshore assigned to the Park by the Province of British Columbia.

“Person” has the same meaning as in the *Interpretation Act* (British Columbia).

“Rubbish” means in addition to its common dictionary meaning, will include decaying or non-decaying solid and semi-solid wastes, including, but not limited to, both combustible and non-combustible wastes, such as paper, trash, refuse, cardboard, waste material, cans, glass, bedding, mattresses, crates, rags, barrels, boxes, lumber not neatly piled, scrap iron, tin and other metal, scrap paving material, construction and demolition waste, derelict vehicles and other vessels, tires, batteries, machinery, mechanical or metal parts, discarded or dilapidated appliances, discarded or dilapidated furniture, ashes from fireplaces and on-site incinerators, yard clippings and brush, wood, dry vegetation, dirt, weeds, dead trees and branches, stumps, and piles of earth mixed with any of the above.

“Sight Distance” means a clear line of vision between conflicting motorists, cyclists and pedestrians that allows sufficient time for safe maneuvers to be made without significantly affecting the conflicting traffic.

“Unightly”, means in addition to its common dictionary meaning and regardless of the condition of other properties in the neighborhood, will include property having any one or more of the following characteristics:

- (a) The storage, location or accumulation visible to a person standing on a public highway or on nearby property, or in a building or structure situated on a public highway or nearby property, of filth, rubbish, graffiti or any other discarded materials;
- (b) the untidy storage, location or placement of building materials on a site where construction is not taking place, except where they cannot be seen from a public highway or from nearby property, or from a building or structure situated on a public highway or nearby property;
- (c) landscaping or vegetation that is dead or characterized by uncontrolled growth or lack of maintenance, or is damaged;
- (d) any other similar conditions of disrepair, dilapidation, or deterioration;
- (e) any unlicensed or unregistered vehicles in a state of disrepair or disassembly.

“Vehicle” has the same meaning as in the *Motor Vehicle Act* (British Columbia).

“Waste Management Receptacle” means garbage cans, recycling and green waste bins.

“Weed” means a wild plant growing where it is not wanted and in competition with cultivated plants.

- 2.3** In this Bylaw, unless the context otherwise requires, the singular will include the plural and the masculine includes the feminine gender.
- 2.4** The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

3. PROPERTY MAINTENANCE

General Regulations

- 3.1** No leaseholder, occupier or tenant of a leased lot will cause, suffer or permit:
- (a) Rubbish, noxious, offensive, or unwholesome matter to collect or accumulate on the leased lot;
 - (b) rubbish to overflow from or accumulate around any container situated on the leased lot;
 - (c) the leased lot to become or remain unsightly;
 - (d) grass, weeds or other similar ground cover over 25 cm in height;
 - (e) the accumulation of dead landscaping, vegetation, noxious weeds or other growths to occur or to remain on the leased lot;
 - (f) the infestation of caterpillars or other insects, mice, rats, or other pests, or destructive animals to occur on the leased lot;
 - (g) in respect to a leased lot for which a Building Permit has been issued by the Building Inspector, demolition waste, construction waste or trade waste to accumulate on the leased lot; or
 - (h) an accumulation of motor vehicle parts or any vehicle which is in a state of disrepair or disassembly or is a derelict vehicle.

Vacant Premises

- 3.2** No leaseholder, occupier or tenant of a leased lot will cause or create a nuisance or permit a nuisance to be caused or created by allowing a vacant building on a leased lot to fall into such a state of disrepair that it becomes unsightly or creates a hazard, danger, nuisance, or inconvenience to the public.

Graffiti

- 3.3** No person will place graffiti or cause graffiti to be placed, on any wall, fence, building or structure that is located in the Park.

Boulevard and Laneway Maintenance

- 3.4** Every leaseholder, occupier, or tenant of a leased lot adjacent to a boulevard or laneway will:
- (a) Ensure that the portion of the boulevard or laneway adjacent to the leased lot, up to the centerline of the laneway, is kept free and clear, at all times, of weeds, accumulations of filth, litter, discarded materials, and hazardous objects;
 - (b) ensure that the leased lot is kept free and clear, at all times, of weeds that are within one meter from the boundary between the leased lot and the adjacent

boulevard or laneway, so as to prevent and control the spreading of weeds to adjacent boulevards or laneways;

- (c) ensure that the leased lot is kept free and clear, at all times, of accumulations of filth, litter, discarded materials, and hazardous objects that are within one meter from the boundary between the leased lot and the adjacent boulevard or laneway; and
- (d) not have any obstruction and keep landscaping trimmed so that driveway and intersection sight distances are unobstructed and to prevent landscaping from encroaching over paved roadways, graveled shoulders, or sidewalks.

Garbage, Recycling, Greens Waste and Compost – Wildlife Attractants

3.5 No leaseholder, occupier or tenant of a leased lot, or any other person, will maintain waste management receptacles within the Park unless they:

- (a) Are contained entirely on the leased lot;
- (b) are stored in a safe, sanitary, and inoffensive manner, that does not attract wild or domestic animals;
- (c) are only set out between 12:00 pm the day prior to pick up and 8:00 am on the designated day of collections;
- (d) do not remain outside of the leased lot past the day of collection; and
- (e) have the Cultus Lake Park issued labels affixed in a visible location.

3.6 No leaseholder, occupier or tenant of a leased lot, or any other person, will maintain composts, compostable substances, pet food, or barbeques unless they are stored in a safe, sanitary, inoffensive manner as to avoid attracting wild and domestic animals.

3.7 No leaseholder, occupier or tenant of a leased lot, or any other person, will deposit or cause, suffer or permit the deposit of litter, including any garden or vegetation waste materials on any public area of the Park.

4. FEES AND FINES

4.1 All Persons are subject and will pay the types of fees as listed in Schedule A of this Bylaw (if applicable) and the provisions and fines set out in Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019, as amended from time to time.

4.2 The amounts of all fees listed in Schedule A of this Bylaw (if applicable) are determined and set from time to time as follow:

- (a) The Board hereby delegates to the Chief Financial Officer all of the powers, duties and functions of the Board under Sections 14(a.1) and 14(f.1) of the Act to determine and publish, on an annual basis, the amount of each fee;

- (b) by March 31 of each calendar year, the Chief Financial Officer will determine and publish, or cause to be published, a notice (the "Fee Notice") in the Cultus Lake Park Office stating the amount of each fee, and such Fee Notice will remain published in the Cultus Lake Park Office until such fee amounts are no longer in effect;
- (c) all fee amounts go into effect the later of (i) 14 days after the applicable Fee Notice is published, or (ii) such other date specified in the Fee Notice, and supersede any prior Fee Notices and fee amounts;
- (d) in determining any fee amounts pursuant to this Section 4.2, the Chief Financial Officer will consider, acting reasonably, all of the following factors:
 - (i) all costs to the Board of enforcing this Bylaw;
 - (ii) all costs to the Board in managing and maintaining the Public Parking Lots;
 - (iii) the most recently passed budget of the Board;
 - (iv) the financial circumstances of the Board;
 - (v) the best interests of the Board; and
 - (vi) the mandate of the Board;
- (e) the amount for each type of fee determined pursuant to this Section 4.2 will not increase more than 20% year-over-year;
- (f) the Chief Financial Officer may publish copies of the Fee Notice at locations that are in addition to the Cultus Lake Park Office, but in the event of a conflict or inconsistency between the Fee Notice published in the Cultus Lake Park Office and any other notice, the Fee Notice published in the Cultus Lake Park Office will prevail and govern; and
- (g) if no Fee Notice is published by the Manger of Finance by the deadline set out in Section 4.2(b), then any Fee Notice from the previous year remains in effect and enforceable.

4.3 Each occurrence or day that a contravention of the provisions of this Bylaw exists or is permitted to exist will constitute a separate offence.

5. SEVERABILITY

If any part of this Bylaw is for any reason held invalid by a court or competent jurisdiction, the invalid portion will be severed and the severance will not affect the validity of the remainder.

6. REPEAL

The Cultus Lake Park Property Maintenance Bylaw No. 1149, 2019 and all amendments are repealed.

7. EFFECTIVE DATE

This Bylaw will come into force and effect upon its adoption.

READ A FIRST TIME this XX day of XXXX, 202X

READ A SECOND TIME this XX day of XXXX, 202X

READ A THIRD TIME this XX day of XXXX, 202X

ADOPTED this XX day of XXXX, 202X

Joe Lamb,
Chief Administrator Officer

David Renwick, Chair
Cultus Lake Park Board

I HEREBY CERTIFY the foregoing to be a true
and correct copy of Cultus Lake Park
Property Maintenance Bylaw No. 1210, 2022

Chief Administrative Officer



CULTUS LAKE PARK REPORT/RECOMMENDATION TO BOARD

DATE: March 16, 2022 **FILE:** 3900

SUBMITTED BY: Rachel Litchfield,
Manager of Corporate Services / Corporate Officer

SUBJECT: Bylaw Notice Enforcement Bylaw Amendment No. 1140, 2019 Amendment
Bylaw No. 1211, 2022

PURPOSE:

To present to the Board the proposed amendment to the current Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019.

RECOMMENDATION:

***THAT** the Cultus Lake Park Board give First, Second, and Third Readings of the Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 Amendment Bylaw No. 1211, 2022.*

DISCUSSION:

Staff proposed the current Cultus Lake Park Property Maintenance Bylaw be rescinded and restructured.

The bylaw was updated to reflect the updated definitions, changes made to the Fees and Fines section by the Board's legal representatives and additions were made to strengthen enforcement.

As this changes the corresponding contravention descriptions in the Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019, Schedule A - 9, this amendment is required to ensure consistency and enforceability.

STRATEGIC PLAN:

This report does not impact the Board's Strategic Plan Initiative.

Prepared by:

Rachel Litchfield
Manager of Corporate Services /
Corporate Officer

Approved for submission to the Board:

Joe Lamb
Chief Administrative Officer



Cultus Lake Park

BYLAW NOTICE ENFORCEMENT BYLAW NO. 1140, 2019

Amendment Bylaw No. 1211, 2022

A Bylaw to amend the Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019

The Board for Cultus Lake Park did enact a bylaw cited as "*Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019*."

The Board for Cultus Lake Park deems it advisable to amend said bylaw;

The Board for Cultus Lake Park, in open meeting assembled, enacts as follows:

1. TITLE

This Bylaw may be cited for all purposes as Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 Amendment Bylaw No. 1211, 2022.

2. AMENDMENTS

Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 is amended as follows:

- 2.1 Section 12 - SCHEDULES is amended by removing the following wording:
Schedule A-9 - Cultus Lake Park Property Maintenance Bylaw No. 1149, 2019.
- 2.2 Section 12 - SCHEDULES is amended by adding the following wording:
Schedule A-9 - Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022.
- 2.3 Schedule A-9 - Cultus Lake Park Property Maintenance Bylaw No. 1149, 2019 be removed and replaced with the attached Cultus Lake Park Property Maintenance Bylaw No. 1210, 2022.

3. EFFECTIVE DATE

READ A FIRST TIME this XX day of XXX, 202X

READ A SECOND TIME this XX day of XXX, 202X

READ A THIRD TIME this XX day of XXX, 202X

ADOPTED this XX day of XXXXX, 202X

David Renwick, Chair
Cultus Lake Park Board

Joe Lamb
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true
and correct copy of Cultus Lake Park Bylaw Notice
Enforcement Bylaw No. 1140, 2019 Amendment
Bylaw No. 1211, 2022.

Chief Administrative Officer

Schedule A-9 - Cultus Lake Park Property Maintenance

Bylaw Notice Bylaw Citation	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
<i>Cultus Lake Park Property Maintenance Bylaw No. 1211, 2022</i>	3.1 (a)	Permit rubbish, to collect	\$500	\$300	\$700	No
	3.1 (b)	Rubbish to overflow from container	\$500	\$300	\$700	No
	3.1 (c)	Leased lot unsightly	\$500	\$300	\$700	No
	3.1 (d)	ground cover over 25 cm in height	\$200	\$120	\$280	No
	3.1 (e)	Permit dead landscaping/vegetation	\$200	\$120	\$280	No
	3.1 (f)	Infestation insects or vermin	\$500	\$300	\$700	No
	3.1 (g)	Accumulation of construction waste	\$500	\$300	\$700	No
	3.1 (h)	Accumulation of motor vehicle or parts	\$500	\$300	\$700	No
	3.2	Vacant building In disrepair.	\$500	\$300	\$700	No
	3.3	Place graffiti on any structure	\$500	\$300	\$700	No
	3.4 (a)	Permit boulevard to become untidy	\$500	\$300	\$700	No
	3.4 (b)	Permit the accumulation of weeds	\$200	\$120	\$280	No
	3.4 (c)	Accumulation of hazardous objects	\$500	\$300	\$700	No
	3.4 (d)	Permit landscaping to obstruct site lines	\$200	\$120	\$280	No
	3.5 (a)	Receptacles and/or bins not kept entirely on leased lot	\$100	\$60	\$140	No
	3.5 (b)	Receptacles and/or bins not stored in a safe, sanitary and Inoffensive manner	\$300	\$180	\$420	No
	3.5 (c)	Receptacles and/or bins placed outside of designated time	\$100	\$60	\$140	No
	3.5 (d)	Receptacles and/or bins not returned to lease lot on same day	\$100	\$60	\$140	No
	3.5 (e)	Issued labels not affixed to waste receptacles	\$100	\$60	\$140	No
	3.6	(Wild and domestic animal attractancies) not stored properly	\$300	\$180	\$420	No
	3.7	Permit garden waste on public area	\$500	\$300	\$700	No



CULTUS LAKE PARK REPORT/RECOMMENDATION TO BOARD

DATE: March 16, 2022 **FILE:** 3900

SUBMITTED BY: Rachel Litchfield,
Manager of Corporate Services / Corporate Officer

SUBJECT: Cultus Lake Park Parking and Traffic Regulations Bylaw No. 1190, 2021
Amendment Bylaw No. 1212, 2022.

PURPOSE:

To present to the Board the proposed amendment to the current Cultus Lake Park Parking and Traffic Regulations Bylaw No. 1190, 2021.

RECOMMENDATION:

***THAT** the Cultus Lake Park Board give First, Second, and Third Readings of Cultus Lake Park Parking and Traffic Regulations Bylaw No. 1190, 2021 Amendment Bylaw No. 1212, 2022.*

DISCUSSION:

On April 15, 2021, Cultus Lake Park commenced the management of all public parking lots within the Park. This includes the maintenance of all parking meters and the issuing of tickets when a contravention of the current Cultus Lake Park Parking and Traffic Regulations Bylaw occurs. After a successful first season, staff have reviewed the bylaw and are recommending amendments that will benefit both staff and visitors.

Reducing the oversized length from 6.4m to 6.1m will allow safe parking for vehicles that are too large for some of the smaller parking stalls in Parking Lot B but aren't a vehicle with an attached trailer.

The addition of the public parking lot map as Schedule B will allow visitors, who are unfamiliar with the area, the opportunity to see where the public parking areas are within the Park, prior to visiting.

Staff also took this opportunity to correct the bylaw to include the term Recreation Vehicle in Section 11.3, as this was the original intent of the contravention.

STRATEGIC PLAN:

This report does not impact the Board's Strategic Plan Initiative.

Prepared by:

Rachel Litchfield
Manager of Corporate Services /
Corporate Officer

Approved for submission to the Board:

Joe Lamb
Chief Administrative Officer



Cultus Lake Park

PARKING AND TRAFFIC REGULATIONS BYLAW NO. 1190, 2021

Amendment Bylaw No. 1212, 2022

A Bylaw to amend the Cultus Lake Park Parking and Traffic Regulations Bylaw No. 1190, 2021

The Board for Cultus Lake Park did enact a bylaw cited as “*Cultus Lake Park Parking and Traffic Regulations Bylaw No. 1190, 2021*”.

The Board for Cultus Lake Park deems it advisable to amend said bylaw;

The Board for Cultus Lake Park, in open meeting assembled, enacts as follows:

1. TITLE

This Bylaw may be cited for all purposes as Cultus Lake Park Parking and Traffic Regulations Bylaw No. 1190, 2021 Amendment Bylaw No. 1212, 2022.

2. AMENDMENTS

Cultus Lake Park Parking and Traffic Regulations Bylaw No. 1190, 2021 is amended as follows:

- 2.1 Section **2.2 – DEFINITIONS OF TERMS** is amended by removing the following wording: “**Oversized Vehicle**” means a Vehicle, including any attached Trailer, that has a length in excess of 6.4 metres.
- 2.2 Section **2.2 – DEFINITIONS OF TERMS** is amended by adding the following wording: “**Oversized Vehicle**” means a Vehicle, including any attached Trailer, that has a length in excess of 6.1 metres.
- 2.3 Section **11.3** is amended by removing the following wording: No Person will Park any Vehicle or Trailer (a) on more than three (3) days in a calendar month, or (b) for a period of time exceeding 72 consecutive hours, within the residential overflow Parking area along the Highway known as “Sunnyside Boulevard”.
- 2.4 Section **11.3** is amended by adding the following wording: No Person will Park any Recreational Vehicle or Trailer (a) on more than three (3) days in a calendar month, or (b) for a period of time exceeding 72 consecutive hours, within the residential overflow Parking area along the Highway known as “Sunnyside Boulevard”.
- 2.5 Adding Schedule B – Parking Lot map.

3. EFFECTIVE DATE

READ A FIRST TIME this XX day of XXX, 202X

READ A SECOND TIME this XX day of XXX, 202X

READ A THIRD TIME this XX day of XXX, 202X

ADOPTED this XX day of XXXXX, 202X

David Renwick, Chair
Cultus Lake Park Board

Joe Lamb
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true
and correct copy of Cultus Lake Park Parking
and Traffic Regulations Bylaw No. 1190, 2021
Amendment Bylaw No. 1212, 2022.

Chief Administrative Officer

